

OFFICIAL ORDER

Anti-Social Behaviour, Crime and Policing Act 2014

The Colchester Borough Council (Borough Car Parks)

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 15th May 2020 and has a duration of 3 years.

It applies to the public spaces formed by the car parks (“The Restricted Areas”) listed on the attached schedule

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 have been using land for the unauthorised camping and human habitation.
- These persons have been gathering in these places consuming alcohol, using drugs, urinating and defecating
- Persons have wilfully caused damage to these public places and caused further damage to properties in the locality from within the restricted areas.
- Persons have been using their vehicles to cause nuisance and distress by playing music from the vehicles at a high level and speeding within these public places.
- These activities have given rise to complaints to both the Council and the Police from residents and are causing nuisance, annoyance and distress to other members of the public wishing to use these public spaces.

The Council therefore under section 59(4) prohibits:

1. Any person using the restricted areas for unauthorised camping or human habitation
2. Any person behaving in a manner that is likely to result in any member of the public being intimidated, harassed, alarmed or distressed.
3. Any person consuming alcohol or drugs within the designated areas
4. Any person using the designated areas for anything other than parking vehicles

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

- a. Not consume alcohol or anything which the constable or authorised officer reasonably believes to be alcohol
- b. To surrender anything in that person's possession which is, or which the constable or authorised officer reasonably believes to be alcohol or a container for alcohol.

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

Rowan House
Sheepen Road
Colchester
CO3 3WG

Dated: 12th May 2020

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THE COLCHESTER BOROUGH COUNCIL
(Borough Car Parks)
PUBLIC SPACES PROTECTION ORDER 2020

Schedule of Restricted Areas

Butt Road Car Park
Napier Road Car Park
St Marys Car Park
St Johns Car Park
Vineyard Street Car Park
Britannia Car Park
Middleborough Car Park
Priory Street Car Park
Sheepen Road Car Park