

Gorchymyn Cyngor Sir Dinas A Sir Caerdydd
Gorchymyn Diogelu Mannau Cyhoeddus
(Shirley Road a Monthermer Road) 2021

Mae Cyngor Sir Dinas a Sir Caerdydd ("y Cyngor") wrth arfer ei bwerau dan Adrannau 59, 64 a 72 Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 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:

Daw'r Gorchymyn i rym ar 12 Awst, 2021 a bydd ar waith am gyfnod o 3 blynedd wedi hynny, oni chaiff ei ddirymu, ei ddiwygio neu ei ymestyn drwy orchmynion pellach gan y Cyngor.

Mae'r Gorchymyn hwn yn ymwneud â'r rhannau hynny o'r llwybrau Cyhoeddus a ddangosir gan linellau coch solet ar y Cynllun atodedig ("Yr Ardal Gyfyngedig").

Effaith y Gorchymyn hwn yw cyfyngu hawl tramwy cyhoeddus dros yr Ardal Gyfyngedig. Mae'r Gorchymyn hwn yn awdurdodi gosod gatiâu metel (wedi'i nodi gan seren goch ar y cynllun atodedig) yn y lleoliad a bennir yn Atodlen 1, a fydd yn cymhwyso'r cyfyngiad.

Disgrifir llwybrau amgen i gerddwyr y mae'r cyfyngiadau yn effeithio arnynt yn Atodlen 2.

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

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

b. Gwneir y Gorchymyn hwn gan y Cyngor am fod y Cyngor yn fodlon ar sail resymol fod gweithgareddau a gyflawnir neu sy'n debygol o gael eu cyflawni yn y manau cyhoeddus sy'n ffurfio'r Ardaloedd Cyfyngedig:-

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

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.

Bydd y personau hynny a ddisgrifir yn Atodlen 1 wedi eu heithrio rhag darpariaethau'r Gorchymyn hwn.

Mae adran 67 y Ddeddf yn ei gwneud yn drosedd i berson sydd heb esgus rhesymol:

wneud unrhyw beth y gwaherddir y person rhag ei wneud gan y Gorchymyn hwn; methu â chydymffurfio â gofyniad y mae'r person yn destun iddo o dan y Gorchymyn hwn

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

Atodlen 1

Ardal Gyfyngedig: y lôn y tu ôl i 1-47 Shirley Road ac y tu ôl i 49-79 Shirley Road

Lleoliad y rhwystrau: 4 cyfyngiad rhif i'w gosod wrth y mynedfeydd i'r ardal gyfyngedig:

y tu ôl i 1 Shirley Road
y tu ôl i 47 Shirley Road
y tu ôl i 49 Shirley Road
rhwng ochr 79 ac ochr 81 Shirley Road

Atodlen 2

Llwybr amgen: Y briffordd i ochr 1 Shirley Road, trwy flaen 1-47 Shirley Road, i ochr 47-49 Shirley Road, trwy flaen 49-79 Shirley Road a rhwng 79 ac 81 Shirley Road fel y nodir gan y llinell las wedi torri ar y Cynllun sydd ynghlwm wrth y Gorchymyn hwn

Atodlen 3

Ni fydd y cyfyngiad y cyfeirir ato yn berthnasol i ddeiliaid adeiladau sy'n gyfagos neu'n gyfagos i'r Ardal Gyfyngedig berthnasol, swyddog i'r Cyngor, yr Heddlu, a'r Gwasanaethau Tân neu Ambiwylans sydd ag achos i ddefnyddio'r adeilad. Ardal Gyfyngedig i gyflawni eu pwerau statudol. A dyletswyddau ac unrhyw ymgymrwyr statudol sy'n gofyn am fynediad i'w offer.

Dyddiad: 11 Awst, 2021

[Cyfeirnod sêl 53092]
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
(Shirley Road and Monthermer Road) 2021

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:

The Order shall come into operation on 12 August, 2021 and shall have effect for a period of 3 years thereafter, unless revoked, amended or extended by further orders under the Council.

This Order relates to that part of the public path shown hatched red on the attached Plan ("the Restricted Area").

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 red asterisk on the attached Plan) which will give effect to the restriction.

The alternative route for pedestrians is described in Schedule 2

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.

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:-

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

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.

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

Section 67 of the Act makes it is an offence for a person without reasonable excuse to:
do anything that the person is prohibited from doing by this order
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 lane to the rear of 1-47 Shirley Road and to the rear of 49-79 Shirley Road

Location of Barriers: 4 number restrictions to be placed at the entrances to the restricted area:

To the rear of 1 Shirley Road
To the rear of 47 Shirley Road
To the rear of 49 Shirley Road
Between the side of 79 and the side 81 Shirley Road

Schedule 2

The alternative route:

The highway to the side of 1 Shirley Road, via the front 1-47 Shirley Road, to the side of 47- 49 Shirley Road, via the front of 49-79 Shirley Road and between 79 and 81 Shirley Road as indicated by the broken blue line on the Plan annexed to this Order.

Schedule 3

The restriction referred to in paragraph 2 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 11th day of August, 2021

[Seal reference : 53092]

The Common Seal Of The
Country 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 (SHIRLEY ROAD AND
MONTHERMER ROAD) 2021**

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: .

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2. This Order relates to that part of the public path shown hatched red on the attached Plan ("the Restricted Area").
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 red asterisk 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 orderA person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3.

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Dated this 11th day of August, 2021

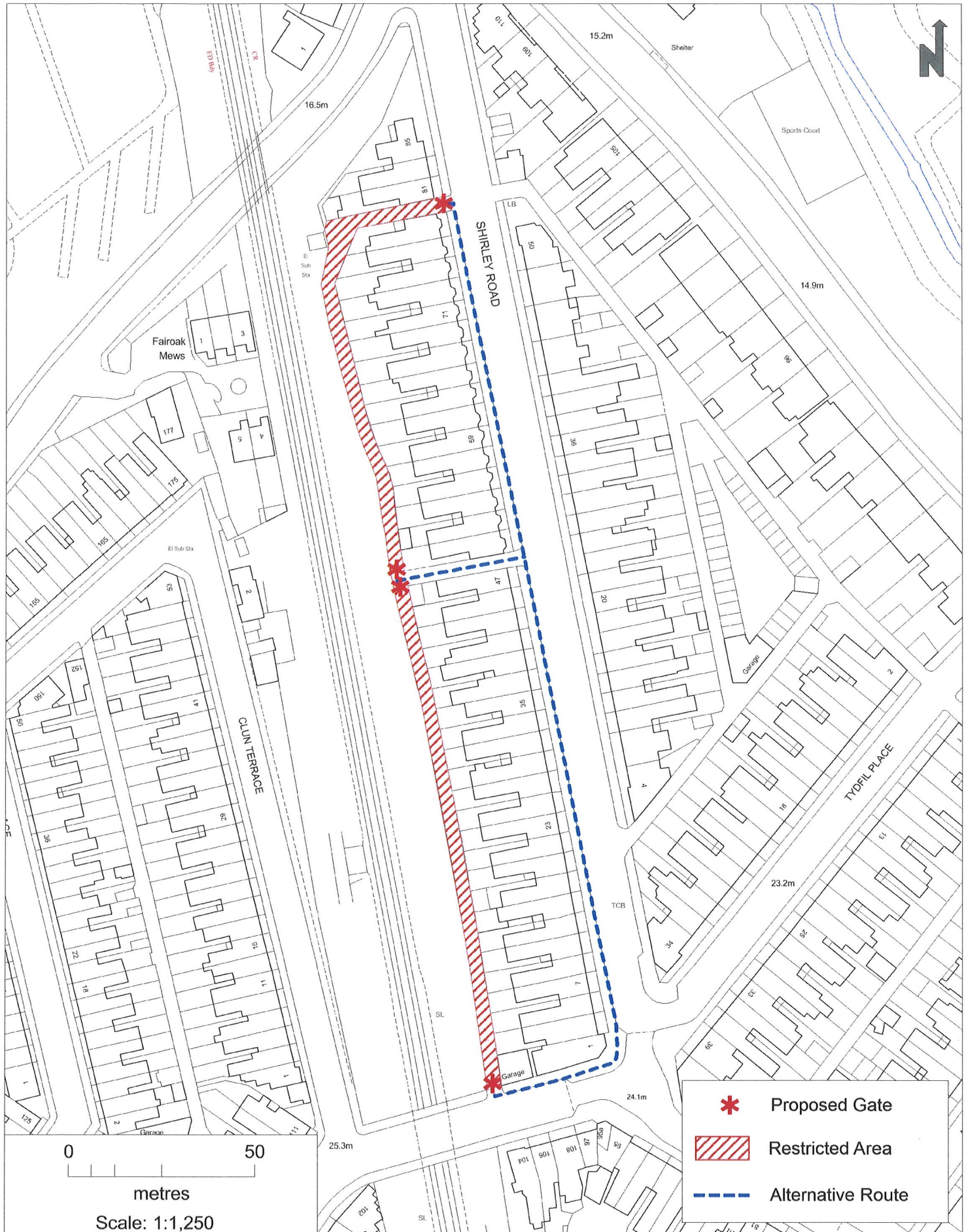
THE COMMON SEAL OF THE
COUNTRY COUNCIL OF THE
CITY AND COUNTY OF
CARDIFF was hereunto affixed in
the presence of:-



Shirley Gams

Authorised signatory

Shirley Road - Monthermer Road Alleygating



**THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
PUBLIC SPACES PROTECTION ORDER (SHIRLEY ROAD AND
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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
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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.
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Dated this 11th day of August, 2021

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Shirley Road - Monthermer Road Alleygating

