

Cyngor Sir Dinas a Sir Caerdydd

Adran 59 Deddf Ymddygiad Gwrthgymdeithasol, Troseddu A Phlisma 2014 Gorchymyn Diogelu Mannau Cyhoeddus (Albert Street/Wellington Street/Dugdale Walk) 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 phob pŵer galluogi arall ac, yn dilyn ymgynghori â Phrif Swyddog Heddlu De Cymru ac eraill, drwy hyn yn gwneud y Gorchymyn canlynol:

1. Daw'r Gorchymyn i rym ar 1 Mawrth, 2021 a bydd ar waith am gyfnod o 3 blynedd ar ôl hynny, oni chaiff ei ddiwyddu, ei ddiwygio neu'i estyn gan orchmynion ychwanegol gan y Cyngor
2. Mae'r Gorchymyn hwn yn ymwneud â'r rhan o'r llwybr cyhoeddus a nodir mewn coch ar y Cynllun atodedig ac a ddisgrifir yn Atodlen 1 ("yr Ardal Gyfyngedig").
3. Effaith y Gorchymyn hwn yw cyfyngu ar hawl dramwy gyhoeddus dros yr Ardal Gyfyngedig. Awdurdoda'r Gorchymyn hwn osod gataiau metel (a nodir gan seren goch ar y Cynllun atodedig) yn y lleoliadau a nodir yn Atodlen 1 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 o'r Ddeddf wedi'u bodloni ac, o ystyried yr holl amgylchiadau, mai'r dewis gorau yw gwneud y Gorchymyn hwn at ddibenion lleihau troseddu 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: Troseddu ac Ymddygiad Gwrthgymdeithasol
 - b. Gwneir y Gorchymyn hwn gan y Cyngor gan fod y Cyngor yn fodlon ar sail resymol fod gweithgareddau sy'n digwydd neu sy'n debygol o ddigwydd yn y man cyhoeddus sy'n ffurfio'r Ardal Gyfyngedig:
 - i) wedi cael neu'n debygol o gael effaith andwyol ar ansawdd bywyd y rhai yn yr ardal
 - ii) yn neu'n debygol o fod yn barhaus o ran natur ac yn afresymol a'u bod yn cyfiawnhau'r cyfyngiadau a osodir
7. Os hoffai unrhyw berson â diddordeb gwestiynu dilysrwydd y Gorchymyn hwn ar y sail nad oedd gan y Cyngor y pŵer i'w wneud, neu ar y sail na foddlonwyd unrhyw un o ofynion y Ddeddf mewn perthynas â'r Gorchymyn hwn, caiff wneud cais i'r Uchel Lys o fewn chwe wythnos ar ôl y dyddiad y cafodd y Gorchymyn hwn ei wneud.
8. Bydd y rheini a ddisgrifir yn Atodlen 3 wedi'u heithrio o ddarpariaethau'r Gorchymyn hwn.
9. Dan Adran 67 y Ddeddf mae'n drosedd i unrhyw un wneud y canlynol 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 rhywun yn destun iddo o dan y gorchymyn hwn

Mae rhywun sy'n euog o dramgwydd o dan yr adran hon yn agored, os caiff euogfarn ddiannod, i dalu dirwy nad yw'n uwch na lefel 3.

Atodlen 1

Ardal Gyfyngedig: Y Llwybr Cyhoeddus y tu cefn i 48-64 Albert Street a'r tu cefn i 15-17 Dugdale Walk, Caerdydd ("yr Ardal Gyfyngedig")
Lleoliad y Rhwystrau: Un cyfyngiad i'w osod wrth fynedfa'r ardal gyfyngedig:
Rhwng y tu cefn i 48 Albert Street a'r tu cefn i 52 Albert Street, Caerdydd.

Atodlen 2

Y llwybr amgen:
Nid oes llwybr amgen

Atodlen 3

Ni fydd y cyfyngiad y cyfeirir ato ym mharagraff 2 y Gorchymyn yn berthnasol i ddeiliaid y safle sy'n ffinio â neu sydd ger yr Ardal Gyfyngedig berthnasol, swyddog o'r Cyngor, yr heddlu, na'r gwasanaethau tân neu ambiwlans sydd â rheswm i ddefnyddio'r Ardal Gyfyngedig wrth arfer eu pwerau a'u dyletswyddau statudol ac unrhyw ymgymwrwr statudol y mae angen iddo gael mynediad i'w gyfarpar.

Dyddiedig 10 Chwefror, 2021

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

[Gorchymyn Selio Rhif. 52371]

[Sheila Davies]

Llofnod Awdurdodedig

The County Council of the City and County of Cardiff

Anti-social Behaviour, Crime and Policing Act 2014 Section 59 Public Spaces Protection Order (Albert Street/Wellington Street/Dugdale Walk) 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 1st March, 2021 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 hatched red on the attached Plan and described in Schedule 1 (“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) in the locations detailed in Schedule 1 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 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: Public Path to the rear of 48-64 Albert Street and to the rear of 15-17 Dugdale Walk, Cardiff (“the Restricted Area”)

Location of Barriers:

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

Between the rear of 48 Albert Street and to the side of 52 Albert Street, Cardiff.

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 10 February, 2021

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

[Sealing Order No. 52371]

[Sheila Davies]

Authorised signatory

THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTION 59
PUBLIC SPACES PROTECTION ORDER (ALBERT STREET/WELLINGTON
STREET/DUGDALE WALK) 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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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) in the locations detailed in Schedule 1 which will give effect to the restriction.
4. The alternative route for pedestrians is described in Schedule 2
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 - 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.
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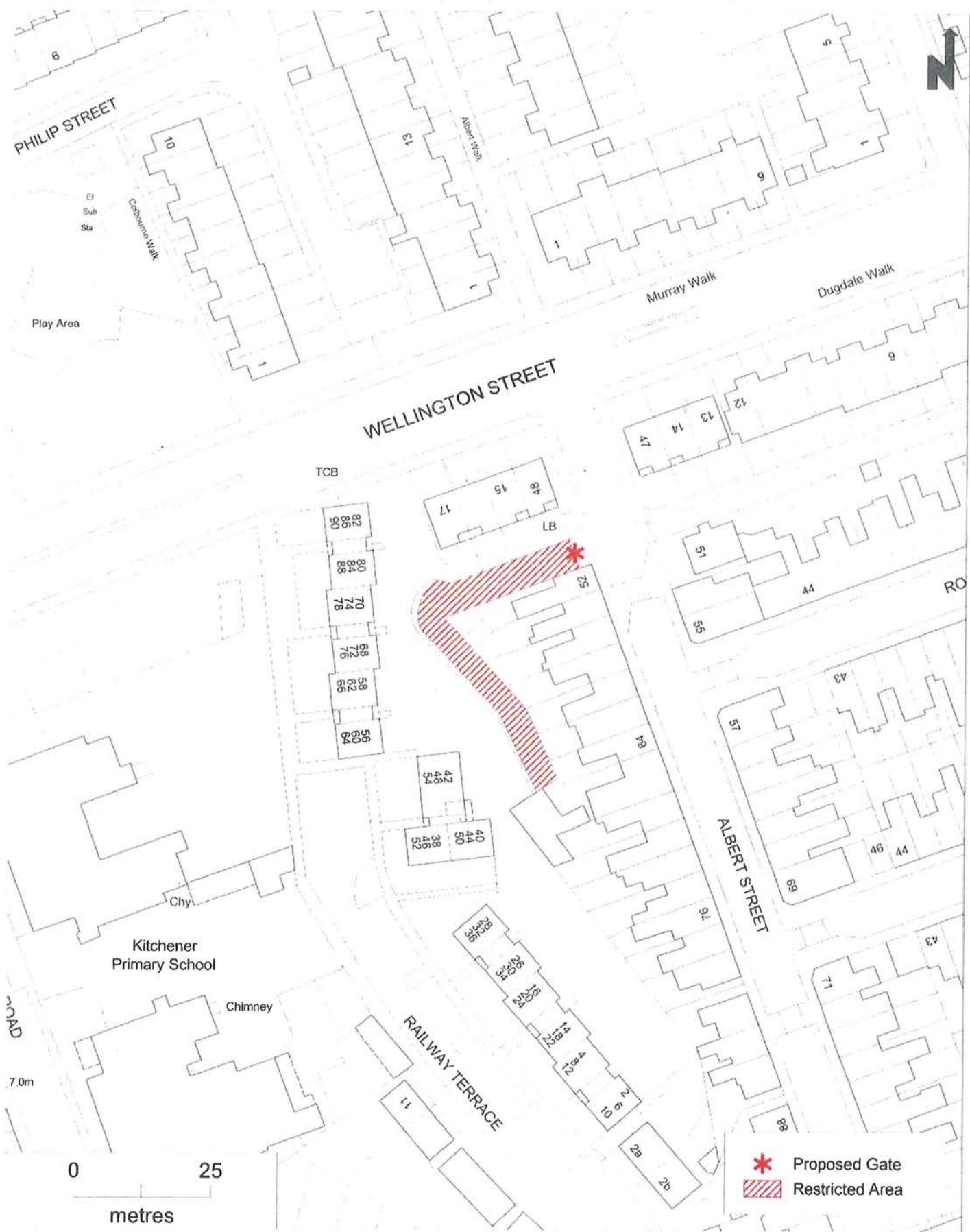
THE COMMON SEAL OF THE
COUNTRY COUNCIL OF THE
CITY AND COUNTY OF
CARDIFF was hereunto affixed in
the presence of:-

Shane G...

Authorised signatory



Albert Street PSPO



* Proposed Gate
Restricted Area

John Gans