

**NUNEATON AND BEDWORTH BOROUGH COUNCIL
HIGHWAY VEHICLE SALES (COMMERCIAL) PUBLIC SPACE PROTECTION
ORDER 2022**

The Anti-social Behaviour, Crime and Policing Act 2014

Nuneaton and Bedworth Borough Council (in this order called "the Authority") hereby makes the following Public Space Protection Order under Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 ("the Act") and following consultation under section 72 of the Act.

1. The Order may be cited as the Nuneaton and Bedworth Borough Council Highway Vehicle Sales (Commercial) Public Space Protection Order 2022 ("the Order").
2. The Order comes into force on 21st March 2022 and will remain in force for a period of 3 years unless varied or extended by the Authority under the Act.
3. The effect of the Order is to prohibit unauthorised non-domestic vehicle sales within the administrative area of Nuneaton and Bedworth Borough Council ("the Order Area") as shown on the map attached at Appendix A, in accordance with the prohibitions listed below.

Prohibitions

1. **This Order prohibits any person** from parking and exposing for sale a motor vehicle, motorcycle, trailer, caravan or similar on any category A and B road shown in red on the plans attached at Appendix A within the Order Area;
2. **This Order prohibits any person** from parking and exposing for sale a motor vehicle, motorcycle, trailer, caravan or similar within 15 metres of a category C and D road, where it forms a junction with a category A or B road, at the locations indicated in yellow on the plans attached at Appendix A.
3. **This Order prohibits any person** from parking and exposing for sale a motor vehicle, motorcycle, trailer, caravan or similar on any part of a service road at the locations shown in blue on the plans attached at Appendix A.

For the purpose of this order "Person" includes an individual or body corporate selling the vehicles as part of a trade or business.

The Order does not apply to private domestic sales in the immediate vicinity of a persons property or within the curtilage of their property.

"exposing a motor vehicle, motorcycle, trailer, caravan or similar for sale" shall include, but not be limited to, any such vehicle displaying any sign, writing, symbol, telephone

numbers or similar advertising that the vehicle, cycle, trailer or caravan in question is available for purchase. The extent of roads covered by the order shall include all land maintained as part of the public highway such as grass verges, laybys and road traffic islands.

Offence

It is an offence for a person to do anything that the person is prohibited from doing by this Order unless

- a) he has reasonable excuse for failing to comply with this requirement; or
- b) The Authority has consented in writing generally or specifically or exempted any person from non-compliance with the prohibitions.

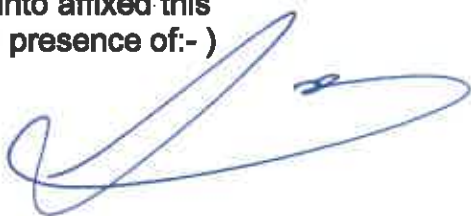
Penalty

A person who is guilty of an offence for failing to comply with this Order shall be liable on summary conviction to a fine not exceeding level 3 (£1000) on the standard scale.

Fixed Penalty Notices

An authorised person may issue a Fixed Penalty Notice not exceeding £100 to anyone they have reason to believe has committed an offence under this order.

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NUNEATON AND BEDWORTH BOROUGH COUNCIL was)
hereunto affixed this
in the presence of:-)



Challenging the Order

Any "Interested party" which includes someone who lives in the restricted area or regularly works or visits it or the person who has been charged with failing to comply with the Order may within six weeks of the date of this make an application to the High Court, under Section 66 of the Act, on the grounds that:

- a) that the Authority did not have the power to include a particular prohibition or requirement in the Order (or by the variation)
- b) a requirement under Chapter 2 of the Act was not complied with in relation to the Order (or Variation).