CYNGOR SIR DINAS A SIR CAERDYDD

Gorchymyn Diogelu Mannau Agored Cyhoeddus - Estyniad Cyfun Grŵp 1 Glan-yr-afon 2022

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 **11/12/2022** a bydd ar waith am 3 blynedd wedi hynny, oni chaiff ei ddiddymu, ei ddiwygio neu ei estyn gan orchmynion eraill y Cyngor.

2. 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").

3. 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").

4. 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 o fewn ystyr adrannau 59, 60, 64 a 72 y Ddeddf.

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

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

7. 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 dan yr holl amgylchiadau i wneud y Gorchymyn hwn at ddibenion lleihau trosedd ac ymddygiad gwrthgymdeithasol yn yr Ardaloedd Cyfyngedig.

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

   a. 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

   b. 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:

      i. wedi cael, neu'n debygol o gael, effaith andwyol ar ansawdd bywyd pobl yn yr ardaloedd lleol

      ii. yn neu'n debygol o fod yn gyson neu'n barhaus eu natur ac yn afresymol ac yn cyfiawnhau'r cyfyngiadau a osodir

9. 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 mewn perthynas â'r Gorchymyn hwn, caiff wneud cais i'r Uchel Lys cyn pen chwe wythnos o'r dyddiad y gwneir y Gorchymyn hwn.

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

11. Mae Adran 67 y Ddeddf yn ei gwneud yn drosedd i berson sydd heb esgus rhesymol:
   i) 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
- **Cyfnod Penodedig 2:** Bob amser rhwng 5:30pm a 8:30am ddydd Llun i ddydd Gwener, ac o 5:30pm ddydd Gwener i 8:30am ddydd Llun

Atodlen 2

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

• RIV 22: Lonydd cefn y tu ôl i 1-87 Hamilton Street, 4-24 Heol y Brenin a ger ochr 53 Clos Dewi Sant, Glan-yr-afon, Caerdydd
• RIV 28: Lôn gefn y tu ôl i 2-44 Wells Street, 51-69 Stryd Wellington, 1-4 Dugdale Walk, rhwng 47-49 Albert Street ac wrth ochr 2 Wells Street, Glan-yr-afon, Caerdydd
• RIV 29(a): Lôn gefn y tu ôl i 91-99 Heol Ddwyreiniol y Bont-faen a rhwng y Tŷ Coets /3 Stryd Neville, Glan-yr-afon, Caerdydd
• RIV 29(b): Lôn gefn y tu ôl i 67-73 Heol Ddwyreiniol y Bont-faen ac wrth ochr 2 Rawden Place, Glan-yr-afon, Caerdydd
• RIV 29(c): Lôn gefn y tu ôl i 37-55 Neville Street, 44-52 Heol y Gadeirlan Isaf ac wrth ochr 37 Rawden Place, Glan-yr-afon, Caerdydd
• RIV 31(a): Lôn gefn y tu ôl i 40-82 De Burgh Street a 16-54 Stryd Neville, Glan-yr-afon, Caerdydd
• RIV 31(b): Lôn gefn y tu ôl i 2-38 De Burgh Street, 56-98 Stryd Neville ac wrth ochr 2 Neville Place, Glan-yr-afon, Caerdydd
• RIV 32(a): Lôn gefn y tu ôl i 67-81 De Burgh Street, Glan-yr-afon, Caerdydd
• RIV 32(b): Lôn gefn y tu ôl i 1-65 De Burgh Street, 2-54 Machen Place a 2-10 Heath Street, Glan-yr-afon, 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:

• RIV 43: Lôn gefn rhwng 2 Severn Road a 126 Heol Ddwyreiniol y Bont-faen

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 2:

• RIV 30: Lôn gefn rhwng 1 Rawden Place a 55-65 Heol Ddwyreiniol y Bont-faen

Atodlen 3

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.

Dyddiad 7 Rhagfyr, 2022

Cyfeirnod y Sêl: 55578

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
Riverside Group 1, 2022

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 **11/12/2022** and shall have effect for a period of 3 years thereafter, unless revoked, amended or extended by further orders under the Council'

2. 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")

3. 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").

4. 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.

5. 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.

6. Where a Restricted Area constitutes a through route, the Council is satisfied that a reasonably convenient alternative routes is available to the public.

7. 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.

8. In accordance with section 59 of the Act:

   b. 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
   c. 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;-

      ii. have had or are likely to have a detrimental effect on the quality of life of those in the localities
      iii. are or are likely to be persistent or continuing in nature and to be unreasonable and justify the restrictions imposed

9. 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.

10. Those persons described in Schedule 4 shall be exempt from the provisions of this Order.

11. 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
- **Specified Period 2:** At all times during the hours of 5:30pm-8:30am Monday – Friday, and from 5:30pm Friday-8:30am Monday

Schedule 2

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

• RIV 22: Alleyways to the rear of 1-87 Hamilton Street, 4-24 Kings Road and between the side of 53 Clos Dewi Sant, Riverside, Cardiff
• RIV 28: Alleyway to the rear of 2-44 Wells Street, 51-69 Wellington Street, 1-14 Dugdale Walk, between 47-49 Albert Street and to the side of 2 Wells Street, Riverside, Cardiff
• RIV 29(a): Alleyway to the rear of 91-99 Cowbridge Road East and between the Coach House /3 Neville Street, Riverside, Cardiff
• RIV 29(b): Alleyway to the rear of 67-73 Cowbridge Road East and to the side of 2 Rawden Place, Riverside, Cardiff
• RIV 29(c): Alleyway to the rear of 37-55 Neville Street, 44-52 Lower Cathedral Road and to the side of 37 Rawden Place, Riverside, Cardiff
• RIV 31(a): Alleyway to the rear of 40-82 De Burgh Street and 16-54 Neville Street, Riverside, Cardiff
• RIV 31(b): Alleyway to the rear of 2-38 De Burgh Street, 56-98 Neville Street and to the side of 2 Neville Place, Riverside, Cardiff
• RIV 32(a): Alleyway to the rear of 67-81 De Burgh Street, Riverside, Cardiff
• RIV 32(b): Alleyway to the rear of 1-65 De Burgh Street, 2-54 Machen Place and 2-10 Heath Street, Riverside, 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:

• RIV 43: Alleyway between 2 Severn Road and 126 Cowbridge Road East

The following locations have been added to this order and are subject to restrictions during the period as set out in Schedule1, Specified Period 2:

• RIV 30: Alleyway between 1 Rawden Place and 55-65 Cowbridge Road East

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 7th day of December, 2022

Sealing No. Ref. 55578

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