

## Colchester City Council Public Spaces Protection Order 2025 – Vehicle Anti-Social Behaviour (ASB) Made under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014

This Order is made by Colchester City Council (“the Council”) under section 59 of the **Anti-social Behaviour, Crime and Policing Act 2014** (hereinafter “the Act”) because the Council is satisfied on reasonable grounds that:

- Activities carried out, or likely to be carried out, in a public place within the restricted area have had, or are likely to have, a detrimental effect on the quality of life of those in the locality; and,
- The effect, or likely effect, of the activities is persistent or continuing in nature, is unreasonable, and justifies the restrictions imposed by this Order.

This Order may be cited as the Colchester City Council Public Spaces Protection Order 2025 - Vehicle Anti-Social Behaviour. This Order shall come into force on **30<sup>th</sup> September 2025** and shall have effect for a period of **three (3) years** unless extended or discharged by further Order.

### Restricted Area

This Order applies to the public highways and public places within the area outlined on the map attached to this Order (the “Restricted Area”).

### Definitions

For the purposes of this Order:

- **Car cruising** means the congregation of two or more motor vehicles (including motorcycles and EAPCs) on the public highway or in public places where one or more of the prohibited activities is taking place, whether such activities are pre-planned or spontaneous, and where such behaviour causes, or is likely to cause, harassment, alarm, distress, or nuisance to the public.
- **Motor vehicle** has the meaning given by section 185 of the Road Traffic Act 1988.
- **Electrically Assisted Pedal Cycles (EAPCs)** If an e-bike does not meet the EAPC criteria, it is treated as a motor vehicle under section 185 of the Road Traffic Act 1988

Within the Restricted Area, the Council therefore under section 59(4) prohibits:

a. **Dangerous or Anti-Social Driving:**

It is prohibited to race, excessively speed, cause rapid acceleration or braking, engine revving, and performing stunts (such as doughnuts, drifting, skidding, or wheel-spinning) that cause nuisance or endanger public safety.

b. **Excessive Noise and Emissions:**

It is prohibited to cause excessive noise and / or emissions by sounding of horns, playing loud amplified music or noise from vehicles or portable devices, and causing excessive exhaust fumes likely to result in harassment, alarm, or distress.

c. **Nuisance Congregation:**

It is prohibited to organise, promote, publicise, or participate in any car meet or similar vehicle gathering within the Restricted Area. This includes loitering around or within stationary

vehicles where this causes, or is likely to cause noise, fumes, or annoyance, or disturbance to others in the vicinity.

**d. Environmental Damage and Misuse of Public Spaces:**

It is prohibited to cause any damage to the environment, including littering, fly-tipping arising from car cruising activity, including using car parks or other public spaces in ways that are inconsistent with their intended use (e.g. using car parks as gathering spots for racing, stunts, or unauthorised meets).

**Additionally, the Council under section 59(4) imposes the following requirements:**

**a. Disperse When Directed:**

Any person must leave the area immediately when instructed to do so by a police officer, PCSO, or authorised council officer, and must not return to the same location within a period specified by the officer (up to 24 hours).

**b. Switch Off Engines and Music When Stationary:**

Drivers must switch off engines and any amplified music or sound systems when vehicles are parked, or stationary, in public spaces, unless in lawful use (e.g. queuing in traffic).

**c. Dispose of Waste Responsibly:**

All individuals must properly dispose of litter or waste in bins or remove it from the area. Dumping of rubbish, car parts, or food packaging in public spaces is prohibited.

**d. Comply With Officer Instructions:**

All individuals must comply with any reasonable directions given by police, PCSOs, or authorised council officers to reduce nuisance, prevent anti-social behaviour, or mitigate environmental damage.

## **Offence and Penalty**

Under section 67 of the Act, it is an offence for a person without reasonable excuse to:

- Do anything that the person is prohibited from doing by this Order, or
- Fail to comply with a requirement imposed by this Order.

A person guilty of such an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000) or may be issued with a Fixed Penalty Notice of up to £100.

## **Authorised Officers**

The following are authorised to enforce this Order:

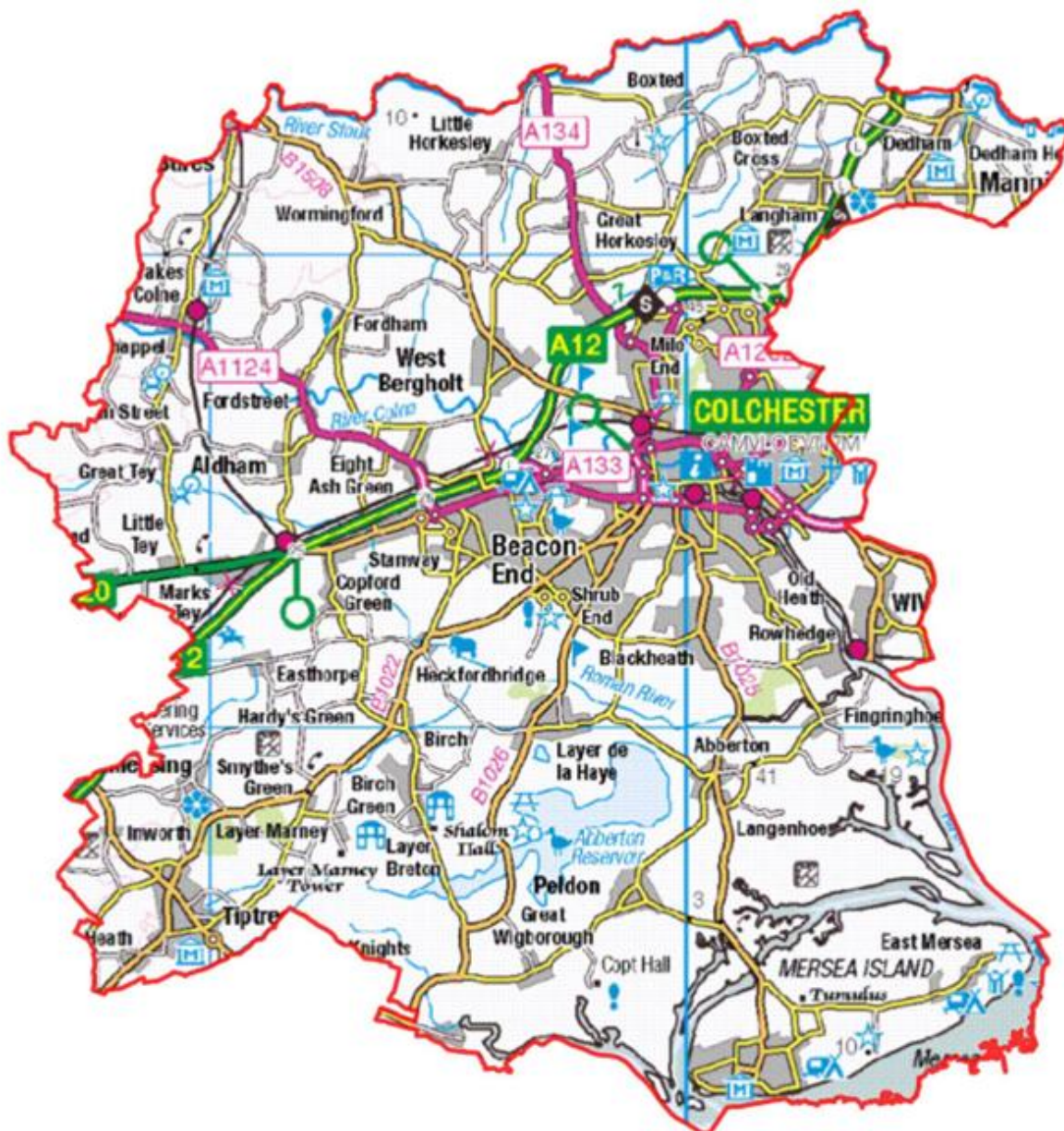
- Police officers
- Police Community Support Officers (PCSOs)
- Authorised officers of the Council.

## **Appeals**

Any interested person who wishes to challenge the validity of this Order may apply to the High Court within six weeks of it being made, as set out in section 66 of the Act.

**Schedule: Map of the Restricted Area**

*A map defining the boundaries of the area to which this Order applies is below:*



Signed:  Andrew Tyrrell

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