



Cabinet

Item
10(i)

11 October 2023

Report of	Head of Public Protection	Author	Lisa Hobson
Title	Council Response to Anti-Social Behaviour (ASB)		
Wards affected	All Wards, particularly Castle		

1.0. Executive Summary

- 1.1 Colchester is a safe city with low crime rates. However, “Anti-Social Behaviour” (ASB) has been an increasingly cited concern at recent Council meetings and there is a perception of crime that needs to be addressed to ensure people continue to feel confident to enjoy the many great experiences the city has to offer.
- 1.2 The perception that crime is increasing is at odds with the reported police statistics, which demonstrate that overall ASB is down by 34% compared to the previous years. Indeed, longer-term trends also show there were 3,244 fewer incidents of ASB reported last year compared to five years ago.
- 1.3 It is true that some specific types of reported crime have seen some spikes or general increases have been observed in 2023 (e.g., thefts from businesses). A spike of shop thefts in June was responded to with 6 arrests, whilst some similar incidents in August have led to the equally targeted police responses against a known small group of perpetrators.
- 1.4 There are also some issues around specific sites such as St Mary’s Car Park where noise from inconsiderate behaviour with vehicles has caused distress and upset. Some of the issues of concern are criminal offences; actions which are punishable under the law, rather than being ASB enforced by the Council. Nonetheless, the highlighted issues all detract from the image of the city, cause harassment of others, and thus meet the definition of ASB within the [Anti-social Behaviour, Crime and Policing Act 2014](#).
- 1.5 These matters, amongst others, were discussed at length at the recent Crime and Disorder Panel meeting of 19 September 2023. This report updates Cabinet with the short and long-term strategies to tackle ASB across Colchester, in particular the City Centre. It also recommends the creation of a new ASB Policy and asks for the endorsement for the renewal of the Public Space Protection Order (PSPO) for the City Centre in October 2023, for a period of 3 years.

2.0 Recommended Decisions

1. To review and note the content of this report and make any direction or comments as deemed appropriate.
2. To endorse the introduction of an ASB policy that clearly states the types of behaviour that can be investigated and acted upon using the Councils legal powers, the appropriate mechanisms for reporting, and the methodology that the Council will use to take proportionate action in response to issues; so that this information is more clearly communicated to the public; and
3. To endorse that, in line with the Scheme of Delegation to Officers, the Head of Public Protection will renew the Public Space Protection Order (PSPO) for the City Centre for a further 3-year period to October 2026 (Draft PSPO in Appendix A).

3.0 Reason for Recommended Decision

- 3.1 Anti-Social Behaviour (ASB) is one of the five priorities for the Safer Colchester Partnership, with a multi-agency approach to preventing, or supporting victims of such crimes or misbehaviour. Given the heightened publicity around this issue an ASB policy would set out clear objectives, responses times to reports and provide guidance and reassurance to residents that the Council has a commitment to address the issue of ASB. This can be made available online and updated so that the latest information is always easier to find using the Council resources.
- 3.2 In addition, the Public Space Protection Order (PSPO) for the City Centre will currently expire on 23 October 2023. The issues that the PSPO seeks to prohibit are still relevant, and therefore the PSPO should be renewed for a further 3 years to allow more robust enforcement to be practiced and dissuade potential perpetrators from taking part in such behaviours.

4.0 Alternative Options

- 4.1 Not to introduce a Policy; this would maintain the status quo as to how information is provided, expectations managed, and how we work currently. However, it would miss an identified way to improve the way that we work, and the information given to our residents, visitors, and businesses.
- 4.2 Not to renew the Public Space Protection Order; but this would mean that we would have a reduced ability to act on issues that have been highlighted as important and would conflict with our Strategic Plan.

5.0 Background Information

5.1 Contextual Information

5.1.1 The definition of Anti-Social Behaviour includes:

- a. conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person,
- b. conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- c. conduct capable of causing housing-related nuisance or annoyance to any person.

5.1.2 On a rolling 12-month basis to the end of July 2023, the recorded police statistics show that, in Colchester:

- Overall crime has reduced by 5.3% (994 fewer offences) compared to the previous 12 months.
- Violence with injury has reduced by 4.7% (a total of 1,962 offences) compared to the Essex reduction of 7.6%.
- Violence without injury reduced by 5.1% (or 3,377 offences) compared to a Force reduction of 4.7%
- Sexual offences reduced by 15.5% (776 less offences) compared to an Essex reduction of 8.8%
- Robbery increased by 36.8% (182 more offences) compared to a Force increase of 4.8%
- Residential Burglary reduced by 7.4% (314 offences) compared to the wider increase of 4.7%
- Business and Community Burglary reduced by 11.1% (224 offences) compared to a Force increase of 2.2%
- **Reported* Domestic Abuse reduced by 11.6% (2,875 fewer offences) compared to the Essex reduction of 15.2%
- Anti-Social Behaviour reduced by 34.0% (a total of 1,818 offences) in the context of a reduction 31.5% across Essex.

**Note above, that the number of domestic abuse incidents reported to other agencies in the Safer Colchester Partnership, such as Next Chapter, has increased. Indicating that whilst less people are approaching the Police to report the crime, there are still underlying issues that are leading to more people seeking support as victims.*

5.1.3 Some previous work undertaken this year by the Council's Community Safety Team and our Safer Colchester Partnership colleagues included:

5.1.4 Op Spade: "Op Spade" was a multiagency operation through the summer, that saw the deployment of a drugs dog within the city centre to provide enforcement opportunities around persons who may be carrying drugs. Often this can also be linked to the carrying of knives. It was a proactive and preventative measure that also provided good engagement opportunities as well as enforcement.

5.1.5 Op Jupiter: In conjunction with the Colchester Institute, Essex Police conducted this operation to improve data sharing to safeguard young people. Using education, the focus was to reduce the use of controlled substances within the use of educational premises and raise awareness of knife crime.

5.2 Current / Ongoing Work by the Community Safety Team & Partners

- 5.2.1 The Safer Colchester Partnership has 5 priorities, but with a focus on ASB the work that the Council and its partners have been undertaking, and that continues to progress at this time includes:
- 5.2.2 City Centre Action Panel (CCAP): The CCAP is supported by a fortnightly partner meeting and overarching Action Plan, at which Police, Colchester City Council, Colchester Borough Homes, the BID, Phoenix Futures, Open Road, Beacon House, and The Probation Service meet to confidentially discuss those individuals who are vulnerable, or those who are causing harm, distress, or harassment to the public, and actions are agreed. These meetings are proving to be invaluable in terms of partnership working and creating a full picture of activity in the City Centre. The plan and good practice are something we have shared with colleagues in Chelmsford, Watford, and London as a project they looking to adopt within their own area.
- 5.2.3 Op Dial: In March 2023, Rishi Sunak launched the ASB Action Plan and stated that 16 areas across England and Wales will be funded to support a Hotspot to tackle ASB. It was indicated that ten areas would be selected for the Hotspot Pilots, one being Essex. Hotspots have been calculated from 5-year dataset (01/04/2018-31/03/2023) and are based on 250m x 250m grid squares.
- 5.2.4 The Community Safety team have secured funding, and in partnership with Police and PFCC (Police, Fire and Crime Commissioners) have developed our plans, bespoke to the hotspots and will be using employed staff within the Local Authority to patrol. The pilot started in July 2023, the patrolling activity is split into three patrols in each hotspot area, every week. Each patrol lasts three hours and made up of two Officers. These patrols will look to target the Hotspot when the ASB is most prevalent. Colchester Leisure World has been a focus as an “Op Dial” hotspot. We will also be working with partners to deliver 3 nights / days of action around these areas.
- 5.2.5 Op Grip”: Is Essex Police’s strategy to reduce community violence. 67 Harm spots have been identified in seven major towns across all parts of Essex. This has been achieved with academic research highlighting the areas where most street violence occurs. The purpose is to regularly enter these harm spots with activities such as business checks, routine and directed patrol, stop searches, quality of life improvements. Colchester has 2 “Op Grip” areas, both located within the Castle Ward.
- 5.2.6 “Op Luscombe”: This is a partnership approach that aims to tackle begging by enforcing the requirement on individuals to get support from partners, to negate the need to beg. Working in collaboration with partners “Op Luscombe” provides a “one stop shop” to support those that beg alongside appropriate enforcement.
- 5.2.7 “Project Morpheus”: Involves diversionary work that encourages young people aged 10-18 years to engage and participate in activities such as Army days and paintballing to prevent young people going down the route of crime and ASB.
- 5.2.8 Mobile CCTV cameras: CBH (COLCHESTER BOROUGH HOMES) and CCC to continue to deploy mobile CCTV cameras to assist in identifying and tackling ASB in hotspot areas along with environmental ASB, fly tipping etc.
- 5.2.9 In September 2023 the Police introduced a brand new Newsletter for “City Centre Policing” designed to communicate to people what is happening around the city. A copy of this is attached as Appendix B. This Newsletter illustrates some of the recent work, including proactive and preventative measures, that the Police have been undertaking.

Their work, and similar measures, will continue over the coming months and it is hoped that the Newsletter will aid more open communication and understanding. We will work with the Police to ensure that the circulation list includes relevant partners, businesses and Councilors.

5.3 Public Space Protection Orders

- 5.3.1 Public Spaces Protection Orders (PSPOs), introduced in 2014, sit amongst a broad range of powers and tools to help tackle anti-social behaviour locally and are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour. The Anti-Social Behaviour, Crime and Policing Act 2014 provides a broad legal framework within which PSPOs can be implemented.
- 5.3.2 Colchester City Council have three current PSPO's. The Dog Fouling PSPO came into effect on 09 January 2023 and has a duration of 3 years. The order applies to the whole "borough" administrative area. The Vehicular PSPO was introduced on 30th September 2022 for a duration of 3 years to tackle vehicle ASB across the whole district, including the car parks within the City Centre. Finally, the Town Centre PSPO was introduced in 2020 for a duration of 3 years and is due to expire on the 22nd of October 2023.
- 5.3.3 Following consultation, no further considerations are required for the PSPO, whilst the existing matters remain relevant, and thus it is suggested that the "City Centre" PSPO will be renewed for a further 3 years. Whilst Cabinet have already delegated this decision to Officers, it is a recommendation of this report that the Cabinet endorse this decision.

5.4 City Centre ASB

- 5.4.1 During 2017, Colchester Town Centre experienced an increase of activity in relation to aggressive begging, rough sleeping and general anti-social behaviours (ASB). By its very nature, those rough sleeping were vulnerable and complaints from members of the public and businesses regarding ASB, particularly begging and street drinking had become a frequent occurrence.
- 5.4.2 The introduction of the Public Space Protection Order (PSPO) proved an effective tool to engage with members of the public who were impacting on the ability of others to enjoy, and feel safe within, the Town Centre.
- 5.4.3 People involved in committing ASB, particularly begging and drinking, were rough sleeping or homeless. Officers alongside other agencies such as Police, Colchester Borough Homes, Beacon House, and Open Road spent many hours trying to engage and to work with individuals to improve their situation and support them. While this had some success, it did not solve the problem.
- 5.4.4 It was felt that a wider partnership approach with an action plan was required to tackle the ongoing issues. Therefore, in July 2018, the Colchester Borough Council Community Safety Team created the Town Centre Action Plan (TCAP); a partnership concept designed to address the persistent issues of begging, street drinking and anti-social behaviour whilst supporting those vulnerable individuals involved. The strategy consisting of support, awareness, education and when required enforcement relied on partnership collaboration to be successful.
- 5.4.5 This approach was successful up to (and throughout) the Pandemic, however it is acknowledged by partners, that whilst the data shows a decrease in reported figures, the perception of ASB and Crime is increasing.

5.4.6 Although the City Centre is affected, there are two particular hot spots that require a partnership approach to reduce the perception of crime and reassure residents and visitors that the city is a safe place. This is essential if our City Centre is to thrive.

5.5 St. Mary's Car Park

5.5.1 It is recognized that ASB incidents within St Mary's Car Park have been an ongoing issue. Historically these problems stemmed from the behaviours of those sleeping in the car park or using the site to participate in illegal drug activity. With the introduction of the PSPO, and partnership work there has been a shift in the type of Neighbourhood ASB within this location. Reports of Vehicular ASB have increased within this location, and other hot spot areas across the borough, namely Colchester Leisure World. We are beginning to also receive reports from other areas such as Stane Park and Turner Rise Retail Park.

5.5.2 Since the PSPO was introduced in September 2022, Colchester City Council's Community Safety Team have received 13 reports of vehicle ASB at St Mary's. This involved 54 vehicles. In comparison, Colchester Leisure World have seen 16 reports, involving 58 vehicles. Using a partnership approach, working with residents to obtain evidence, and issuing enforcement the last report from residents at Colchester Leisure World was 17th July 2023. We are aware that there have been a much larger number of reports through other means. Whether to police, or within emails to various persons (which highlights the importance of using the correct reporting methods available).

5.5.3 To assist with the gathering of evidence, ultimately resulting in more action, and providing proper records of incident trends in activity, it is important that any reports to this Council are reported using the online reporting function. Where possible, anyone reporting incidents of ASB should provide as much information and detail as possible, as this allows for further investigation (including pinpointing with CCTV). Reporting this will also ensure that the information can be responded to in the absence of any individual officers. We would also encourage reporting all incidents of ASB to Essex Police. This should be done on every occasion, and wherever possible at the time of the incident. Matters such a drugs and violence go beyond ASB and are a crime that should be reported directly to the police immediately.

5.5.4 With acknowledgement of growing distress at St Mary's Car Park, following a meeting with St. Mary's Residents Association, we have agreed several measures to reduce the number of incidents in the car park and reduce the negative impact this behaviour is inflicting on the residents.

5.5.5 From 29th September 2023, Heras fencing will be used to close the entry lanes into the car park overnight. This will apply to the entrance lane only, allowing those already in the Car Park to access and leave the site as usual, when the entrance will be closed off at 2200. Initially this is to be on a Friday, Saturday, and Sunday night only, being monitored and reviewed to see if the time and days require amendment. Initially, Monday-Thursday will remain open 24/7 as usual but will have more patrols. The Heras fences are therefore a quick, but temporary, solution whilst options are being explored. We will continue to gather the information about further barrier options, costs, timescales, etc.

5.5.6 Whilst we do not envisage there will be impact to the NTE, we have advised the Mercury Theatre, Arts Centre, and BID of this action. Their feedback was sought prior to introducing the measures, balancing the legitimate needs of city centre users, economic benefits, and the issue of nuisances.

- 5.5.7 In addition, Titan Security will be conducting a patrol and litter pick of the car park before locking and unlocking. We will also be providing a reactive response contact to enable the residents' representatives to request a fast and visible response if vehicle ASB is occurring. Titan will address and / or report any observation of incidents with appropriate evidence to allow for enforcement action to be taken.
- 5.5.8 Whilst we have had some success with the evidence capture resources, the data gathered has not always been legally sufficient to take a zero-tolerance approach to enforcement. The patrols and cameras all help put in place measures that improve the evidence to the required standards to enforce. In the longer term, we will take this approach not only in St Mary's, but other locations where vehicle ASB is occurring.
- 5.5.9 Following an audit walk around there is also scope to improve the existing CCTV camera coverages. A costed plan will be supplied in due course for fixed and relocatable options. The success of rapid deployment cameras in Greenstead meant that we have already placed an order for two rapid deployment cameras, and two Street Watch Column wireless CCTV cameras, which can be utilised in St Mary's. We remain mindful that the actions taken will likely move the issue to other areas. Therefore, there is particular benefit to installing re-deployable cameras, at least in the short term (as this allows movement should the issue relocate).
- 5.5.10 As one of the key, statutory partners in the Safer Colchester Partnership, Essex Police will continue to support us by utilising policing powers under the Anti-Social Behaviour Act, Roads Policing Act, and other powers within the city centre to tackle anti-social use of vehicles in the city centre and surrounding car parks. The Council will continue to work in a coordinated and collaborative manner with support of our Police colleagues.

5.6 Castle Park

- 5.6.1 Castle Park not only encompasses much of Colchester's rich heritage within its boundaries but provides a green oasis in the city centre where people should enjoy spending time. Whilst the environment and heritage of our city is important, our focus will always be the community and residents within it. Sadly, for some, this includes a lifetime of substance misuse and / or mental ill health and committing crime to support an addiction.
- 5.6.2 With this in mind we will be working together with our colleagues in Essex Police, BID, Community Outreach, Neighbourhood teams and others to repeat the success of 2018 across the city by conducting the following measures:
- Use effective communication and information sharing through Op Luscombe and the City Centre Action Panel to address current issues such as begging, street drinking and crime and work in partnership to find sustainable solutions to problems.
 - With colleagues, communicate with more communities within the city centre to understand and proactively deal with any issues raised. This will include and not limited to businesses, residents, workers, students, shoppers, and visitors to the city centre. Police will holding regular engagement events in the city centre and pre-advertising them online for local communities to speak to local officers. The Essex Police business crime team will be engaging with businesses within the town centre as well as the BID and ColBAC to improve crime prevention.
- 5.6.3 Essex Police will increase visibility in the city centre during the daytime and nighttime economy. Joint patrols with city wardens, Essex Police, and other partners to ensure a joint up approach to problem solving. This activity will feed into the City Centre Action Plan

5.6.4 We will reset our approach with the renewal of the Public Space Protection Order, utilising the powers of enforcement by working with the Police on tackling crime and anti-social behaviour. A key element of this to ensure more success is to develop and train our staff that work within our communities. Individuals that work within Castle Park should have the skills and confidence to engage with those causing ASB and where appropriate issue enforcement or obtain sufficient evidence for Officers with the appropriate powers of delegation to do this on their behalf. A review of the tasks carried out by existing security provision should also be considered to achieve this outcome.

5.7 ASB Policy

5.7.1 To assist with clarity, communication and the management of expectations, it is proposed that the Community Safety team lead work with other Services and Partners on a new ASB Policy. This Policy can explain who has which powers, inform people how to contact those persons and when, set out what would be considered and layout the processes for investigating. Other matters such as timescales for responses can also be indicated, though each case has its own intricacies.

5.7.2 It is envisaged that some form of prioritisation through triage and matrix scoring system can be used to respond to the most urgent matters and create response plans. A Policy would also give clear communication to someone newly experiencing ASB how to help us resolve the issue by providing the right information, to the right person, at the right time. This will provide a better customer experience at times when they will have experienced some form of disruption and upset to their lives.

5.7.3 The ASB Policy can then be kept up to date with any changes in legislation and published on our website. It will also be available to be provided to people by email, so it can also be shared with partners and ward Councillors should they need to pass it on to residents and signpost them correctly.

6. Equality, Diversity and Human Rights implications

6.1 The matters in this report have no direct impact on equality and diversity considerations and do not have a negative impact on the promotion of equality, overcoming discrimination in relation to gender, gender reassignment, disability, sexual orientation, religion or belief, age, and race/ethnicity.

6.2 The new policy would confirm current practices, but as a new policy this would need an Equality Impact Assessment (EIA) to be completed.

6.3 Furthermore, the courses of action will not breach human rights, but may help protect some of the rights of individuals who would otherwise suffer victimisation or offences against them.

7. Strategic Plan References

7.1 The Strategic Plan 2023-2026 includes, under “Modern City Services”, aims that:

- Colchester Council and supporting organisations work together to a shared and ambitious vision for the future of our city.
- Put communities, and their needs, at the heart of our vision and supporting local areas as they help shape and deliver the services which are most important to them.

- Work closely with local partners, charities, and organisations to add value (including but not only; Essex County Council, The NHS, The Garrison, and The University of Essex)

7.2 In addition, under “Celebrate our city, heritage and culture” it adds an aim “To make our city a better place in which to live and work and visit”.

8. Consultation

8.1 Consultation was undertaken on the PSPO renewal in September 2023.

8.2 Any consultation necessary prior to the creation of a new Policy will be picked up during that work.

8.3 In all matters mentioned, the Council has consulted with key stakeholders, partners (both statutory and non-statutory) and worked closely, in particular, with the local Essex Police teams. Local businesses such as The Mercury Theatre, Arts Centre and BID were consulted specifically prior to introducing entrance closure at St Marys Car Park.

9. Publicity Considerations

9.1 There is no specific publicity requirement generated regarding this report. Some of the content has, and will be, subject to communications planning and publicity. The PSPO renewal has been advertised as required, including public notices.

10. Financial implications

10.1 There are some financial implications related to some of the measures mentioned in the report with regards to CCTV, barriers, and patrols. Agreement for these would be under the thresholds for Cabinet and would be taken at the appropriate delegated levels once they can be confirmed. Other impacts on income, for example from car parks, have been advised by NEPP and considered to be of insignificant impact.

10.2 There is grant funding that may be used for some of the matters outlined in the report. The Council has, for example, worked with partners to secure Safer Streets funding.

10.3 There would also be a cost implication to not doing anything, in addition to the lost social value.

11. Health, Wellbeing and Community Safety Implications

11.1 Health and wellbeing is influenced by a number of factors, many of which fall under the responsibility of the council. These include planning, housing, access to green space, licensing, environmental health protection and economic development and many more. The council must do all it reasonably can to promote positive health benefits to our residents whilst reducing, removing, or minimising any unintended consequences to health that may arise from services or decisions.

11.2 The community safety considerations outlined herein have been taken into account and consideration has been given on how the decision will impact upon crime and disorder. It

is considered that there would be a positive impact on this, indeed it is a primary focus, and this is to the greater benefit of health and wellbeing in the city.

12. Health and Safety Implications

12.1 Health and Safety would be improved for residents, visitors, and businesses. There is some risk to health and safety of those patrolling, however they are fully trained to undertake such roles.

13. Risk Management Implications

13.1 The risk of not acting outweighs any risk of acting. There is some risk to individuals patrolling, however there would be greater risk to a larger number of people if no action was taken. The whole focus of the report, and work mentioned within, is to reduce risk.

14. Environmental and Sustainability Implications

14.1 There would be limited impacts on environmental and sustainability considerations. However, there would be no overall negative impacts.

15. Appendices

Appendix A – Draft Public Space Protection Order for the City Centre (October 2023 – 2026)

Appendix B – September Police Newsletter

Appendix C – Recommendation from the Crime and Disorder Committee 19 September 2023

Appendix A - Draft Public Space Protection Order for the City Centre (October 2023 – 2026)

Anti-Social Behaviour, Crime and Policing Act 2014

The Colchester City Council (City Centre)

Public Space Protection Order 2023

The Colchester City 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.

Before expiry of this Order the Council may extend, vary, or discharge it in accordance with the provisions of the Act.

The order takes effect on 23rd October 2023 and has a duration of 3 years.

This order applies to all public spaces formed by the areas within Colchester City Centre (“The Restricted Areas”)

(a) which is open to the air (including land which is covered but open to the air on at least one side).

(b) to which the public are entitled or permitted to have access (with or without payment); and

(c) which is outlined in red on the plan attached as the Schedule to this Order

In making this Order the Council is satisfied on reasonable grounds that

(a) the activities covered by this Order have been carried on in a public place within the Council’s area and have had a detrimental effect on the quality of life of those in the locality; and

(b) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature; is, or is likely to be, such as to make the activities unreasonable; and justifies the restrictions imposed

The Council is also satisfied that the prohibitions and requirements set out within this Order are reasonable.

(a) to prevent the detrimental effect on the quality of life of those in the locality continuing, occurring, or recurring; or

(b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence, or recurrence.

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.

In making this Order the Council has had regard to the rights and freedoms of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights

The **activities** carried out are as follows:

- Urinating or defaecating anywhere other than a toilet or depositing any human bodily fluids / excrement anywhere open to the air

- Be in possession of (without a lawful or reasonable excuse); Consume, inhale, inject or smoke any substance capable of stimulating or depressing the central nervous system including open vessel(s) of alcohol / intoxicating liquor in a public place.
- 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 an authorised person behaving in a manner that causes or is likely to cause intimidation, harassment, alarm, distress, nuisance, or annoyance to 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.
- Using a skateboard, bicycle, scooter, skates, or any other self-propelled wheeled vehicle, including electric scooters in such a manner as to cause or is likely to cause intimidation, harassment, alarm, distress, nuisance, or annoyance to any person.
- Unauthorised Advertising by the stationing of advertising boards (A-Frames), or other structures including any hoarding or similar structure used, or adapted for use, for the display of advertisements being used as such, this includes flyposting (including the unlawful affixing of any placard, notice or sign to street furniture) or any person permitting and / or benefitting from such flyposting.

Prohibitions under section 59(4) are therefore as follows:

1. A person shall not engage in any of the activities anywhere within the restricted area as shown on the attached map and marked 'restricted area'.
2. A person shall surrender any open vessel(s) of alcohol / intoxicating liquor, equipment and / or paraphernalia being used for the consumption of any psychoactive substance in that person's possession to an authorised person.
3. The effect of the order is to impose the prohibitions and requirements detailed herein, always, save where specified exemptions apply or where the express permission of the Council has been given on the use of the restricted area.

Penalties

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.

A person who is believed to have engaged in a breach of this order, or in anti-social behaviour within the Restricted Area, is required to leave the area, and remove his/her vehicle(s) if asked to do so by an Authorised Person and not to return for a specified period not exceeding 48 hours.

If a constable or an authorised person 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 believes to be alcohol.
- b. To surrender anything in that person's possession which is, or which the constable or authorised person believes to be alcohol or a container or vessel for alcohol to be disposed of as they deem fit.

Signed:

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

Restricted Area

The activities described above would be prohibited within the redistricted area, marked in red.

