

Record of Officer Decision

Public Spaces Protection Order (PSPO) Hopes Nose and Berry Head 2025

Decision Taker and Date Decision Taken:

Director of Adult and Community Services on 25 March 2025, following consultation with the Cabinet Member for Adult and Community Services and the Leader of the Council.

Summary of Matter or Issue Requiring Decision:

Torbay Council in exercise of its powers under part 4, section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, has made a series of orders in respect of a PSPO covering the sites of Hopes Nose, Torquay (since 2016) and Berry Head, Brixham (since 2023). The most recent one expired in December 2024.

Due to the continuance of anti-social behaviours at these locations a proposal to make a further order was consulted upon under section 61 of the ASB, Crime and Policing Act 2014.

The consultation was unanimously supportive of the proposal to implement a further PSPO in the same terms as the amended 2023 Order, for a period of 3 years.

Decision Taken:

That a Public Space Protection Order 2025 Hopes Nose and Berry Head be made from 1 April 2025, in the terms as attached to this Record of Decision and for a period of 3 years (until 31 March 2028).

Summary of Reason(s) for Decision Taken:

In making this order the Council is satisfied that the conditions set out in Section 59 and 61 of the Anti-Social Behaviour, Crime and Policing Act have been met.

Summary of Alternatives or Options considered and rejected and Background Papers:

The decision is whether to make a further Order or not. the Council has made a series of Orders covering Hopes Nose since 2016 and included Berry Head from 2023. The areas are both of significant importance for Torbay's designation as a UNESCO Global Geopark and for the communities of Torbay who feel passionately about them. Such Orders have always received the support of a wide range of relevant stakeholders including community groups as demonstrated by successive consultation exercises.

Consultation took place regarding this proposal which received unanimous support from all responses. The previous consultation exercise was undertaken in 2024 for the purposes of an amendment and another was undertaken in 2023. As such there has been extensive consultation undertaken that consistently demonstrate support for the continued coverage that such a PSPO affords.

SWISCo have a Neighbourhood Enforcement Team in place to lead on enforcing the Order, to provide a consistent means of monitoring and taking action.

On this basis the decision is being made to make the Order in the attached terms.

The option to not make a further Order is rejected due to the importance of the areas to be covered, the persistent nature of the behaviours at the sites and the fact that there is continual and clear support from relevant communities and stakeholders.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:

None.

Implementation:

This decision will come into force immediately.

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email governance.support@torbay.gov.uk

Signed: _____ Date: 27 March 2025
DIRECTOR OF ADULTS AND COMMUNITY SERVICES