Cyngor Sir Dinas a Sir Caerdydd

Gorchymyn Estyn Cyfun Diogelu Mannau Cyhoeddus

Grŵp 1 Gabalfa 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 **30/06/2023** 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 presennol 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 Atodlen 2 isod a'u dangos fel ardaloedd tywyll ar y cynlluniau a atodir i'r Gorchymyn hwn ("yr Ardaloedd Cyfyngedig").

4. 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.

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

6. 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.

7. 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

8. 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.

9. Bydd y bobl a ddisgrifir yn Atodlen 3 yn cael eu heithrio rhag darpariaethau'r Gorchymyn hwn.

10. 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

Atodlen 2

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

- GAB 16(b): Lonydd cefn y tu ôl i 1-15 Maitland Street, 2-6 Quentin Street ac ar ochr y Neuadd, Gabalfa ,Caerdydd.
- GAB 18(a): Lonydd cefn y tu ôl i 2-48 Pen Y Bryn Road, 13-73 Heathfield Road a'r tu ôl i 2-16 Heathfield Place, Gabalfa, Caerdydd
- GAB 20: Lôn gefn rhwng cefn 32-80 Newfoundland Road a 1 Pen-Y-Bryn Road, Gabalfa, Caerdydd
- GAB 21: Lôn gefn rhwng 118 Newfoundland Road ac Eglwys y Bedyddwyr Gabalfa, Heol y Gogledd, Gabalfa, Caerdydd
- GAB 22: Lonydd cefn y tu ôl i 168-184 Heol y Gogledd, 52-98 Australia Road, 47-85 Newfoundland Road a 33-49 Gerddi Affrica, Gabalfa, Caerdydd
- GAB 23: Lonydd cefn y tu ôl i 46-64 Gerddi Affrica, 2-50 Australia Road a 1-45 Newfoundland Road, Gabalfa, Caerdydd
- GAB 24: Lonydd cefn y tu ôl i 156-166 Heol y Gogledd, 9-23 Victoria Mews (Australia Road), 51-61 Australia Road, 56-100 Canada Road, 1-8 VIctoria Mews (Gerddi Affrica) a 23-31 Gerddi Affrica, Gabalfa, Caerdydd
- GAB 25: Lonydd cefn y tu ôl i 24-42 Gerddi Affrica, 2-54 Canada Road a 1-49 Australia Road, Gabalfa, Caerdydd
- GAB 26: Lonydd cefn y tu ôl i 91-97 Canada Road, 140-154 Heol y Gogledd, 38-108 Heol Seland Newydd, 35-89 Canada Road, a 1-21 Gerddi Affrica, Gabalfa, Caerdydd
- GAB 27: Lonydd cefn y tu ôl i 2-16 Gerddi Affrica, 2-36 Heol Seland Newydd, Tŷ Offeiriad St. Joseph (Heol Seland Newydd) a 1-33 Canada Road, Gabalfa, Caerdydd

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.

Dyddiedig: 27 Mehefin, 2023

Rhif Cyfeirnod y Sêl: 56420

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

Gabalfa 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 **30/06/23** 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 Schedule 2 below and are shown as shaded areas on the plans attached to this Order ("the Restricted Areas").

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:

    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

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 3 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:

- GAB 16(b): Alleyways to the rear of 1-15 Maitland Street, 2-6 Quentin Street and the side of The Hall, Gabalfa, Cardiff
- GAB 18(a): Alleyways to the rear of 2-48 Pen Y Bryn Road, 13-73 Heathfield Road and to the rear of 2-16 Heathfield Place, Gabalfa, Cardiff
- GAB 20: Alleyway between the rear of 32-80 Newfoundland Road and 1 Pen-Y-Bryn Road, Gabalfa, Cardiff
- GAB 21: Alleyway between 118 Newfoundland Road and Gabalfa Baptist Church, North Road, Gabalfa, Cardiff
- GAB 22: Alleyways to the rear of 168-184 North Road, 52-98 Australia Road, 47-85 Newfoundland Road and 33-49 Africa Gardens, Gabalfa, Cardiff
- GAB 23: Alleyways to the rear of 46-64 Africa Gardens, 2-50 Australia Road and 1-45 Newfoundland Road, Gabalfa, Cardiff
- GAB 24: Alleyways to the rear of 156-166 North Road, 9-23 Victoria Mews (Australia Road),51-61 Australia Road, 56-100 Canada Road, 1-8 Victoria Mews (Africa Gardens) and 23-31 Africa Gardens, Gabalfa, Cardiff
- GAB 25: Alleyways to the rear of 24-42 Africa Gardens, 2-54 Canada Road and 1-49 Australia Road, Gabalfa, Cardiff
- GAB 26: Alleyways to the rear of 91-97 Canada Road, 140-154 North Road, 38-108 New Zealand Road, 35-89 Canada Road and 1-21 Africa Gardens, Gabalfa, Cardiff
- GAB 27: Alleyways to the rear of 2-16 Africa Gardens, 2-36 New Zealand Road, St. Joseph’s Presbytery (New Zealand Road) and 1-33 Canada Road, Gabalfa, Cardiff

Schedule 3

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 27th day of June, 2023

Seal Reference Number: 56420

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

GAB 16(b)
GAB 18(a)
GAB 20
GAB 23
GAB 25
GAB 27
GAB 21
GAB 22
GAB 24
GAB 26
Copyright Cardiff County Council, Licence Number 100023376