



Consultation on proposed renewal of Cowbar Open Space Public Spaces Protection Order (PSPO) 2022 tackling antisocial behaviour and nuisance and camping at Cowbar.

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Closing date for completion Monday 8 September 2025

1. Introduction

Redcar and Cleveland council wants to know your views on its proposal to renew or extend the existing powers it had brought into force October 2022 to tackle antisocial behaviour and nuisance on open space at Cowbar Lane, Cowbar, for another 18 months (until 31 March 2027).

2. What are the proposed changes?

The council is proposing to renew unchanged the existing PSPO powers in force for open space at Cowbar Lane, Cowbar, since October 2022, for a further 18 months (until 31 March 2027).

3. The council's current position

Looking after the local area, to keep it clean and tidy, now, as well as to look after the environment for future is the number one priority for the council within the new corporate plan, including by taking robust enforcement action against those who damage the environment and put others at risk.

The council is also committed to improving the use, accessibility and enjoyment for residents and visitors of our outstanding coast and countryside, encouraging many more people to get outdoors, and to working with more and more people in our local communities to achieve safe and clean neighbourhoods with enhanced open spaces for everyone to enjoy.

This means that the council takes seriously its responsibility to help create conditions for the use, access and enjoyment of our public spaces. Sometimes this can mean creating rules to ensure this happens.

Cowbar is a hamlet located along Cowbar Lane, Cowbar Bank, and Northside, on the north bank of Staithes beck, opposite Staithes, and to the south of the sea cliffs overlooking Cowbar Nab, in the vicinity of the borough's eastern boundary with the borough of Scarborough.

The council had received a significant volume of complaints, particularly since late spring and summer 2020, from Cowbar residents concerning visitors parking up overnight or for a few days along Cowbar Lane and on the adjacent grassland.

The council has powers under the Antisocial Behaviour, Crime and Policing (2014) Act's (referred to as "the Act" elsewhere within this consultation document) public spaces protection order provisions to place controls on the use of public spaces.

Having secured the support of local people and visitors to the area to do so, the council made use of those powers in 2022 (decision reference: **ADCOM-22-209**) to make the Cowbar Open Space Public Spaces Protection Order (PSPO) 2022, prohibiting specific antisocial behaviour and nuisances associated with a minority of visitors to this location.

The Order allows the council [and Cleveland police officers] to take enforcement action by issuing on the spot £100 fines (and a maximum court penalty of £1,000) to anyone who breaches the Order's anti-social behaviour and nuisance provisions.

The council continues to welcome responsible visitors and encourages them to respect their surroundings including nearby natural habitats during their stay.

The council can make a public spaces protection order for a maximum period of three years and can extend an order by up to three years at any point before expiry if this is necessary. The council can also vary the restrictions and requirements imposed by an order at any point before expiry and when renewing a public spaces protection order, if this is required to prevent the occurrence, recurrence, or an increase in the frequency or seriousness of the activity being tackled.

Councils are required to carry out a review or evaluation of any public spaces protection order when they are up for renewal.

The current Order will end on 1 October 2025 unless the council exercises powers, available under the Act, to extend the PSPO to continue to be able to tackle antisocial behaviour and nuisance at this location.

4. What this proposal would mean

As the retained offences would be breaches of a public spaces protection order, the council may issue a fixed penalty notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty. This fixed penalty must not be more than £100. The council set the fine at £100 (£80 if paid within 10 days), to maximise the deterrent risk for offenders, when it brought the PSPO into force.

The Order's provisions are outlined in more detail below.

*In this area **[a map of the restricted area is attached at appendix one]** any person who continues to carry out activities from which they are prohibited commits an offence namely:*

- 1) No person shall deposit any litter anywhere within the Restricted Area other than in a receptacle intended for this purpose **[Cleveland police and Redcar & Cleveland council]***
- 2) No person, without reasonable excuse, shall urinate or defecate in the Restricted Area **[Cleveland police and Redcar & Cleveland council]***
- 3) No person shall deposit any human waste, including grey water or chemical toilet waste, anywhere within the Restricted Area other than in a facility designed for this purpose **[Redcar & Cleveland council]***
- 4) No person shall light a fire, barbeque (including disposable barbeques), candle or stove of any type in the Restricted Area without the express prior consent of the council **[Redcar & Cleveland council]***
- 5) No person shall place, throw or drop in the Restricted Area anything likely to cause a fire **[Redcar & Cleveland council]***
- 6) No person shall act in such a way which causes or is likely to cause alarm, harassment, distress, or nuisance to the public, including people living in the locality, in particular shouting and swearing at, or abusing,*

threatening or otherwise intimidating (including by the use of sexual language or making sexual suggestions) another person [Cleveland police and Redcar & Cleveland council]

Although Cleveland police will not enforce breaches of clauses 3) -5) inclusive as a matter of course, they agreed to nevertheless take enforcement action to address behaviours prohibited by clauses 3-5 if they are satisfied the evidence justifies them in doing so because the offence(s) also breaches clause six having also caused harassment, alarm or distress to the public.

5. Why we are proposing to the retention of the existing powers prohibiting antisocial behaviour and nuisance on open space at Cowbar?

The council continues to welcome responsible visitors and encourages them to respect their surroundings including nearby natural habitats during their stay. But it also recognises the impacts, particularly since late spring and summer 2020, of antisocial behaviour and nuisance associated with a minority of visitors to this location, has detrimentally affected residents in the locality due to the location's proximity to Cowbar Cottages, where most of the dwellings at Cowbar are clustered.

During the 30 months that elapsed between 18 May 2020 and 22 November 2022, the council received 67 reports concerning overnight campers. The top issues raised by complainants most relevant to prohibitions ultimately brought in by the Order were as follows:

- Human waste (18 mentions)
- Grey water (17 mentions)
- Verbal abuse (16 mentions)
- Campers defecating in public (12 mentions)
- Campers urinating in public (11 mentions)
- Campers littering (11 mentions)
- Campers fires/BBQs (six mentions)
- Threatening behaviour (three mentions)

During the 30 months since 22 November 2022 (to 31 May 2025), including 25 months during which the council's community enforcement team has enforced the Order, following the installation of signs alerting members of the public to the Order's provisions, the council has received six reports of (up to 17) breaches of the Order including the following:

- three reports visitors had lit fires, barbeques (including disposable barbeques) or stoves to cook food within the restricted area
- one report of fireworks being let off within the restricted area on 17 and 31 October and on 1 November 2024; and of used fireworks being found within the restricted area in multiple (12) locations 18 October-3 November 2024

- one report the bunding at Cowbar Lane had been breached to gain vehicular access onto the grassland, constituting a breach of the nuisance provision (clause 1f)
- one allegation that human faeces had been found in the restricted area

Due to offenders not being identifiable or members of the public not wishing to make witness statements the council has not been able to take enforcement action in respect of these reported breaches of the Order.

The council has also not detected breaches of the Order for which it has been able to issue FPNs through its own targeted enforcement activities.

The council has also received the following streetscene reports for the locality since the introduction of the Order:

- Four reports of fly-tipping, none of which relate to the Cowbar open space restricted area
- One report of an abandoned vehicle, found within the residents parking zone for Cowbar, not the Cowbar open space restricted area
- Two reports of litter or overflowing public litter bins, neither of which relate to the Cowbar open space restricted area
- One report of graffiti [spray painting of signs], which may relate to the Cowbar open space restricted area

The council had also received five complaints by email, typically concerning vehicles parking along Cowbar Lane (a single-track carriageway) or in passing places during the during the 32-month period 1 October 2022-31 May 2025.

The council also received three reports of parking enforcement issues: two concerned vehicles parking in passing places; one concerned a breach of the residents parking zone for Cowbar.

When exercising its powers under the public spaces protection provisions of the Act, the council is required to assess the impact of the antisocial activities it seeks to tackle by carrying out the following prescribed tests:

The renewal of the Order is “necessary to prevent—

(a) occurrence or recurrence after that time of the activities identified in the order, or

(b) an increase in the frequency or seriousness of those activities after that time”.

Anti-social Behaviour, Crime and Policing Act 2014, PART 4, CHAPTER 2, Public spaces protection orders Section 60

The council's legal officers are satisfied the council can meet the prescribed tests justifying it in renewing or extending the Cowbar Open Space Public Spaces Protection Order (PSPO) 2022 for a further 18 months (until 31 March 2027) to tackle crime and/or antisocial behaviour for the following reasons:

- During the 30 months that elapsed between 18 May 2020 and 22 November 2022, the council received 67 reports concerning overnight campers, many of which concerned issues relevant to prohibitions ultimately brought in by the Order were as follows, i.e., human waste (18 mentions); grey water (17 mentions); verbal abuse (16 mentions); campers defecating in public (12 mentions); campers urinating in public (11 mentions); campers littering (11 mentions); campers fires/BBQs (six mentions); threatening behaviour (three mentions)
- Many of the [41] comments received during the original 1 November 2021-24 January 2022 consultation exercise concerned respondents' experience of antisocial activities associated with overnight campers and visitors, including six respondents who highlighted issues around littering associated with wild campers on open space at Cowbar; nine who highlighted issues around defecation and toileting; five who highlighted issues around wild campers and motorhomes dumping grey or black water on open space at Cowbar; and three who stated they had experienced aggressive behaviour or verbal abuse from wild campers and motorhome owners visiting Cowbar.
- the council had secured strong majority support (ranging between 84.85% and 93.50%) from all consultees, including visitors as well as residents and local people from the TS13 postcode, for its proposals to prohibit antisocial behaviour and nuisance on open space at Cowbar, when it consulted (1 November 2021-24 January 2022) on its original proposals to take these powers
- During the 30 months since 22 November 2022 (to 31 May 2025), including 25 months during which the council's community enforcement team has enforced the Order, the council has received six reports of (up to 17) breaches of the Order including the following:
 - three reports visitors had lit fires, barbeques (including disposable barbeques) or stoves to cook food within the restricted area
 - one report of fireworks being let off within the restricted area on 17 and 31 October and on 1 November 2024; and of used fireworks being found within the restricted area in multiple (12) locations 18 October-3 November 2024
 - one report the bunding at Cowbar Lane had been breached to gain vehicular access onto the grassland, constituting a breach of the nuisance provision (clause six)
 - one allegation that human faeces had been found in the restricted area
- Accordingly, the Order appeared to have been effective in suppressing the incidence of anti-social behaviour and criminal activities associated with a minority of visitors to the Cowbar open space restricted area; and this provides strong rationale for retaining, not discharging, the Order's provisions
- the council has struck an appropriate balance between the need to tackle antisocial behaviour, crime and disorder – anti social activities associated

with a minority of visitors – against the desire and entitlement of members of the public to use a public space

- not renewing the Cowbar Open Space Public Spaces Protection Order (PSPO) 2022 will likely result in a reversal of the downwards trajectory for antisocial behaviour and nuisance established since the Order's introduction at this location.
- Renewing the Cowbar Open Space Public Spaces Protection Order (PSPO) 2022 unchanged for a further 18 months period, instead of three years, will provide an opportunity for the council to carry out a thorough-going review considering a range of emerging issues at other locations within the borough, including the following:
 - the lighting of fires, barbeques (including disposable barbeques), candles or stoves of any type at Saltburn beach
 - activities likely to cause fires at some of our upland natural spaces including moors, heaths and plantations, such as Eston hills, Errington woods, and Guisborough woods etc.
 - activities associated with overnight campers at other locations, including Marine Parade, Saltburn by the sea, and at the car park and its immediate neighbourhoods at Cattersty sands, Skinningrove

The council may conclude when it carries out this further review of the order that it is appropriate to tackle these emerging issues by varying this Order when renewing it again, by altering the area(s) to which it applies or by introducing new requirements and prohibitions.

The extended Order will be in force until 31 March 2027 unless varied, extended or discharged by further orders.

The proposal would mean the council [and Cleveland police] will retain an enforcement tool enabling the tackling of antisocial behaviour and nuisance on open space at Cowbar, which has been associated with a minority of visitors to Cowbar including some users of Cowbar visitors car park, so likely safeguarding the Order's achievements in suppressing these issues since its introduction.

The proposal also strikes an appropriate balance between the needs of residents of Cowbar and the rights of visitors to access the Cleveland Way and the immediately surrounding area.

It is therefore considered to best assist the council in effectively tackling anti-social behaviour and nuisance issues at this location.

6. What are other councils doing?

As many of the legal options for tackling overnight camping tend to be slow, complex and expensive, several local authorities across England and Wales have instead brought in public spaces protection orders prohibiting overnight camping or unauthorised camping, and other antisocial behaviours on open space, due to their flexibility and the scope they provide for issuing offenders with an immediate sanction.

Examples include:

- **Hambleton:** Order tackles persistent antisocial behaviour displayed by lorry drivers stopping overnight at Leeming Bar Industrial Estate and the immediate surrounding area
- **Hastings:** Order tackles antisocial behaviour associated with street community issues, including provision for prohibiting overnight sleeping in vehicles, Rother: Order prohibits camping or sleeping at night [during the hours of darkness] on the beach (excluding persons fishing), public open space, the highway or shop doorways and curtilages
- **London borough of Hillingdon:** Order prohibits unauthorised fireworks or barbeque in parks and open spaces, and includes general (borough-wide) prohibitions concerning, but not limited to, unauthorised encampment, verbal abuse and harassment
- **Embridge:** open space PSPO includes prohibitions on unauthorised fishing and camping
- **Dorset:** Order seeks to address heathland fires and also anti-social overnight camping at Studland Beach.
- **North east Lincolnshire:** Public Space Protection Order covering Resort and Parks and Open Spaces prohibits bonfires and barbecues and illegal encampments and overnight camping/caravanning on all council land
- **Southend on sea:** Order tackles a range of antisocial behaviours occurring in Southend Town Centre and Seafront along with three adjoining areas including “Sleeping in a public place within the Restricted Area in a manner which has a detrimental impact on the quality life of others in the locality” and “Erecting tents or other structures anywhere within the Restricted Area, save for where so permitted by the Council”
- **Adur and Worthing:** Order prohibits people from camping overnight in Heene Cemetery and various public gardens (Worthing)
- **Folkstone & Hythe:** Order prohibits unauthorised camping if authorised officers believe anti-social behaviour has been committed or is likely to be committed in the following designated restricted areas: Folkestone; Cheriton; Hawkinge; Hythe - High Street/Oaklands; Littlestone & Greatstone; New Romney; Lydd; all district play areas; all district Churchyards and cemeteries
- **Pendle:** Order prohibits the “erecting or occupying a tent, vehicle, caravan or any other structure for the purpose of camping for any period whatsoever without the expressed consent of an authorised officer of the Council” in parks
- **Peterborough:** Order prohibits “camping or fires in any public place in the defined area [that is, the River Nene riverbank at Woodston] without express written permission of the City Council”
- **Richmond upon Thames:** Order prohibits “camp[ing] or sleep[ing] overnight, with or without a tent, or [the] use [of] a vehicle, caravan or any other structure for such purpose in parks and open spaces (council land) without the express prior consent of the Council”
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7. Who are we consulting?

The council is required to meet consultation, notification, and publicity requirements, in making public spaces protection orders, or when extending or varying them, to introduce new requirements and prohibitions on people using public spaces.

This consultation complies with the statutory consultation requirements as it involves all stakeholders who may be affected, including the following:

- *Cleveland police* (required)*
- *The office of the police & crime commissioner for Cleveland* (required)*
- *Loftus town council (required)*
- *Landowners where affected open space not in the ownership of the council (required).*
- *Residents living and businesses trading in surrounding locality (approximately 50 addresses have been identified): required.*
- *Users of the designated public space, including Cowbar visitors car park (required).*
- *The general public.*

** by way of sharing information about the area and the problems being caused, as well as to discuss the practicalities of enforcement.*

This document will also be sent to elected members. Anyone can give their views during the six-week consultation period which runs from Monday 28 July to Monday 8 September 2025.

8. How can I comment on these proposals?

We would welcome your responses and suggestions about ways we could continue to tackle anti-social behaviour and nuisance associated with a minority of visitors to this cliff-top grassland, off Cowbar Lane, Cowbar. We want to hear any comments you may have on any aspect of these proposals. Please respond using our on-line survey(s), by visiting:

<https://www.surveymonkey.com/r/L5NVTW>

Paper copies are also available from the at the following libraries and council buildings:

- Loftus Library and Community Hub:
 - Monday - 9am until 5pm
 - Wednesday - 9am until 4pm
 - Thursday - 10am until 6pm
 - Friday/Saturday - 10am until 2:00pm
- Redcar Library and Community Hub:
 - Monday - 10am until 2pm
 - Tuesday/Wednesday - 9am until 5pm

- Thursday - 11am until 7pm
- Friday - 9am until 5pm
- Saturday - 10am until 2:00pm

Alternatively, please contact:

Redcar & Cleveland council
 Safer communities and streetscene service
 Directorate for growth, enterprise and the environment
 Fairway House
 Limerick Road
 Redcar TS10 5JU

Telephone: 01642 776 948

E-mail : julian.feakes@redcar-cleveland.gov.uk

9. What happens next?

Subject to the outcome of this consultation exercise, the council will give notice, for a period of 28 days (likely around 22 August-19 September 2025), inviting representations from affected persons whether the order should be extended as proposed.

After the consultation period council executive management team members will consider the outcome of this consultation, likely around 26 September 2025. They will consider all comments about these proposals received during the consultation and notification periods, before deciding whether to retain the content of the existing Order, incorporating the proposed variations, and extend it for a further 18 months , until 31 March 2027.

The council will review the order within 18 months of extending it to determine whether it is still required (and needs to be renewed or extended for a further three years), or whether it should also be varied (if renewed) to include other offences or to change the boundaries of the restricted area at Cowbar, or to extend these prohibitions to other locations within the borough or the borough of Redcar and Cleveland as a whole, should significant displacement of the issue occur away from the Cowbar, or introduce additional prohibitions and requirements in order to tackle emerging issues at other locations within Redcar & Cleveland, including possibly the following:

- the lighting of fires, barbeques (including disposable barbeques), candles or stoves of any type at Saltburn beach
- activities likely to cause fires at some of our upland natural spaces including moors, heaths and plantations, such as Eston hills, Errington woods, and Guisborough woods etc.
- activities associated with overnight campers at other locations, including Marine Parade, Saltburn by the sea, and at the car park and its immediate neighbourhoods at Cattersty sands, Skinningrove

10. Where can I get more information?

During this consultation, we will be collating all the views and comments we receive. Please contact the safer communities and compliance service.

Copies of this consultation document and other council documents can be obtained by contacting the Safer communities and compliance service or by emailing consultation@redcar-cleveland.gov.uk. This consultation document is also available on request in other formats.

Appendix one:

Cowbar Open Space Public Spaces Protection Order (PSPO) 2022: restricted area location map

