Hysbysiad Cyhoeddus - Hysbysiad Creu

Gorchymyn Diogelu Mannau Cyhoeddus Cyngor Sir Dinas A Sir Caerdydd (Rhwng 15 Shelley Walk A 5 Hardy Place, Plasnewydd, Caerdydd) 2022

Hysbysir Drwy Hyn Fod Cyngor Sir Dinas a Sir Caerdydd (“y Cyngor”) ar 23 Chwefror, 2022 wedi gwneud y gorchymyn uchod dan Adran 59, Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlismona 2014 (“y Ddeddf”) a’r holl bwerau galluogi eraill.

Effaith y gorchymyn, a ddaw i rym ar 2 Mawrth, 2022, fydd cyfyngu ar bob mynediad gan y cyhoedd drwy godi rhwystrau yn y lleoliadau a ddisgrifir yn y Gorchymyn ar hyd:

Y llwybr cyhoeddus rhwng 15 Shelley Walk a 5 Hardy Place, Plasnewydd, Caerdydd ("yr Ardal Gyfyngedig")

ar bob adeg, ac eithrio’r bobl hynny sydd wedi’u heithrio dan y Gorchymyn, at y diben o leihau troseddu ac ymddygiad gwrthgymdeithasol yn "yr Ardal Gyfyngedig".

Gellir gweld copi o’r Gorchymyn ar wefan y Cyngor yn www.caerdydd.gov.uk/giatiaulongefn . Mae copi o’r gorchymyn a chynllun ar gael drwy wneud cais dros e-bost (Kerry.Pain@caerdydd.gov.uk) neu drwy ysgrifennu i’r cyfeiriad isod. Gall person wneud cais i’r Uchel Lys er mwyn herio dilysrwydd y Gorchymyn Diogelu Mannau Cyhoeddus ar y sail nad oedd gan y Cyngor bŵer i wneud y Gorchymyn, neu na chydymffurfiwyd ag unrhyw ofynion gweithdrefnol mewn perthynas ag ef. Rhaid gwneud unrhyw gais i’r Uchel Lys cyn pen chwe wythnos o 23 Chwefror, 2022 at y diben hwn.

Dyddiad 1 Mawrth, 2022

Davina Fiore, Cyfarwyddwr Llywodraethiant a Gwasanaethau Cyfreithiol, Neuadd y Sir, Glanfa’r Iwerydd, Caerdydd CF10 4UW

Public Notice– Notice Of Making

The County Council Of The City And County Of Cardiff Public Spaces Protection Order (Between 15 Shelley Walk & 5 Hardy Place, Plasnewydd, Cardiff) 2022

Notice Is Hereby Given That The County Council of the City and County of Cardiff (“the Council”) has on 23rd day of February, 2022 made the above order under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) and all other enabling powers

The effect of the order, which will come into force on 2 March, 2022, will be to restrict, by the erection of barriers in the locations as described in the Order, all public access through:

The public path between 15 Shelley Walk and 5 Hardy Place, Plasnewydd, Cardiff (“the Restricted Area)

at all times, with the exception of those persons exempt under the Order for the purpose of reducing crime and anti-social behaviour in “ the Restricted Area”.

A copy of the Order can be seen on the Council’s website at www.cardiff.gov.uk/Alleygating. A copy of the order and a plan are available on request by email (Kerry.Pain@cardiff.gov.uk) or by writing to the address below. A person may apply to the High Court for the purpose of questioning the validity of the Public Spaces Protection Order on the grounds that that Council had no power to make the Order or that any procedural requirement was not complied with in relation to it. An application must be made within six weeks from the 23rd February, 2022 to the High Court for this purpose.

Dated this 1st day of March, 2022

Davina Fiore, Director of Governance & Legal Services, County Hall, Atlantic Wharf, Cardiff Bay CF10 4UW

Cyngor Sir Dinas A Sir Caerdydd
Gorchymyn Diogelu Mannau Cyhoeddus (Rhwng 15 Shelley Walk A Hardy Place, Plasnewydd, Caerdydd) 2022

Mae Cyngor Sir Dinas a Sir Caerdydd ("y Cyngor"), wrth arfer ei bwerau dan Adrannau 59, 64 a 72 Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlismona 2014 ("y Ddeddf") a'r holl bwerau galluogi eraill, ac ar ôl ymgynghori â Phrif Swyddog Heddlu De Cymru ac eraill, drwy hyn yn gwneud y Gorchymyn canlynol:

1. Daw'r Gorchymyn i rym ar 2 Mawrth, 2022 a bydd ar waith am gyfnod o 3 blynedd wedi hynny, oni chaiff ei ddiddymu, ei ddiwygio neu ei ymestyn gan orchmynion eraill y Cyngor.

2. Mae'r Gorchymyn hwn yn ymwneud â'r rhan honno o'r llwybr cyhoeddus a ddangosir â chroeslinellau coch ar y Cynllun atodedig ("yr Ardal Gyfyngedig") ac a ddisgrifir yn Atodlen 1.

3. Effaith y Gorchymyn hwn yw cyfyngu ar yr hawl dramwy gyhoeddus dros yr Ardal Gyfyngedig. Mae'r Gorchymyn hwn yn awdurdodi gwaith i osod gatiau metel (a gynrychiolir â seren las ar y Cynllun atodedig) i roi'r cyfyngiad ar waith.

4. Disgrifir y llwybr amgen i gerddwyr yn Atodlen 2

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

6. a. Mae'r Cyngor yn fodlon bod y gweithgareddau canlynol wedi digwydd, neu eu bod yn debygol o ddigwydd, yn y man cyhoeddus: Trosedd ac Ymddygiad Gwrthgymdeithasol

   b. Mae'r Cyngor yn gwneud y gorchymyn hwn oherwydd ei fod yn fodlon ar sail resymol bod gweithgareddau a gyflawnir neu sy'n debygol o gael eu cyflawni yn y man cyhoeddus sy'n ffurfio'r Ardal Gyfyngedig:-

      i) wedi cael, neu'n debygol o gael, effaith andwyol ar ansawdd bywyd pobl yn yr ardal
      ii) yn, neu'n debygol o fod yn, gyson neu'n barhaus eu natur ac yn afresymol ac yn cyfiawnhau'r cyfyngiadau a osodir

7. Os oes unrhyw berson sydd â buddiant yn dymuno herio 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.

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

9. 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

Yr Ardal Gyfyngedig: Y llwybr cyhoeddus rhwng 15 Shelley Walk a 5 Hardy Place, Plasnewydd, Caerdydd

Lleoliad y Rhwystrau: 1 cyfyngiad i'w osod wrth fynedfa'r ardal gyfyngedig:

Rhwng 15 Shelley Walk a 5 Hardy Place, Plasnewydd, Caerdydd

Atodlen 2

Llwybr amgen:

Nid oes llwybr amgen.

Atodlen 3

Ni fydd y cyfyngiad y cyfeirir ato ym mharagraff 3 y Gorchymyn yn gymwys i feddianwyr safleoedd sy'n ffinio â'r ardal gyfyngedig berthnasol neu sy'n gyfagos iddi, swyddogion y Cyngor, yr heddlu, a'r gwasanaethau tân neu ambiwlans y mae ganddynt achos i ddefnyddio'r ardal gyfyngedig wrth gyflawni eu pwerau a'u dyletswyddau statudol ac unrhyw ymgymerwr statudol sydd angen mynediad i'w gyfarpar.

Dyddiad: 23 Chwefror, 2022

[Cyfeirnod Sêl 54110]

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 Order (Between 15 Shelley Walk & 5 Hardy Place, Plasnewydd, Cardiff) 2022

The County Council of the City and County of Cardiff ("the Council") in exercise of its powers under Section 59, 64 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") and all other enabling powers and following consultation with the Chief Officer of South Wales Police and others hereby makes the following Order: .

1. The Order shall come into operation on 2nd day of March, 2022 and shall have effect for a period of 3 years thereafter, unless revoked, amended or extended by further orders under the Council.

2. This Order relates to that part of the public path shown hatched red on the attached Plan ("the Restricted Area") and described in Schedule 1.

3. The effect of this Order is to restrict the public right of way over the Restricted Area. This Order authorises the installation of metal gates (identified by a blue star on the attached Plan) which will give effect to the restriction.

4. The alternative route for pedestrians is described in Schedule 2

5. 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 Area.

6. a. The Council is satisfied that the following activities have been or are likely to be carried out in the public space: 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 likely to be carried out in the public space that forms the Restricted Area:-

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

7. 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.

8. Those persons described in Schedule 3 shall be exempt from the provisions of this Order.

9. Section 67 of the Act makes it is an offence for a person without reasonable excuse to:

   i) do anything that the person is prohibited from doing by this order
   ii) 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

Restricted Area: The public path between 15 Shelley Walk and 5 Hardy Place, Plasnewydd, Cardiff

Location of Barriers: 1 number restriction to be placed at the entrance to the restricted area:

Between 15 Shelley Walk and 5 Hardy Place, Plasnewydd, Cardiff

Schedule 2

The alternative route:

There is no alternative route.

Schedule 3

The restriction referred to in paragraph 3 of the Order shall not apply to the occupiers of premises adjoining or adjacent to the relevant Restricted Area, an officer of the Council, the Police, and Fire or Ambulance Services who have cause to use the Restricted Area in the performance of their statutory powers and duties and any statutory undertaker requiring access to their apparatus.

Dated this 23rd day of February, 2022

[Seal Reference 54110]

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

THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF PUBLIC SPACES PROTECTION ORDER (BETWEEN 15 SHELLEY WALK & 5 HARDY PLACE, PLASNEWYDD, CARDIFF) 2022

The County Council of the City and County of Cardiff ("the Council") in exercise of its powers under Section 59, 64 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") and all other enabling powers and following consultation with the Chief Officer of South Wales Police and others hereby makes the following Order: .

1. The Order shall come into operation on 2 March, 2022 and shall have effect for a period of 3 years thereafter, unless revoked, amended or extended by further orders under the Council'

2. This Order relates to that part of the public path shown hatched red on the attached Plan ("the Restricted Area") and described in Schedule 1.

3. The effect of this Order is to restrict the public right of way over the Restricted Area. This Order authorises the installation of metal gates (identified by a blue star on the attached Plan) which will give effect to the restriction.

4. The alternative route for pedestrians is described in Schedule 2

5. 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 Area.

6. a. The Council is satisfied that the following activities have been or are likely to be carried out in the public space: 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 likely to be carried out in the public space that forms the Restricted Area:-

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

7. 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.

8. Those persons described in Schedule 3 shall be exempt from the provisions of this Order.

9. Section 67 of the Act makes it is an offence for a person without reasonable excuse to:
   i) do anything that the person is prohibited from doing by this order
   ii) 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

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There is no alternative route.

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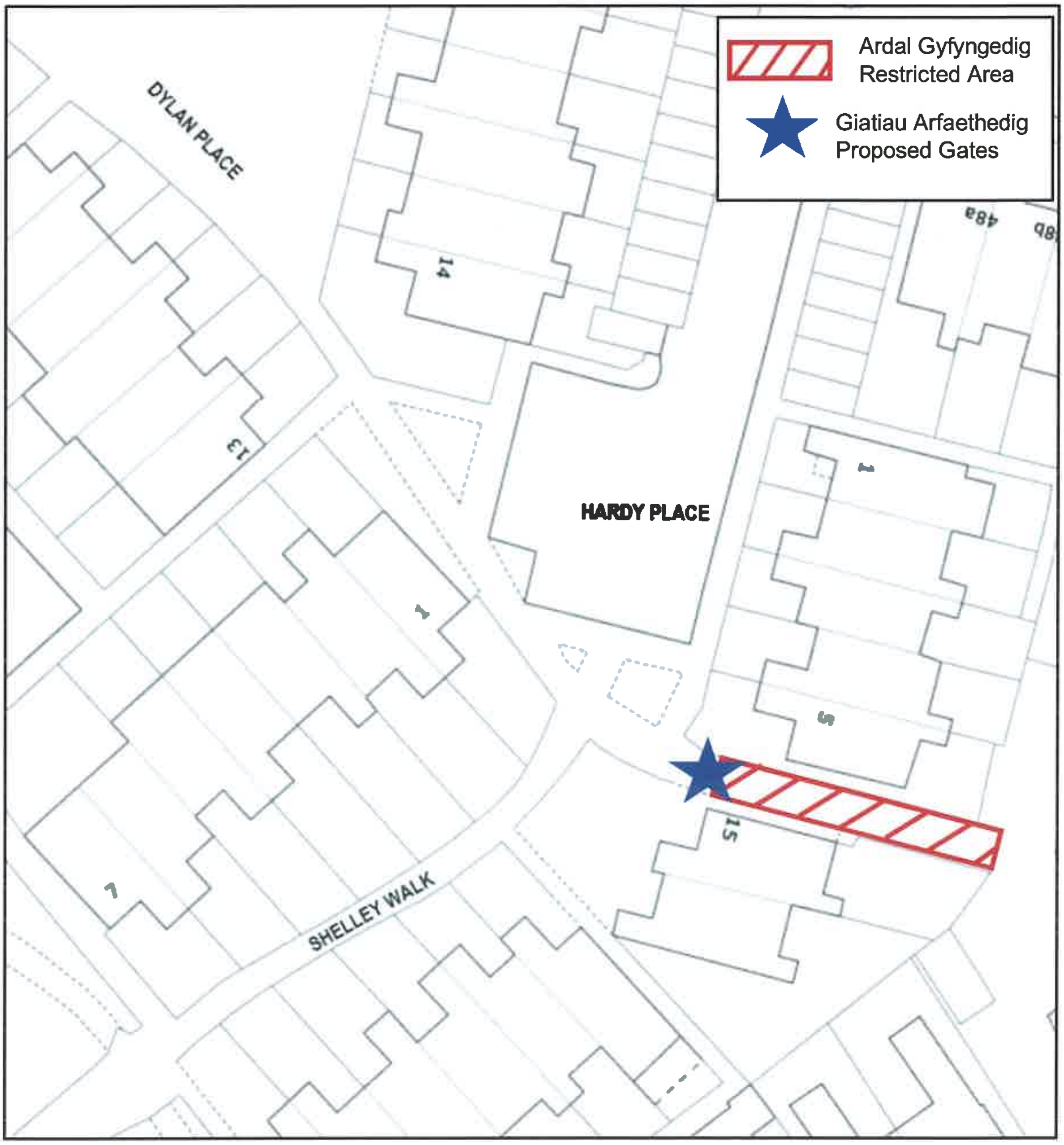
The restriction referred to in paragraph 3 of the Order shall not apply to the occupiers of premises adjoining or adjacent to the relevant Restricted Area, an officer of the Council, the Police, and Fire or Ambulance Services who have cause to use the Restricted Area in the performance of their statutory powers and duties and any statutory undertaker requiring access to their apparatus.

Dated this 23rd day of February, 2022 5410

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

Authorised signatory

Lane Ref. PLA64 *Legal Ref. 98192*

Lôn Gefn Rhwng 15 Shelley Walk & 5 Hardy Place, Plasnewydd

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