

Braintree District Council
Public Spaces Protection Order (Braintree Town Centre and Surrounding Area)
Order 2026
S59 of the Anti-Social Behaviour, Crime and Policing Act 2014

This Order is made by Braintree District Council ("the Council") section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act"), after undertaking a consultation as required by Section 72 of the Act.

This Order replaces the previous Public Spaces Protection Order (Braintree Town Centre and Surrounding Areas Order 2024).

The Council makes the Order, being 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 Braintree District Council Public Spaces Protection Order (Braintree Town Centre and Surrounding Areas) Order 2026. This Order shall come into force at midnight on 29th May 2026 and shall have effect for a period of three (3) years, unless extended or discharged by further order in accordance with the Act.

1. Restricted Area

The restricted area to which this Order applies the public places within Braintree Town Centre and Surrounding Areas outlined and shaded on the map attached to this Order (the "Restrictive Area").

2. Definitions

For the purpose of this Order, the following definitions will apply:

- **Alcohol** has the meaning given in section 191 of the Licensing Act 2003;
- **Beg' or begging** means asking for or accepting money or another thing of value, personal, charitable or any other donations or approaching a person for that purpose, when to do so would cause, or is likely to cause, a nuisance or annoyance, harassment, alarm or distress to that person.
- **Interested Person** means an individual who lives in the Restricted Area or who regulatory works in or visits that area

- **Public place** means any place to which the public or any section of the public has access, on payment or otherwise as of right or by virtue of express or implied permission
- **Psychoactive Substances** has the meaning given by section 2 of the Psychoactive Substances Act 2016

3. Prohibitions

a. The Council therefore under section 59(4) prohibits:

1. The consumption of alcohol in a manner that causes or is likely to cause harassment, alarm, distress, nuisance, or annoyance to any person.
2. Aggressive begging – begging in such a manner likely to cause harassment, alarm, or distress.
3. Threatening, disorderly, abusive, aggressive and or unacceptable behaviour.
4. Carrying out sexual acts in public view.
5. Exposing (flashing) intimate body parts in public view.
6. Urinating and/or defecating in the open air and/or within public view.
7. Obstructing access to or egress from premises or land within the restricted area.
8. The use of controlled drugs and psychoactive substances.
9. Unauthorised tent encampments or other like structures without consent.

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

1. Stop the consumption of alcohol in a public place when directed by a Police Officer, or an Authorised Council Officer,
2. Surrender any container in their possession believed to contain alcohol (includes open & closed vessels) when directed by a Police Officer, or an authorised Council Officer,
3. Not participate in any of the activities set out above, and
4. Comply with all reasonable instructions from a Police officer or an authorised Council Officer.

4. Fixed Penalty Notices and Offences

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.

5. Authorised Officers

The following are authorised to enforce this Order:

- Police Officers
- Authorised Officers of the Council.

6. Appeals

In accordance with Section 66 of the Act interested person who wishes to challenge the validity of this Order may apply to the High Court, within 6 weeks from the date this Order is made, any such challenge must be on the ground that

1. The Council did not have the power to make the Order to include particular prohibitions or requirement, or;
2. That in making the Order the Council has failed to comply with a requirement under the Act.

Dated this 27th day of May 2026

The COMMON SEAL of
BRAINTREE DISTRICT COUNCIL
Was here unto affixed in the presence of

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Authorised Signatory



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Order Map

The restricted area to which this Order applies is Braintree Town Centre and Surrounding Areas as outlined and shaded on the Order map.

