

Decision taken

Made by an Executive Member or Chief Officer



MANCHESTER
CITY COUNCIL

Notice of Decision Made

Decision maker	Strategic Director (Neighbourhoods)
Date of decision	Monday 2 March 2020
What is the decision?	<p>(1) To make a Public Spaces Protection Order in respect of the City Centre for a maximum of 3 years</p> <p>Area 1</p> <p>Article 1: Consumption of alcohol No person shall consume alcohol in a public place in the Restricted Area (save for those places identified in section 62 of the ASB Crime and Policing Act).</p> <p>Article 2: Discarding a hypodermic needle or syringe No person shall discard, other than in an appropriate sharps container, a hypodermic needle or syringe in a public place in the Restricted Area.</p> <p>Article 3: Urination or defecation No person shall urinate or defecate in a public place in the Restricted Area. This prohibition does not apply to urinating or defecating in a legitimate toilet facility.</p> <p>Area 2</p> <p>Article 4: Commercial waste - storage No person shall leave commercial waste in a public place in the Restricted Area other than in secure, commercial waste company containers or commercial waste company sacks. Any such waste shall be left in a manner that prevents escape of waste into the public place.</p> <p>Article 5: Commercial waste - collection No person shall leave commercial waste company bins, or commercial waste company sacks in a public place in the Restricted Area for the purposes of collection more than 2 hours prior to their contracted collection time.</p> <p>Article 6: Health and/or safety risks - obstruction A person in a public place in the Restricted Area who causes a health and/or safety risk by:</p> <ul style="list-style-type: none">● obstructing the entrance to or exit from any building; or● obstructing the free passage of pedestrians on or in a stairwell; or● causing an obstruction which prevents or hinders street cleansing activity; or● causing an obstruction which prevents or hinders the free passage of pedestrians or vehicles

	<p>shall, upon valid request of a Constable or an Authorised Person, move from that location within a reasonable time as specified in writing by that Authorised Person.</p> <p>Article 7: Health and/or safety risks - tents and structures A person who has erected or is occupying a tent or other temporary structure in a public place in the Restricted Area in a manner that:</p> <ul style="list-style-type: none"> ● attracts or is likely to attract vermin; or ● creates or is likely to create a health and/or safety risk for any other person <p>shall, upon valid request of a Constable or an Authorised Person, move from that location within a reasonable time as specified in writing by that Authorised Person.</p> <p>Article 8: Provision of information upon request A person who an Authorised Person reasonably suspects of breaching any of the prohibitions or requirements in this Order shall, upon request of that Authorised Person, provide their name, address and date of birth to that Authorised Person.</p> <p>Article 9: Commercial waste - clearance A person who has placed commercial waste in a public place in the Restricted Area for collection shall, upon a valid request of a Constable or an Authorised Officer, immediately clear that place of any such commercial waste that escapes from their control.</p> <p>A requirement under this Article is not valid if the Authorised Person is asked by the person subject to the requirement to show evidence of their authorisation and they fail to do so.</p> <p>(2) To authorise the advertisement of Public Spaces Protection Order in respect of the City Centre</p> <p>(3) To arrange the discharge of the existing PSPO (which transitioned from a Designated Public Places Order originally introduced in 2006), the provisions of which took effect from 20th October 2017 as though they were PSPOs once the period of challenge has expired or any such challenge has been determined.</p>
<p>Reasons for the decision (but excluding any exempt or confidential information)</p>	<p>The Strategic Director (Neighbourhoods) is satisfied that the conditions as set out in section 59 of the Act have been met and that by introducing the PSPOs, this will prohibit certain activities or require specified activities be carried out by persons to ensure compliance with the Orders. In order to make the decision about PSPO for the City Centre the following has been taken into consideration:</p>

	<ul style="list-style-type: none"> • The evidence of the issues of concern • Consultation responses from the consultation undertaken from 12 February 2019 to 8 April 2019, including 1996 survey responses, 7 written submissions and 3 complaints specific to the consultation. • Proposals for the PSPO that were presented at Communities and Equalities Scrutiny Committee on 7 November 2019 • Feedback from Communities and Equalities Scrutiny Committee on 7 November 2019
Alternatives considered and rejected	The Strategic Director (Neighbourhoods) considered not making the PSPO however it was decided that the use of existing powers was not sufficient to address the issues that the PSPO seeks to address.
Interests Declared	None
Officer contact details For any further information	Name: Fiona Sharkey Position: Head of Compliance, Enforcement and Community Safety Tel 0161 234 1220 Email: f.sharkey@manchester.gov.uk

Register of Key Decisions

Register of Key Decisions Reference	2019/03/010
OR – if not published in the Register of Key Decisions	
Reasons for special urgency such that this was not published in a Register of Key Decisions	

Scrutiny Call In

Call-in deadline	4.00pm on Monday 9 March 2020
OR – if Exempt from Call-in	
Advice as to how any delay would seriously prejudice the legal or financial position of the Council	
Scrutiny Chair who agreed the urgency	

Date this notice was published	Monday 2 March 2020
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