The Colchester City Council (City Centre) Public Spaces Protection Order 2026 made under Sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014

Colchester City Council ("the Council"), in exercise of its powers under sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014, being satisfied that the conditions set out in section 59 of that Act have been met, and having had particular regard to the rights of freedom of expression and freedom of assembly as required by section 72 of that Act, hereby makes the following Public Spaces Protection Order.

1. Citation, Commencement and Duration

1.1 This Order may be cited as the Colchester City Council (City Centre) Public Spaces Protection Order 2026.

1.2 This Order shall come into force on 24th October 2026, and the order shall remain in force for a period of three years unless extended, varied or discharged in accordance with the Anti-social Behaviour, Crime and Policing Act 2014.

2. Restricted Area

2.1 This Order applies to all public places within the area identified and edged red on the map attached at Schedule 1.

2.2 The Restricted Area comprises the principal Colchester City Centre area and includes public highways, footways, pedestrianised areas, public spaces, parks, transport hubs, car parks and associated land to which the public has access.

3. Interpretation

In this Order:

"Alcohol" means beer, lager, cider, wine, spirits, alcopops or any other beverage containing alcohol.

"Authorised Person" means:

a) A Constable;

b) A Police Community Support Officer;

c) An Officer of Colchester City Council authorised in writing by the Council for the purposes of this Order;

d) Any other person authorised in writing by the Council to exercise powers under this Order.

"Controlled Drug" has the meaning given in section 2 of the Misuse of Drugs Act 1971.

"Council" means Colchester City Council and includes any successor authority, replacement authority, unitary authority or local authority exercising the relevant functions within the Restricted Area following any local government reorganisation or transfer of statutory functions.

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"Drug Paraphernalia" includes any item, equipment, utensil or article used, intended to be used, or adapted for the consumption, preparation or administration of controlled drugs, psychoactive substances or nitrous oxide.
"Fly Posting" means the display of advertisements, notices, posters, placards, stickers, banners or similar materials on buildings, structures, street furniture, public highways or land without lawful authority.
"Leafleting" means the distribution of printed material, promotional literature, flyers, advertisements, vouchers, samples or similar items to members of the public.
"Nitrous Oxide" means nitrous oxide or any substance commonly referred to as laughing gas.
"Psychoactive Substance" has the meaning given in section 2 of the Psychoactive Substances Act 2016.
"Public Place" means any place within the Restricted Area to which the public, or any section of the public, has access, whether on payment or otherwise.
"Reasonable Excuse" shall be determined according to the circumstances of each individual case.
"Restricted Area" means the land identified and outlined in red on the map attached at Schedule 1.

4. Prohibitions
A person, business, company, partnership, organisation or other body within the Restricted Area shall not:
4.1 Public Urination and Defecation
A person shall not urinate or defecate in any public place other than within a toilet facility provided for that purpose.
4.2 Alcohol-Related Anti-Social Behaviour
A person shall not consume alcohol within the Restricted Area where an Authorised person, Police Officer or Police Community Support Officer reasonably believes that the consumption of alcohol is contributing, or is likely to contribute, to anti-social behaviour
4.3 Power to Require Surrender of Alcohol
Where a person is reasonably believed by a constable or authorised person to be consuming, to have consumed, or to intend to consume alcohol in breach of this Order, that constable or authorised person may require the person to:

a) cease consuming alcohol; and/or
b) surrender any alcohol or alcohol container in their possession which the constable or authorised person reasonably believes to contain alcohol.

For the avoidance of doubt, where a constable or authorised person reasonably believes that a person is consuming, has consumed, or intends to consume alcohol in breach of this Order, the powers contained within the Anti-social Behaviour, Crime and Policing Act 2014 relating to the surrender of alcohol and offences arising from a failure to comply with a requirement to surrender alcohol shall apply

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4.4 Drug-Related Behaviour

A person shall not consume, prepare or administer any controlled drug, psychoactive substance, nitrous oxide or associated drug paraphernalia within the Restricted Area where such conduct causes, or is likely to cause, harassment, alarm, distress, nuisance or disorder.

A person shall not smoke, consume or otherwise use a controlled drug in a public place where the resulting smoke, vapour, smell or associated behaviour causes, or is likely to cause, nuisance, harassment, alarm or distress.

A person shall also not discard, deposit, abandon or leave any drug paraphernalia, nitrous oxide canister, drug-related waste, or associated materials in a public place within the Restricted Area.

For the avoidance of doubt, this provision is intended to address anti-social behaviour associated with drug use in public places and does not replace or restrict the enforcement of any offence under the Misuse of Drugs Act 1971, the Psychoactive Substances Act 2016, or any other enactment.

4.5 Aggressive or Persistent Solicitation

A person, business, company, partnership, organisation or other body shall not aggressively, persistently or intimidatingly solicit money, goods, services or other items, including by sitting, standing, loitering or positioning themselves near, beside or in the vicinity of a cash machine, bank entrance or other payment facility, where such conduct causes, or is likely to cause, harassment, alarm, distress, intimidation, nuisance or obstruction

For the avoidance of doubt, this provision does not prohibit a person from passively requesting assistance where no such detrimental effect arises. However, positioning oneself at or near a cash machine, bank entrance or payment facility in a manner that causes, or is likely to cause, harassment, alarm, distress, intimidation, nuisance or obstruction may fall within this prohibition.

4.6 Obstruction of Entrances and Public Spaces

A person shall not, by their presence, conduct, or placement of any item, obstruct access to premises, cash machines, public facilities, highways, footways or emergency access routes where such conduct causes, or is likely to cause, nuisance or obstruction to others.

For the avoidance of doubt, rough sleeping itself is not prohibited by this Order.

4.7 Nuisance Use of Cycles and Similar Devices

A person shall not ride or use a bicycle, electrically assisted pedal cycle, e-scooter, scooter, skateboard or similar device in a way that causes, or is likely to cause, danger, harassment, alarm, distress, nuisance or obstruction to other users of the public space, except in areas specifically designated by the Council for that purpose.

4.8 Unauthorised Advertising, Promotional and Outreach Activity

A person, business, company, partnership, organisation or other body

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shall not display, affix, attach, erect, place or deposit any advertisement, poster, placard, banner, sign, sticker or similar promotional material on any building, structure, street furniture, highway or public place without lawful authority where such conduct causes, or is likely to cause, nuisance, obstruction, environmental harm, harassment, alarm or distress.

A person, business, company, partnership, organisation or other body shall not engage in any advertising, promotional, canvassing, recruitment, fundraising, campaigning, proselytising or other outreach activity in a manner that causes, or is likely to cause, harassment, alarm, distress, intimidation, nuisance or obstruction to any other person.

For the purposes of this prohibition, prohibited conduct may include:

a) persistently approaching individuals who have indicated that they do not wish to engage;
b) following, surrounding or intimidating any person;
c) obstructing the free passage of pedestrians or access to premises;
d) making repeated unwanted attempts to engage individuals in conversation; or
e) continuing an activity after being requested by an Authorised Person to cease where the Authorised Person reasonably believes that the conduct is causing, or is likely to cause, harassment, alarm, distress, intimidation, nuisance or obstruction.

An Authorised Person may require any person undertaking such activity to cease the activity, remove any unauthorised material, and leave the immediate location where reasonably necessary to prevent the continuation of the prohibited conduct.

For the avoidance of doubt, the distribution of free printed matter within designated areas of Colchester is regulated separately under Section 94B and Schedule 3A of the Environmental Protection Act 1990 and any associated designation or consent regime operated by the Council.

This provision shall not prohibit lawful freedom of expression, peaceful assembly, political campaigning, religious expression, charitable activity, trade union activity or any other activity protected by law, provided that the manner in which the activity is conducted does not cause, or is likely to cause, harassment, alarm, distress, intimidation, nuisance or obstruction.

4.9 Advertising Boards, A-Boards and Promotional Displays

A person, business, company, partnership, organisation or other body shall not place, erect, position, maintain, permit or cause to be placed, erected, positioned, maintained or left any advertising board, A-board, pavement sign, promotional

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display, advertising frame, forecourt sign or similar structure within the Restricted Area

An Authorised Person may require any person, business, company, partnership, organisation or other body responsible for the advertising board, A-board, pavement sign, promotional display, advertising frame, forecourt sign or similar structure to remove it immediately. Failure, without reasonable excuse, to comply with a requirement given under this paragraph shall constitute a breach of this Order.

This prohibition shall not apply to:

a) traffic signs, highway signs or statutory notices placed by or on behalf of a public authority;
b) signs required by law;
c) activities authorised in writing by the Council; or
d) structures expressly authorised by a licence, permit, lease or other written consent issued by the Council.

4.10 Amplified Noise

A person, business, company, partnership, organisation or other body shall not use amplified music, loudspeakers, microphones, public address systems, portable speakers, stereos, sound systems or similar devices within the Restricted Area where an Authorised Person reasonably believes that the volume, duration, location, manner of use or associated conduct is unreasonable and is causing, or is likely to cause, nuisance, harassment, alarm, distress, intimidation or unreasonable interference with the use and enjoyment of the public space by others.

A person, business, company, partnership, organisation or other body must reduce the volume, cease the use of the equipment, or leave the location when reasonably required to do so by an Authorised Person for the purpose of preventing or stopping such nuisance, harassment, alarm, distress, intimidation or unreasonable interference. This prohibition does not apply to activity authorised by the Council, licensed events, emergency services, statutory undertakers acting in the course of their duties, or activity protected by law, including lawful freedom of expression, peaceful assembly, political campaigning, religious expression, trade union activity, charitable activity or other lawful activity, unless the manner of the amplification or associated conduct is unreasonable and causes, or is likely to cause, the effects described above.

4.11 Unauthorised Access to Buildings and Structures

A person shall not, without lawful authority or reasonable excuse enter or remain within any vacant, disused, derelict, secured or otherwise restricted building or structure where such conduct is causing, or is likely to cause, harassment, alarm, distress, nuisance, disorder, damage, or risk of harm to any person.

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A person shall not, without lawful authority or reasonable excuse enter or remain within any vacant, disused, derelict, secured or otherwise restricted building, structure, heritage asset, scheduled monument, listed building, archaeological site or associated curtilage where such conduct is causing, or is likely to cause, harassment, alarm, distress, nuisance, disorder, damage, harm to the historic environment, or risk of harm to any person.

A person shall not, without lawful authority or reasonable excuse use, possess, place, move or interfere with any ladder, climbing aid, barrier, fence, boarding, lock, gate, security feature or other access control measure for the purpose of obtaining unauthorised access to a building, structure or elevated area;

A person shall not, without lawful authority or reasonable excuse encourage, assist, organise, record or promote any activity prohibited under paragraphs (a) to (c) where an Authorised Person reasonably believes such conduct is contributing to, or facilitating, the prohibited activity.

5. Positive Requirements

Where an Authorised Person reasonably believes that a person, business, company, partnership, organisation or other body is engaging in conduct prohibited by this Order, that person may be required to:

5.1 Surrender Psychoactive Substances

Surrender any psychoactive substance, nitrous oxide or related paraphernalia.

5.2 Requirement to Cease Conduct and Leave the Restricted Area

Where an Authorised Person reasonably believes that a person, business, company, partnership, organisation or other body is engaging in conduct prohibited by this Order, or that their presence within the Restricted Area is contributing to such conduct continuing or recurring, the Authorised Person may require that person to:

a) cease the prohibited conduct immediately;
b) surrender any alcohol, psychoactive substance, nitrous oxide or related item where required under this Order;
c) leave the location where the prohibited conduct is occurring; and
d) where the Authorised Person reasonably considers it necessary and proportionate for the purpose of preventing the continuation or recurrence of the prohibited conduct, leave the Restricted Area, or a specified part of the Restricted Area, by a route and within a time specified by the Authorised Person.

A requirement to leave the Restricted Area, or a specified part of it, may only be given where the Authorised Person reasonably believes that the person's remaining presence is likely to result in the prohibited conduct continuing, recurring or escalating, or is likely to cause harassment, alarm, distress, nuisance, obstruction or disorder.

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Any requirement given under this paragraph must be reasonable, proportionate, clearly explained to the person concerned, and limited to what is necessary to prevent or stop the prohibited conduct. The Authorised Person must have regard to any vulnerability, safeguarding issue, disability, homelessness, substance dependency, mental health need, age, protected characteristic or other relevant personal circumstance before giving such a requirement.

For the avoidance of doubt, a requirement to leave under this Order is a requirement imposed by this Public Spaces Protection Order for the purpose of preventing or stopping prohibited conduct. It is not a dispersal power under any other enactment and does not affect any separate power exercisable by a constable, police community support officer or other authorised person under any other legislation.
Failure, without reasonable excuse, to comply with a requirement properly given under this paragraph is a breach of this Order.

6. Human Rights, Equality and Safeguarding

In exercising powers under this Order, Authorised Persons shall act reasonably, proportionately and in accordance with the Human Rights Act 1998 and the Equality Act 2010.
Authorised Persons shall have regard to individual circumstances including vulnerability, homelessness, disability, mental health conditions, substance dependency, age, safeguarding needs and any protected characteristic.

The purpose of this Order is to address behaviour causing harassment, alarm, distress, nuisance, obstruction or disorder. It is not intended to criminalise poverty, homelessness, disability, ill health or other vulnerabilities.

7. Enforcement

7.1 Any person, business, company, partnership, organisation or other body who, without reasonable excuse, fails to comply with a prohibition or requirement imposed by this Order commits an offence under section 67 of the Anti-social Behaviour, Crime and Policing Act 2014.
7.2 An Authorised Person may issue a Fixed Penalty Notice in accordance with section 68 of the Anti-social Behaviour, Crime and Policing Act 2014.
7.3 The Council may prosecute offences arising from breaches of this Order where appropriate.

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8. Exemptions

The prohibitions and requirements contained within this Order shall not apply to:

a) Emergency services acting in the course of their duties;
b) Statutory undertakers carrying out lawful functions;
c) Activities authorised by Colchester City Council;
d) Events authorised or licensed by the Council;
e) Holders of any licence, permit, consent or authorisation issued by the Council who are acting in accordance with the terms of that authorisation;
f) Activities expressly authorised by legislation;
g) Any person acting with lawful authority or reasonable excuse.

Signed:  Andrew Tyrrell

By Authority of Colchester City Council under section 101 of the Local Government Act 1972

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Official Public Spaces Protection Order 2026 (City Centre)

The Colchester City Council (City Centre) Public Spaces Protection Order 2026 made under Sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014

Schedule 1

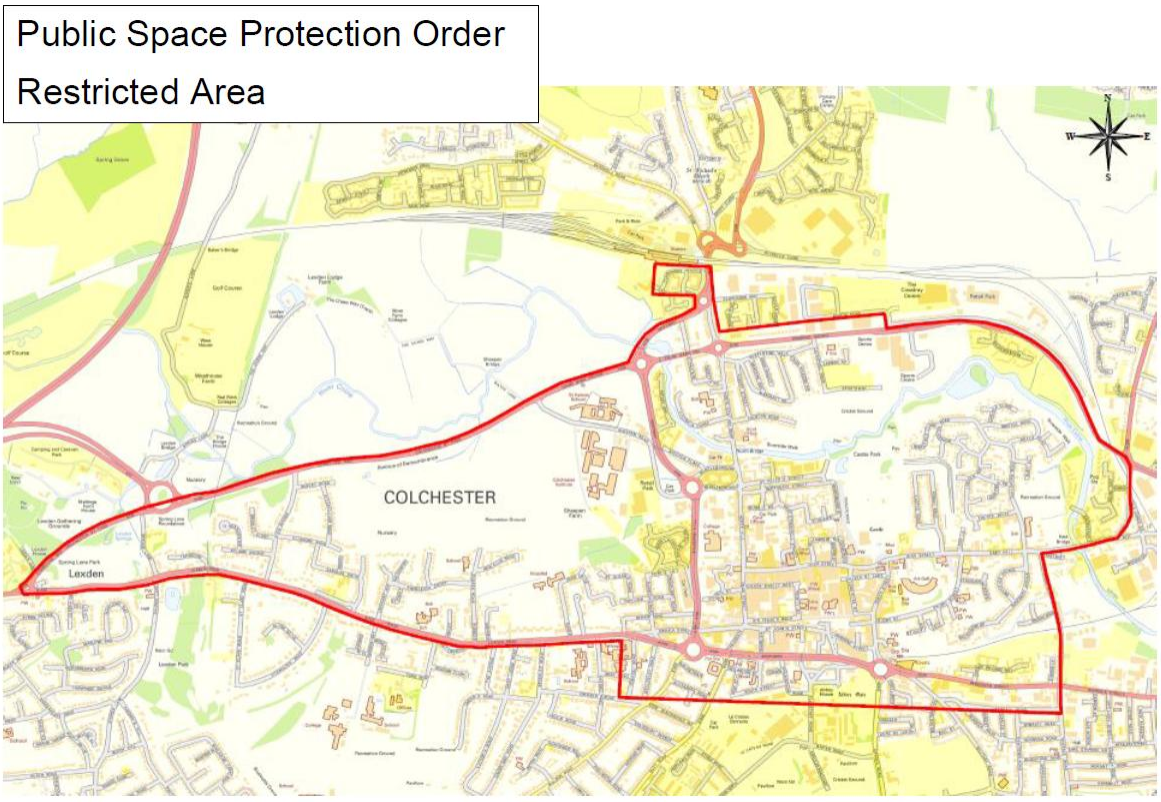
Restricted Area

This Order applies to all public places within the area shown edged red on the map attached to this Schedule and forming part of this Order.

The Restricted Area comprises the principal Colchester City Centre area including public highways, footways, public spaces, transport hubs, parks, pedestrianised areas, car parks and associated public access land bounded and identified on the attached map.

For the avoidance of doubt, where a boundary shown on the map follows a road, footpath, open space or other geographical feature, the restriction applies to the entirety of that feature unless otherwise stated.

The map attached to this Schedule shall be deposited with Colchester City Council and made available for public inspection upon request.



Signed: Andrew Tyrrell

By Authority of Colchester City Council under section 101 of the Local Government Act 1972

Colchester City Council