Hysbysiad Cyhoeddus
Cyngor Sir Dinas A Sir Caerdydd
Adran 59 Deddf Ymddygiad Gwrthgymdeithasol, Troseddu A Phlismona 2014

Gorchymyn Diogelu Mannau Cyhoeddus Cyngor Sir Dinas A Sir Caerdydd (Cefn 26-36 Mill Road, Trelai) 2021

Hysbysiad Gorchymyn Diogelu Mannau Cyhoeddus

HYSBYSIR TRWY HYN fod Cyngor Sir Dinas a Sir Caerdydd yn cynnig gwneud Gorchymyn Diogelu Mannau Cyhoeddus dan Adrannau 59, 64 a 72 Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlismona 2014 a fydd yn effeithio ar Fan Cyhoeddus, sef

Y llwybr cyhoeddus y tu cefn i 26-36 Mill Road, Trelai ("yr Ardal Gyfyngedig")

Diben y Gorchymyn fydd cyfyngu ar yr holl fynediad cyhoeddus trwy'r Ardal Gyfyngedig fel y dengys gan linell goch doredig ar y cynllun atodol. Cynigir codi rhwystrau ym mhen yr Ardal Gyfyngedig.

Gwneir y cynnig oherwydd bod y Cyngor yn fodlon bod trosedd ac ymddygiad gwrthgymdeithasol wedi digwydd neu'n debygol o ddigwydd yn yr Ardal Gyfyngedig a bod hyn wedi cael neu'n debygol o gael effaith negyddol ar safon byw'r rhai sy'n byw yn yr ardal ac yn debygol o fod o natur barhaol neu barhaus.

Cred y Cyngor y bydd gweithredu'r cyfyngiad ar fynediad cyhoeddus i'r Ardal Gyfyngedig a nodwyd uchod gan y Gorchymyn yn helpu i leihau'r gweithgareddau uchod rhag parhau, digwydd neu ailddigwydd neu ostwng y risg y byddant yn parhau, digwydd neu ailddigwydd ac mae'n cyfiawnhau'r cyfyngiadau a gynigir gan yr Hysbysiad hwn.

Os gwneir y gorchymyn a gynigir, y ffordd arall i gerddwyr, os oes un, fydd honno a ddisgrifir yn Atodiad 2 y Gorchymyn drafft.

Gellir gweld drafft o'r Gorchymyn a gynigir ar wefan y Cyngor yn www.caerdydd.gov.uk/giatiaulongefn. Mae copi o'r gorchymyn drafft a chynllun ar gael drwy wneud cais dros e-bost (Kerry.Pain@cardiff.gov.uk) neu drwy ysgrifennu i'r cyfeiriad isod.

Gellir gwneud sylwadau neu wrthwynebiadau ysgrifenedig i'r Gorchymyn arfaethedig drwy'r post i'r Gwasanaethau Cyfreithiol, Ystafell 410, Cyngor Sir Dinas a Sir Caerdydd, Neuadd y Sir, Glanfa'r Iwerydd, Caerdydd CF10 4UW neu drwy e-bost i Kerry.Pain@caerdydd.gov.uk (gan ddyfynnu cyfeirnod KJP/97906) ddim hwyrach na 23 Rhagfyr, 2021.

Dyddiad: 25 Tachwedd, 2021

DAVINA FIORE, Cyfarwyddwr Llywodraethiant a Gwasanaethau Cyfreithiol, Neuadd y Sir, Glanfa'r Iwerydd, Caerdydd CF10 4UW

Public Notice
The County Council Of The City And County Of Cardiff
Anti-Social Behaviour, Crime And Policing Act 2014 Section 59

The County Council of the City and County of Cardiff Public Spaces Protection Order (The Rear of 26- 36 Mill Road, Ely) 2021

Public Spaces Protection Order Notice

NOTICE IS HEREBY GIVEN that the County Council of the City and County of Cardiff propose to make a Public Spaces Protection Order under Sections 59, 64 and 72 of the Anti-Social Behaviour, Crime and Policy Act 2014 that will affect a Public Place namely

The public path to the rear of 26- 36 Mill Road, Ely ("the Restricted Area")

The purpose of the Order will be to restrict all public access through the Restricted Area as shown cross hatched red on the attached plan. It is proposed that barriers will be erected at the end of the Restricted Area.

The proposal has been made because the Council is satisfied that crime and anti-social behaviour have been or are likely to be carried out in the Restricted Area and have had a detrimental effect on the quality of life of those in the locality and are likely to be of a persistent or continuing nature.

The Council believes that the application of the restriction of public access to the aforementioned Restricted Area imposed by the Order will assist in reducing the activities above from continuing, occurring or recurring/or to reduce the risk of its continuance, occurrence or recurrence and justifies the restrictions proposed by this Notice.

If the proposed order is made, the alternative route available to pedestrians, if any, will be as described in Schedule 2 in the draft Order.

A draft of the proposed Order can be seen on the Council's website at www.cardiff.gov.uk/Alleygating. A copy of the draft order and a plan are available on request by email (Kerry.Pain@cardiff.gov.uk) or by writing to the address below.

Written representations or objections to the proposed Order can be made by post to Legal Services, Room 410, County Council of the City and County of Cardiff, County Hall, Atlantic Wharf, Cardiff CF10 4UW or by email to Kerry.Pain@cardiff.gov.uk (quoting reference KJP/97906) not later than 23 December, 2021.

Dated this 25th day of November, 2021

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 Drafft Arfaethedig (Y Tu Ôl I 26-36 Mill Road, Trelái) 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 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 **** 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 sydd wedi'i llinellu'n goch ar y Cynllun atodedig ("yr Ardal Gyfyngedig").

3. Effaith y Gorchymyn hwn yw cyfyngu ar yr hawl dramwy gyhoeddus dros yr Ardal Gyfyngedig. Mae'r Gorchymyn hwn yn awdurdodi gosod gatiau metel (a nodir â seren goch ar y cynllun atodedig) a fydd yn rhoi'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 personau 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 lôn y tu ôl i 26-36 Mill Road, Trelái

Lleoliad y Rhwystrau: 1 cyfyngiad i’w osod wrth fynedfeydd yr ardal gyfyngedig:

Rhwng cefn 26 Mill Road ac ochr 30 Mill Road, Treláí

Atodlen 2

Llwybr amgen:

Nid oes llwybr amgen.

Atodlen 3

Ni fydd y cyfyngiad y cyfeirir ato ym mharagraff 2 y Gorchymyn yn gymwys i feddianwyr eiddo sy'n ffinio â'r ardal gyfyngedig berthnasol neu sy'n gyfagos iddi, swyddogion y Cyngor, yr Heddlu, na'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 at ei gyfarpar.

Dyddiad:

Gosodwyd Sêl Gyffredin
Cyngor Sir
Dinas A Sir
Caerdydd yma
ym mhresenoldeb:-

Llofnodwr awdurdodedig

The County Council of the City And County of Cardiff
Public Spaces Protection Order (The Rear of 26- 36 Mill Road, Ely) 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: .

1. The Order shall come into operation on ******* 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").

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:-

   iii) have had or are likely to have a detrimental effect on the quality of life of those in the locality
   iv) 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 lane to the rear of 26- 36 Mill Road, Ely

Location of Barriers: 1 number restrictions to be placed at the entrances to the restricted area:

Between the rear of 26 Mill Road and the side of 30 Mill Road, Ely

Schedule 2

The alternative route:

There is no alternative route.

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

The Common Seal of the
Country Council of the
City and County of
Cardiff was hereunto affixed in
the presence of:-

Authorised signatory

Gatio lôn gefn y tu ôl i 26-36 Mill Road, Trelái | Alleygating to the rear of 26-36 Mill Road, Ely

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