

Hysbysiad Cyhoeddus

Cyngor Sir Dinas A Sir Caerdydd
Adran 59 Deddf Ymddygiad Gwrthgymdeithasol, Troseddu A Phlisma 2014

Gorchymyn Diogelu Mannau Cyhoeddus Cyngor Sir Dinas A Sir Caerdydd (Heol Y Maendy, Cathays, Caerdydd) 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 Phlisma 2014 a fydd yn effeithio ar Fan Cyhoeddus, sef:

Y lôn yng nghefn 1-81 Heol y Maendy

(“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 copi drafft o'r Gorchymyn arfaethedig ar wefan y Cyngor yn www.caerdydd.gov.uk/gatiaualongefn Fodd bynnag, mae copïau o'r Gorchymyn arfaethedig a'r cynllun sy'n dangos lleoliad a natur y cyfyngiadau arfaethedig ar gael, ond cofiwch, oherwydd pandemig COVID 19, gallwch ond gael copïau drwy anfon cais e-bost at Matthew.Zidani@caerdydd.gov.uk neu drwy wneud cais ysgrifenedig i'r cyfeiriad isod.

Gellir anfon sylwadau neu wrthwynebiadau ysgrifenedig i'r Gorchymyn arfaethedig trwy'r post i Gwasanaethau Cyfreithiol, Ystafell 410, Cyngor Sir Dinas a Sir Caerdydd, Neuadd y Sir, Glanfa'r Iwerydd, Caerdydd CF10 4UW neu drwy e-bost at Matthew.Zidani@caerdydd.gov.uk (gan ddyfynnu cyfeirnod KJP/95987) erbyn 9 Rhagfyr 2021 fan bellaf.

Dyddiad: 11 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 (Maindy Road,
Cathays, Cardiff) 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 lane to the rear of 1-81 Maindy Road

("the Restricted Area")

The purpose of the Order will be to restrict all public access through the Restricted Area as shown 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. Copies of the proposed Order and the plan showing the location and extent of the proposed restrictions are available however, please note that due to the COVID 19 pandemic, you can only obtain copies by sending an email request to Matthew.Zidani@cardiff.gov.uk or by making a written request 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 Matthew.Zidani@cardiff.gov.uk (quoting reference KJP/95987) not later than 9th December 2021.

Dated: 11th 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 (Heol y Maendy, Cathays, Caerdydd) 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 **** 2021 a bydd ar waith am gyfnod o 3 blynedd wedi hynny, oni chaiff ei ddiddymu, ei ddiwygio neu ei estyn drwy orchmynion eraill gan y Cyngor.
2. Mae'r Gorchymyn hwn yn ymwneud â'r rhan honno 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 yr hawl dramwy gyhoeddus dros yr Ardal Gyfyngedig. Mae'r Gorchymyn hwn yn awdurdodi gosod gatiau (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 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 eu cyflawni, neu eu bod yn debygol o gael eu cyflawni, yn y man cyhoeddus: Troseddu 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 hwnMae 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 yng nghefn 1-81 Heol y Maendy

Lleoliad y Rhwystr: 2 gyfyngiad i'w gosod wrth fynedfa'r Ardal Gyfyngedig:

- i) Ar ochr 1 Heol y Maendy
- ii) Y tu ôl i 81 Heol y Maendy

Atodlen 2

Llwybr amgen:

Y priffyrdd o flaen 1-81 Heol y Maendy ac ar ochr 81 Heol y Maendy fel y nodir gan y llinell las ar 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 berthnasol i feddianwyr safleoedd sy'n ffinio â'r ardal gyfyngedig berthnasol neu sy'n gyfagos, 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.

Dyddiad: **** 2021

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

[Rhif y Gorchymyn Selio ****]

Llofnodwr awdurdodedig

The County Council of the City and County of Cardiff
Public Spaces Protection Order (Maindy Road, Cathays, Cardiff) 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 ***** 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 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:-
 - 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 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 1-81 Maindy Road

Location of Barrier: 2 number restrictions to be placed at the entrance to the Restricted Area:

- iii) To the side of 1 Maindy Road
- iv) To the rear of 81 Maindy Road

Schedule 2

The alternative route:

The highways to the front of 1-81 Maindy Road and to the side of 81 Maindy Road 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 *****, 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. ****]

Authorised signatory