

**THE RENFREWSHIRE COUNCIL**  
**PROHIBITION OF CONSUMPTION OF ALCOHOL IN DESIGNATED PUBLIC**  
**PLACES BYELAWS 2019**

The Renfrewshire Council (hereinafter referred to as “the Council”) in exercise of the powers conferred upon it by sections 201, 202 and 203 of the Local Government (Scotland) Act 1973, and of all the other powers enabling it in that behalf, hereby makes the following byelaws:-

**Interpretation and Citation**

**1 (1)** In these byelaws, unless the context otherwise requires –

“alcohol” has the same meaning as in section 2 of the Licensing (Scotland) Act 2005;

“licensed premises” has the same meaning as in section 147(1) of the Licensing (Scotland) Act 2005 but does not include premises in respect of which there is a provisional premises licence (within the meaning of section 45(5) of that Act);

“occasional licence” has the same meaning as in section 56(1) of the Licensing (Scotland) Act 2005;

“designated place” means any place to which the public have access within the areas specified in Schedule 1 to these byelaws and shown outlined in red on the plans annexed and signed as relative hereto;

“premises licence” has the same meaning as in section 17 of the Licensing (Scotland) Act 2005.

(2) These byelaws may be cited as “The Renfrewshire Council Prohibition of Consumption of Alcohol in Designated Public Places Byelaws 2019”.

## **Application**

**2** These byelaws shall not apply -

- (a) on 31 December, from 6.00 pm until the end of that day; and
- (b) on 1 January, until 6.00 am.

## **Offence**

- 3** (1) Subject to paragraphs (2) and (3) of this byelaw, any person who consumes alcohol in a designated place or is found to be in possession of an open container containing alcohol in a designated place shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (2) It shall not be an offence against these byelaws to do anything in any designated place in respect of which a premises licence is in effect.
- (3) It shall not be an offence against these byelaws to do anything in any designated place in respect of which an occasional licence is in operation during any period when alcohol may be sold there by virtue of that licence and for 15 minutes after the expiry of such period.

## **Presumptions**

- 4** (1) This byelaw applies for the purposes of any trial for an offence against these byelaws.
- (2) Any liquid found in a container shall, subject to the provisions of this byelaw, be presumed to conform to the description of the liquid on the container.

(3) A container which is found to contain -

(a) no liquid; or

(b) insufficient liquid to permit analysis

shall, subject to the provisions of this byelaw, be presumed to have contained at the time of the alleged offence liquid which conformed to the description of the liquid on the container.

(4) A person shall not be entitled to lead evidence for the purpose of rebutting a presumption mentioned in paragraphs (2) or (3) above unless, not less than 7 days before the date of the trial, he has given notice to the prosecutor of his intention to do so.

#### **Public Notice of Effect**

**5** (1) The Council shall erect one or more signs at or reasonably adjacent to each designated place for the purpose of giving notice of the effect of these byelaws.

(2) It shall be no defence in proceedings against a person for an offence under these byelaws that the Council failed to comply with paragraph 5(1) of this byelaw.

## **Revocation**

- 6** The Renfrewshire Council Byelaws Prohibiting the Consumption of Alcohol in Designated Public Places 2009 made by the said Renfrewshire Council on 8<sup>th</sup> September 2009 and confirmed by the Scottish Ministers on 19<sup>th</sup> November 2009 and operational from 27<sup>th</sup> November 2009 are hereby revoked. IN WITNESS WHEREOF

## **SCHEDULE 1**

### **List of Designated Places- Renfrewshire**

These Byelaws apply within the Administrative Boundary of Renfrewshire, as defined in The Local Government etc (Scotland) Act 1994, as amended by The Glasgow City Council and Renfrewshire Council Boundaries (Braehead) Amendment Order 2002.

ALL AND WHOLE those areas lying within the District of Renfrewshire known as (In the First Place) Bishopton which area is shown outlined in red on the plan marked "1" annexed and executed as relative hereto; (In the Second Place) Langbank, which area is shown outlined in red on the plan marked "2" annexed and executed as relative hereto; (In the Third Place) Erskine and Inchinnan, which areas are shown outlined in red on the plan marked "3" annexed and executed as relative hereto; (In the Fourth Place) Renfrew, which area is shown outlined in red on the plan marked "4" annexed and executed as relative hereto; (In the Fifth Place) Paisley and Hillington which areas are shown outlined in red on the plan marked "5" annexed and executed as relative hereto; (In the Sixth Place) Johnstone & Elderslie, which areas are shown outlined in red on the plan marked "6" annexed and executed as relative hereto; (In the Seventh Place) Linwood which area is shown outlined in red on the plan marked "7" annexed and executed as relative hereto; (In the Eighth Place) Kilbarchan & Brookfield, which areas are shown outlined in red on the plan marked "8" annexed and executed as relative hereto; (In the Ninth Place) Houston which area is shown outlined in red on the plan marked "9" annexed and executed as relative hereto; (In the Tenth Place) Bridge of Weir which area is shown outlined in red on the plan marked "10" annexed and executed as relative hereto; (In the Eleventh Place) Howwood which area is shown outlined in red on the plan marked "11" annexed and executed as relative hereto; (In the Twelfth Place) Lochwinnoch which area is shown outlined in red on the plan marked "12" annexed and executed as relative hereto, and (In the Thirteenth Place) Dargavel Village which area is shown outlined in red on the plan marked "13" annexed and executed as relative hereto.