

THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
PUBLIC SPACES PROTECTION ORDER (EYRE STREET/ COVENY STREET) 2019

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 December, 2019 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 lanes 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 green 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 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 lanes to the rear of:

- i) 29-49 Courtenay Road
- ii) 53-77 Eyre Street and 52-76 Coveny Street
- iii) 100-118 Habershon Street

Location of Barrier: 4 number restriction to be placed at the entrance to the restricted area:

- i) Between the rear of 29 Courtenay Road and the side 77 Eyre Street
- ii) Between the rear of 49a Courtenay Road and the side of 76 Coveny Street
- iii) Between the rear of 118 Habershon Street and the side of 52 Coveny Street
- iv) Between the rear of 100 Habershon Street and the side of 53 Eyre Street

Schedule 2

The alternative route:

Via the highways to the side of 100 Habershon Street, in front of 100-118 Habershon Street, to the side of 118 Habershon Street, in front of 52-76 Coveny Street, to the side of 49 Courtenay Road, to the front of 29-49 Courtenay Road, to the side of 29 Courtenay Road and in front 53-77 Eyre Street 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 25 NOVEMBER, 2019

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




Authorised signatory

Lon a gefn o Eyre Street (53-77) / Coveny Street (52-76) / Habershon Street (100-118) / Courtenay road (29-49)
 Lane to the rear of Eyre Street (53-77) / Coveny Street (52-76) / Habershon Street (100-118) / Courtenay road (29-49)



Handwritten signature

GORCHYMYN CYNGOR SIR DINAS A SIR CAERDYDD
GORCHYMYN DIOGELU MANNAU CYHOEDDUS (EYRE STREET/COVENY
STREET) 2019

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 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 Rhagfyr, 2019 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 lonydd 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'r cyhoedd dros yr Ardal Gyfyngedig. Mae'r Gorchymyn hwn yn awdurdodi gwaith i osod gathiau (a gynrychiolir â seren werdd ar y Cynllun atodedig) i roi'r cyfyngiad ar waith.
4. Disgrifir y llwybr amgen ar gyfer cerddwyr 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 digwydd, neu eu bod yn debygol o ddigwydd, 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 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.
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 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

Yr Ardal Gyfyngedig: Y lonydd y tu cefn i:

- i) 29-49 Courtenay Road
- ii) 53-77 Eyre Street a 52-76 Coveny Street
- iii) 100-118 Habershon Street

Lleoliad yr Atalfa: 4 cyfyngiad i'w gosod wrth fynedfa'r ardal gyfyngedig:

- i) Rhwng y tu ôl i 29 Courtenay Road ac ochr 77 Eyre Street
- ii) Rhwng y tu ôl i 49a Courtenay Road ac ochr 76 Coveny Street
- iii) Rhwng y tu ôl i 118 Habershon Street ac ochr 52 Coveny Street
- iv) Rhwng y tu ôl i 100 Habershon Street ac ochr 53 Eyre Street

Atodlen 2

Y ffordd amgen:

Ar hyd y priffyrdd i ochr 100 Habershon Street, y tu blaen i 100-118 Habershon Street, i ochr 118 Habershon Street, y tu blaen i 52-76 Coveny Street, i ochr 49 Courtenay Road, y tu blaen i 29-49 Courtenay Road, i ochr 29 Courtenay Road a'r tu blaen i 53-77 Eyre Street fel y nodir 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 ymgymmerwr statudol sydd angen mynediad i'w gyfarpar.

Dyddiad 25 Tachwedd, 2019

GOSODWYD SÊL GYFFREDIN
CYNGOR SIR
DINAS A SIR
CAERDYDD yma
ym mhresenoldeb:-

Llofnod Awdurdodedig

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