

OFF ROAD BIKES NUISANCE AND THE LAW



We understand that off road bike nuisance is a long standing issue across the Tameside Borough, with our communities suffering noise nuisance, intimidation and abusive riding.

Definition of an off road bike – off road vehicles include moto-cross, trial and endurance bikes, mini motos, quadbikes, electric scooters, buzz boards and go-peds and any other mechanically propelled vehicle.



WHAT IS ILLEGAL?

Most 'off road' bikes that cause a nuisance are usually found on public footpaths, parks, fields or privately owned land.

RIDING ON PUBLIC PLACES AND FOOTPATHS

Riding a motorcycle on council owned land is an offence. It is also an offence to drive a mechanically powered vehicle on a footpath, bridleway or restricted bridleway.

The law states that footpaths alongside the road form part of the road. To legally ride a motorcycle on the highway a rider must comply with DVLA regulations. Information can be found at this website dft.gov.uk.

PRIVATE LAND

Riding a motorcycle on private land, without the landowner's permission is an offence of 'riding on land other than a road' and landowners are entitled to sue people who break these laws.

Even if a rider has permission to use a piece of land, this doesn't mean they are exempt from the law.

REPORT IT

Communities are our best hope for tackling nuisance off road bikes.

YOU CAN DO THIS BY:

- Letting us know there is a problem in your area
- Give us details of times, days, and location of where it happens
- Provide information of where motorcycles are stored – address/garage
- Provide us with as much detail as possible:
 - **Description of motorcycle, colour, size**
 - **Description of clothing, helmet, jackets**
 - **Description of any vehicles transporting motorcycles, such as registration number, colour, make, model**
 - **Description of rider, hair length, build, gender, distinguishing marks**

THIS INFORMATION HELPS US TO

- Seize vehicles that are used in an anti-social manner.
- Prosecute offenders under the relevant legislation.

KEEP REPORTING

Even if you don't think anything is happening – IT IS. We are working hard behind the scenes and your information helps.

BE WARNED

Electric Assisted Pedal Cycles (EAPC)

An EAPC is legal to ride anywhere a standard pedal cycle could be ridden if it conforms to EAPC standards. It must have pedals, the motor must not exceed 250 watts and it must not provide any power above 15.5mph. Otherwise it is classed as a motorcycle and the rider will need a driving licence, insurance, MOT where applicable and will need to wear a motorcycle helmet. The rider must be 14 years of age or over.

CONTACT US

GREATER MANCHESTER POLICE

Call 101 or report online at www.gmp.police.uk or use Live Chat online

CRIME STOPPERS

Call anonymously on FREEPHONE 0800 555 111
or online at <https://crimestoppers-uk.org/>

TAMESIDE COUNCIL COMMUNITY SAFETY TEAM

cshbusinesssupport@tameside.gov.uk or telephone 0161 342 8355

PROSECUTE IT

Failure to comply with the law can result in the following:

Police Reform Act 2002

Section 59 and 60 give police the power to seize vehicles that are being driven in a way that causes, or is likely to cause alarm, distress or annoyance.

Road Traffic Act 1988 - Section 143

You must not ride a motorcycle, quad bike or go-ped on a road, public place and/or public path without appropriate insurance as provided for under this Act. If you do so, you could be prosecuted in the Magistrates Court.

Road Traffic Act 1988 - Section 3

You must not ride a motorcycle, quad bike or go-ped on a road, public place and/or public path in a careless or inconsiderate manner. If you do so, you could be prosecuted in the Magistrates Court.

Road Traffic Act 1988 - Section 87

You must not ride a motorcycle, quad bike or go-ped on a road, public place and/or public path, without a valid driving licence to drive that class of vehicle. If you do so, you could be prosecuted in the Magistrates Court.

ASB, Crime and Policing Act 2014

Enables the Council, Police and Social landlords to use a range of powers to tackle anti-social behaviour including nuisance caused by off road bikes. These powers include, Civil Injunctions, Criminal Behaviour Orders, Public Spaces Protection Orders, Community Protection Notices, Closure Orders and Dispersal Powers.

Noise

Tameside Council has the power under the Environmental Protection Act 1990 to take action in respect of a noise nuisance caused by unreasonable use of motor vehicles off road. Once an Abatement Notice is served councils have the power to seize the offender's vehicle and take prosecution proceedings.

Parent's Liability

As a parent you may be prosecuted for 'aiding and abetting' or 'permitting' off road use and be prosecuted in addition to riders and risk points on your own driving licence, and possible disqualification.

IGNORANCE OF THE LAW IS NO DEFENCE.