

# The ASB, Crime and Policing Act 2014

The police, council, housing providers and other agencies have six flexible powers under this Act to provide better protection for victims and communities. These powers are civil injunctions, criminal behaviour orders, community protection notices, public space protection orders, closure powers and dispersal orders. The measures taken depend on the issue.

The Community Trigger and Community Remedy sit alongside these measures to empower victims and communities, giving them a greater say in how agencies respond to complaints of anti-social behaviour. Find out more about how the trigger can be used at [www.west-midlands.police.uk](http://www.west-midlands.police.uk)

## Police Reform Act 2002

Where a motor vehicle is used in a careless, inconsiderate manner or is ridden off road causing or likely to cause alarm, distress or annoyance to any member of the public, police have powers to stop the rider/driver.

If following a warning the person continues to offend, police can seize and remove the vehicle. A police officer can also enter any premises with force if necessary to exercise these powers.



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# OFF ROAD MOTORBIKES

ANTI-SOCIAL BEHAVIOUR,  
SAFETY AND THE LAW

## Anti-social behaviour (ASB) and off road motorbikes



Riding off road motorbikes can be a popular pastime. However, these vehicles can also be used in a dangerous, noisy and anti-social way, generating lots of complaints to police.

This can result in prosecution for the rider and in some cases the parents, who are held accountable for the actions of their children.

**It is illegal to ride any motorbike in public open spaces such as parks, play areas and on pavements.**

West Midlands Police regularly receives complaints concerning the anti-social use of off road motorbikes. Ambulance crews are regularly called out to children and young adults who have sustained serious injuries as a result of using these bikes illegally and without wearing any protective clothing or a helmet.

Don't let your child be the next casualty. Make sure off road motorbikes are used safely and legally.

To reduce the harm to individuals and communities, police operations are carried out in your area with illegally used off road motorbikes being seized and crushed.

**You can only ride an off road motorbike legally if it is on private land and you have the land owner's permission. Land owned by the local council is not classed as private land.**

Not everyone using off road motorbikes does so illegally and there are a number of specialist sites where they can be ridden legally.



## What does the law say?

In law, off road motorbikes are regarded as motor vehicles which must be constructed to a specific standard in order to be ridden on a public highway. Most off road motorbikes do not meet this standard. Visit the Department for Transport's website [www.dft.gov.uk](http://www.dft.gov.uk) for more information.

In addition to meeting construction requirements, off road motorbikes also need the following if they are to be used on a public highway:

- DVLA registration (log book)
- Road tax
- A valid MOT
- Fitted with lights
- Fitted with registration plates

- Type approval
- The rider must also:
- Be aged 17 or over (or 16 if the vehicle meets the definition of a moped)
  - Hold a valid driving licence
  - Have valid motor insurance
  - Wear suitable safety equipment (e.g. a motorbike helmet)

If the above conditions are not met, it is illegal to ride an off road motorbike on the road.

If you own or ride one of these vehicles it is your responsibility to know the law.

Failure to comply is a criminal offence and may result in prosecution under the Road Traffic Act 1988 and Police Reform Act 2002.

## How can local communities help?

Are off road motorbikes causing a nuisance in your neighbourhood? Do you have any information about the use of these vehicles, where they're being ridden and who by? Call your local police on **101**.

If you want to provide information anonymously, contact the independent crime-fighting charity Crimestoppers on **0800 555 111**.

Information that can help police may include:

- The name and address of the owner of the off road motorbike
- Where the bike is stored
- When and where the bike is being used (e.g. days, times and routes)
- Any other useful information such as a description of those who use the bike and its make/model/colour

### Gathering evidence

Talk to the police officer or council anti-social behaviour officer handling your complaint before taking any photographs or filming people, places or vehicles you suspect are causing a nuisance in your neighbourhood. Also consider:

- Your recording device may be seized as evidence – this includes mobile phones.
- People can get the wrong idea about what you're filming and why, potentially leading to a volatile situation.
- Legal restrictions are placed on photographs or video footage of children 16 and under which are defined by law as indecent.
- Private spaces, such as the home, are also protected and this could result in an invasion of privacy if ignored.
- Evidence from people who have seen or experienced anti-social behaviour first-hand is more compelling in court than photo or video evidence.

