

**Manchester City Council
Report for Information**

Report to: Communities and Equalities Scrutiny Committee – 19 July 2022

Subject: Wynnstay Grove Public Spaces Protection Order - Update

Report of: Head of Compliance, Enforcement and Community Safety and
Community Safety Lead

Summary

This report provides an update on the implementation of the Wynnstay Grove Public Spaces Protection Order.

Recommendations

To consider and comment on the contents of the report.

Wards Affected: Fallowfield, Withington, Old Moat

Alignment to the Our Manchester Strategy Outcomes (if applicable)

Manchester Strategy outcomes	Summary of how this report aligns to the OMS
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	
A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	
A liveable and low carbon city: a destination of choice to live, visit, work	This report highlights how the Public Spaces Protection Order can support women to access healthcare services without harassment or intimidation.
A connected city: world class infrastructure and connectivity to drive growth	

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

Community Safety Strategy 2018 – 21

1.0 Introduction

- 1.1 This report provides an update following the implementation of the Wynnstay Grove Public Spaces Protection Order.

2.0 Background

- 2.1 On 9 October 2020, the Council made a Public Spaces Protection Order (PSPO) which applies to the public spaces surrounding the Marie Stopes UK Manchester Centre, Wynnstay Grove, Fallowfield, Manchester. In summary the PSPO prevents people protesting in the defined area in a way that demonstrates approval or disapproval regarding issues related to abortion services by any means. The specific Articles and Requirements included in the PSPO can be found at Appendix 1. The Order was introduced following an investigation, evidence gathering, options analysis, statutory consultation process an Equality Impact Assessment and Human Rights considerations. The proposal to introduce a PSPO was considered by the Communities and Equalities Scrutiny Committee on 3 September 2020. The minutes from the Committee and documentation that supported the proposal can be found at <https://democracy.manchester.gov.uk/mgAi.aspx?ID=5336>
The Order was made on the 9 October 2020.

3.0 Update regarding the implementation of the PSPO

- 3.1 The introduction of the Wynnstay Grove PSPO has been successful in stopping and preventing people from protesting outside the Marie Stopes UK Manchester Centre. Therefore, the aim of supporting pregnant women with access to lawful health services free from fear of intimidation, harassment, or distress and with an appropriate level of dignity and privacy has been achieved. The Order provides similar protection to staff and visitors to the Centre.
- 3.2 Officers received one report since the PSPO was implemented, during 2021, which related to two unknown people attending outside the Centre. They left after ten to fifteen minutes.
- 3.3 Feedback from the Marie Stopes UK Centre regarding the PSPO is positive. Members of staff are able to attend work without feeling harassed and service users no longer feel judged when attending the Centre.
- 3.4 Officers are not aware of any displacement in the City.

4.0 Duration of PSPOs

- 4.1 A Public Spaces Protection Order may not have effect for a period of more than 3 years, unless extended under this section.
- 4.2 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.

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.

A Public Spaces Protection Order may be extended under this section more than once.

5.0 Review of the Wynnstay Grove PSPO

5.1 The maximum duration of a Public Spaces Protection Order is three years. The current Wynnstay Grove PSPO expires in October 2023. When reviewing the continuation of the Order the Council can consider extending the length of the Order, varying the area covered by the Order or amending or removing any of the restrictions or requirements contained within the Order or discharge the Order.

5.2 A local authority in deciding whether to extend the period for which a PSPO has effect, whether to vary a PSPO or whether to discharge a PSPO must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Human Rights Act 1998.

5.3 A local authority must carry out the necessary consultation and publicity before extending the period for which the PSPO has effect or varying or discharging a PSPO. This means officers are required to consult with the police, the local policing body, whatever community representatives the local authority thinks it appropriate to consult and the owner or occupier of land within the restricted area. Necessary publicity means publishing the text of the proposed order or variation and in the case of a proposed extension or discharge, publicising the proposal.

5.4 Officers have developed a plan to review the Wynnstay Grove PSPO. The review will involve consulting with the following:

- Greater Manchester Police.
- Police and Crime Commissioner.
- Fallowfield, Old Moat and Withington Members.

- Staff working at the Marie Stopes UK Manchester Centre, representatives of Marie Stopes UK and any service users who would like to participate

- Representatives from the community, including the business community

- Representatives from the organisations officers engaged with during the original investigations – Sister Supporter Manchester, British Pregnancy Advisory Service, Society for the Protection of the unborn Child and 40 Days for Life.

- Council officers involved in the implementation of the PSPO.

5.6 The consultation will commence in the Autumn 2022 and the proposals will be published on the Council's website with an opportunity for the public to respond. Officers will report back to the Communities and Equalities Scrutiny Committee on the outcome of the consultation.

6.0 Recommendations

6.1 To consider and comment on the contents of the report.