

TORBAY COUNCIL  
PUBLIC SPACE PROTECTION ORDER (NO. 3) 2021 HOPES NOSE

This Order may be cited as the Torbay Council – Hopes Nose Torquay, Torbay Public Space Protection Order 2021 (“the Order”)

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 area designated by the attached map and known as Hopes Nose, Torquay. Namely; that the activities carried out in the public place within the area has 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 that area 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 this public place.

The Order prohibits and requires the following:

1. No individual shall be permitted within the area edged red on the attached map to catch more than 20 mackerel within any 24 hour period. Any surplus mackerel **must** be returned to the sea **immediately**.
2. 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 and/or Torbay Coast and Countryside Trust and their representatives).
3. An individual shall **immediately** leave the area edged red on the attached map when directed to do so by an Authorised Officer and **must** not return to that area within 48 hours of that direction.
4. No camping shall be permitted at any time within the area edged red on the attached map.
5. No individual shall be permitted to erect a tent, shelter, bivouac or anything of a similar nature within the area edged red on the attached map.
6. No individual shall drop, deposit or leave any form of litter or waste within the area edged red on the attached map.

7. No individual shall be permitted to light a fire, barbeque or anything of a similar nature within the area edged red on the attached map.
8. No individual shall be permitted to be associated with a fire, barbeque or anything of a similar nature within the area edged red on the attached map.
9. No individual shall intimidate, obstruct or interfere with another individuals enjoyment of the area edged red on the attached map.

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 £80.

The order shall come into operation on 30<sup>th</sup> July 2021 and shall have effect until 1<sup>st</sup> December 2022, 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 30th day of July 2021

Signed for and on behalf of the Council



.....  
Tara Harris  
Assistant Director Community and Customer Services, Torbay Council

