

Anti-Social Behaviour, Crime and Policing Act 2014

The Colchester Borough Council (Town Centre) Public Space Protection Order 2020

The Colchester Borough Council ("the Council") makes this order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, having consulted as required by section 72.

The order takes effect on 23rd October 2020 and has a duration of 3 years.

It applies to the public spaces formed by the areas within Colchester Town Centre ("The Restricted Areas") which are shown red on the plan attached to the Order.

The Council is satisfied that activities have been carried out in the Restricted Areas which have had a detrimental effect on the quality of life of those in the locality. Further, it is satisfied that the effect of the activities is or is likely to be of a persistent or continuous nature, is or is likely to be such as to make the activities unreasonable and the effect justifies the restrictions imposed.

The activities carried out are as follows:

- Persons urinating and defecating in places open to the air
- Person taking intoxicating substances in places open to the air
- Persons being intoxicated and causing annoyance and a nuisance
- Persons begging for money and other items
- Persons being intimidating, verbally abusive, blocking access, aggressively shouting, swearing and fighting
- Skateboards, scooters and other wheeled vehicles being used in pedestrian areas so as to cause nuisance and annoyance
- The stationing of advertising boards or other structures being used as such

The Council therefore under section 59(4) prohibits:

- Any person urinating or defaecating anywhere other than a toilet nor depositing any human bodily fluids / excrement anywhere open to the air
- Any person in possession of an open vessel(s) of alcohol / intoxicating liquor in a public place
- Any person being as a result of intoxication by ingesting alcohol or drugs be in a condition as to be considered by a constable, any other member of the emergency services or health services or an authorised person behaving in a manner that causes or is likely to cause intimidation, harassment, alarm, distress, nuisance or annoyance to any person.
- Any person sitting or loitering on the highway or any pedestrian area of the Restricted Area demanding or begging or perceived to be begging by an

authorised person for money or any other item, whether placing any item before them for receipt of money or otherwise.

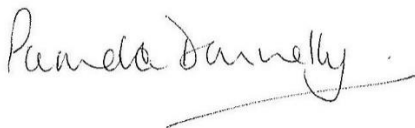
- Any person flyposting (including the unlawful affixing of any placard, notice or sign to street furniture) or any person permitting and / or benefitting from such flyposting
- Any person using a Skateboard, Bicycle, scooter, skates or any other self-propelled wheeled vehicle in such a manner as to cause damage to property or that causes or is likely to cause intimidation, harassment, alarm, distress, nuisance or annoyance to any person
- The stationing of advertising boards or other structures being used as such within the Restricted Area
- Any person behaving in a manner that is likely to result in any person being intimidated, harassed, alarmed or distressed or causing nuisance or annoyance to any person.

If a constable or an authorised person reasonably believes that a person is or has been consuming alcohol within the restricted area, they may require that person:

- a. Not to consume alcohol or anything which the constable or authorised person reasonably believes to be alcohol
- b. To surrender anything in that person's possession which is, or which the constable or authorised person reasonably believes to be alcohol or a container or vessel for alcohol to be disposed of as they deem fit

Failure without reasonable excuse to comply with the prohibitions or requirements imposed by this Order is a summary offence under section 67 of the 2014 Act. Any person guilty of an offence under sections 67 is liable on a summary conviction to a fine not exceeding level 3 on the standard scale.

A constable or an authorised person may under section 68 of the 2014 Act issue a Fixed Penalty Notice to anyone he or she has reason to believe has committed an offence under section 67 in relation to this order. Persons who breach this Order, shall when ordered to do so by an authorised person disperse either immediately or by such time as directed.



Signed:

By authority of the Colchester Borough Council under section 101 of the Local Government Act 1972