

## TORBAY COUNCIL

### PUBLIC SPACE PROTECTION ORDER (NO. 6) 2023 HOPES NOSE and BERRY HEAD

This Order may be cited as the Torbay Council – Hopes Nose, Torquay and Berry Head, Brixham Torbay Public Space Protection Order 2023 (“the Order”). Included are amendments made under section 61 on 24 June 2024.

Torbay Council (“the Council”), being satisfied that the conditions set out in section 59 (2) of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) have been met in relation to the areas designated by the attached maps and known as Hopes Nose, Torquay and Berry Head, Brixham. Namely; that the activities carried out in the public places within the areas have caused crime, disorder and anti social behaviour in the locality. Accordingly these activities have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried out within the areas and will have such an effect. The Council is also satisfied that the effect, or likely effect of the activities is, or likely to be persistent or continuing in nature and these activities are unreasonable and justify the restrictions imposed by this notice. As such, it is in all the circumstances expedient to make the Order for the purpose of reducing anti-social behaviours in these public places.

The Order prohibits and requires the following:

1. No individual shall fish with more than one rod and the rod will be limited to only one hook (which must not contain any form of ‘string’ or ‘team’ of hooks) within the areas edged red on the attached maps.
2. No individual shall be permitted within the areas edged red on the attached maps to catch more than 20 mackerel within any 24 hour period. Any surplus mackerel **must** be returned to the sea **immediately**.
3. At the request of an Authorised Officer, an individual **must** show all caught fish to that Officer for inspection (an Authorised Officer is an Officer of Torbay Council, Devon & Cornwall Police, Inshore Fishing and Conservation Authority and/or Torbay Coast and Countryside Trust and any of these organisation’s representatives).
4. An individual shall **immediately** leave an area edged red on the attached maps when directed to do so by an Authorised Officer and **must** not return to either area within 48 hours of that direction.
5. No camping shall be permitted at any time within the areas edged red on the attached maps.

6. No individual shall be permitted to erect a tent, shelter, bivouac or anything of a similar nature within the areas edged red on the attached maps.
7. No individual shall drop, deposit or leave any form of litter or waste within the areas edged red on the attached maps.
8. No individual shall be permitted to light a fire, barbeque or anything of a similar nature within the areas edged red on the attached maps.
9. No individual shall be permitted to be associated with a fire, barbeque or anything of a similar nature within the areas edged red on the attached maps.
10. No individual shall intimidate, obstruct or interfere with another individual's enjoyment of the areas edged red on the attached maps.
11. No individual shall remove, damage or interfere with minerals or rock from any rock platform or rock structure within the areas edged red on the attached maps.

It is an offence for a person without reasonable excuse to engage in activity that is prohibited or required within the paragraphs of the Order. A person found to be in breach of the Order is liable on summary conviction to a fine not exceeding level 3 on the standard scale or a Fixed Penalty Notice of £100.

The order shall come into operation on 9<sup>th</sup> June 2023 and shall have effect until 31<sup>st</sup> December 2024, unless extended or amended by further Orders under the Council's statutory powers.

If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to the Order, he or she may apply to the High Court within six weeks from the date which the Order is made.

Dated this 1st day of June 2023



Signed for and on behalf of the Council  
Alan Denby  
Director of Pride in Place

This amended Order shall commence from 24<sup>th</sup> day June 2024



Signed for and on behalf of the Council  
Anne-Marie Bond  
Chief Executive

## Hopes Nose, Torquay



## Berry Head, Brixham

