

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL (CONTROLLED DRINKING ZONE
INCLUDING EXCLUSION ZONES FOR THE CONSUMPTION OF INTOXICATING SUBSTANCES
INCLUDING ALCOHOL) PUBLIC SPACES PROTECTION ORDER 2021**

Rhondda Cynon Taf County Borough Council (“the Council”) in exercise of its powers under Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 (“the Act”) hereby makes the following Public Spaces Protection Order:

1. This Order may be cited as the “Rhondda Cynon Taf County Borough Council (Controlled Drinking Zone including Exclusion Zones for the consumption of intoxicating substances including alcohol) Public Spaces Protection Order 2021” (the “Order”).
2. This Order comes into force on 1st October 2021 and shall have effect and remain in force for a period of three years from that date.
3. This Order creates a controlled drinking zone within the whole of the Rhondda Cynon Taf County Borough (hereinafter referred to as the “Controlled Drinking Zone”) and areas known as “Intoxicating Substance Exclusion Zones” (comprising of Aberdare and Pontypridd town centres and as more particularly delineated edged red on the plan attached to Schedule 1 to this Order).
4. In making this Order the Council is satisfied that the following conditions, as outlined in the Act, have been met in that:-
 - a) Activities carried out within the Controlled Drinking Zone (which includes the Intoxicating Substance Exclusion Zones) through the use of intoxicating substances have had a detrimental effect on the quality of life of those in the locality, and it is likely such activities will be carried out within that area and have such an effect; and
 - b) the effect or likely effect of these activities is or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justifies the restrictions imposed by this Order.

OFFENCES

5. The effect of this Order is to impose the following condition within the Controlled Drinking Zone:
 - (i) A prohibition at any time on any person(s) in a public place consuming alcohol or having an alcohol container, who without reasonable excuse continues drinking, or

fails to surrender intoxicating alcohol when asked to stop by an Authorised Officer unless an exemption listed in 7. below to this Order applies.

6. The effect of this Order is to impose the following condition within the Intoxicating Substance Exclusion Zones:

(i) A prohibition at any time on any person(s) to consume, ingest, inhale, inject, smoke or otherwise use Intoxicating Substances in a public place unless an exemption listed in 6(iii) or 7. to this Order applies.

(ii) "Intoxicating Substances" means substances with the capacity to stimulate or depress the central nervous system (and includes alcohol and what are commonly referred to as 'legal highs').

(iii) Exemptions apply in cases where the Intoxicating Substances are used for; a valid and demonstrable medicinal use; given to an animal as a medicinal remedy; are cigarettes (tobacco) or vaporisers or are food stuffs regulated by Food, Health and Safety legislation.

(iv) Persons within the Intoxicating Substance Exclusion Zones who breach the prohibition at 6(i) of this Order shall surrender all Intoxicating Substances in his/her possession to an Authorised Officer.

7. Exemptions

(i) The prohibitions in 5(i) and 6(i) (in relation to alcohol consumption) of this Order do not apply to such activities at:

(a) premises (other than Council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;

(b) premises authorised by a club premises certificate to be used by the club for the supply of alcohol;

(c) a place within the curtilage of premises within paragraph 7(i)(a) or 7(i)(b);

(d) premises which by virtue of Part 5 of the Licensing Act 2003 (the "Licensing Act") may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;

(e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses); and

(f) Council-operated licensed premises when the premises are being used for the supply of alcohol, or

within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

8. For the purposes of this Order:

“Authorised Officer” means a police constable, community support officer or a person authorised by the Council for the purposes of enforcing this Order;

“club premises certificate” has the meaning given by section 60 of the Licensing Act;

“premises licence” has the meaning given by section 11 of the Licensing Act;

“supply of alcohol” has the meaning given by section 14 of the Licensing Act; and

premises are “council-operated licensed premises” if they are authorised by a premises licence to be used for the supply of alcohol and —

(a) the licence is held by Rhondda Cynon Taf County Borough Council in whose area the premises (or part of the premises) are situated, or

(b) the licence is held by another person but the premises are occupied by Rhondda Cynon Taf County Borough Council or are managed by or on behalf of Rhondda Cynon Taf County Borough Council.

9. It is an offence for a person to engage in activity which they are prohibited from doing by effect of this Order or fail to comply with a requirement to which a person is subject by effect of this Order.

PENALTIES

10. A person who is guilty of an offence under this Order is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

11. A Fixed Penalty Notice may be issued by an Authorised Officer to a person who breaches this Order, offering them the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty.

THE COMMON SEAL OF RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

Was hereto affixed in the presence of

A. S. Wilkins

Andrew Wilkins

Director, Legal Services

AWDURDOD/ AUTHORITY	
Cynllun Dirprwyo/ Scheme of Delegation	
DYDDIAD/ DATE	
ARDYSTIWYD GAN/ CERTIFIED	<i>ASW</i>



SCHEDULE 1

INTOXICATING SUBSTANCES EXCLUSION ZONES

**[Maps showing Aberdare and Pontypridd Town Centres being the Intoxicating Substances
Exclusion Zones edged in red.]**

Canol Tref Aberdâr Aberdare Town Centre



Hysbysiad Cyfreithiol / Legal Notice

RHONDDA CYNON TAF
GORCHYMYN DIOGELU MANNAU CYHOEDDUS (PARTH YFED A REOLUR GAN GYNNWYS PARTHAU LLE GWAHERDDIR DEFNYDDIO SYLWEDDAU MEDDWOL GAN GYNNWYS ALCOHOL) 2021 DEDDF YMDDYGIAD GWRTHGYMDEITHASOL, TROSEDDU A PHLISMONA 2014

(CONTROLLED DRINKING ZONE INCLUDING EXCLUSION ZONES FOR THE CONSUMPTION OF INTOXICATING SUBSTANCES INCLUDING ALCOHOL) PUBLIC SPACES PROTECTION ORDER 2021 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

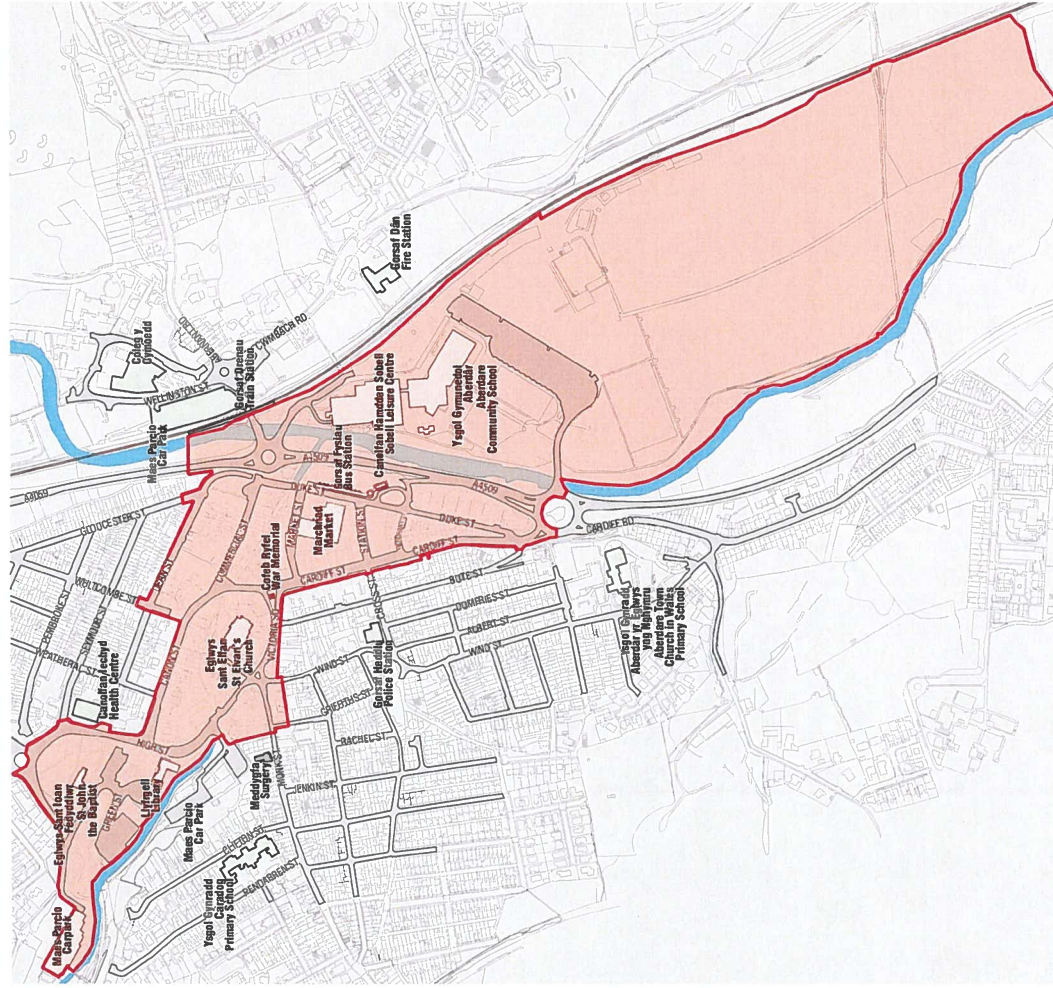
Effaith y Gorchymyn yma yw gorfodi'r amod canlynol o fewn y **Parthau Lle Gwaherddir Sylweddau Meddwol**:

1. Gwahardd ar unrhyw adeg unrhyw berson(au) rhag yfed/cymryd, llyncu, mewnanadlu, chwistrellu, ysmegu neu ddefnyddio **Sylweddau Meddwol** mewn man cyhoeddus oni bai fod eithriad sy'n cael ei restru yn 6(ii) neu 7. i'r Gorchymyn yma'n gymmys.

2. Mae "**Sylweddau Meddwol**" yn golygu sylweddau sydd â'r gallu i ysgogi neu iselhau'r system nerfol ganolog (ac mae'n cynnwys alcohol a'r hyn y cyfeirir atyn nhw yn gyffredinol fel 'anterthau cyfreithiol').

3. Mae eithriadau'n berthnasol mewn achosion lle mae'r **Sylweddau Meddwol** yn cael eu defnyddio at ddibenion cilys a meddyginiaethol (a bod modd profi hyn); yn cael eu rhoi i anifeiliaid fel meddyginiaeth, yn sigarennau (tybaco) neu anweidiwr (vaporisers) neu'n fwydydd wedi'u rheoleiddio gan ddeddfwriaeth Bwyd, Diogelwch ac Iechyd.

Bydd personau o fewn y Parthau Lle Gwaherddir Sylweddau Meddwol sy'n torri'r gwaharddiad yn 6(i) o'r Gorchymyn yma yn **idlo'r holl Sylweddau Meddwol** sydd yn eu meddiant ac yn eu rhoi i Swyddog Awdurdodedig.



Parthau Lle Gwaherddir Sylweddau Meddwol
Intoxicating Substance Exclusion Zone

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The effect of this Order is to impose the following condition within the **Intoxicating Substance Exclusion Zones**:

1. A prohibition at any time on any person(s) to consume, ingest, inhale, inject, smoke or otherwise use **Intoxicating Substances** in a public place unless an exemption listed in 6(ii) or 7. to this Order applies.

2. "**Intoxicating Substances**" means substances with the capacity to stimulate or depress the central nervous system (and includes alcohol and what are commonly referred to as 'legal highs').

3. Exemptions apply in cases where the **Intoxicating Substances** are used for, a valid and demonstrable medicinal use; given to an animal as a medicinal remedy; are cigarettes (tobacco) or vaporisers or are food stuffs regulated by Food, Health and Safety legislation.

Persons within the Intoxicating Substance Exclusion Zones who breach the prohibition at 6(i) of this Order shall **surrender all Intoxicating Substances** in his/her possession to an Authorised Officer.

For further information, please visit:
<http://my.rctcbc.gov.uk>

Am ragor o wybodaeth, ewch i:
<http://fymhethau.rctcbc.gov.uk/>

