Cyngor Sir Dinas a Sir Caerdydd

Gorchymyn Estyn Cyfun Diogelu Mannau Cyhoeddus

Cathays Grŵp 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 **02/03/2023** 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 yn ôl yr ystyr sydd yn adrannau 59, 60, 64 a 72 y Ddeddf.

5. 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.

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

8. 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 o ran y 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:** Bydd y cyfyngiadau'n berthnasol rhwng 12:00am a 08:00am a rhwng 18:00pm a 11:59pm (o ddydd Llun i ddydd Sul)

Atodlen 2

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

- CTY 20: Lôn gefn y tu ôl i 30-90 Malefant Street a 27-87 Dogfield Street
- CTY 21: Lôn gefn y tu ôl i 92-114 Malefant Street a 89-111 Dogfield Street
- CTY 22: Lôn gefn y tu ôl i 2-18 Hazeldene Avenue, 128-146 Malefant Street, 1-23 Tewkesbury Place a 117-125 Tewkesbury Street
- CTY 24: Lôn gefn y tu ôl i 97-115 Tewkesbury Street a 98-118 Dogfield Street
- CTY 25: Lôn gefn y tu ôl i 35-95 Tewkesbury Street a 36-96 Dogfield Street

- CTY 27: Lôn gefn y tu ôl i 36-96 Tewkesbury Street a 31-83 Monthermer Road
- CTY 28 (a): Lôn gefn y tu ôl i 2-34 Dogfield Street a 1-33 Tewkesbury Street
- CTY 29 (a): Lôn gefn y tu ôl i 1-29 Monthermer Road a 2-34 Tewkesbury Street

Mae'r lleoliadau canlynol yn destun y cyfyngiadau yn ystod y cyfnod a nodir yn Atodlen 1, Cyfnod Penodedig 2:

- CTY 23: Lôn gefn y tu ôl i 98-136 Tewkesbury Street, 2-50 Tewkesbury Place, 152 Malefant Street, 1-53 Clun Terrace, 1-9 Cyprian House a 85-111 Monthermer Road, Cathays, 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:

- CTY 37: Lôn gefn rhwng cefn 2 Llandough Street / 1 Gerddi Rhuthun a 28 Llandough Street / 29 Gerddi Rhuthun
- CTY 38: Lôn gefn rhwng cefn 2 Gerddi Rhuthun / 22 Heol Senghennydd a 30 Gerddi Rhuthun / 33 Gerddi Llanfleiddan
- CTY 39: Lôn gefn rhwng cefn 2 Gerddi Llanfleiddan / 1 Glynrhondda Street a 1-2 Llanbleddian Court / 19 Miskin Street
- CTY 40: Lôn gefn rhwng cefn 2 Glynrhondda Street / 1 Llantwit Street a 1 Miskin Street / 33-37 Heol Salisbury
- CTY 41: Lôn gefn rhwng 56-100 Heol y Gogledd a Blackweir Terrace
- CTY 51: Lôn gefn rhwng ochrau 34 a 36 Heol y Frenhines, Canol y Ddinas
- CTY 52: Lôn gefn rhwng ochrau'r Hen Arcêd, 14 - 17 Stryd yr Eglwys, Canol y Ddinas

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 1 Mawrth, 2023

Cyfeirnod y Sêl: 56107

Gosodwyd SÊL GYFFREDIN
CYNGOR SIR
DINAS A SIR
CAERDYDD yma
ym mhresenoldeb:

[Richard Crane]

Llofnodwr awdurdodedig

The County Council Of The City And County Of Cardiff

Public Spaces Protection Grouped Extension Order

Cathays 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 **02/03/2023** 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:

    a. 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
    b. 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;-

        i. have had or are likely to have a detrimental effect on the quality of life of those in the localities
        ii. 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:** Restrictions apply between the hours of 12:00am – 08:00am and 18:00pm-11:59pm (Monday-Sunday)

Schedule 2

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

• CTY 20: Alleyway to the rear of 30-90 Malefant Street and 27-87 Dogfield Street
• CTY 21: Alleyway to the rear of 92-114 Malefant Street and 89-111 Dogfield Street
• CTY 22: Alleyway to the rear of 2-18 Hazeldene Avenue, 128-146 Malefant Street, 1-23 Tewkesbury Place and 117-125 Tewkesbury Street
• CTY 24: Alleyway to the rear of 97-115 Tewkesbury Street and 98-118 Dogfield Street
• CTY 25: Alleyway to the rear of 35-95 Tewkesbury Street and 36-96 Dogfield Street
• CTY 27: Alleyway to the rear of 36-96 Tewkesbury Street and 31-83 Monthermer Road
• CTY 28 (a): Alleyway to the rear of 2-34 Dogfield Street and 1-33 Tewkesbury Street
• CTY 29(a): Alleyway to the rear of 1-29 Monthermer Road and 2-34 Tewkesbury Street

The following locations are subject to restrictions during the period set out in Schedule1, Specified Period 2:

• CTY 23: Alleyway to the rear of 98-136 Tewkesbury Street, 2-50 Tewkesbury Place, 152 Malefant Street, 1-53 Clun Terrace, 1-9 Cyprian House and 85-111 Monthermer Road, Cathays, 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:

• CTY 37: Alleyway between the rear of 2 Llandough Street / 1 Ruthin Gardens & 28 Llandough Street / 29 Ruthin Gardens
• CTY 38: Alleyway between the rear of 2 Ruthin Gardens / 22 Senghennydd Road & 30 Ruthin Gardens / 33 Llanbleddian Gardens
• CTY 39: Alleyway between the rear of 2 Llanbleddian Gardens / 1 Glynrhondda Street & 1-12 Llanbleddian Court / 19 Miskin Street
• CTY 40: Alleyway between the rear of 2 Glynrhondda Street / 1 Llantwit Street & 1 Miskin Street / 33-37 Salisbury Road
• CTY 41: Alleyway between 56-100 North Road and Blackweir Terrace
• CTY 51: Alleyway between the sides of 34 & 36 Queen Street, City Centre
• CTY 52: Alleyway between the sides of The Old Arcade, 14 – 17 Church Street, City Centre

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 1st day of March, 2023

Sealing Ref. 56107

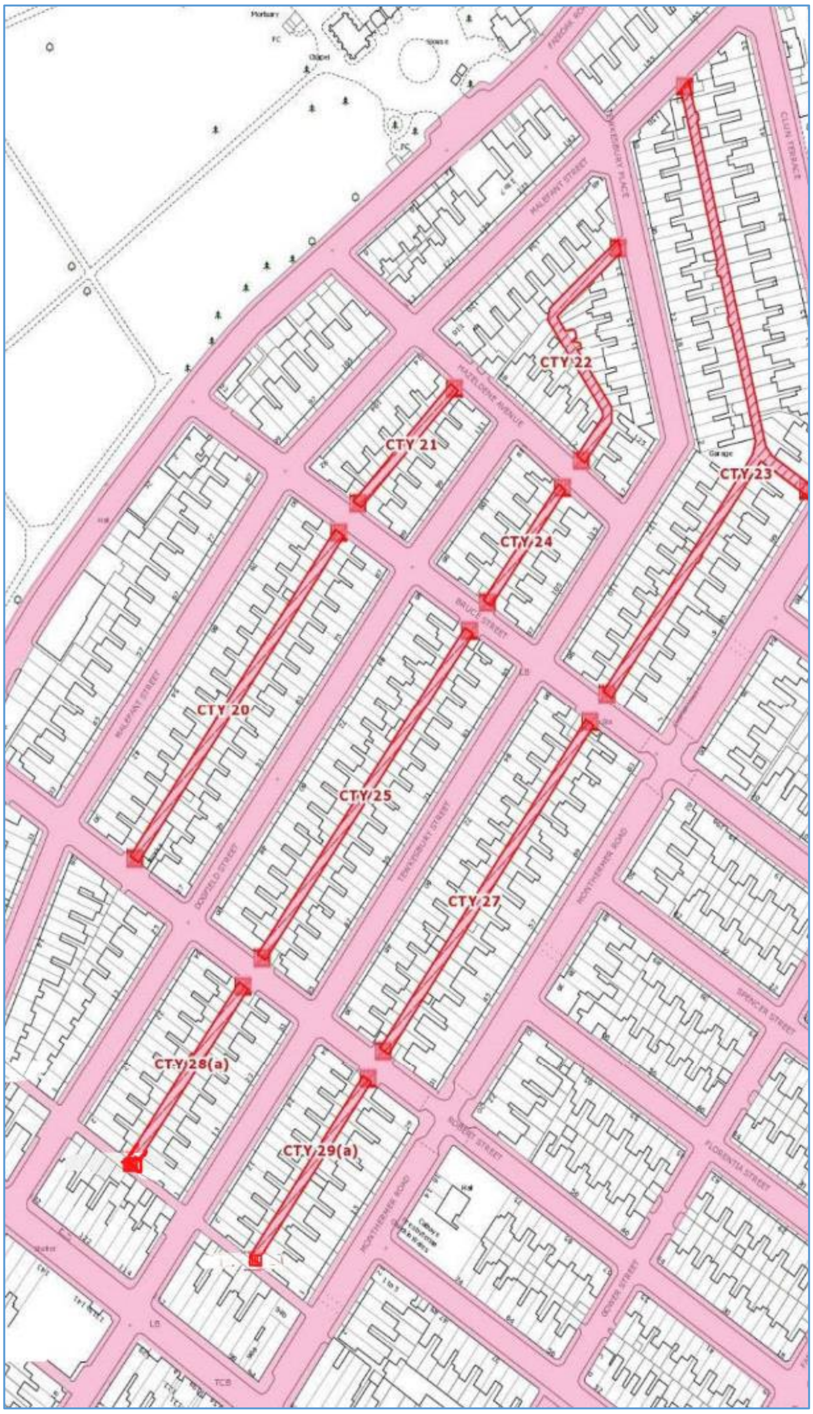
THE COMMON SEAL OF THE
COUNTY COUNCIL OF THE
CITY AND COUNTY OF
CARDIFF was hereunto affixed in
the presence of:-

[Richard Crane]

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



Lane Ref. CTY G1

Legal Ref. 99399