# Cyngor Sir Dinas a Sir Caerdydd

## **Gorchymyn Estyn Cyfun Diogelu Mannau Cyhoeddus**

### Grŵp Treganna 1, 2023

Mae Cyngor Sir Dinas a Sir Caerdydd, wrth arfer ei bwerau dan adrannau 59, 60, 64 a 72 Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlismona 2014, drwy hyn yn gwneud y Gorchymyn canlynol:

1. Daw’r Gorchymyn i rym ar **13/01/2023** a bydd ar waith am 3 blynedd wedi hynny, oni chaiff ei ddiddymu, ei ddiwygio neu ei estyn gan orchmynion eraill y Cyngor.

1. Bwriad y Gorchymyn hwn yw gosod y cyfyngiadau cyfredol ar yr hawliau tramwy cyhoeddus yn ystod y cyfnodau a nodir yn Atodlen 1 isod (“Cyfnodau Penodedig”).

1. Mae’r ardaloedd sy’n destun cyfyngiadau’r Gorchymyn hwn yn cael eu disgrifio yn Atodlenni 2 a 3 isod a’u dangos fel ardaloedd tywyll ar y cynlluniau a atodir i’r Gorchymyn hwn ("yr Ardaloedd Cyfyngedig").

1. Cydgrynhoir y Gorchmynion yn Atodlen 3 o fewn y Gorchymyn hwn heb unrhyw newid i’w hanfod yn unol â Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlismona 2014 i'r graddau y maent yn ymwneud â gosod cyfyngiadau ar yr hawl dramwy gyhoeddus yn ôl yr ystyr sydd yn adrannau 59, 60, 64 a 72 y Ddeddf.

1. Mae’r Gorchymyn hwn yn awdurdodi gwaith i osod gatiau metel (a gynrychiolir â symbolau seren/gât ar y cynlluniau a atodir) ym mhennau’r Ardaloedd Cyfyngedig, a fydd yn rhoi’r cyfyngiadau ar waith.

1. Os yw Ardal Gyfyngedig yn llwybr trwodd, mae'r Cyngor yn fodlon bod llwybrau amgen gweddol gyfleus ar gael i'r cyhoedd.

1. Mae'r Cyngor yn fodlon bod yr amodau a nodir yn adrannau 59, 64 a 72 y Ddeddf wedi'u bodloni a'i bod yn iawn gwneud y Gorchymyn hwn dan yr holl amgylchiadau at ddibenion lleihau trosedd ac ymddygiad gwrthgymdeithasol yn yr Ardaloedd Cyfyngedig.

1. Mae hyn yn unol ag Adran 59 y Ddeddf:

* 1. Mae’r Cyngor yn fodlon bod y gweithgareddau canlynol wedi digwydd, neu eu bod yn debygol o ddigwydd, yn y mannau cyhoeddus: Trosedd ac Ymddygiad Gwrthgymdeithasol
  2. Gwneir y Gorchymyn hwn gan y Cyngor am fod y Cyngor yn fodlon ar sail resymol bod gweithgareddau a gyflawnir neu sy'n debygol o gael eu cyflawni yn y mannau cyhoeddus sy'n ffurfio'r Ardaloedd Cyfyngedig:

* + 1. wedi cael, neu'n debygol o gael, effaith andwyol ar ansawdd bywyd pobl yn yr ardaloedd lleol
    2. yn neu'n debygol o fod yn gyson neu’n barhaus eu natur ac yn afresymol ac yn cyfiawnhau'r cyfyngiadau a osodir

1. Os oes unrhyw berson sydd â buddiant yn dymuno cwestiynu dilysrwydd y Gorchymyn hwn ar y sail nad oedd gan y Cyngor unrhyw bŵer i'w wneud neu na chydymffurfiwyd ag unrhyw un o ofynion y Ddeddf o ran y Gorchymyn hwn, caiff wneud cais i'r Uchel Lys cyn pen chwe wythnos o'r dyddiad y gwneir y Gorchymyn hwn.

1. Bydd y bobl a ddisgrifir yn Atodlen 4 yn cael eu heithrio rhag darpariaethau'r Gorchymyn hwn.

1. Mae Adran 67 y Ddeddf yn ei gwneud yn drosedd i berson sydd heb esgus rhesymol:
2. wneud unrhyw beth y gwaherddir y person rhag ei wneud gan y

Gorchymyn hwn;

ii) methu â chydymffurfio â gofyniad y mae'r person yn destun iddo dan y gorchymyn hwn

Mae person sy'n euog o dramgwydd dan yr adran hon yn agored, os caiff ei gollfarnu'n ddiannod, i ddirwy heb fod yn uwch na lefel 3.

#### Atodlen 1

Bydd y cyfyngiadau'n berthnasol ar yr adegau canlynol, drwy gydol cyfnod y Gorchymyn:

* **Cyfnod Penodedig 1:** Ar bob adeg

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#### Atodlen 2

Mae’r lleoliadau canlynol yn destun y cyfyngiadau yn ystod y cyfnod a nodir yn Atodlen 1, Cyfnod Penodedig 1:

* CTN 18: Y lonydd cefn rhwng cefn 1 Halsbury Road / 27 Greenwich Road a rhwng ochr 15 Greenwich Road/ Cefn 9 Westbury Terrace, Treganna, Caerdydd
* CTN 19: Y lonydd cefn rhwng cefn 4 Halsbury Road / ochr 6 Halsbury Road a rhwng cefn 52 Halsbury Road / cefn 53 Conybeare Road, Treganna, Caerdydd
* CTN 27(a): Y lonydd cefn rhwng cefn 1 Victoria Park Road East / cefn 1 Kingsland Road, ochr 31 Kingsland Road / cefn 69 Forrest Road a chefn 18 Victoria Park Road East / ochr 79 Forrest Road, Treganna, Caerdydd
* CTN 28: Y lonydd cefn rhwng cefn 422 Heol Ddwyreiniol y Bont-faen / ochr 2 Kingsland Road, cefn 410 Heol Ddwyreiniol y Bont-faen / ochr 1 Nesta Road, ochr 35 Nesta Road, cefn 47 Forrest Road, cefn 67 Forrest Road / ochr 34 Kingsland Road ac ar hyd cefn rhifau 1-35 Nesta Road, Treganna, Caerdydd
* CTN 29: Y lonydd cefn rhwng cefn 2 Nesta Road / cefn 1 Turner Road, ochr 37 Turner Road / cefn 27 Forrest Road a chefn 45 Forrest Road / ochr 38 Nesta Road, Treganna, Caerdydd
* CTN 30: Y lonydd cefn rhwng cefn 2 Turner Road / cefn 1 Lionel Road, ochr 37 Lionel Road / cefn 7 Forrest Road a chefn 25 Forrest Road / ochr 40 Turner Road, Treganna, Caerdydd
* CTN 31: Y lonydd cefn rhwng 364 Heol Ddwyreiniol y Bont-faen / ochr 2 Lionel Road, cefn 360 Heol Ddwyreiniol y Bont-faen / ochr 3 Loftus Street, cefn rhifau 12-42 Lionel Road a rhwng 42 a 44 Lionel Road, Treganna, Caerdydd
* CTN 58(b): Y lôn gefn wrth gefn rhifau 1-15 Denton Road, Treganna, Caerdydd
* CTN 59: Y lonydd cefn rhwng ochr 1 Welby Road / cefn 2 Earle Place, cefn 18 Earle Place a chefn rhifau 1-13 Welby Road, Treganna, Caerdydd

#### Atodlen 3

Mae’r lleoliadau canlynol wedi’u hychwanegu at y gorchymyn hwn ac yn destun y cyfyngiadau yn ystod y cyfnod a nodir yn Atodlen 1, Cyfnod Penodedig 1:

* CTN 21: Lôn Gefn rhwng Burlington Terrace a Heol Pensisli, Caerdydd

#### Atodlen 4

Ni fydd y cyfyngiadau y cyfeirir atynt yn y Gorchymyn hwn yn berthnasol i feddianwyr yr eiddo sydd ger yr Ardaloedd Cyfyngedig perthnasol neu sy’n ffinio â nhw, swyddog y Cyngor, yr Heddlu, na’r Gwasanaethau Tân neu Ambiwlans sydd â rheswm i ddefnyddio’r Ardaloedd Cyfyngedig wrth arfer eu pwerau a’u dyletswyddau statudol nac unrhyw ymgymerydd statudol sydd angen cael mynediad i’w cyfarpar.

Dyddiedig 11 Ionawr, 2023

Cyfeirnod y Sêl: 55732

Gosodwyd SÊL GYFFREDIN

CYNGOR SIR

DINAS A SIR

CAERDYDD yma

ym mhresenoldeb:

S. Davies

Llofnodwr awdurdodedig

# The County Council Of The City And County Of Cardiff

## **Public Spaces Protection Grouped Extension Order**

### Canton Group 1, 2023

The County Council of the City and County of Cardiff in exercise of its powers under sections 59, 60, 64 and 72 of the Anti-Social Behaviour, Crime and Policy Act 2014 hereby makes the following Order:

1. The Order shall come into operation on **13/01/2023** and shall have effect for a period of 3 years thereafter, unless revoked, amended or extended by further orders under the Council’

1. The effect of this Order is to impose the existing restrictions over the public rights of way during the periods set out in Schedule 1 below (the “Specified Periods”)
2. The areas subject to the restrictions of this Order are described in Schedules 2 and 3 below and are shown as shaded areas on the plans attached to this Order (“the Restricted Areas”).
3. The Orders in Schedule 3 are consolidated within this Order without any change of substance pursuant to the Anti-Social Behaviour, Crime and Policing Act 2014 in so far as they relate to the placing of restrictions over the public right of way within the meaning of sections 59 60, 64 and 72 of the Act.
4. This Order authorises the installation of metal gates at the ends of the Restricted Areas (identified by gate/star symbols on the attached plans), which will give effect to the restrictions.
5. Where a Restricted Area constitutes a through route, the Council is satisfied that a reasonably convenient alternative routes is available to the public.
6. 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 Areas.
7. In accordance with section 59 of the Act:
   1. The Council is satisfied that the following activities have been or are likely to be carried out in the public spaces: Crime and Anti-social behaviour
   2. This Order is made by the Council because the Council is satisfied on reasonable grounds that activities carried out or are likely to be carried out in the public spaces that form the Restricted Areas;-
      1. have had or are likely to have a detrimental effect on the quality of life of those in the localities
      2. are or are likely to be persistent or continuing in nature and to be unreasonable and justify the restrictions imposed
8. 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.
9. Those persons described in Schedule 4 shall be exempt from the provisions of this Order.
10. Section 67 of the Act makes it is an offence for a person without reasonable excuse:

i) to do anything that the person is prohibited from doing by this Order;

ii) to 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

Restrictions will apply at the following times, for the duration of the Order:

* **Specified Period 1**: At all times

#### Schedule 2

The following locations are subject to restrictions during the period set out in Schedule1, Specified Period 1:

* CTN 18: Alleyways between the rear of 1 Halsbury Road / 27 Greenwich Road and between the side of 15 Greenwich Road / Rear Of 9 Westbury Terrace, Canton, Cardiff
* CTN 19: Alleyways between the rear of 4 Halsbury Road / the side of 6 Halsbury Road and between the rear of 52 Halsbury Road / the rear of 53 Conybeare Road, Canton, Cardiff
* CTN 27(a): Alleyways between the rear of 1 Victoria Park Road East / the rear of 1 Kingsland Road, the side of 31 Kingsland Road / the rear of 69 Forrest Road And the rear of 18 Victoria Park Road East / the side of 79 Forrest Road, Canton, Cardiff
* CTN 28: Alleyways between the rear of 422 Cowbridge Road East / the side of 2 Kingsland Road, the rear of 410 Cowbridge Road East / the side of 1 Nesta Road, the side of 35 Nesta Road / the rear of 47 Forrest Road, the rear of 67 Forrest Road / the side of 34 Kingsland Road and along the rear of 1-35 Nesta Road, Canton, Cardiff
* CTN 29: Alleyways between the rear of 2 Nesta Road / the rear of 1 Turner Road, the side of 37 Turner Road / the rear of 27 Forrest Road and the rear of 45 Forrest Road / the side of 38 Nesta Road, Canton, Cardiff
* CTN 30: Alleyways between the rear of 2 Turner Road / the rear of 1 Lionel Road, the side of 37 Lionel Road / the rear of 7 Forrest Road and the rear of 25 Forrest Road / the side of 40 Turner Road, Canton, Cardiff
* CTN 31: Alleyways between the rear of 364 Cowbridge Road East / the side of 2 Lionel Road, the rear of 360 Cowbridge Road East / the side of 3 Loftus Street, the rear of 12-42 Lionel Road and between 42-44 Lionel Road, Canton, Cardiff
* CTN 58(b): Alleyway to the rear of 1-15 Denton Road, Canton, Cardiff
* CTN 59: Alleyways between the side of 1 Welby Road / the rear of 2 Earle Place, the rear of 18 Earle Place and to the rear of 1-13 Welby Road, Canton, Cardiff

#### Schedule 3

The following locations have been added to this order and are subject to restrictions during the period as set out in Schedule1, Specified Period 1:

* CTN 21: Alleyway between Burlington Terrace and Pencisely Road, Cardiff

#### Schedule 4

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

Dated this 11th day of January, 2023

Seal Reference Number: 55732

THE COMMON SEAL OF THE

COUNTY COUNCIL OF THE

CITY AND COUNTY OF

CARDIFF was hereunto affixed in

the presence of:-

S. Davies

Authorised signatory

Plan(s) illustrating the Restricted Areas subject to this Order

Cynllun(iau) yn dangos yr Ardaloedd Cyfyngedig sy’n destun y Gorchymyn hwn

