

**LONDON BOROUGH OF RICHMOND UPON THAMES**

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

**LONDON BOROUGH OF RICHMOND UPON THAMES  
(ANTI-IDLING) PUBLIC SPACES PROTECTION ORDER 2025**

**RECITALS**

- A. The London Borough of Richmond upon Thames (“the Council”) is satisfied that the requirements of Chapter 2 of Part 4, of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) have been satisfied and that it is, in all the circumstances, appropriate to make this Order.
- B. The Council is satisfied that the activity specified by this Order (“the prohibited activity”) has been and will continue to be carried on in public spaces in the Council’s area which have had and will continue to have a detrimental effect on the quality of life of those in the locality, namely the idling of motor vehicles when stationary.
- C. The Council, in making this Order, is satisfied on reasonable grounds that the prohibited activities have been carried out in the restricted area, and have had a detrimental effect on the quality of life of those in the locality and it is likely that those activities will continue to be carried out in the restricted area and will have that effect.
- D. The Council is further satisfied that the effect, or likely effect, of the activities-
  - a. is, or is likely to be of a persistent or continuing nature;
  - b. is, or is likely to be such as to make the activities unreasonable; and
  - c. justifies the restrictions imposed by this Order.
- E. The Council is satisfied that the prohibitions and requirements imposed by this Order are ones that it is reasonable to impose in order to prevent the detrimental effect from continuing, occurring, or recurring or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- F. The Council has had regard to the rights and freedoms set out in the Convention for the Protection of Human Rights and Fundamental Freedoms 1950 (“the Convention”) in so far as they may be affected by this Order. The Council has

had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the Convention and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

---

The Council of the London Borough of Richmond upon Thames (in this Order called “the Council”) hereby makes the following Order pursuant to, and in exercise of, its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”):

## **Part 1 - General**

### **Citation**

1. This Order may be cited as the London Borough of Richmond upon Thames (Anti-Idling) Public Spaces Protection Order 2025.

### **Commencement and Duration**

2. This Order shall come into force on \_\_\_\_\_ 2025 and will remain in force for the period of 3 years thereafter, unless extended, or discharged before that date.

### **Interpretation**

3. In this Order –

“the Act” means Anti-social Behaviour, Crime and Policing Act 2014;

“Authorised Person” means a Constable, Police Community Support Officer, Council Officer or other person authorised for the purposes of this Order by the Council;

“the Council” means the London Borough of Richmond upon Thames;

“public place” means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads.

### **Public Space effected by this Order**

4. This Order applies in any public place within the administrative area of the Council.

## **Part 2 – Anti-Idling Prohibition**

### **Prohibition on Idling**

5. (1) Save as provided by paragraph (2), the driver of a motor vehicle shall, when the vehicle is stationary, stop [the running of the engine of that vehicle] or [the action of any machinery attached to or forming part of the vehicle so far as may be necessary for the prevention of exhaust emissions].
  - (2) The provisions of paragraph (1), do not apply -
    - (a) when the motor vehicle is stationary owing to the necessities of traffic;
    - (b) when the motor vehicle is stationary of the period not exceeding one minute calculated from when the vehicle was first became stationary;
    - (c) when it is necessary to maintain operation of essential vehicle functions such as the operation of a lift or other auxiliary equipment;
    - (d) when it is required for safety reasons such as the operation of heating or air condition units during extreme weather conditions; and
    - (e) so as to prevent the examination or working of the machinery where the examination is necessitated by any failure or derangement of the machinery or where the machinery is required to be worked for a purpose other than driving the vehicle.

### **Part 3 – Enforcement and penalties for failure to comply with the Order**

#### **Requirement to provide Name and Address**

6. (1) If an authorised person reasonably believes that a person (P) has breached the prohibition imposed by Article 6 he or she may require P to give his or her name and address to the authorised person.
- (2) An authorised person who imposes a requirement under paragraph (1) must tell P that—
- (a) failing to give his or her name and address when required to do so under paragraph (1), or
  - (a) giving a false or inaccurate name or address in response to a requirement under that paragraph is an offence

#### **Conditions on imposition of Requirements**

7. (1) Where an authorised person imposes a requirement under this Order on a person (P) he or she must tell (P) that failing without reasonable excuse to comply with the requirement or to obstruct the authorised person is an offence.
- (2) A requirement imposed under this Order by an authorised person who is not a constable or police community support officer, is not valid if the person—
- (a) is asked by P to show evidence of his or her authorisation, and
  - (b) fails to do so.
- (3) Obstruction includes, but is not limited to, giving false information, physically obstructing an Authorised Officer, and refusing to comply with any reasonable instruction given to ensure compliance with this Order.

### **Offence of failing to comply with the Order**

8. By Section 67 of the Act, it is a criminal offence for a person without reasonable excuse—
  - (a) to do anything that the person is prohibited from doing by this Order,
  - (b) to fail to comply with a requirement to which the person is subject under this Order.
9. A person guilty of an offence under Section 67 of the Act is liable on summary conviction in the Magistrates' Court to a fine not exceeding level 3 on the standard scale.

### **Fixed Penalty Notices**

10. An authorised person may issue a fixed penalty notice (FPN) to anyone he or she has reason to believe has committed an offence under Section 67 of the Act. A person issued with a FPN must pay the fixed penalty of £100 within 14 days to discharge any liability to conviction for the offence. The penalty is automatically reduced to £50 if paid within 10 days.

THE COMMON SEAL OF THE MAYOR  
AND BURGESSES OF THE LONDON  
BOROUGH OF RICHMOND UPON THAMES  
was affixed this    day of    2025 in the  
presence of:

Signature:

Name:

Authorised Signatory

Seal Register No.

FOR CHIEF EXECUTIVE

## Appendix 1

### **Notes for Information**

#### **Challenging the validity of the Order**

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in the restricted area, or who regularly works in or visits that area. This means that only those who are directly affected by the restrictions have the power to challenge it.

Interested persons can challenge the validity of this Order on two grounds: -

- (a) that the Council did not have power to make the order, or to include particular prohibitions or requirements; or
- (b) that one of the requirements of the Act not been complied with.

Where such an application is made, the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality pending the final determination of the proceedings. The High Court may uphold the order, quash it, or vary it and may award legal costs in an unsuccessful challenge.

## Appendix 2

### **ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014**

#### **“Section 59 – Power to make public space protection orders**

- (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
- (2) The first condition is that—
  - (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
  - (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- (3) The second condition is that the effect, or likely effect, of the activities—
  - (a) is, or is likely to be, of a persistent or continuing nature,
  - (b) is, or is likely to be, such as to make the activities unreasonable, and
  - (c) justifies the restrictions imposed by the notice.

- (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) (“the restricted area”) and—
  - (a) prohibits specified things being done in the restricted area,
  - (b) requires specified things to be done by persons carrying on specified activities in that area, or
  - (c) does both of those things.
- (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
  - (a) to prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or
  - (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- (6) A prohibition or requirement may be framed—
  - (a) so as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;
  - (b) so as to apply at all times, or only at specified times, or at all times except those specified;
  - (a) so as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.
- <sup>(b)</sup>  
(7) A public spaces protection order must—
  - (a) identify the activities referred to in subsection (2);
  - (b) explain the effect of section 63 (where it applies) and section 67;
  - (c) specify the period for which the order has effect.
- (8) A public spaces protection order must be published in accordance with regulations made by the Secretary of State.

## **Section 66 - Challenging the validity of orders**

- (1) An interested person may apply to the High Court to question the validity of—
  - (a) a public spaces protection order.....,
  - or
  - (b) a variation of a public spaces protection order.....

“Interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.

- (2) The grounds on which an application under this section may be made are—
  - (a) that the local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);



- (b) that a requirement under this Chapter was not complied with in relation to the order or variation.
- (3) An application under this section must be made within the period of 6 weeks beginning with the date on which the order or variation is made.
- (4) On an application under this section the High Court may by order suspend the operation of the order or variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied), until the final determination of the proceedings.
- (5) If on an application under this section the High Court is satisfied that—
- (a) the local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied), or
- (b) the interests of the applicant have been substantially prejudiced by a failure to comply with a requirement under this Chapter,
- the Court may quash the order or variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied).
- (6) A public spaces protection order....., or any of the prohibitions or requirements imposed by the order (or by the order as varied), may be suspended under subsection (4) or quashed under subsection (5)—
- (a) generally, or
- (b) so far as necessary for the protection of the interests of the applicant.
- (7) An interested person may not challenge the validity of a public spaces protection order....., or of a variation of such an order, in any legal proceedings (either before or after it is made) except—
- (a) under this section, or
- (b) under subsection (3) of section 67 (where the interested person is charged with an offence under that section).

## **Section 67 – Offence of Failing Comply with order**

- (1) It is an offence for a person without reasonable excuse—
- (a) to do anything that the person is prohibited from doing by a public spaces protection order....., or
- (b) to fail to comply with a requirement to which a person is subject under a public spaces protection order.....
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.....”