

North Yorkshire Council

Executive Member for Corporate Services

14 April 2026

Unauthorised Camping (Wild/Fly Camping), Fires and Barbeques: Public Space Protection Order

Report of the Assistant Director – Regulation and Harbours

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to present the evidence of the need for the Order and result of the consultation regarding the introduction of the Order covering nine open space locations in the Whitby/Scarborough area and seek approval for a Public Spaces Protection Order to control unauthorised camping in respect of Wild/Fly Camping, Fires and Barbeques (BBQs) to be made and brought into effect.
- 1.2 Wards affected are: Whitby West, Whitby Streonshalh, Woodlands, Northstead, Weaponness and Ramshill and Castle.

2.0 SUMMARY

- 2.1 This report proposes a Public Space Protection Order (the Order), attached as Appendix A, in respect of unauthorised camping (wild/fly camping), fires & BBQs following extensive consultation undertaken in accordance with the law.
- 2.2 There were 402 responses received with most respondents believing the situation is unsafe, unsightly, damaging to the environment and tourism. The overwhelming sentiment being that the fires, BBQs, littering, other associated environmental crime and anti-social behaviour associated with the unauthorised camping (wild/fly camping) requires urgent and firm action.

3.0 BACKGROUND

- 3.1 The Anti-Social Behaviour, Crime and Policing Act 2014 came into force on 20 October 2014 and changed the powers available to local authorities and the police to deal with anti-social behaviour (ASB) in our communities.
- 3.2 The Act introduced Public Space Protection Orders (PSPOs), which are intended to protect a public space from persistent or continuing anti-social behaviour by individuals or groups which are having a detrimental effect on the quality of life in the restricted area. Orders last for a period of up to three years, with provision for extensions for further three-year periods. These provisions are used extensively and successfully by local authorities to control antisocial behaviour where there is evidence such an Order would be justified and reasonable in accordance with the law.
- 3.3 If the provisions of an Order are not adhered to then authorised Officers are responsible for enforcing the Order. Most offences are dealt with via fixed penalty notices (FPNs), except in cases with aggravating factors. The Act allows for Local Authorities to set a local level for FPNs to a maximum of £100, however it may be appropriate to seek conviction in the Magistrates' Court, a person guilty of an offence is liable on summary conviction to a fine not exceeding Level 3 (currently £1,000).

3.4 Enforcement of the Order will be primarily undertaken by the Environmental Enforcement Team. North Yorkshire Police can also enforce the PSPO and support its introduction.

4.0 THE ISSUE

4.1 In recent years, Scarborough and Whitby have seen a rise in unauthorised (wild/fly) camping, along with the lighting of fires and disposable barbecues in public parks and green spaces. These activities have led to increased littering, environmental damage, anti-social behaviour and public safety concerns.

4.2 Nine areas have been identified where the wild/fly camping and the lighting of fires and inappropriate use of barbecues has resulted, or is likely to result in, significant and persistent detrimental impact with damage to the environment. Wild camping causes substantial littering, such as abandoned tents, clothes, sleeping bags, general camping equipment and food waste. Also defecating and urinating in the green open spaces around wild camps. Lighting of fires, burning the ground and foliage and damaging installed amenities such as seats and benches placed for public enjoyment. Often those camping cause other related anti-social behaviour such as noise, along with verbal abuse and intimidating behaviour to anyone that questions their right to camp.

4.3 During 2024/25 the cost to the North Yorkshire taxpayer for clearing up and repairing or replacing the damage to these green spaces and amenities is estimated to be more than £30,000. This does not include any associated costs of our partners the Police and Fire and Rescue service.

4.4 The nine locations are (see Appendix B): Scarborough: Castle Dyke, Marveles, Peasholme Park, Royal Albert Park, Museum Terrace, Crescent and Valley Park, Scalby Beck, South Cliff and Italian Gardens; Whitby: Pannett Park, Whitby Abbey open space).

5.0 PUBLIC CONSULTATION EXERCISE

5.1 Between 15 December 2025 and 26 January 2026 a public consultation took place regarding proposed restrictions with 402 responses received. Officers ensured the statutory consultees were included along with relevant elected members, Town Councils and relevant community/voluntary groups. The consultation press releases led to good local and regional traditional and social media coverage. Key findings of the consultation are below. Appendix C provides a more detailed look at the responses.

Consultation Results and Key Findings

5.1.1 Respondents expressed strong concern about unauthorised camping at all nine identified locations, issues consistently referenced in the consultation included:

- damage to the environment
- loss of amenity for residents and visitors
- anti-social behaviour
- persistent littering and waste

5.1.2 Consultation feedback also supported the major public health and environmental impacts with respondents commenting on:

- frequent human urination and defecation in public spaces
- large volumes of litter, dumped equipment, and abandoned tents
- fires and BBQs causing grass damage, wildfire risk and smoke nuisance
- harm to parks, gardens, woodland, historic features and wildlife.

- 5.1.3 Significant anti-social and intimidating behaviour was also referenced by respondents with families, older residents and dog walkers avoiding affected locations due to drunkenness, drug use, late-night noise, dogs running loose or behaving aggressively, causing the general public feeling unsafe and intimidated.
- 5.1.4 Businesses and residents described the impact on tourism and local residents, noting deterioration of the area's cleanliness, damage to Scarborough and Whitby's reputation as family-friendly destinations, reduced visitor confidence and, in some cases, falling bookings.
- 5.1.5 Across the responses was a strong demand for enforcement with a clear consensus that existing rules are not enforced effectively therefore a PSPO must be supported by:
- more enforcement officers
 - faster response times
 - on-the-spot fines
 - removal of tents and equipment
 - clear, consistent application of rules.
- 5.1.6 The consultation identified some of the complexities around homelessness and rough sleeping. Some respondents worried the PSPO may criminalise homeless individuals, others insisted public parks are not suitable for rough sleeping. There were calls for better outreach and support services and more temporary accommodation options.
- 5.1.7 Overall public sentiment from the consultation demonstrated strong support for a PSPO banning unauthorised camping, fires and BBQs across the nine proposed locations. Most respondents view the situation as urgent, harmful and worsening, with clear impacts on the environment, public safety and tourism.
- 5.1.8 However, the public also emphasises that enforcement must be robust and consistent homelessness must not be addressed solely through punitive measures; responsible wild campers and motorhome users should not be unfairly penalised and the PSPO should form part of a joined-up, long-term approach that includes facilities, education and support services. Appendix C provides a more detailed summary of the respondents' views.

6.0 CONTRIBUTION TO COUNCIL THEMES

- 6.1 The PSPO framework supports the Council themes:
- place and environment
 - economy
 - health and wellbeing
- 6.2 The proposed PSPO is supported by residents and businesses, the objective being to ensure restrictions are fair and proportionate, supporting visitor economy and family friendly reputation Whitby and Scarborough hold.

7.0 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 The proposed Public Spaces Protection Order is part of a holistic approach that offers support to anyone who is homeless through existing procedures working with housing options and the rough sleeping teams which will continue to be applied. As such issuing an FPN when a person is clearly homeless would not be in the public interest and officers and partners will continue to attempt to engage with anyone rough sleeping / considered homeless.

- 7.2 Having the Public Spaces Protection Order in place does not restrict the Council's ability to use Part 55 Possession Proceedings within the specific Public Space Protection Order areas or any other land that the Council owns in respect of unauthorised encampment. Part 55 is used to gain possession of council land if a person refuses to leave having been given formal notice. Possession proceedings will be undertaken in accord with the Council's Unauthorised Encampment Policy and the associated procedures as part of the holistic approach mentioned above.
- 7.3 The PSPO facilitates a swift resolution and potential penalty if an unauthorised encampment and associated equipment covered by the PSPO is not removed once instructed by an authorised officer of North Yorkshire Council or a Police Officer.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There is an estimated £5,500 set up cost for the production and erection of signage, which will be funded from existing Environment Director revenue budgets.
- 8.2 There are no ongoing additional costs associated with implementing the order as enforcement work will be carried out by existing staff. The amount of income to be generated from FPNs is expected to be small and any monies raised through FPNs is ring-fenced and must be used to support the cost of the enforcement service.

9.0 LEGAL IMPLICATIONS

- 9.1 The Anti-Social Behaviour, Crime and Policing Act 2014 and associated guidance sets out a number of steps in enacting Public Space Protection Orders and this has been followed during the consultation. Under the Constitution of North Yorkshire Council the power to authorise a Public Space Protection Order is delegated to the Assistant Chief Executive-Local Engagement. The Public Space Protection Order if adopted, will remain in force for up to three years from the date on which it takes effect.
- 9.2 The Order will take effect after the six-week challenge period has expired and provided that no challenge is made to the Order on the grounds of validity.
- 9.3 In accordance with Section 68 of the Anti-social Behaviour, Crime and Policing Act 2014, a constable or authorised person may issue a Fixed Penalty Notice to anyone they have reason to believe has committed an offence under this Order. Such notice offers the person to whom it is issued the opportunity to discharge their liability to conviction for the offence by payment of a fixed penalty. The penalty is set at £100.00 to be paid within 28 days.

10.0 EQUALITIES IMPLICATIONS

- 10.1 Nothing in the Order applies to a person who -
a) is registered as a blind person in a register compiled under section 29 of The National Assistance Act 1948;
See Appendix D.

11.0 CLIMATE CHANGE IMPLICATIONS

- 11.1 A climate change impact assessment screening has been completed and determined a full impact assessment is not required, see Appendix E.

12.0 REASONS FOR RECOMMENDATIONS

- 12.1 To provide a clear and continuing legal framework for the effective control of unauthorised camping, fires and BBQs in the restricted areas along the North Yorkshire coast.

13.0 RECOMMENDATION(S)

- 13.1 It is recommended that the Assistant Chief Executive - Local Engagement, in consultation with the Executive Member for Corporate Services
- i. approves the 2026 Unauthorised Camping (Wild/Fly Camping), Fires & BBQs Public Spaces Protection Order ('the Order') as set out at Appendix A;
 - ii. authorises the Assistant Chief Executive Legal and Democratic to make the Order by affixing the Council Seal to the Order and
 - iii. authorise Officers to publicise the Order once made, in accordance with legal requirements.

APPENDICES:

Appendix A – Proposed Public Spaces Protection Order
Appendix B – Consultation responses summary
Appendix C – PSPO Restricted Areas
Appendix D – Equalities Impact Assessment
Appendix E – Climate Change Impact Assessment

BACKGROUND DOCUMENTS:

None

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