

Cyngor Sir Dinas A Sir Caerdydd

Gorchymyn Diogelu Mannau Cyhoeddus (Y Lôn Y Tu Ôl I 347-375 Heol Casnewydd Ac Ochr 375 A 377 Heol Casnewydd, Caerdydd) 2021

Mae Cyngor Sir Dinas a Sir Caerdydd ("y Cyngor") wrth arfer ei bwerau dan Adrannau 59, 64 a 72 Deddf Ymddygiad Gwrthgymdeithasol, Troseddau 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 Chwefror, 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 honno a ddangosir â chroeslinellau coch ar y Cynllun atodedig ac a ddisgrifir yn Atodlen 1 isod ("yr Ardal Gyfyngedig").
3. Diben y Gorchymyn fydd cyfyngu ar yr hawl dramwy gyhoeddus drwy'r Ardal Gyfyngedig rhwng 7.30pm a 6.30am o ddydd Llun i ddydd Sul (yn cynnwys y rhain). Gall gartiau aros ar agor naill ai'n ysbeidiol neu'n barhaus rhwng 7.30pm a 6.30am o ddydd Llun i ddydd Sul (yn cynnwys y rhain) i hwyluso anghenion mynediad busnesau lleol yn ôl yr angen.
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 gweithgareddau gwrthgymdeithasol a throseddol 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: Tipio anghyfreithlon
 - 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 ofnyion 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 hwnMae 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 347 i 375 Heol Casnewydd ac i ochr 375 a 377 Heol Casnewydd, Caerdydd.

Lleoliad y Rhwystr: 1 cyfyngiad i'w osod wrth fynedfa'r ardal gyfyngedig:

Rhwng 375 a 377 Heol Casnewydd, Caerdydd, CF24 1RN

Atodlen 2

Llwybr amgen:

Dim fel y nodir yn y Cynllun a atodir 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 ymgymwrwr statudol sydd angen mynediad i'w cyfarpar. Ni fydd y cyfyngiad y cyfeirir ato ym mharagraff 3 y Gorchymyn yn berthnasol i'r cyhoedd sy'n defnyddio'r lôn at ddibenion busnes yn ystod yr amseroedd a nodir ym Mharagraff 3 y Gorchymyn.

Dyddiad 10 Chwefror, 2021

GOSODWYD SÊL GYFFREDIN [Gorchymyn Selio Rhif. 52369]
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 (Lane to the Rear of 347-375 Newport Road and to the Side of 375 and 377 Newport Road, 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 17 February, 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 coloured and edged 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 between the hours of 7.30pm to 6.30am Monday to Sunday (inclusive). Gates may remain open either intermittently or continuously between the hours of 7.30pm and 6.30am Monday to Sunday (inclusive) to facilitate local business access needs as necessary.
4. This Order authorises the installation of a lockable gate (identified by a red asterisk on the attached Plan) which will give effect to the restriction.
5. The alternative route for pedestrians is described in Schedule 2
6. 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 fly-tipping activity in the Restricted Area.
7.
 - a. The Council is satisfied that the following activities have been or are likely to be carried out in the public space: Fly-tipping
 - 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
8. 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.
9. Those persons described in Schedule 3 shall be exempt from the provisions of this Order.
10. 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 347 to 375 Newport Road and to the side of 375 and 377 Newport Road, Cardiff.

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

Between 375 and 377 Newport Road, Cardiff, CF24 1RN

Schedule 2

The alternative route:

None 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. The restriction referred to in paragraph 3 of the Order shall not apply to the public using the lane for business purposes during the times stated in Paragraph 3 of the Order.

Dated this 10th day of 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. 52369]

[Sheila Davies]

Authorised signatory

THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF

PUBLIC SPACES PROTECTION ORDER (LANE TO THE REAR OF 347-375 NEWPORT ROAD AND TO THE SIDE OF 375 AND 377 NEWPORT ROAD, CARDIFF) 2021

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4. This Order authorises the installation of a lockable gate (identified by a red asterisk on the attached Plan) which will give effect to the restriction.
5. The alternative route for pedestrians is described in Schedule 2
6. 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 fly-tipping activity in the Restricted Area.
7.
 - a. The Council is satisfied that the following activities have been or are likely to be carried out in the public space: Fly-tipping
 - 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
8. 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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 - i) do anything that the person is prohibited from doing by this order
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Dated this 10th day of February, 2021

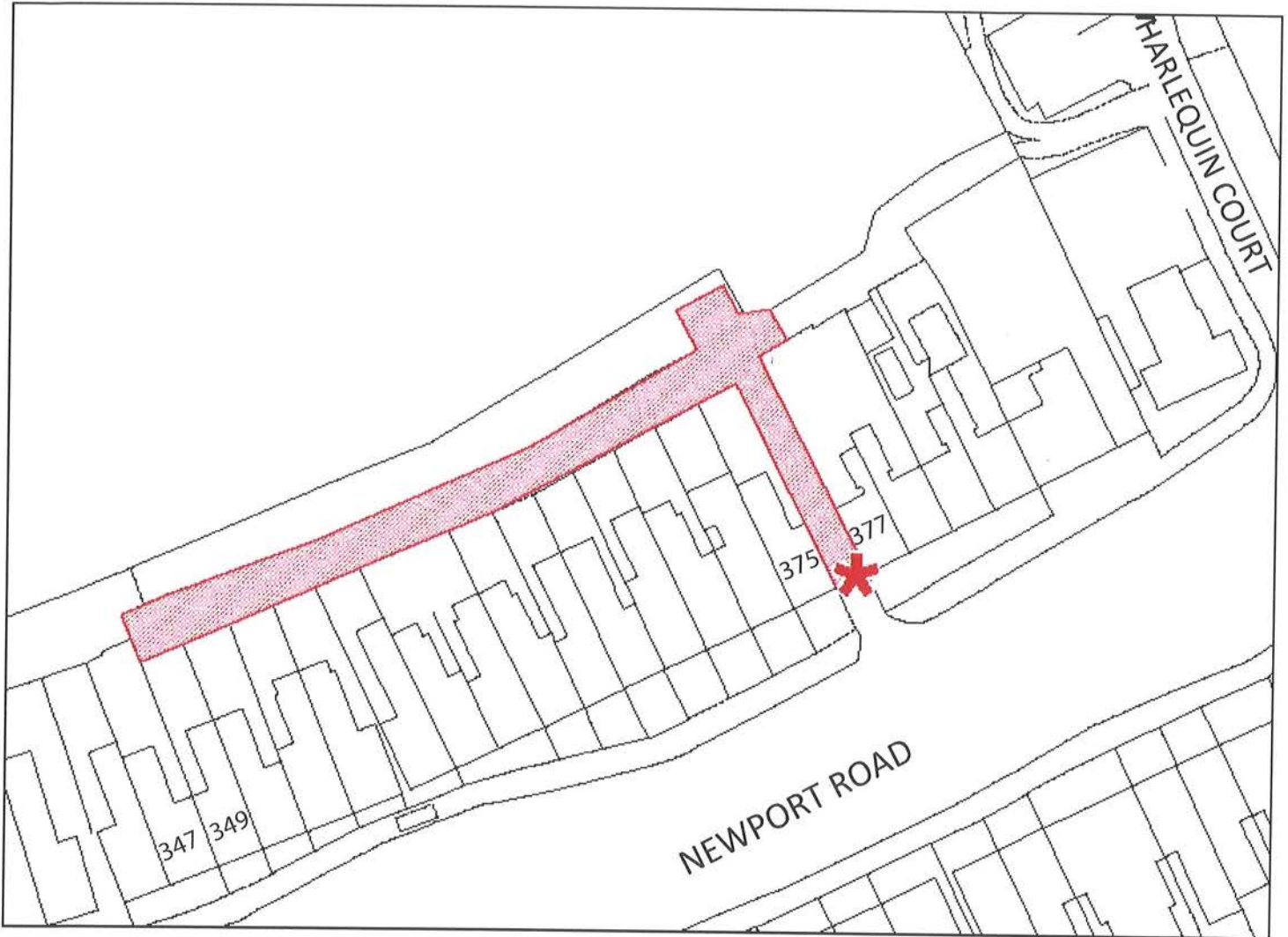
THE COMMON SEAL OF THE
COUNTRY COUNCIL OF THE
CITY AND COUNTY OF
CARDIFF was hereunto affixed in
the presence of:-

Shane Jones



Authorised signatory

Lôn i gefn o 347 - 375 Newport Road
Lane to the rear of 347 - 375 Newport Road



-  Ardal Gyfyngedig
Restricted Area
-  Giatiau Arfaethedig
Proposed Gate

Sharon Jones