

Record of Officer Decision

Public Spaces Protection Order (PSPO) Alcohol Restrictions 2024 - Torbay

Decision Taker and Date Decision Taken:

Director of Adult and Community Services on 01 May 2024.

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 an order in respect of a PSPO Alcohol Restrictions in Torbay:

The PSPO applies to the public areas as described in the Schedule of Land (the Restricted Area):

- a) No person shall consume alcohol in a public place in the Restricted Area (save for those places identified in section 62 of the Anti-social Behaviour Crime and Policing Act 2014).
- b) It shall be an offence for any person to refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by a police officer or authorised officer.
- c) A constable or an authorised officer who imposes a requirement to stop drinking alcohol or hand over any containers (sealed or unsealed) must tell the person that failing without reasonable excuse to comply with the requirement is an offence.
- d) A constable or an authorised officer may dispose of any handed over or surrendered containers (sealed or unsealed) which are believed to contain alcohol in whatever way he or she thinks appropriate.

Decision Taken:

That the Public Space Protection Order Alcohol Restrictions, as attached to this Record of Decision, be implemented from 1 May 2024 for a period of 3 years.

Summary of Reason(s) for Decision Taken:

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

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

An alternative option would have been to do nothing, however having been satisfied that the conditions set out in Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, this option was discounted.

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 be implemented 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: _____
(Director of Adult and Community Services)