

Manchester City Council (Wynnstay Grove) Public Spaces Protection Order 2019

The Anti-social Behaviour, Crime and Policing Act 2014

Manchester City Council in the exercise of its powers under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 hereby makes the following Order.

This Order is made on the 2019 and shall have effect for a period of 3 years thereafter, unless discharged or extended under the Council's statutory powers.

General provisions

The Council is satisfied on reasonable grounds that the activities in the Restricted Area and identified in Articles **X** to **X** of this Order:

- Have had a detrimental effect on the quality of life of those in the locality, or it is likely that those activities will be carried on in the Restricted Area and that they will have such an effect; and
- That the effect, or likely effect, of those activities:
 - is, or is likely to be, of a persistent or continuing nature;
 - is, or is likely to be, such as to make those activities unreasonable; and
 - justifies the restrictions and prohibitions imposed by the Order

The Council is satisfied that the prohibitions and restrictions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of the activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

The Council has had particular regard to the rights and freedoms set out in Article 10 (Right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that any restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

This Order applies to all public places within the Restricted Area however certain Articles only apply to certain parts of that area. The headings below, taken with the map at Schedule 1, indicate which Articles apply to which part of the Restricted Area.

This Order is available for inspection on the Council’s website and also at the Customer Services Centre, Ground Floor, Town Hall Extension, Mount Street, Manchester.

Definitions

In this Order:

“Authorised Person” means a person authorised in writing by the Council

“Constable” includes Police Community Support Officer

“Centre” means the Marie Stopes UK Manchester Centre, 5 Wynnstay Grove, Fallowfield, Manchester, M14 6CG

“The Council” means Manchester City Council

“Designated Zone” means the area coloured in yellow on the map at Schedule 1 and labelled ‘Designated Zone’

“Displaying any text or images relating directly or indirectly to the termination of pregnancy” and “Distributing any text or images relating directly or indirectly to the termination of pregnancy” includes but is not limited to, imagery or textual references to abortion, baby, mum, foetus, scans, kill, sin, life, pregnancy, abortion, and /or cancer

“Member of staff” includes any employee, agent or contractor of the Centre

“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

“Restricted Area” means the area delineated in red on the map at Schedule 1

“Service user” includes any patient or visitor to the Centre

Prohibitions which apply to the Restricted Area other than in the designated zone

Article 1

No person shall in a public place in the Restricted Area other than in the Designated Zone protest, namely engage in any act of approval / disapproval or attempted act of approval / disapproval, with respect to issues related to abortion services by any means. This includes but is not limited to graphic, verbal or written means, prayer or counselling.

Article 2

No person shall in a public place in the Restricted Area other than in the Designated Zone interfere, or attempt to interfere, whether verbally or physically, with a staff member or service user of the Centre.

Article 3

No person shall in a public place in the Restricted Area other than in the Designated Zone intimidate or harass, or attempt to intimidate or harass, a staff member or service user of the Centre.

Article 4

No person shall in a public place in the Restricted Area other than in the Designated Zone record or photograph a staff member or service user of the Centre without the explicit consent of that person.

Article 5

No person shall in a public place in the Restricted Area other than in the Designated Zone display any text or images relating directly or indirectly to the termination of pregnancy.

Article 6

No person shall in a public place in the Restricted Area other than in the Designated Zone distribute any text or images relating directly or indirectly to the termination of pregnancy.

Article 7

No person shall in a public place in the Restricted Area other than in the Designated Zone play amplified music, voice or audio recordings with respect to the approval or disapproval of abortion services.

Prohibitions which only apply to the designated zone within the Restricted Area

Article 8

No person shall in a public place in the Restricted Area enter the Designated Zone if the effect of them entering the Designated Zone would result in four or more persons being present in that zone at any time.

Article 9

No person shall in a public place in the Restricted Area in the Designated Zone display any individual poster, text or image, singularly or collectively greater than one sheet of A3 paper may be displayed within the Designated Zone.

Article 10

A person shall not in a public place in the Restricted Area in the Designated Zone shout any message or words relating to the approval / disapproval of issues related to abortion services.

Article 11

A person shall not in a public place in the Restricted Area in the Designated Zone play or use amplified music, voice or audio recordings with respect to the approval or disapproval of abortion services.

Requirements which apply to the whole of the Restricted Area, including the Designated Zone

Article 12

A person in a public place in the Restricted Area who an Authorised Person or Constable reasonably suspects of breaching any of the prohibitions or requirements in this Order shall, upon valid request of an Authorised Person or Constable, leave the Restricted Area within a reasonable time as specified in writing by that Authorised Person and not return within 24 hours.

A requirement under this Article is not valid if the Authorised Person or Constable is asked by the person subject to the requirement to show evidence of their authorisation and they fail to do so.

Article 13

A person in a public place in the Restricted Area who an Authorised Person or Constable 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.

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.

Penalty

A person who fails to comply with any prohibition or restriction imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

A constable or an authorised person may issue a fixed penalty notice to anyone they believe may have committed an offence in relation to this Order.