

I request that you provide the following information in compliance with your duties under the Freedom of Information Act 2000.

- 1) How many FPNS have been issued against homeless people in 2020, 2021, 2022 and 2023? If available, please break this down by year and restriction. None
- 2) Do you record data about how warnings and breaches of the PSPO are broken down into the protected characteristics covered by the Equality Impact Assessments (EIA)? If so, please supply this data. No. We would record this data at breach stage however we have only issued warnings to date and this information is not captured.
- 3) Please either attach copies of your current PSPOs or confirm that those on the PSPO section of your council website are up to date. On following pages
- 4) Were the street homeless community involved in consultations for PSPOs that might affect them – for example, those that restrict begging, obstruction of premises, public urination and defecation? Public consultation was conducted via website and other publications. Consultation undertaken with partner agencies including local homeless charity The Brick
- 5) Do you have any specific guidelines or training for officers enforcing PSPOs that impact the homeless community - such as on mental health or signposting to services? The PSPO is mainly enforced by Greater Manchester Police. No specific training around enforcing PSPO with homeless community is provided however, signposting or referring for additional support is inherent within the process.
- 6) Are any measures in place to prevent PSPOs from having a disproportionate impact on the homeless community? Prior to any warnings/FPN's being issued for breaches of PSPO cases are discussed during local partnership meetings to ensure support needs are identified and actioned. Housing status would be checked prior to any warnings being issued.
- 7) What steps does the council take to monitor PSPOs to ensure that the recommendations of the EIA are being followed? Please send over any documentation outlining this process. Equality Impact Assessments are undertaken on an individual basis in respect of all enforcement activity undertaken through the Courts by the Council.

8) Is there a process in place for handling complaints following warnings and breaches of the PSPO? If so, please send over any documentation outlining this process.

Formal complaints procedure for either Wigan Council or Greater Manchester Police

9) Do any of your PSPOs include dispersal powers?

The order states

3

a If a person is deemed to breach this provision of the order, an authorised officer may:

i Order any individual or all members of a group to disperse:

ii Order any individual or all members of a group to disperse and leave the designated area if they live outside of it:

iii Order any individual or all members of a group to disperse and leave the designated area if they live outside of it and not return until a specified time.

The specified must not exceed 24 hours

10) Please provide the number of warnings issued for Public Space Protection Orders (PSPO) in 2020, 2021, 2022 and 2023. If this data is available, please provide a breakdown of these warnings by restriction.

This information is collected under three separate headings:

Begging

2020 – 71

2021 – 14

2022 – 12

2023 – 8

Using/Possession of intoxicating substances

2020 – 13

2021 – 20

2022 – 32

2023 – 0

Acting in an anti social manner

2020 – 4

2021 – 1

2022 – 0

2023 – 1

PUBLIC SPACES PROTECTION ORDER EXTENSION NO. 1 OF 2020

WIGAN BOROUGH COUNCIL

**WIGAN BOROUGH COUNCIL PUBLIC SPACES PROTECTION
ORDER NO. 1 OF 2016 - WIGAN TOWN CENTRE**

ANTISOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

On the 17th day of October 2016 Wigan Borough Council ("the Council") being the appropriate local authority and in pursuance of its powers under the Antisocial Behaviour, Crime and Policing Act 2014, made a Public Spaces Protection Order ("the Original Order") as described in the first schedule.

The Council, in its capacity as local authority and in pursuance of the Section 60 of the Antisocial Behaviour, Crime and Policing Act 2014 and all other enabling powers, makes the following order:

1. The Original Order (previously extended on 17th October 2019 for the period of one year expiring on 17th October 2020) is extended and shall come into effect on 17th October 2020 at 12pm for a period of 3 years.

First Schedule
(The Original Order)

Wigan Borough Council
Public Space Protection Order No. 1 of 2016 - Wigan Town Centre

Antisocial Behaviour, Crime and Policing Act 2014

Dated this 16th day of October 2020

EXECUTED AS A DEED by
affixing THE COMMON
SEAL of WIGAN
BOROUGH COUNCIL in
the presence of:



Assistant Director - Legal



436/20

WIGAN BOROUGH COUNCILPUBLIC SPACE PROTECTION ORDER NO.1 OF 2016 – WIGAN TOWN CENTREANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

This Order may be cited as the Wigan Borough Council Town Centre Public Spaces Protection Order Number 1 of 2016.

Wigan Borough Council (the Council) in exercise of its powers under Sections 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) and under all other enabling powers, hereby makes the following Order;

1. The Order shall come into operation on the 17th October 2016 at 12pm and shall have effect for 3 years thereafter, unless extended by further orders under the Council's statutory powers
2. The Order relates to that part of the Borough of Wigan as shown edged red on the attached plan (the Protected Area)
3. The Council is satisfied that the conditions set out in Section 59(2) of the Act have been met. Namely that anti-social behaviour and criminal activities have been carried out within the Protected Area through the use of intoxicating substances, anti-social behaviour that causes alarm or distress, and begging. These activities have a detrimental effect on the quality of life of those in the locality and it is likely that these activities will be carried out within that area and will have such effect.
4. The Council is also satisfied that the conditions set out in Section 59(3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by the Order and that it is in all the circumstances expedient to make this order for the purpose of reducing crime and/or anti-social behaviour in a public place.

Prohibitions

The activities below are hereby prohibited.

1. Any person found to have possession of an intoxicating substances within the Protected Area must surrender an intoxicating substance to an authorised person on request, if
 - a. They are found to be ingesting, inhaling, injecting, smoking or otherwise using intoxicating substances, or
 - b. They are found in possession of such intoxicating substances with the intent of using intoxicating substances within this area, or
 - c. The authorised person has reasonable grounds to believe that such person is using or intended to use the intoxicating substance within the said area

Exemptions shall apply in cases where the substances are valid and demonstrable medicinal use, given to an animal as a medicinal remedy, are cigarettes or vaporisers (tobacco products), or are food stuffs regulated by food safety legislation, or where the use of the intoxicating substances fall within the curtilage of a premises licensed for the sale and consumption of alcohol and within the operating hours of such.

2. All persons within the Protected Area are prohibited from approaching another person either in person or verbally in order to make an unauthorised request for money (either by asking or implying, including having a sign) in a public place from people they do not know.
3. All persons within the Protected Area are not to behave either individually or in a group of two or more people in a manner that has resulted in or is likely to result in any member of the public being intimidated, harassed, alarmed or distressed by that behaviour.
 - a. If a person is deemed to breach this provision of the order, an authorised officer may;
 - i. Order any individual or all members of a group to disperse;
 - ii. Order any individual or all members of a group to disperse and leave the designated area if they live outside of it;
 - iii. Order any individual or all members of a group to disperse and leave the designated area if they live outside of it and not return until a specified time. The specified time will not exceed 24 hours.
 - b. For those persons who live within the designated area the authorised officer may order any individual or all members of a group to disperse

Offences

1. If a person is found in breach of any of the conditions of the Order, they shall, under section 63 and/or section 67 of the Act liable to summary conviction to a fine not exceeding Level 3 on the standard scale or a fixed penalty notice.

Definitions

Authorised Person – An authorised person is a Police Constable, Police Community Support Officer or Wigan Council Officer, who must be able to present their authority if it is requested

Unauthorised Requests – Unauthorised for this purpose means without the express written consent of any owner (or person having control over or an interest in the land in question)

The Act - The Anti-Social Behaviour, Crime and Policing Act 2014

Protected Area - That part of the Borough of Wigan as shown edged red on the attached plan

Dated this 17th day of October

2016

EXECUTED as a DEED by affixing THE
COMMON SEAL of WIGAN BOROUGH
COUNCIL in the presence of:

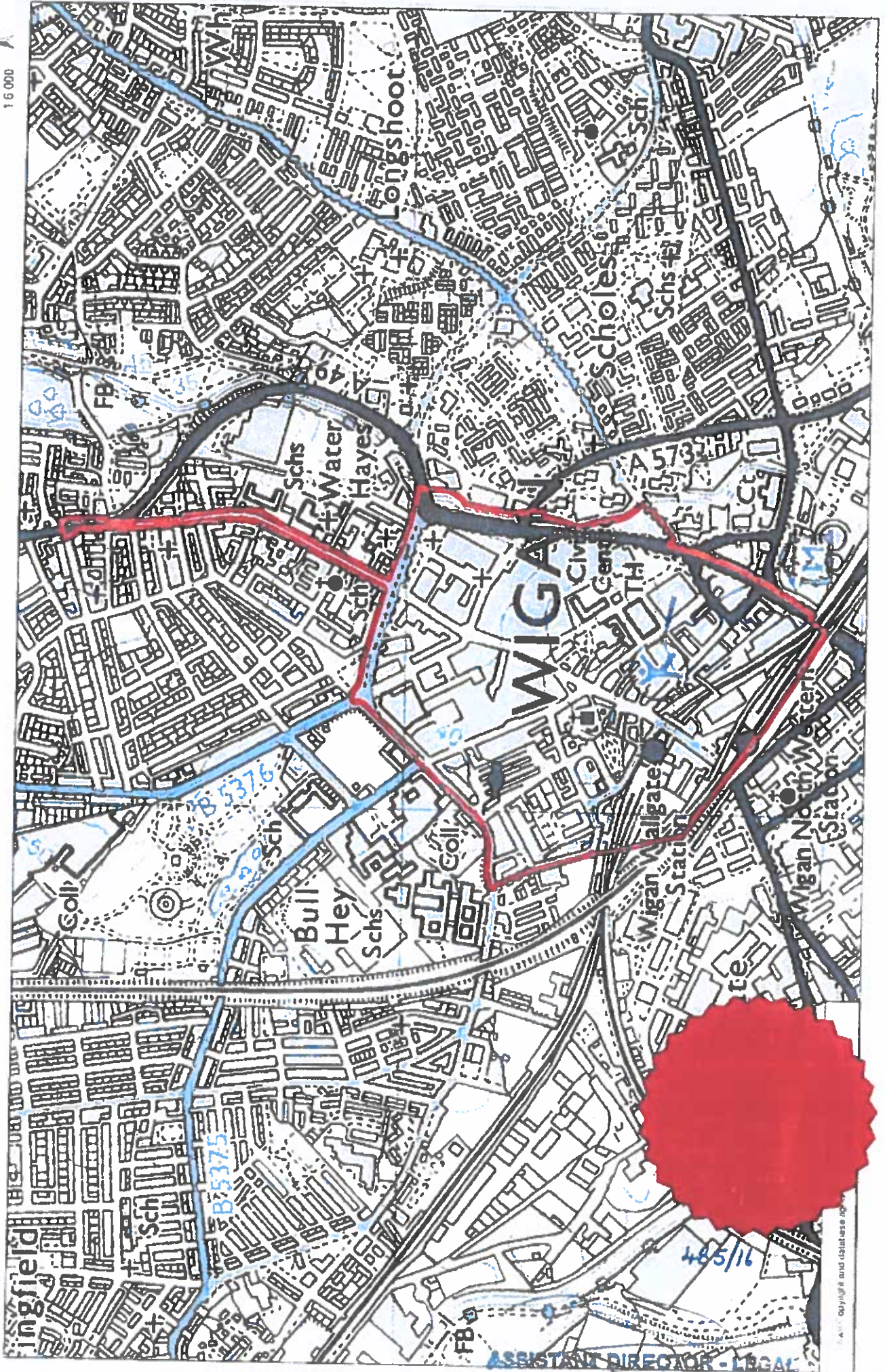
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Assistant Director Legal



485/16



PUBLIC SPACES PROTECTION ORDER EXTENSION NO. 2 OF 2020

WIGAN BOROUGH COUNCIL

**WIGAN BOROUGH COUNCIL PUBLIC SPACES PROTECTION
ORDER NO. 2 OF 2016 - LEIGH TOWN CENTRE**

ANTISOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

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Wigan Borough Council
Public Space Protection Order No. 2 of 2016 - Leigh Town Centre

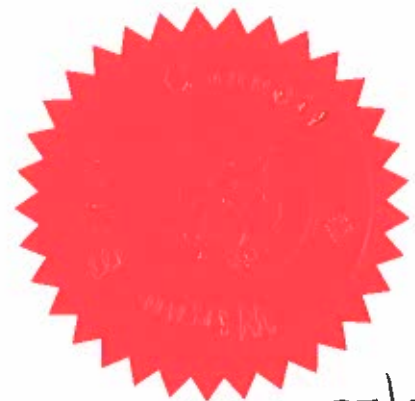
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Dated this 16th day of October 2020

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Assistant Director - Legal



437/20

WIGAN BOROUGH COUNCIL**PUBLIC SPACE PROTECTION ORDER NO. 2 OF 2016 – LEIGH TOWN CENTRE****ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

This Order may be cited as the Wigan Borough Council Town Centre Public Spaces Protection Order Number 2 of 2016.

Wigan Borough Council (the Council) in exercise of its powers under Sections 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) and under all other enabling powers, hereby makes the following Order;

1. The Order shall come into operation on the 17th October 2016 at 12pm and shall have effect for 3 years thereafter, unless extended by further orders under the Council's statutory powers
2. The Order relates to that part of the Borough of Wigan as shown edged orange on the attached plan (the Protected Area)
3. The Council is satisfied that the conditions set out in Section 59(2) of the Act have been met. Namely that anti-social behaviour and criminal activities have been carried out within the Protected Area through the use of intoxicating substances, anti-social behaviour that causes alarm or distress, and begging. These activities have a detrimental effect on the quality of life of those in the locality and it is likely that these activities will be carried out within that area and will have such effect.
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Assistant Director Legal



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