

Public Spaces Protection Order No.1 of 2026 relating to Lowes Lane and Moor Lane, Swarkestone, Derbyshire. (Swadlincote)

South Derbyshire District Council

Public Spaces Protection Order No. 1 of 2026 relating Lowes Lane and Moor Lane, Swarkestone, Derbyshire

Notice is hereby given that South Derbyshire District Council ("the Council") has made the following Public Spaces Protection Order ("PSPO") under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act").

The Council is satisfied that the conditions set out in Sections 59, 64 and 72 of the Act have been satisfied and that it is in all the circumstances expedient to make this PSPO for the purposes of reducing anti-social behaviour and criminal offences taking place in the Restricted Area. The Council makes the PSPO because the anti-social behaviour addressed in this PSPO is having a detrimental effect on the quality of life of those in the locality. The effect or likely effect of this is of a persistent or continuing nature such as to make this unreasonable and justify the restrictions imposed by this PSPO.

1. The Order may be cited as the Lowes Lane/Moor Lane PSPO and comes into force on 12 March 2026 and expires on 11 March 2029, unless extended by further orders under the Council's statutory powers or those of any successor Local Authority.
2. The Order relates to open and publicly accessible land (this may include land which is within the ownership of National Highways and the Highways Authority, Derbyshire County Council in the area shown edged black and coloured green on the Order Plan. Such land includes but is not limited to the public highway (road pavement), laybys and passing places for motor vehicles, field entrances (other than for use of landowners or those conducting agricultural work or similarly defined working activities), grassed areas and land laid to shrubland to the boundary of the A50 bypass (north of Moor Lane) ("the Restricted Area").
3. The effect of the Order is to impose the following prohibitions on the use of the Restricted Area:-
 - (a) No person shall participate in sexual behaviour, whether inside or outside of a vehicle, nor shall any person park up or stop a vehicle at any time for those purposes.
 - (b) No person shall deposit waste (fly tip) on any land whether private or public.

The effect of this Order is to impose the prohibitions detailed herein at all times.

4. Any person who without reasonable excuse does not comply with the prohibitions (a - c) shall be guilty of an offence under section 67 of the Act and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000) or a fixed penalty notice of up to £100.

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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, regularly works in, or visits the area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council. Interested persons can challenge the validity of this order on two grounds: that the Council did not have power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with. When 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. The High Court has the ability to uphold the order, quash it, or vary it.

Dated this 12th day of March 2026

The Common Seal of
South Derbyshire District Council
was hereunto fixed in the
presence of





Chair of the Council



Chief Executive Director



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AC0000814783

PSPO Plan Restricted Area GREEN

N Scale: 1:5000



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