

Cyngor Sir Dinas A Sir Caerdydd  
Gorchymyn Diogelu Mannau Cyhoeddus (Berthwin Street, Pontcanna) 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:

1. Daw'r Gorchymyn i rym ar 17 Mawrth, 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.
2. Mae'r Gorchymyn hwn yn ymwneud â'r rhan(nau) honno/hynny a ddangosir â chroeslinellau coch ar y Cynllun atodedig ac a ddisgrifir yn Atodlen 1 isod ("yr Ardal Gyfyngedig").
3. Effaith y Gorchymyn hwn yw cyfyngu ar hawliau tramwy cyhoeddus dros yr Ardal Gyfyngedig. Mae'r Gorchymyn hwn yn awdurdodi gosod gatiau metel (a nodwyd gan 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 o'r Ddeddf wedi'u bodloni a'i bod yn iawn o dan yr holl amgylchiadau i wneud 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 cael neu yn debygol o gael eu cyflawni yn y man 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 man cyhoeddus sy'n ffurfio'r Ardal Gyfyngedig:-
    - 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
7. Os oes unrhyw berson 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.
8. Bydd y personau hynny a ddisgrifir yn Atodlen 3 wedi 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, o'i gollfarnu'n ddiannod, i ddirwy heb fod yn uwch na lefel 3.

#### Atodlen 1

Yr Ardal Gyfyngedig: Y lôn y tu ôl i 2-18 Berthwin Street a 1-15 Kyveilog Street

Lleoliad y Rhwystr: 2 chyfyngiad i'w gosod wrth fynedfa'r ardal gyfyngedig:

Rhwng cefn:

- i) 1 Kyveilog Street a 2 Berthwin Street
- ii) 15 Kyveilog Street a 18 Berthwin Street

#### Atodlen 2

Llwybr amgen:

Y priffyrdd i ochr 2 Berthwin Street, i flaen 2-18 Berthwin Street, i ochr 18 Berthwin Street ac ochr 15 Kyveilog Street, i flaen 15-1 Kyveilog Street ac i ochr 1 Kyveilog Street fel y nodir gan y llinell las yn y Cynllun sydd wedi'i atodi i'r Gorchymyn hwn.

#### Atodlen 3

Ni fydd y cyfyngiad y cyfeirir ato ym mharagraff 3 y Gorchymyn yn gymwys i feddianwyr mangreoedd 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 cyfarpar.

Dyddiedig 10 Mawrth, 2021

GOSODWYD SÊL GYFFREDIN [Rhif Archeb Selio 52505]  
CYNGOR SIR  
DINAS A SIR  
CAERDYDD yma  
ym mhresenoldeb:-

[Sheila Davies]

Llofnodwr awdurdodedig

The County Council of the City and County of Cardiff  
Public Spaces Protection Order (Berthwin Street, Pontcanna) 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 17 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/s shown hatched red on the attached Plan and described in Schedule 1 below (“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 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 orderA 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 2-18 Berthwin Street and 1-15 Kyveilog Street

Location of Barrier: 2 number restrictions to be placed at the entrance to the restricted area:

Between the rear of:

- i) 1 Kyveilog Street and 2 Berthwin Street
- ii) 15 Kyveilog Street and 18 Berthwin Street

### Schedule 2

The alternative route:

The highways to the side of 2 Berthwin Street, to the front of 2-18 Berthwin Street, to the side of 18 Berthwin Street and the side of 15 Kyveilog Street, to the front of 15-1 Kyveilog Street and to the side of 1 Kyveilog Street as indicated by the blue line as set out in the Plan annexed to this Order.

### 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 10<sup>th</sup> day of March, 2021

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

[Sealing Order No. 52505]

[Sheila Davies]

Authorised signatory

**The County Council of the City and County of Cardiff**  
**Public Spaces Protection Order (Berthwin Street, Pontcanna) 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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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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Dated this 10<sup>th</sup> day of March, 2021

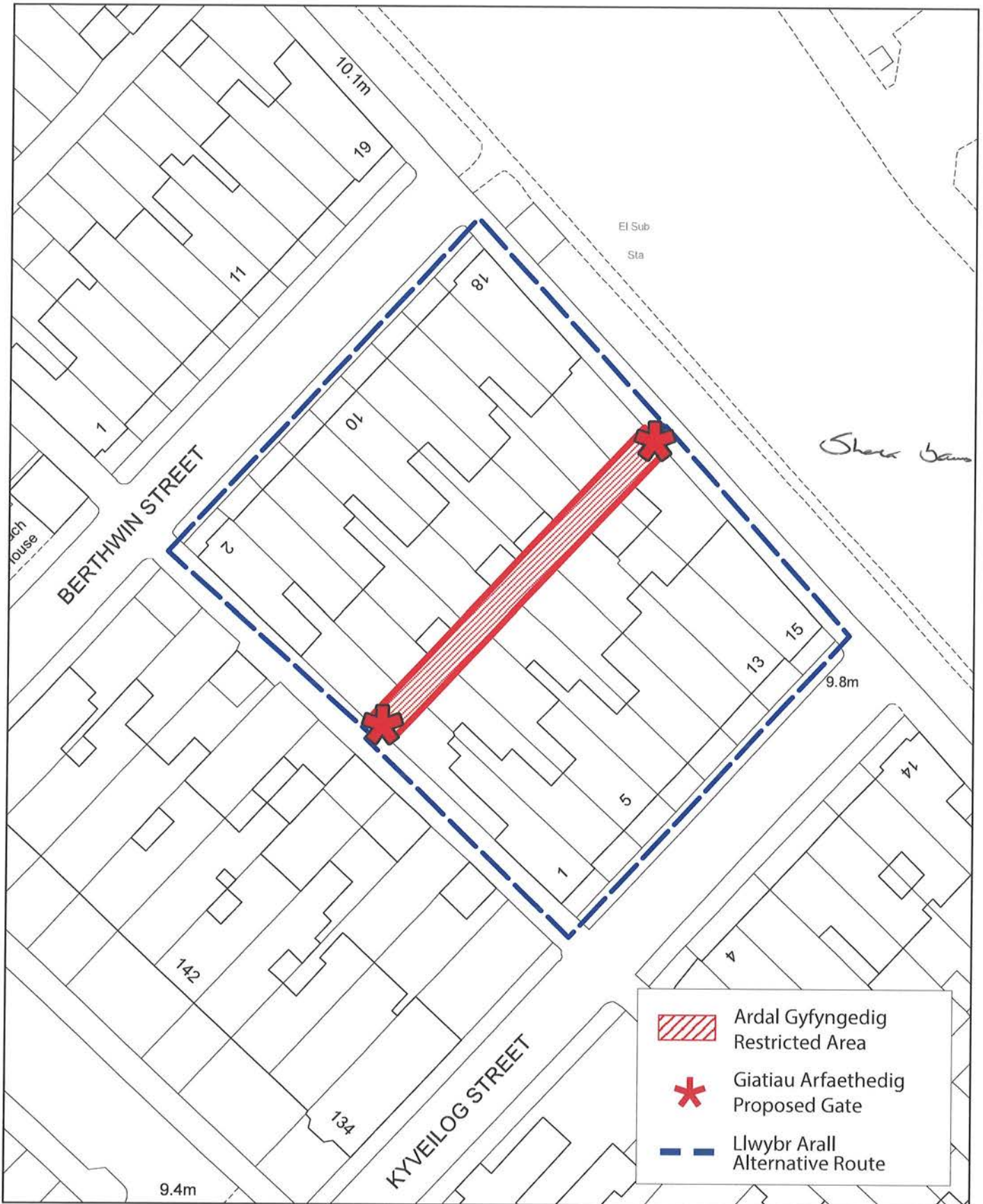
THE COMMON SEAL OF THE  
COUNTY COUNCIL OF THE  
CITY AND COUNTY OF  
CARDIFF was hereunto affixed in  
the presence of:-

*Shara Gans*

Authorised signatory



# Gosod Gatiau Lonydd Cefn yn Berthwin Street a Kyveilog Street Alleygating to the rear of Berthwin Street and Kyveilog Street



**The County Council of the City and County of Cardiff**  
**Public Spaces Protection Order (Berthwin Street, Pontcanna) 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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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:-
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Dated this 10<sup>th</sup> day of March, 2021

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



*Shree Bans*

Authorised signatory

# Gosod Gatiau Lonydd Cefn yn Berthwin Street a Kyveilog Street Alleygating to the rear of Berthwin Street and Kyveilog Street

