Dear Sir / Madam,

Sections 59 & 64, Anti-social Behaviour, Crime and Policing Act 2014
Proposal to make a Public Space Protection Order Rochdale Canal Undercroft, Piccadilly

I write to inform you of the Council’s proposal to make a Public Space Protection Order under the above-mentioned legislation to introduce a 10pm-7am closure on the Rochdale Canal towpath at Piccadilly, including the area known as ‘the Undercroft’.

For your attention, I enclose herewith –
The Notice of Proposals, which includes the draft Order; and
A Plan showing the areas proposed to be restricted and the Alternative Route

A copy of the Statement of Reasons for proposing to make the Order can be viewed on the Council’s website at -

http://www.manchester.gov.uk/consultations

or inspected in person at my office, as set out in the Notice of Proposals.

If you want to make any representations regarding the proposed Order, they should be submitted to the Council in the manner set out in the Notice of Proposals, to be received no later than 21 December 2015.

Yours faithfully

E.J. Treacy
Liz Treacy
City Solicitor
MANCHESTER CITY COUNCIL
PROPOSED PUBLIC SPACE PROTECTION ORDER
ROCHDALE CANAL UNDERCROFT, PICCADILLY

The Council intends to make the City of Manchester (Rochdale Canal Undercroft, Piccadilly) Public Space Protection Order 201X ("the Order") under sections 59 and 64 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") to prohibit the occurrence and recurrence of the specified criminal and anti-social activities ("the Activities") in the Restricted Areas while the Order is in force.

**The Restricted Areas:** (marked A and B on the Order Plan) comprise two areas of Rochdale Canal access ramps/towpath/canal landings ("the Restricted Areas") and include the area known as the Rochdale Canal Undercroft. They are described in Schedule 2 of the Draft Order, below.

**The Activities:** Robbery, theft, assault, threats to harm, criminal damage, abusive behaviour and anti-social behaviour - including drug taking and drug-related activity, sexual activity, defecation and urination.

**The Restriction:** Subject to the exemptions specified below, the Order will prohibit persons from being in the Restricted Areas at any time between the hours of 10pm and 7am the following morning on any day ("the Restriction"). Barriers will be installed, operated and maintained by the Council at the locations indicated "Location of Gates" on the Order Plan, to enforce the Restriction during its hours of operation. It is intended that the Order will be in effect for 3 years, subject to any variation or extension of its duration. Access between the hours of 7am and 10pm will be unaffected.

**Exemptions:** The Restriction will not apply to (i) boaters using the towpath in connection with the navigation of boats and barges on the Rochdale Canal (ii) operatives of the Canal and River Trust (iii) any landowners or occupiers of premises adjoining or adjacent to the Restricted Areas requiring access for security purposes or to carry out maintenance or repairs (iv) any person engaged on Council business including security staff employed by the Council to manage the restricted access provided by this Order (v) any police, ambulance or fire service personnel acting in pursuance of statutory powers or duties (vi) any statutory undertaker, gas, electricity, water or communications provider requiring access to their apparatus situated in the Restricted Areas (vii) any person authorised in writing by the Council.

**Alternative Route:** the alternative route for pedestrians when the Restriction is in effect will be via the footways of Auburn Street, crossing Aytoun Street by the pedestrian crossing, continuing on Auburn Street, crossing the A6 Piccadilly/London Road by the pedestrian crossing, Ducie Street and Dale Street to the entrance to the towpath at Dale Street Bridge, and vice versa (as shown on the plan).

A draft of the proposed Order is set out below. A copy of this Notice along with the Council's Statement of Reasons for proposing to make the Order, the Order Plan and the Diversion Plan are available to be viewed on the Council's website at http://www.manchester.gov.uk/consultations and can be inspected in person at Room 601, City Solicitor's Office, Town Hall, Manchester M60 2LA during normal office hours. If you want to make representations regarding the proposed Order, they may be submitted via the Council's website at the file path given above, or sent in writing to Liz Treacy, City Solicitor, Town Hall, Manchester M60 2LA to be received no later than 21 December 2015 quoting reference L/PSH/HSG2019/1.

Dated: 20 November 2015

Signed:

Liz Treacy, City Solicitor, Town Hall, Manchester, M60 2LA

DRAFT PUBLIC SPACE PROTECTION ORDER
CITY OF MANCHESTER (ROCHDALE CANAL UNDERCROFT, PICCADILLY)

PUBLIC SPACE PROTECTION ORDER 201X

WHEREAS The Council of the City of Manchester ("the Council") is satisfied on reasonable grounds that the following two conditions are met: (i) the Activities described in Schedule 1 to this Order ("the Activities") are carried on in a public place and are having a detrimental effect on the quality of life of those in the locality; and (ii) the Activities are persistent and continuing in nature. NOW THEREFORE, in exercise of its powers under sections 59 and 64 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") and all other enabling powers, and having had regard to section 72 of the Act, the Council hereby makes the following Order:
1 The Restriction Except as provided in Article 2 of this Order no person shall be in the Restricted Areas shown edged red on the plan annexed to this Order ('the Order Plan') and described in Schedule 2 at any time between the hours of 10pm and 7am the following morning on any day.

2 Exceptions Subject to Article 3 below, the restriction provided by Article 1 of this Order shall not apply to (i) boaters using the Restricted Area in connection with the navigation of boats and barges on the Rochdale Canal (ii) operatives of the Canal and River Trust (iii) any landowners or occupiers of premises adjoining or adjacent to the Restricted Areas requiring access for security purposes or to carry out maintenance or repairs (iv) any person engaged on Council business including security staff employed by the Council to manage the restriction provided by this Order (v) any police, ambulance or fire service personnel acting in pursuance of statutory powers or duties (vi) any statutory undertaker, gas, electricity, water or communications provider requiring access to their apparatus situated in the Restricted Areas; (vii) any person authorised in writing by the Council.

3 Contravention It is an offence for a person without reasonable excuse to contravene the restriction provided by Article 1 of this Order. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

4 Alternative Route The alternative route for pedestrians when the restriction provided by this Order is in effect is via the street footways of Auburn Street, crossing Aytoun Street by the pedestrian crossing, continuing on Auburn Street, crossing the A6 Piccadilly/London Road by the pedestrian crossing, Ducie Street and Dale Street to the entrance to the towpath at Dale Street Bridge, and vice versa, as shown by a dotted line on the Alternative Route Plan annexed to this Order.

5 Barriers Barriers will be installed, operated and maintained by the Council at the locations indicated ‘Location of Gates’ on the Order Plan.

6 Duration The Order shall take effect on [ ] and has effect for 3 years until the day of [ ] subject to any variation or extension of the Order.

7 Citation The Order shall be cited as the City of Manchester (Rochdale Canal Undercroft, Piccadilly) Public Space Protection Order 201X.

SCHEDULE 1 - THE ACTIVITIES

Robbery, Theft, Assault, Threats to Harm, Criminal Damage, Abusive Behaviour and Anti-social behaviour including – Drug Taking and drug-related activity, Sexual Activity, Defecation and Urination

SCHEDULE 2 - THE RESTRICTED AREAS

1. The Restricted Area marked A on the Order Plan includes the full width of the towpath and access ramps and is described from south west to north east as follows - from the entrance onto the Rochdale canal towpath at the back of the footway at the Minshull Street / Auburn Street junction; down the ramp and along the towpath; continuing along the towpath under the bridge providing access from Auburn Street into Manchester Minshull Street Crown Court and under the bridge crossed by Aytoun Street; continuing along the towpath into the Undercroft section of the towpath below the following roads and buildings – under 1-3 Piccadilly (Malmaison Hotel), under the A6 Piccadilly/ London Road, under 111 Piccadilly (formerly known as Rodwell Tower), under 111 Piccadilly car park and under Ducie Street Bridge – so as to fully encompass all of the towpath within the Undercroft including the landings around Lock 85, the store under Dale Street Bridge and the former London Road Wharf dock landings and; continuing to the spandrel façade of Dale Street Bridge.

2. The Restricted Area marked B on the Order Plan comprises the whole of the area of the canal landing on the northern side of Lock 85, located under 111 Piccadilly and is described from south west to north east as follows - from the point where the canal landing is adjacent to the supporting structure of the Piccadilly road bridge and continuing in a north easterly direction so as to encompass the full length and width of the landing, including the area on the western side of former wharf.

Dated this day of 201X

The Common Seal of the Council of the City of Manchester was hereunto affixed... Authorised Signatory