

THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
PUBLIC SPACES PROTECTION ORDER (PENYLAN / GROUP 1) 2020

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 **14th October, 2020** 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 areas shown on the Plans attached to this order and described in Column 2 of Schedule 2 below (“the Restricted Areas”).
3. The effect of this Order is to restrict the public right of way over the Restricted Areas during the periods set out in Column 3 of Schedule 2 below (the “Specified Period”). This Order authorises the installation of metal gates (at the locations identified by asterisk symbols on the attached Plans), which will give effect to the restrictions.
4. Any alternative routes that are available for pedestrians are indicated as dashed lines on the attached Plans.
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 Areas.
6. In accordance with section 59 of the Act:
 - a. The Council is satisfied that the following activities have been or are likely to be carried out in the public spaces: 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 are likely to be carried out in the public spaces that form the Restricted Areas;-
 - i) have had or are likely to have a detrimental effect on the quality of life of those in the localities
 - 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 1 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:
 - i) to do anything that the person is prohibited from doing by this Order;
 - ii) to 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

The restrictions referred to in paragraph 3 of the Order shall not apply to the occupiers of premises adjoining or adjacent to the relevant Restricted Areas, an officer of the Council, the Police, and Fire or Ambulance Services who have cause to use the Restricted Areas in the performance of their statutory powers and duties and any statutory undertaker requiring access to their apparatus.

Schedule 2

Penylan Group 1

Column 1	Column 2	Column 3
Reference	Description of Restricted Area	Specified Period
PEN 02	Alleyways to the rears of 2-30 Pen-Y-Lan Terrace, 4-10 Llwyn-Y-Grant Road, 1-21 Llwyn-Y-Grant Terrace and 10-24 Llanedeyrn Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 40	Alleyways to the rears of 2-60 Pen-Y-Lan Road and 2-62 Marlborough Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 41	Alleyway to the rears of 64-138 Marlborough Road, Albany Road Baptist Church and 173-259 Albany Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 42	Alleyway to the rears of 263-279 Albany Road and 140-164 Marlborough Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 43	Alleyway to the rears of 2-26 Sturminster Road, Minster Evangelical Church (Sturminster Road) and 1a-19 Newminster Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 44	Alleyways to the rear of 2-16 Newminster Road and to the side of Minster Surgery, Minster Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 46	Alleyway to the rear of 2-34 Axminster Road and 1-23 Sturminster Road, and to the side of 1 Harlequin Cottages, Minster Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 47	Alleyway to the rear of 2-36 Southminster Road and 1-35 Axminster Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 48	Alleyway to the side of 12 Minster Road and to the rear of 12-24 Minster Road, Penylan, Cardiff	At all times for the duration of the Order
PEN 49	Alleyway to the rear of 281-315 Albany Road, 297-315 Newport Road and 1-49 Southminster Road, Penylan, Cardiff	At all times for the duration of the Order

Dated this 7th day of October, 2020
[Sealing reference 51909]

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

[Sheila Davies]

Authorised signatory

GORCHYMYN CYNGOR SIR DINAS A SIR CAERDYDD
GORCHYMYN DIOGELU MANNAU CYHOEDDUS (PENYLAN / GRŴP 1) 2020

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 **14 Hydref, 2020** 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 ar y Cynllun atodedig ac a ddisgrifir yn Ngholofn 2 Atodlen 2 isod ("yr Ardal Gyfyngedig").
3. Bwriad y Gorchymyn yw cyfyngu ar hawl dramwy gyhoeddus dros yr Ardaloedd Cyfyngedig yn ystod y cyfnodau a nodir yng Ngholofn 3 Atodlen 2 isod (y "Cyfnod Penodol"). Mae'r Gorchymyn hwn yn awdurdodi gosod gatiâu metel (a nodwyd gan seren goch ar y Cynllun atodedig) a fydd yn rhoi'r cyfyngiad ar waith.
4. Mae unrhyw lwybrau amgen sydd ar gael i gerddwyr wedi'u nodi fel llinellau toredig ar y Cynlluniau atodedig.
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 trosedd ac ymddygiad gwrthgymdeithasol yn yr Ardal Gyfyngedig.
6. Mae hyn yn unol ag Adran 59 y Ddeddf:
 - a. Mae'r Cyngor yn fodlon bod y gweithgareddau canlynol wedi digwydd, neu eu bod yn debygol o ddigwydd, yn y manau 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 manau cyhoeddus sy'n ffurfio'r Ardaloedd Cyfyngedig:-
 - 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 1 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

Ni fydd y cyfyngiadau y cyfeirir atynt ym mharagraff 3 y Gorchymyn yn berthnasol i ddeiliaid yr eiddo sydd ger neu'n ffinio â'r Ardaloedd Cyfyngedig perthnasol, swyddog o'r Cyngor, yr Heddlu, na'r Gwasanaethau Tân neu Ambiwylans sydd â rheswm i ddefnyddio'r Ardaloedd Cyfyngedig wrth arfer ei bwerau a'i ddyletswyddau statudol ac unrhyw ymgymerydd statudol y mae angen iddo gael mynediad i'w gyfarpar.

Atodlen 2

Grŵp 1 Penylan

Colofn 1	Colofn 2	Colofn 3
Cyfeirnod	Disgrifiad o'r Ardal dan Gyfyngiad	Cyfnod Penodedig
PEN 02	Lonydd y tu ôl i 2-30 Pen-y-lan Terrace, 4-10 Llwyn-y-grant Road, 1-21 Llwyn-y-grant Terrace a 10-24 Heol Llanedern, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 40	Lonydd y tu ôl i 2-60 Pen-y-lan Road a 2-62 Marlborough Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 41	Lonydd y tu ôl i 64-138 Marlborough Road, Eglwys y Bedyddwyr Albany Road a 173-259 Albany Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 42	Lonydd y tu ôl i 263-279 Albany Road, a 140-164 Marlborough Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 43	Lonydd y tu ôl i 2-26 Sturminster Road, Eglwys Efengylaidd Minster (Sturminster Road) ac 1a-19 Newminster Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 44	Lonydd y tu ôl i 2-16 Newminster Road ac i ochr Meddygfa Minster, Minster Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 46	Lôn y tu ôl i 2-34 Axminster Road ac 1-23 Sturminster Road, ac i'r ochr i 1 Harlequin Cottages, Minster Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 47	Lôn y tu ôl i 2-36 Southminster Road ac 1-35 Axminster Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 48	Lôn i'r ochr i 12 Minster Road a'r tu ôl i 12-24 Minster Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn
PEN 49	Lôn y tu ôl i 281-315 Albany Road, 297-315 Heol Casnewydd ac 1-49 Southminster Road, Penylan, Caerdydd	Ar bob adeg yn ystod cyfnod y Gorchymyn

Dyddiad: 7 Hydref, 2020

[Cyfeirnod sêl 51909]

GOSODWYD SÊL GYFFREDIN

CYNGOR SIR

DINAS A SIR

CAERDYDD yma

ym mhresenoldeb:-

[Sheila Davies]

Llofnodwr awdurdodedig

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Dated this 7th day of October, 2020

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




Shiraz Gama

Authorised signatory



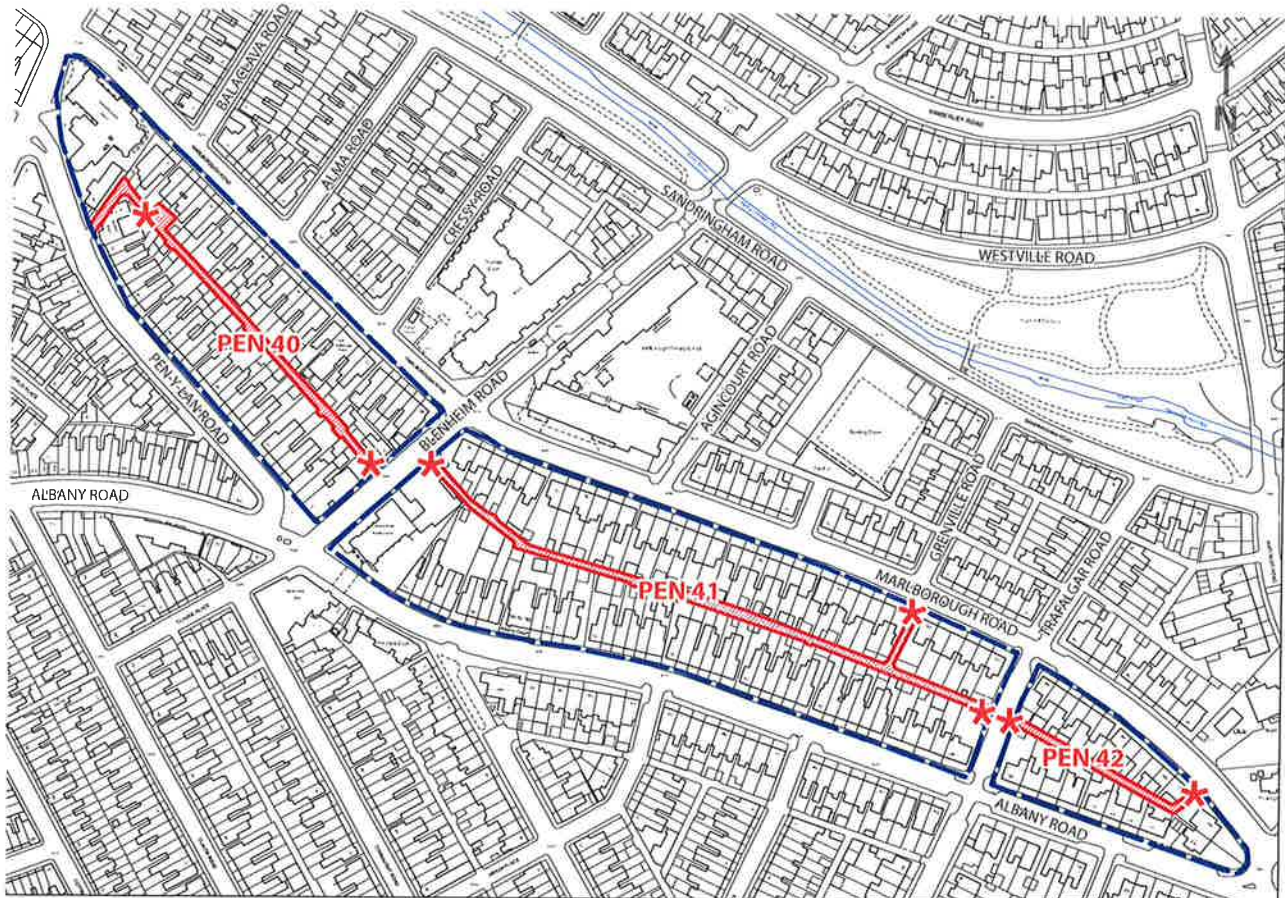
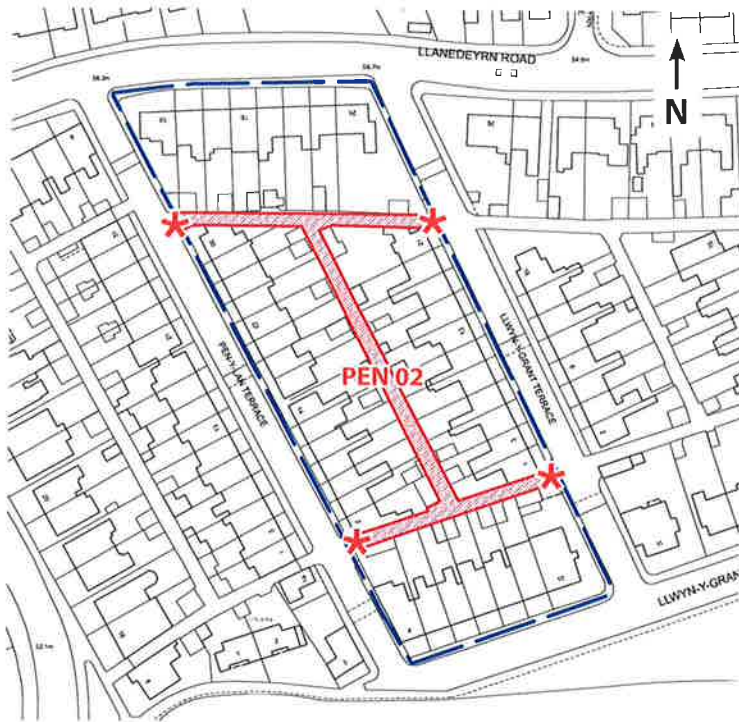


Gatiau Lonydd Cefn Alley Gating Lonydd Penylan Lanes Grŵp 1 Penylan Lanes Group 1

 Lleoliadau Gatiau Presennol Existing Gate Locations
 Ardal Gyfyngedig Bresennol Existing Restricted Area
 Llwybr Amgen Alternative Route

PEN 02	Penylan Terrace / Llwyn-y-grant Terrace
PEN 40	Marlborough Road (2-62) / Penylan Road
PEN 41	Marlborough Road (64-138) / Albany Road
PEN 42	Marlborough Road (140-164) / Albany Road
PEN 43	Southminster Road Lanes: rear 2-36 Sturminster Rd
PEN 44	Southminster Road Lanes: rear 2-16 Newminster Rd
PEN 46	Southminster Road Lanes: rear 2-34 Axminster Rd
PEN 47	Southminster Road Lanes: rear 1-35 Axminster Rd
PEN 48	Southminster Road Lanes: rear 12-24 Minster Rd
PEN 49	Southminster Road Lanes: rear 1-49

Shoes Gams





Gatiau Lonydd Cefn Alley Gating Lonydd Penylan Lanes Grŵp 1 Penylan Lanes Group 1

PEN 02	Penylan terrace / Liwyn-y-grant terrace
PEN 40	Marlborough Road (2-62) / Penylan Road
PEN 41	Marlborough Road (64-138) / Albany Road
PEN 42	Marlborough Road (140-164) / Albany Road
PEN 43	Southminster Road Lanes: rear 2-36 Sturminster Rd
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PEN 48	Southminster Road Lanes: rear 12-24 Minster Rd
PEN 49	Southminster Road Lanes: rear 1-49

- ✖ Lleoliadau Gatiau Presennol Existing Gate Locations
- REstricted Area Ardal Gyfyngedig Bresennol Existing Restricted Area
- Llwybr Amgen Alternative Route

Shoes Lane

