

**THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
PUBLIC SPACES PROTECTION ORDER
(MELROSE AVENUE AND COLCHESTER AVENUE) 2018**

The County Council of the City and County of Cardiff ("the Council") in exercise of its powers under Section 59, 64 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") and all other enabling powers and following consultation with the Chief Officer of South Wales Police and others hereby makes the following Order: .

1. The Order shall come into operation on 18th January 2019 and shall have effect for a period of 3 years thereafter, unless revoked, amended or extended by further orders under the Council'.
2. This Order relates to that part of the public path described in Schedule 1 and hatched red on the attached Plan ("the Restricted Area").
3. The effect of this Order is to restrict the public right of way over the Restricted Area. This Order authorises the installation of gates (identified by a red star on the attached Plan) which will give effect to the restriction.
4. The alternative route for pedestrians is described in Schedule 2.
5. The Council is satisfied that the conditions set out in Sections 59, 64 and 72 of the Act have been satisfied and that it is in all the circumstances expedient to make this Order for the purposes of reducing crime and anti-social behaviour in the Restricted Area.
6.
 - a. The Council is satisfied that the following activities have been or are likely to be carried out in the public space: crime and anti-social behaviour.
 - b. This Order is made by the Council because the Council is satisfied on reasonable grounds that activities carried out or likely to be carried out in the public space that forms the Restricted Area:-
 - i) have had or are likely to have a detrimental effect on the quality of life of those in the locality
 - ii) are or are likely to be persistent or continuing in nature and to be unreasonable and justify the restrictions imposed
7. 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 this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.
8. Those persons described in Schedule 3 shall be exempt from the provisions of this Order.
9. Section 67 of the Act makes it is an offence for a person without reasonable excuse to:
 - i) do anything that the person is prohibited from doing by this order
 - ii) fail to comply with a requirement to which the person is subject under this order

A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3.

SCHEDULE 1

The public path to the rear of 48 – 42 Waterloo Road/ to the rear of 51 – 109 Melrose Avenue; and the public path to the rear of 64 – 108 Colchester Avenue, extending to the public path to the rear of Lady Margaret Court, Penylan, Cardiff (“the Restricted Area”).

Location of Barrier: 4 numbered restrictions to be placed at the entrances to the restricted area:

Between the side of 109 Melrose Avenue and rear of Lady Margaret Court (Flat 2)

Between the side of 88 and 86 Colchester Avenue

Between the side of 70 and 68 Colchester Avenue

Between the rear of 64 Colchester Avenue and side of 48 Waterloo Road

SCHEDULE 2

The alternative route:

Via the Highway to the front of 51 – 109 Melrose Avenue, across the front of 1 – 7 Lady Margaret Court, along the front of 108 – 62 Colchester Avenue, to the side of 62 Colchester Avenue and along Waterloo Road across the front of 48 – 42 Waterloo Road, as set out in the Plan annexed to this Order.

SCHEDULE 3

The restriction referred to in paragraph 3 of the Order shall not apply to the occupiers of premises adjoining or adjacent to the relevant Restricted Area, an officer of the Council, the Police, and Fire or Ambulance Services who have cause to use the Restricted Area in the performance of their statutory powers and duties and any statutory undertaker requiring access to their apparatus.

Dated: 28th December 2018

THE COMMON SEAL OF THE
COUNTRY COUNCIL OF THE
CITY AND COUNTY OF
CARDIFF was hereunto affixed in
the presence of:-



Authorised signatory





Lon i gefn o Melrose Avenue, Colchester Avenue a Lady Margaret Court
Lane to the rear of Melrose Avenue, Colchester Avenue and Lady Margaret Court

