



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 4

COMMUNITY PROTECTION

CHAPTER 2

PUBLIC SPACES PROTECTION ORDERS [^{F1}AND EXPEDITED ORDERS]

Public spaces protection orders [^{F1}and expedited orders]

Textual Amendments

- F1** Words in s. 59 cross-heading inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022](#) (c. 32), s. 208(1), [Sch. 7 para. 3](#); S.I. 2022/520, reg. 5(j)

59 Power to make [^{F2}public spaces protection] orders

- (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
- (2) The first condition is that—
 - (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- (3) The second condition is that the effect, or likely effect, of the activities—
 - (a) is, or is likely to be, of a persistent or continuing nature,

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- (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.
- (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) (“the restricted area”) and—
- (a) prohibits specified things being done in the restricted area,
 - (b) requires specified things to be done by persons carrying on specified activities in that area, or
 - (c) does both of those things.
- (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
- (a) to prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or
 - (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- (6) A prohibition or requirement may be framed—
- (a) so as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;
 - (b) so as to apply at all times, or only at specified times, or at all times except those specified;
 - (c) so as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.
- (7) A public spaces protection order must—
- (a) identify the activities referred to in subsection (2);
 - (b) explain the effect of section 63 (where it applies) and section 67;
 - (c) specify the period for which the order has effect.
- (8) A public spaces protection order must be published in accordance with regulations made by the Secretary of State.

Textual Amendments

F2 Words in *s. 59 heading* inserted (28.6.2022) by *Police, Crime, Sentencing and Courts Act 2022 (c. 32)*, *s. 208(1)*, *Sch. 7 para. 4*; *S.I. 2022/520*, reg. 5(j)

Commencement Information

II *S. 59* in force at 20.10.2014 by *S.I. 2014/2590*, art. 3(c)

[^{F3}59A Power to make expedited public spaces protection orders

- (1) A local authority may make an expedited public spaces protection order (an “expedited order”) in relation to a public place within the local authority’s area if satisfied on reasonable grounds that three conditions are met.
- (2) The first condition is that the public place is in the vicinity of—
- (a) a school in the local authority’s area, or
 - (b) a site in the local authority’s area where, or from which—

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- (i) vaccines are provided to members of the public by, or pursuant to arrangements with, an NHS body, or
- (ii) test and trace services are provided.

The reference in paragraph (b)(i) to arrangements includes arrangements made by the NHS body in the exercise of functions of another person by virtue of any provision of the National Health Service Act 2006.

- (3) The second condition is that activities carried on, or likely to be carried on, in the public place by one or more individuals in the course of a protest or demonstration have had, or are likely to have, the effect of—
 - (a) harassing or intimidating members of staff or volunteers at the school or site,
 - (b) harassing or intimidating persons using the services of the school or site,
 - (c) impeding the provision of services by staff or volunteers at the school or site, or
 - (d) impeding access by persons seeking to use the services of the school or site.
- (4) The third condition is that the effect or likely effect mentioned in subsection (3)—
 - (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the order.
- (5) An expedited order is an order that identifies the public place referred to in subsection (1) (“the restricted area”) and—
 - (a) prohibits specified things being done in the restricted area,
 - (b) requires specified things to be done by persons carrying on specified activities in that area, or
 - (c) does both of those things.
- (6) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
 - (a) to prevent the harassment, intimidation or impediment referred to in subsection (3) from continuing, occurring or recurring, or
 - (b) to reduce that harassment, intimidation or impediment or to reduce the risk of its continuance, occurrence or recurrence.
- (7) A prohibition or requirement may be framed—
 - (a) so as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;
 - (b) so as to apply at all times, or only at specified times, or at all times except those specified;
 - (c) so as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.
- (8) An expedited order must—
 - (a) identify the activities referred to in subsection (3);
 - (b) explain the effect of section 63 (where it applies) and section 67;
 - (c) specify the period for which the order has effect.
- (9) An expedited order may not be made in relation to a public place if that place (or any part of it) is or has been the subject of an expedited order (“the earlier order”), unless the period specified in subsection (11) has expired.

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- (10) In subsection (9) the second reference to “an expedited order” is to be read as including a reference to a public spaces protection order (made after the day on which this section comes into force) which neither prohibited nor required anything that could not have been prohibited or required by an expedited order.
- (11) The period specified in this subsection is the period of a year beginning with the day on which the earlier order ceased to have effect.
- (12) An expedited order must be published in accordance with regulations made by the Secretary of State.
- (13) For the purposes of subsection (2), a public place that is coextensive with, includes, or is wholly or partly within, a school or site is regarded as being “in the vicinity of” that school or site.
- (14) In this section references to a “school” are to be read as including a 16 to 19 Academy.
- (15) In this section “test and trace services” means—
- (a) in relation to England, services of the programme known as NHS Test and Trace;
 - (b) in relation to Wales, services of the programme known as Test, Trace, Protect.]

Textual Amendments

F3 S. 59A inserted (28.4.2022 for specified purposes, 28.6.2022 in so far as not already in force) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), ss. 82(2), 208(4)(n); S.I. 2022/520, reg. 5(j)

60 Duration of [^{F4}public spaces protection] orders

- (1) A public spaces protection order may not have effect for a period of more than 3 years, unless extended under this section.
- (2) Before the time when a public spaces protection order is due to expire, the local authority that made the order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent—
- (a) occurrence or recurrence after that time of the activities identified in the order, or
 - (b) an increase in the frequency or seriousness of those activities after that time.
- (3) An extension under this section—
- (a) may not be for a period of more than 3 years;
 - (b) must be published in accordance with regulations made by the Secretary of State.
- (4) A public spaces protection order may be extended under this section more than once.

Textual Amendments

F4 Words in s. 60 heading inserted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 7 para. 5; S.I. 2022/520, reg. 5(j)

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Commencement Information

I2 S. 60 in force at 20.10.2014 by S.I. 2014/2590, art. 3(c)

[^{F5}60A Duration of expedited orders

- (1) An expedited order may not have effect for a period of more than 6 months.
- (2) Subject to subsection (1), the local authority that made an expedited order may, before the time when the order is due to expire, extend the period for which the order has effect if satisfied on reasonable grounds that doing so is necessary to prevent—
 - (a) occurrence or recurrence after that time of the activities identified in the order, or
 - (b) an increase in the frequency or seriousness of those activities after that time.
- (3) Where a local authority has made an expedited order, the authority may, at any time before the order is due to expire, reduce the period for which the order is to have effect if satisfied on reasonable grounds that the reduced period will be sufficient having regard to the degree of risk of an occurrence, recurrence or increase such as is mentioned in subsection (2)(a) or (b).
- (4) An extension or reduction under this section of the period for which an order has effect must be published in accordance with regulations made by the Secretary of State.
- (5) An expedited order may be extended or reduced under this section more than once.]

Textual Amendments

F5 S. 60A inserted (28.4.2022 for specified purposes, 28.6.2022 in so far as not already in force) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), ss. 82(3), 208(4)(n); S.I. 2022/520, reg. 5(j)

61 Variation and discharge of orders

- (1) Where a public spaces protection order [^{F6}or expedited order] is in force, the local authority that made the order may vary it—
 - (a) by increasing or reducing the restricted area;
 - (b) by altering or removing a prohibition or requirement included in the order, or adding a new one.
- (2) A local authority may [^{F7}under subsection (1)(a) make a variation to a public spaces protection order] that results in the order applying to an area to which it did not previously apply only if the conditions in section 59(2) and (3) are met as regards activities in that area.
- [^{F8}(2A) A local authority may under subsection (1)(a) make a variation to an expedited order that results in the order applying to an area to which it did not previously apply only if the conditions in section 59A(2) to (4) are met as regards that area.]
- (3) A local authority may make a variation under subsection (1)(b) that makes a prohibition or requirement more extensive, or adds a new one, only if the prohibitions and requirements imposed by the order as varied are ones that section 59(5) [^{F9}or 59A(6) (as the case may be)] allows to be imposed.

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- (4) A public spaces protection order [^{F10}or expedited order] may be discharged by the local authority that made it.
- (5) Where an order is varied, the order as varied must be published in accordance with regulations made by the Secretary of State.
- (6) Where an order is discharged, a notice identifying the order and stating the date when it ceases to have effect must be published in accordance with regulations made by the Secretary of State.

Textual Amendments

- F6** Words in s. 61(1) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 6\(2\)](#); S.I. 2022/520, reg. 5(j)
- F7** Words in s. 61(2) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 6\(3\)](#); S.I. 2022/520, reg. 5(j)
- F8** S. 61(2A) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 6\(4\)](#); S.I. 2022/520, reg. 5(j)
- F9** Words in s. 61(3) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 6\(5\)](#); S.I. 2022/520, reg. 5(j)
- F10** Words in s. 61(4) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 7 para. 6\(6\)](#); S.I. 2022/520, reg. 5(j)

Commencement Information

- I3** S. 61 in force at 20.10.2014 by [S.I. 2014/2590](#), [art. 3\(c\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(2)(ba) inserted by [2022 c. 32 Sch. 11 para. 35\(2\)\(a\)](#)