

PUBLIC SPACE PROTECTION ORDER

SOUTH HAMS DISTRICT COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

South Hams District Council (Dartmouth, Ivybridge, Kingsbridge, Salcombe and Totnes)(Alcohol) Public Spaces Protection Order 2024

South Hams District Council (the 'Council') in exercise of the power under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in Section 59 of the Act have been met, makes the following Order:

1. In force

This Order comes into force on 18 October 2024 and ends on 17 October 2027 unless extended under Section 60 of the Act.

2. Application

This Order applies to the public spaces described in the Schedules to this Order.

3. Definitions

In this Order the following words or phrases are defined as follows:

'Alcohol' has the same meaning as in section 191 of the Licensing Act 2003.

'Anti-social behaviour' means conduct that has caused or is likely to cause nuisance, annoyance, harassment, alarm or distress to any person

'Authorised Officer' means a Police Officer, Police Community Support Officers, an employee, agent or contractor of the Council or other person who is authorised in writing by the Council.

'Council' means South Hams District Council

'Restricted Area' means the parts of West Devon as shown on the maps at Schedule 1 of this Order and shown on the maps at Schedule 2 of this Order.

4. Effect

The effect of the Order is to impose the following prohibitions and/or requirements in the restricted areas at all times:

- A) Unless: a) a person has a reasonable excuse for failing to do so or b) the Restricted Area is subject to Exemptions, no person shall continue to consume alcohol, or anything which is reasonably believed to be alcohol, when asked to stop by an authorised officer who, in their view believe this would assist in preventing further anti-social behaviour, public nuisance or disorder
- B) Unless: a) a person has a reasonable excuse for failing to do so or b) the Restricted Area is subject to Exemptions, no person shall fail to surrender a vessel(s) of alcohol, sealed or unsealed, when requested by an authorised officer who, in their view believe this would assist in preventing further anti-social behaviour, public nuisance or disorder

5. Penalty

Any person who, without reasonable excuse, fails to comply with this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale or a Fixed Penalty Notice may be issued by virtue of Section 68(1) of the Act up to a current maximum of £100.

6. Exemptions

This Order does not apply to premises as described in Section 62 of the Act.

7. Appeals

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in or visits the Restricted Areas. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this order on two grounds: that the Council did not have the power to make the order or to include specific prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in whole. The High Court can uphold, quash or vary the Order.

SCHEDULE 1

DARTMOUTH

Coronation Park, Royal Avenue Gardens, New Ground Car Park, Footways immediately adjacent to both of the above, being part of North Embankment, Coombe Road, College Way and Mayor's Avenue, Manor Gardens and from the embankment edge of the Boatfloat to the greenhouses in Mayors Avenue.

Victoria Road park, Collingwood road park, and Britannia Avenue park.

IVYBRIDGE

Public Highway (including all carriageways, footways and footpaths and open spaces): Fore Street (throughout), Marjorie Kelly Way (throughout), Leonards Road (throughout), Glanvilles Road, Glanvilles Mill, the area bounded by Leonards Road; Fore Street and Marjorie Kelly way. Playground off St. Johns Close. Woodlands Park. Victoria Park. MacAndrews Field. Filham Park. The underpass of the A38. The Footpath leading from the A38 to Marjorie Kelly Way. Playing fields known as Erme Playing Fields, Harford Road Car Park.

KINGSBRIDGE

Recreation Ground. Town Square (excluding area adjacent Creek's End), Britton's Field. Duncombe Park inc. entrance car park area, children's play area, central grassed area and terraces, Bridge Street (to junction with Church Close), Promenade/Embankment Road (west side) grassed and surfaced area adjacent toilets to end of grassed/surfaced area beyond Memorial Shelter, Bus station and footpath opposite pharmacy, Prince of Wales Road. Library – Steps/ramp and paved area in front of Library. Kingsbridge Town Council – Quay House grounds. Lower Union Road, Devon Square, Mill Street, Fore Street. Derby Road Industrial Estate.

SALCOMBE

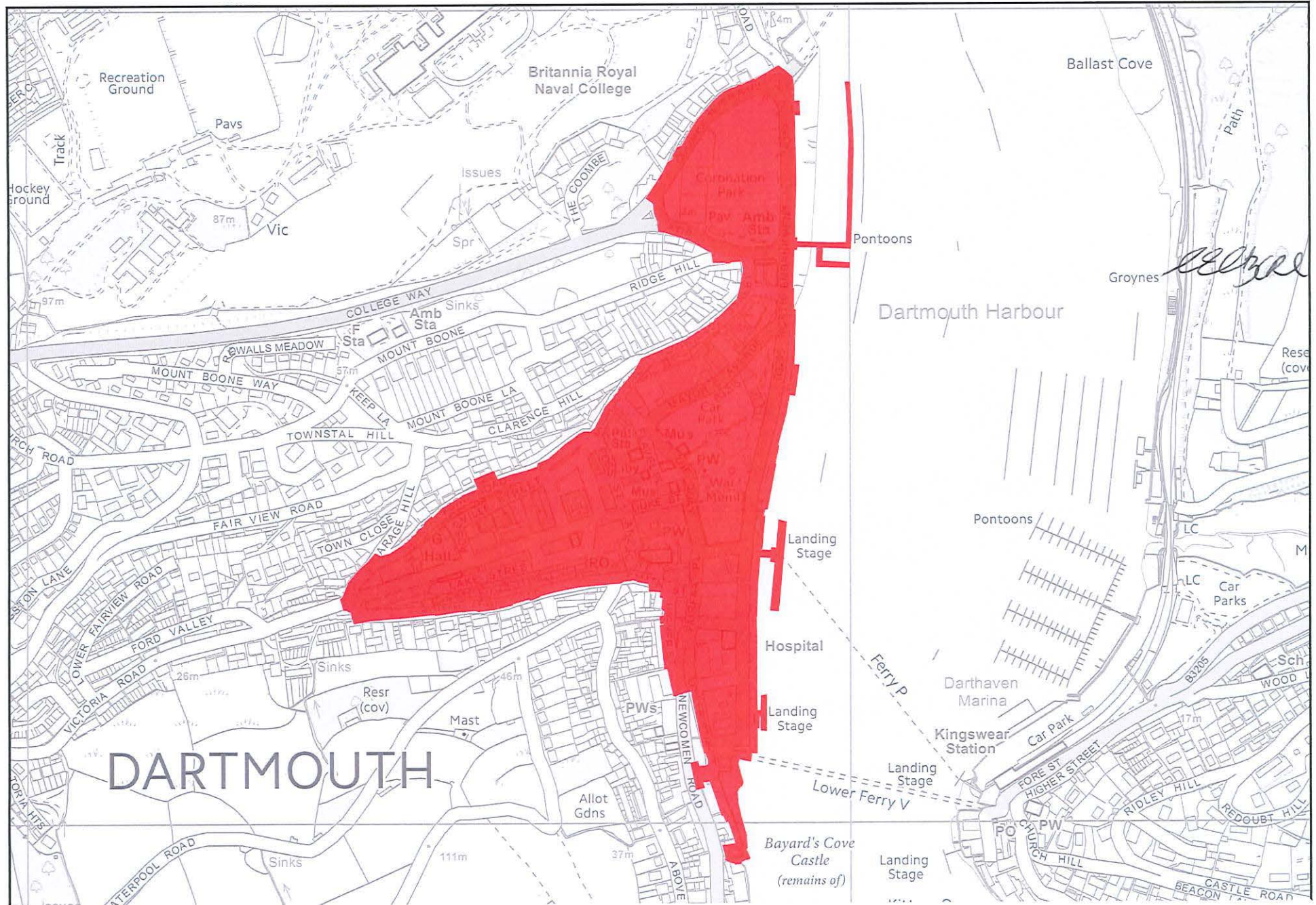
Baptist Lane, Chapel End, Cliff House Gardens, Cliff Road – adjacent to Cliff House Gardens, Clifton Place including the slipway, Courtenay Park, Cross Park Gardens, the perimeter of roads of Cross Park Gardens from Courtenay Street to Devon Road, Courtenay Street, Customhouse Quay including all landing stages and slipways, Ferry Pier and Steps including the landing stage, also the unnamed passage and steps running south from the Ferry Steps to the foreshore, Folly Lane, Fore Street, Fore Street – Footway in front of Nos 74 to 76, Fore Street – Area leading to Kings Court, Market Street, Robinsons Row, Union Street, Victoria Place and Quay including all landing stages and slipways, Whitestrand Car Park and Quay including the pontoon, slipway and steps. Victoria Quay as far as Island Street. Island Street. Gould Road. Shadycombe Road. Shadycombe Road Car Park. Creek Car and Boat Park. Cross Park Gardens. Bakerswell. Bonfire Hill Cemetery, Shadycombe Cemetery.

TOTNES

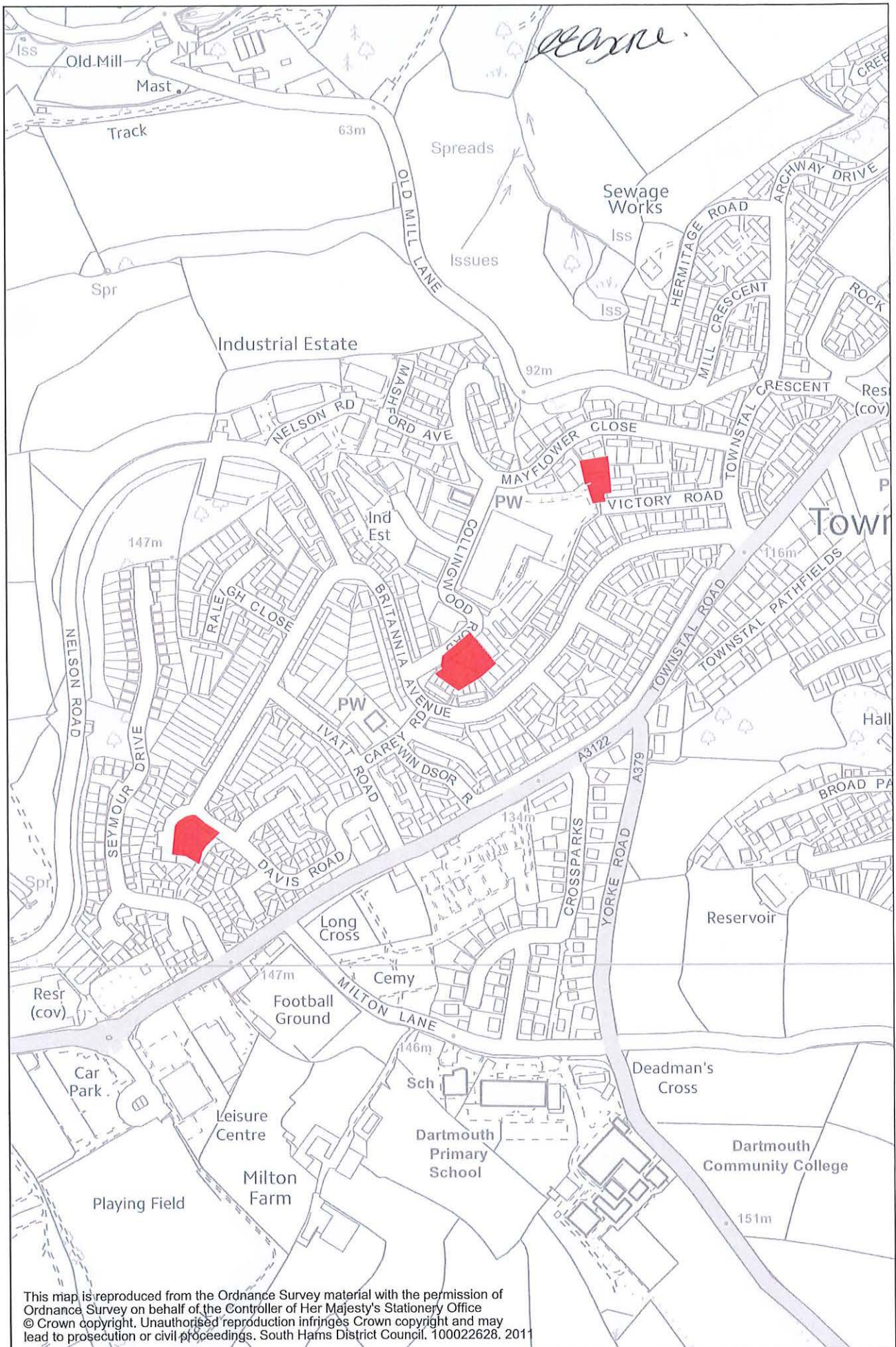
Fore Street, High Street, Rotherfold, Cistern Street (excluding south of Rotherfold), Leechwell Street, Church Close Guildhall Yard, Ramparts Walk, footpath adjacent to Civic Hall car park, Civic Square, The Plains, Coronation Road (to the entrance of the Fire Station). Open space at Rotherfold, Civic Hall car park, St Mary's churchyard, The Lamb and Heath's Gardens, the footpath from Coronation Road to Babbage Road, pedestrianised area around Town Mill, forecourt of Totnes United Free Church, Vire Island, Town Quay, Symons Passage. Steamer Quay Car Park and adjacent road. Longmarsh park area.

SCHEDULE 2 - MAPS

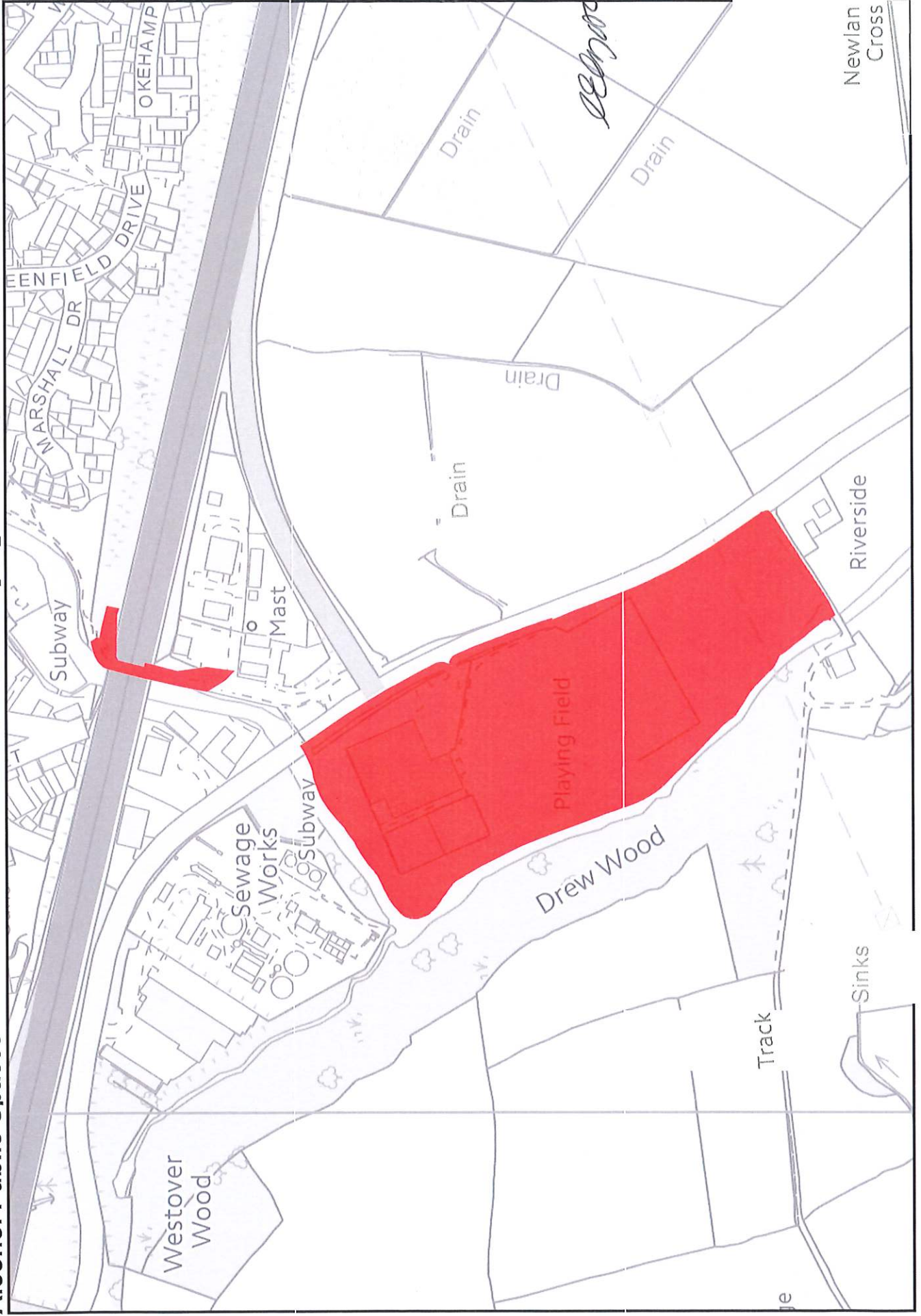
Alcohol Public Spaces Protection Order Area for Dartmouth Town Centre



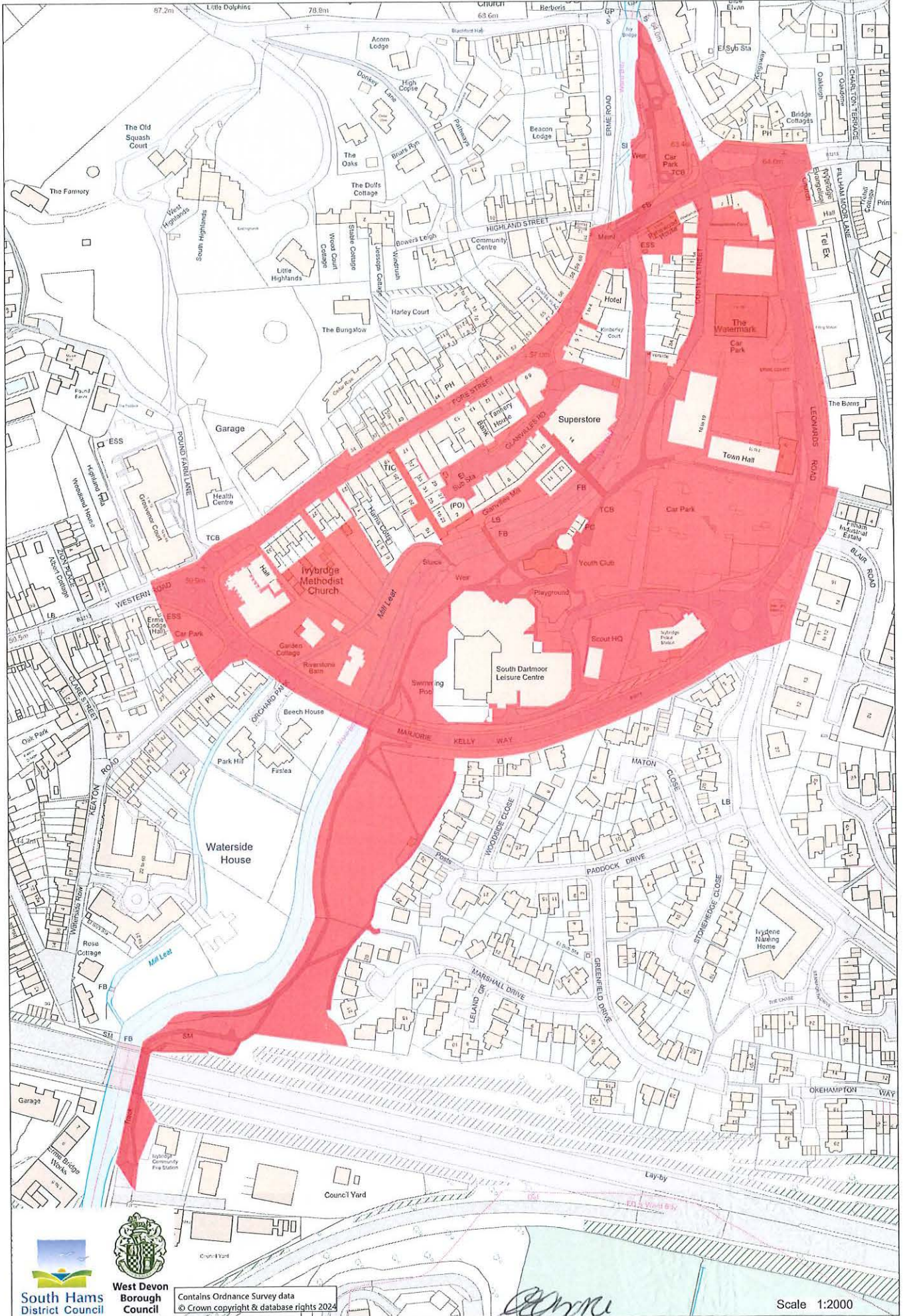
Alcohol Public Spaces Protection Order Area for Townstal, Dartmouth



Alcohol Public Spaces Protection Order Area for Erme Playing Fields Ivybridge



Ivybridge PSPO extension



West Devon
Borough
Council

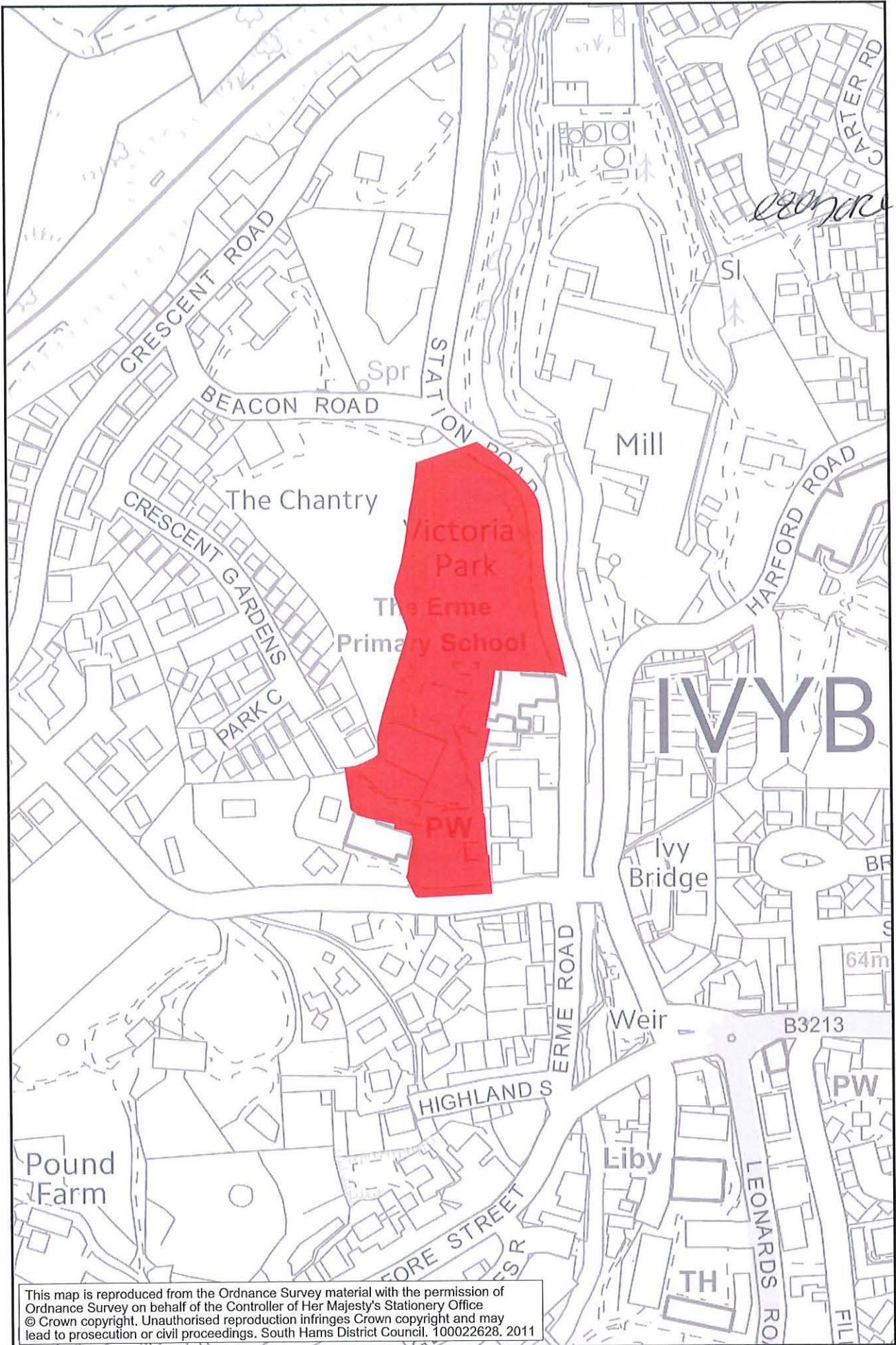
Contains Ordnance Survey data
© Crown copyright & database rights 2024

Scale 1:2000

Handwritten signature

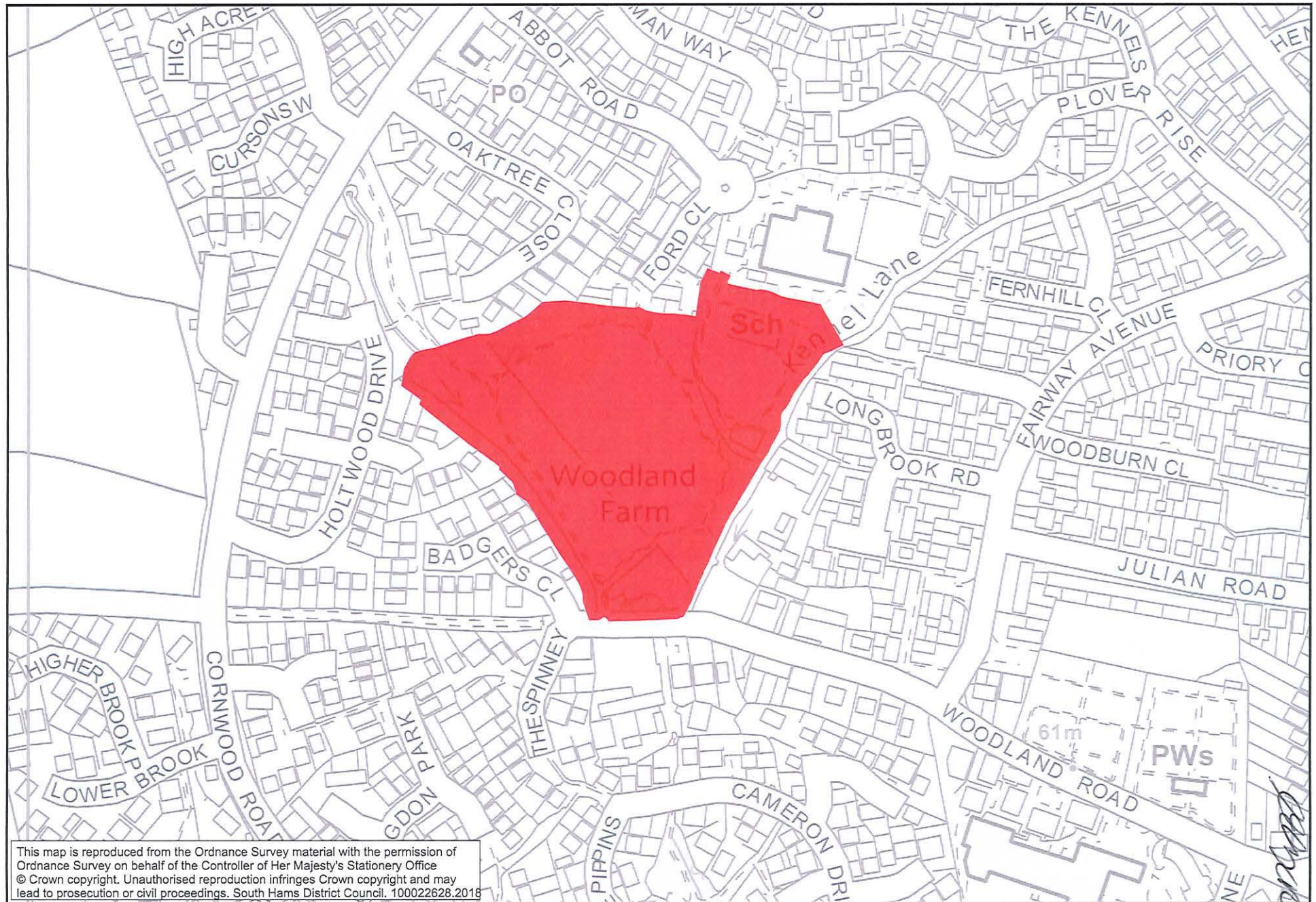
824 01/19/24

Alcohol Public Spaces Protection Order Area for Victoria Park, Ivybridge



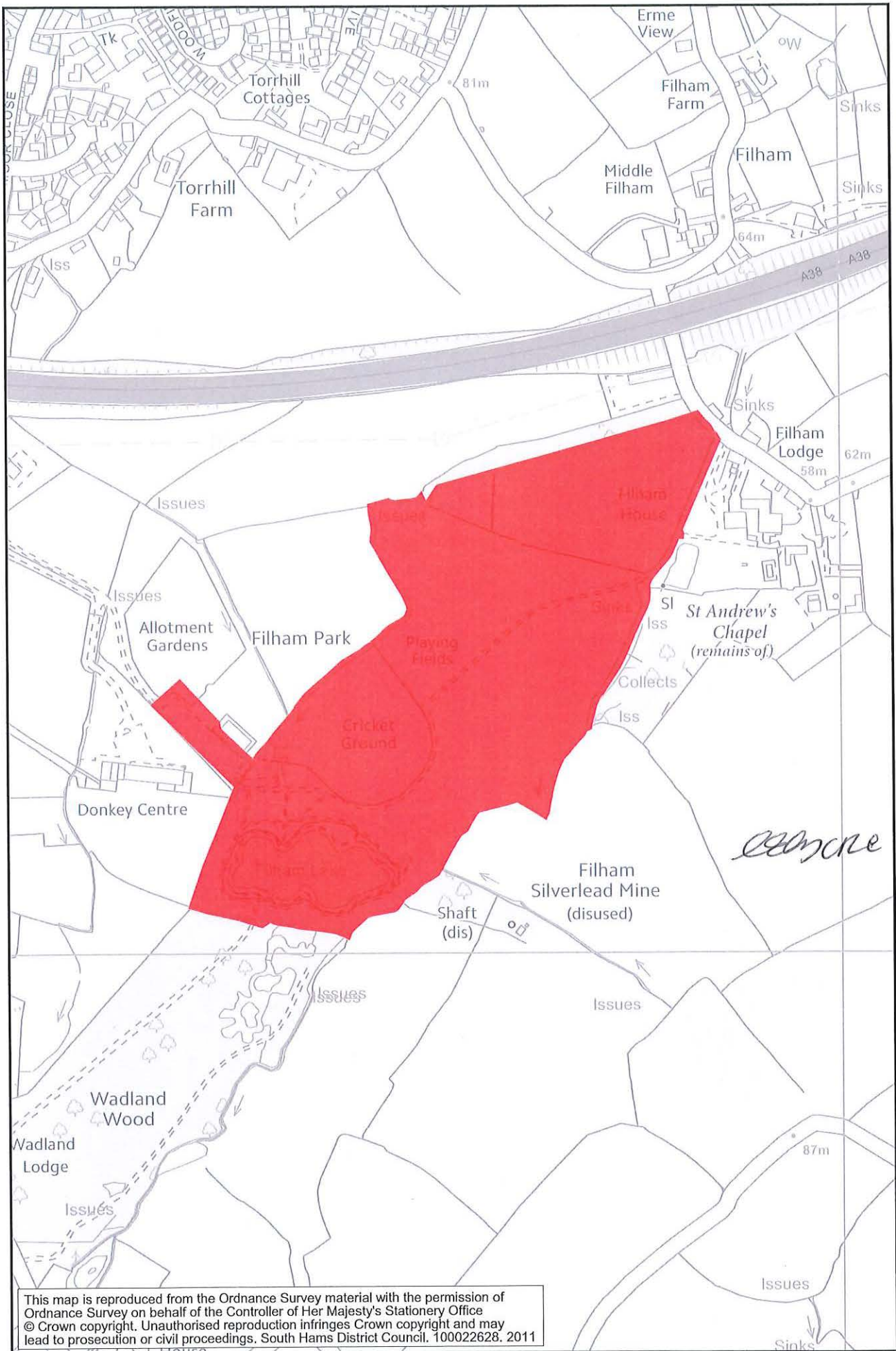
This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Hams District Council. 100022628. 2011

Alcohol Public Spaces Protection Order Area for Woodland, Ivybridge



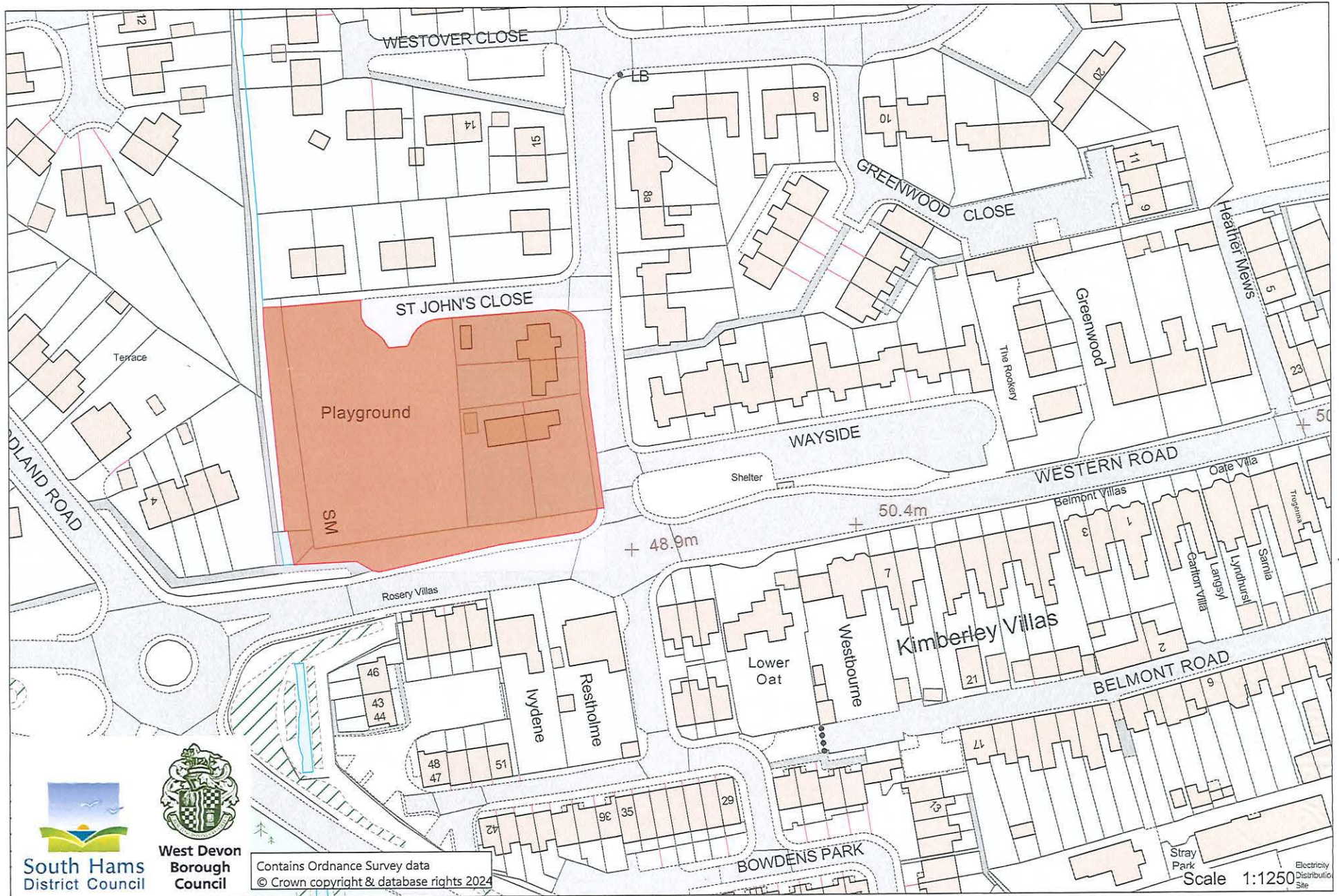
This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Hams District Council, 100022628.2018

Alcohol Public Spaces Protection Order Area for Filham, Ivybridge



This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Hams District Council, 100022628, 2011

Alcohol Public Spaces Protection Order Area for St Johns Closelybridge



West Devon
Borough
Council

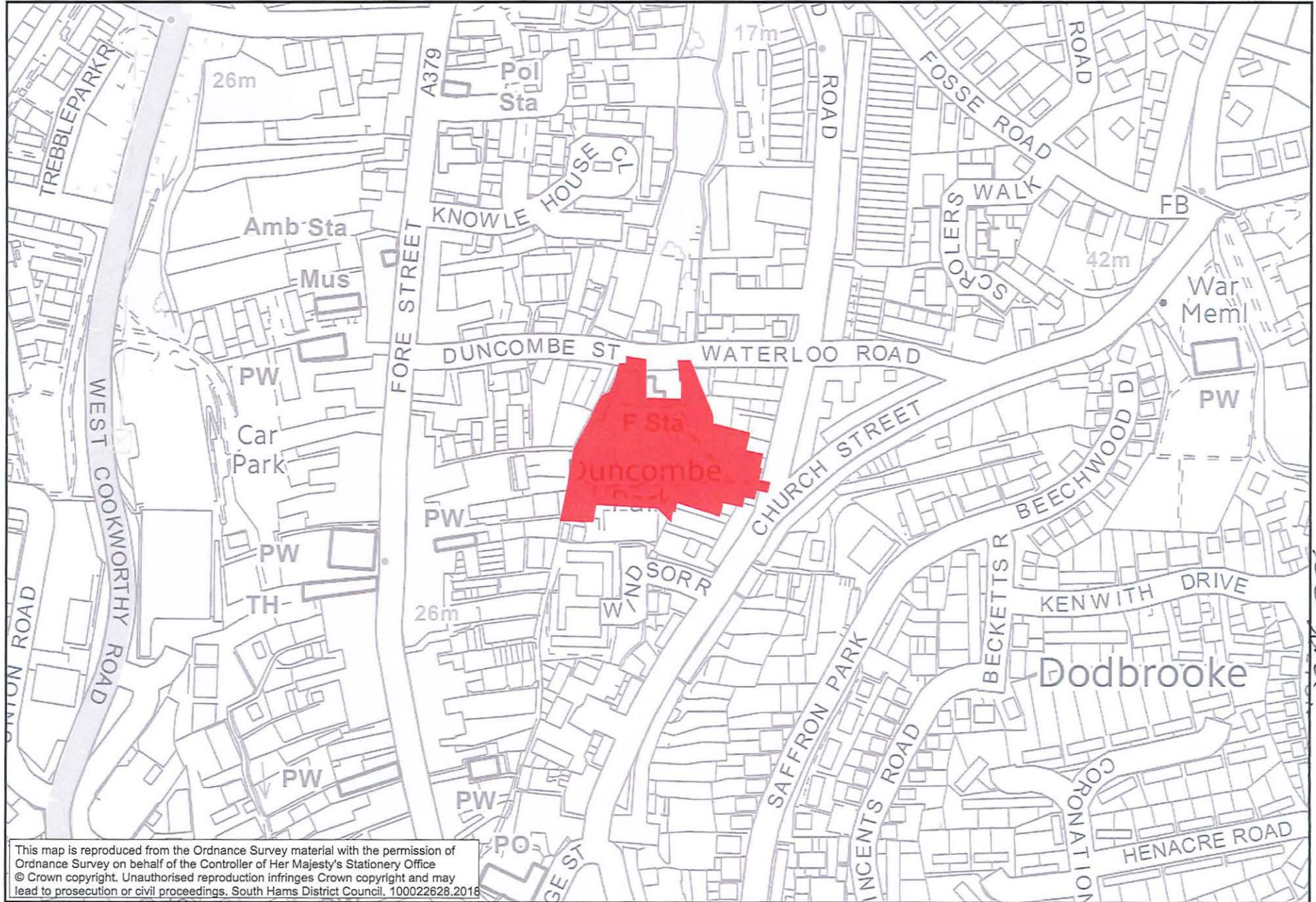
Contains Ordnance Survey data
© Crown copyright & database rights 2024

Scale 1:1250

Date: 10/10/2024

Handwritten signature

Alcohol Public Spaces Protection Order Area for Duncombe Park, Kingsbridge



This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Hams District Council, 100022628.2018

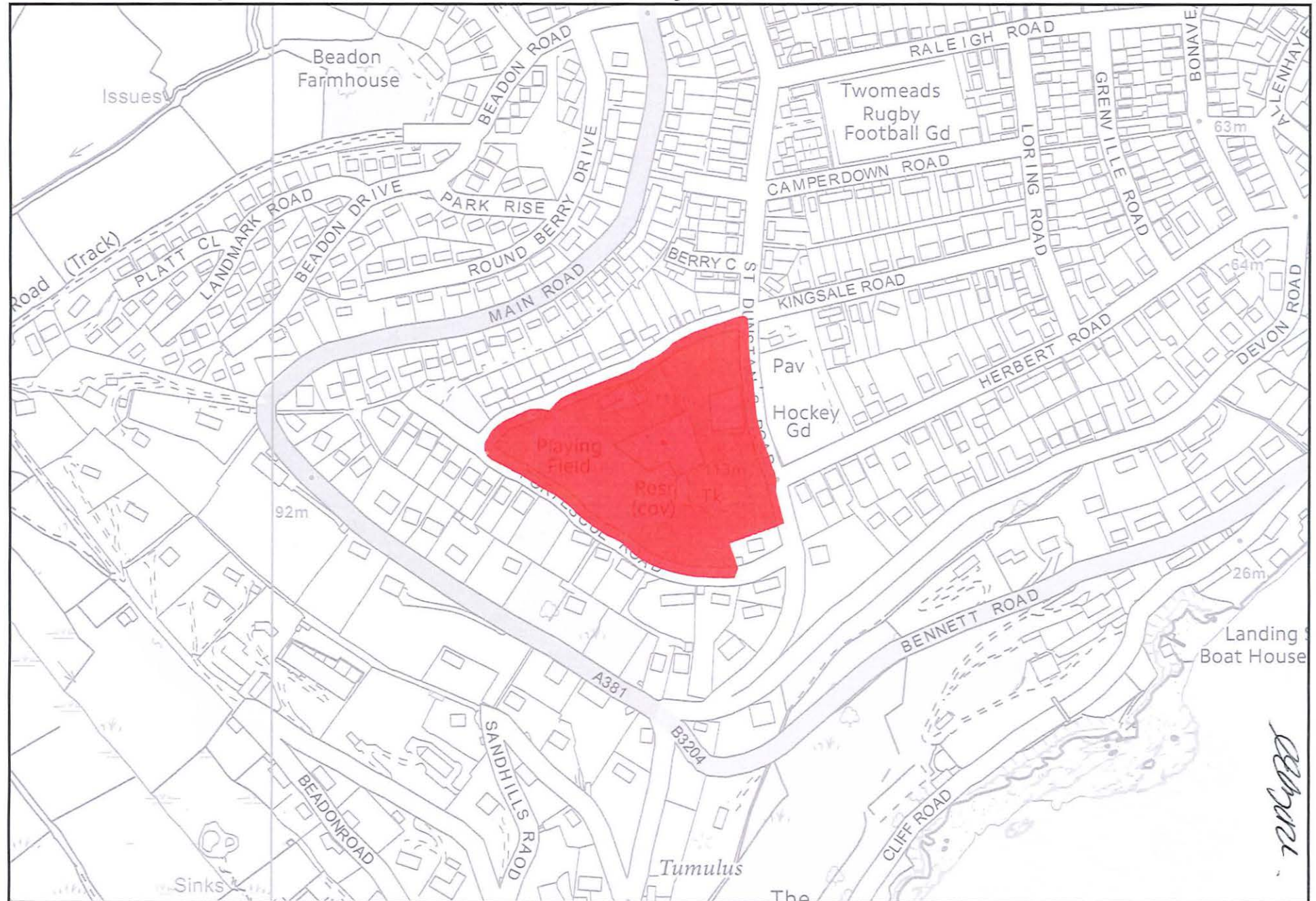
2018

leoyne

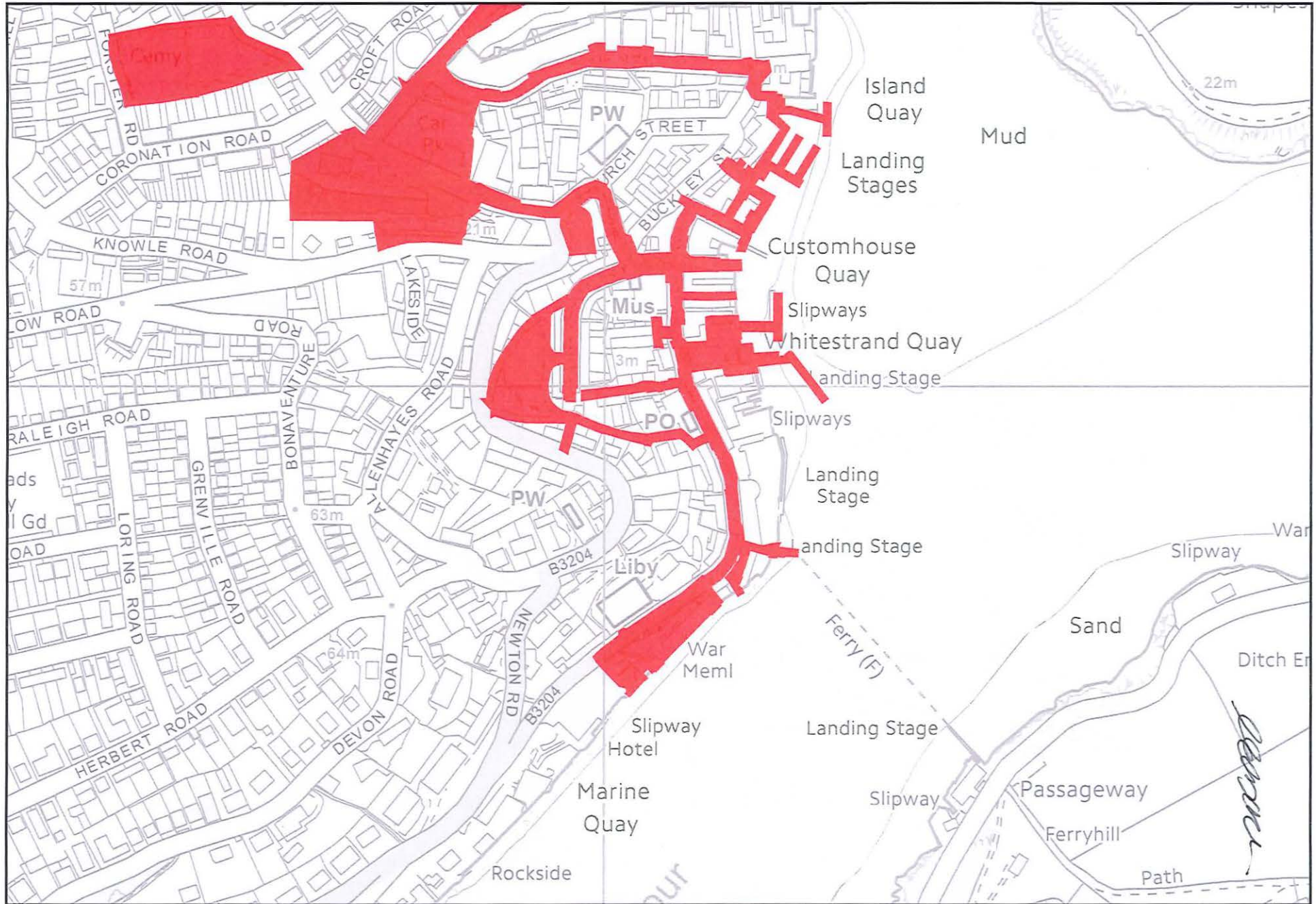


This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Hams District Council. 100022628. 2011

Alcohol Public Spaces Protection Order Area for Berry, Salcombe

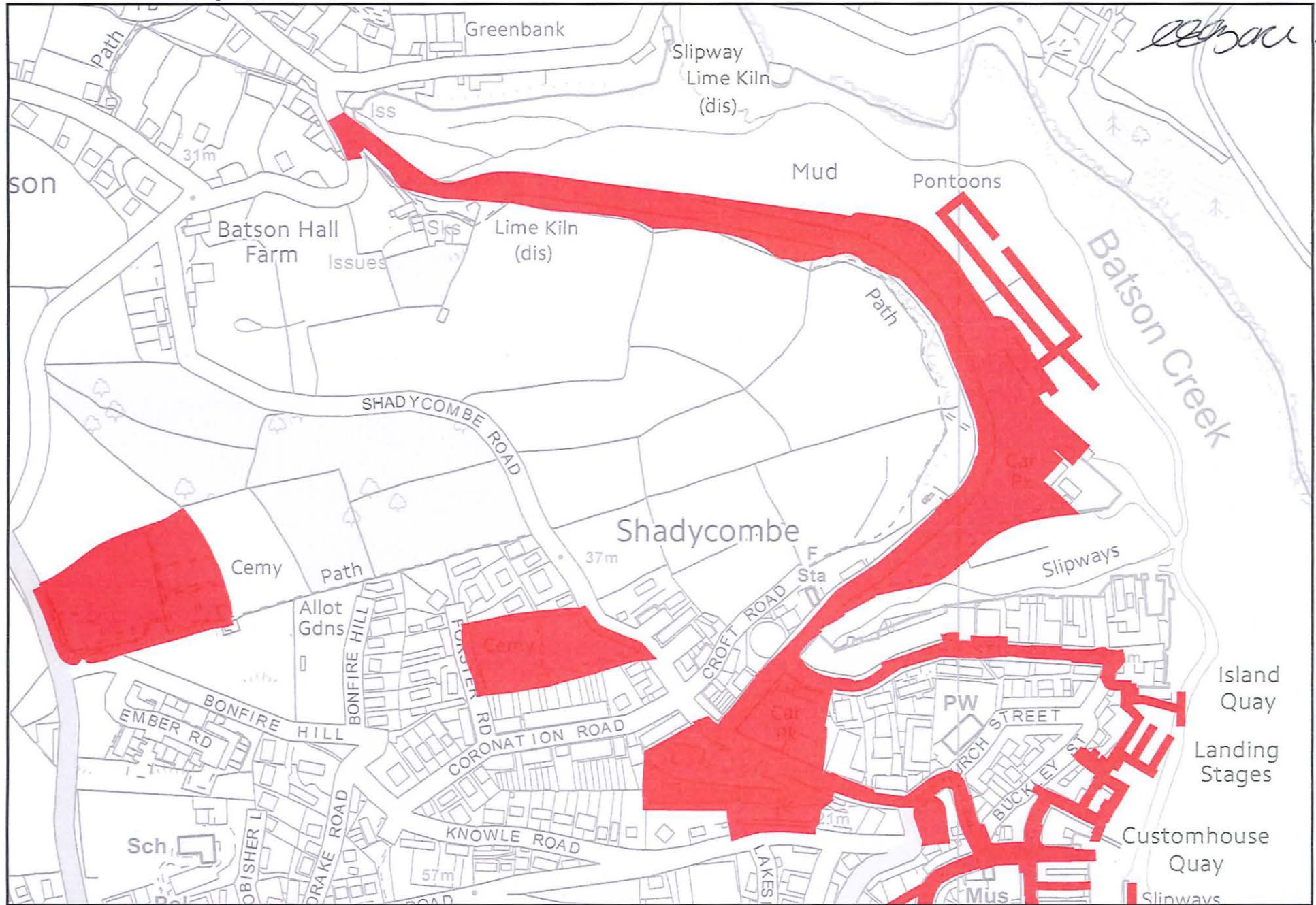


Alcohol Public Spaces Protection Order Area for Salcombe Centre

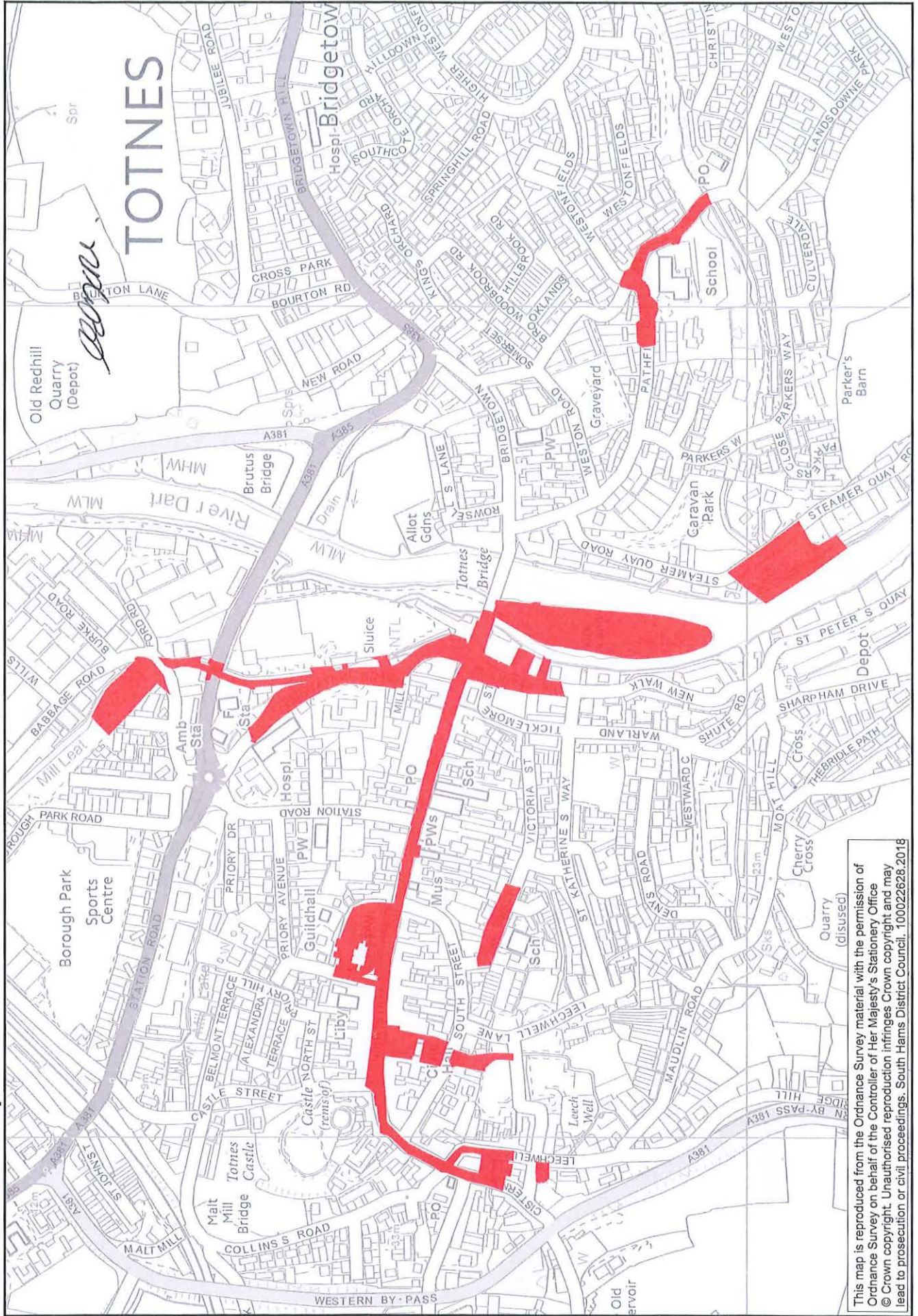


This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office
© Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Hams District Council. 100022628. 2011

Alcohol Public Spaces Protection Order Area for Salcombe North



Alcohol Public Spaces Protection Order Area for Totnes



This map is reproduced from the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Hams District Council. 100022628.2018

Dated 22 October 2024

THE COMMON SEAL OF
SOUTH HAMS DISTRICT COUNCIL

was hereunto affixed in the presence of:

[Signature]
Authorised Signatory



(cc)

SH/1255