

Cyngor Sir Dinas A Sir Caerdydd  
Gorchymyn Diogelu Mannau Cyhoeddus  
(Stallcourt Avenue A Waterloo Gardens) 2021

Mae Cyngor Sir Dinas a Sir Caerdydd ("y Cyngor") wrth arfer ei bwerau o dan Adrannau 59, 64 a 72 Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 2014 ("y Ddeddf") a phob pŵer galluogi arall ac, yn dilyn ymgynghori â Phrif Swyddog Heddlu De Cymru ac eraill, drwy hyn yn gwneud y Gorchymyn canlynol: .

1. Daw'r Gorchymyn i rym ar 2 Gorffennaf, 2021 a bydd ar waith am gyfnod o 3 blynedd ar ôl hynny, oni chaiff ei ddiddymu, ei ddiwygio neu'i estyn gan orchmynion ychwanegol gan y Cyngor
2. Mae'r Gorchymyn hwn yn ymwneud â'r rhan honno o'r llwybr cyhoeddus sydd wedi'i llinellu'n goch ar y cynllun atodol ("yr Ardal Gyfyngedig").
3. Effaith y Gorchymyn hwn yw cyfyngu ar hawl tramwy cyhoeddus dros yr Ardal Gyfyngedig. Awdurdoda'r Gorchymyn hwn osod gataiau metel (a nodir gan seren goch ar y Cynllun atoddedig) yn y lleoliadau a nodir yn Atodlen 1 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 ac, o ystyried yr holl amgylchiadau, mai'r dewis gorau yw gwneud 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 gan fod y Cyngor yn fodlon ar sail resymol fod gweithgareddau sy'n digwydd neu sy'n debygol o ddigwydd 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 yn yr ardal
    - ii) yn neu'n debygol o fod yn barhaus o ran eu natur ac o fod yn afresymol, a'u bod yn cyfiawnhau'r cyfyngiadau a osodir
7. Os hoffai unrhyw berson â diddordeb gwestiynu dilysrwydd y Gorchymyn hwn ar y sail nad oedd gan y Cyngor y pŵer i'w wneud, neu ar y sail na fodlonwyd unrhyw un o ofynion y Ddeddf mewn perthynas â'r Gorchymyn hwn, caiff wneud cais i'r Uchel Lys o fewn chwe wythnos ar ôl y dyddiad y cafodd y Gorchymyn hwn ei wneud.
8. Bydd y rheini a ddisgrifir yn Atodlen 3 wedi'u heithrio o ddarpariaethau'r Gorchymyn hwn.
9. Mae Adran 67 y Ddeddf yn ei gwneud yn dramgwydd i rywun 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 rhywun yn destun iddo o dan y gorchymyn hwn  
Mae rhywun sy'n euog o dramgwydd o dan yr adran hon yn agored, os caiff euogfarn ddiannod, i dalu dirwy nad yw'n uwch na lefel 3.

#### Atodlen 1

Ardal Gyfyngedig: Y llwybr cyhoeddus yng nghefn 2-48 Stallcourt Avenue a 15-69 Waterloo Gardens

Lleoliad y Rhwystrau: 3 chyfyngiad i'w gosod wrth fynedfeydd yr ardal gyfyngedig:

Rhwng cefn 15 Waterloo Gardens ac ochr 2 Stallcourt Avenue, rhwng cefn 29 Waterloo Gardens ac ochr 31 Waterloo Gardens a rhwng cefn 69 Waterloo Gardens a 48 Stallcourt Avenue.

#### Atodlen 2

Y llwybr amgen:

Y priffyrdd wrth ochr 15 Waterloo Gardens, i du blaen 15-29 Waterloo Gardens ac wrth ochr 29 Waterloo Gardens; o flaen 2-48 Stallcourt Avenue, ac ar hyd ochr 48 Stallcourt Avenue ac wrth ochr 69 Waterloo Gardens, ac o flaen 31-69 Waterloo Gardens fel y dangosir gan y llinell las doredig ar y Cynllun sydd wedi'i atodi at y Gorchymyn hwn.

#### Atodlen 3

Ni fydd y cyfyngiad y cyfeirir ato ym mharagraff 2 y Gorchymyn yn berthnasol i feddianwyr y safle sy'n ffinio â neu'n gyfagos i'r Ardal Gyfyngedig berthnasol, swyddog o'r Cyngor, yr heddlu, na'r gwasanaethau tân neu ambiwlans sydd â rheswm i ddefnyddio'r Ardal Gyfyngedig wrth arfer ei bwerau a'i ddyletswyddau statudol ac unrhyw ymgymwrwr statudol y mae angen iddo gael mynediad i'w gyfarpar.

Dyddiedig 23 Mehefin, 2021

[Cyfeirnod sêl 52900]

Gosodwyd Sêl Gyffredinol  
Cyngor Sir  
Dinas A Sir  
Caerdydd yma ym  
mhresenoldeb:

S. Davies  
Llofnod awdurdodedig

The County Council of the City and County of Cardiff  
Public Spaces Protection Order (Stallcourt Avenue and Waterloo Gardens) 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 2 July, 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 of the public path hatched red on the attached Plan (“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 metal gates (identified by a red asterisk on the attached Plan) in the locations detailed in Schedule 1 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 of 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 public path to the rear of 2-48 Stallcourt Avenue and 15-69 Waterloo Gardens

Location of Barriers: 3 number restrictions to be placed at the entrance to the restricted area:

Between the rear of 15 Waterloo Gardens and the side of 2 Stallcourt Avenue, the rear of 29 Waterloo Gardens and the side of 31 Waterloo Gardens and to the rear of 69 Waterloo Gardens and 48 Stallcourt Avenue

### Schedule 2

The alternative route:

The highways to the side of 15 Waterloo Gardens, to the front of 15-29 Waterloo Gardens and to the side of 29 Waterloo Gardens; to the front of 2-48 Stallcourt Avenue, and along the side of 48 Stallcourt Avenue and to the side of 69 Waterloo Gardens, and to the front of 31-69 Waterloo Gardens as shown by the broken blue line on the Plan annexed to this Order.

### Schedule 3

The restriction referred to in paragraph 2 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 23<sup>rd</sup> day of June, 2021

[Sealing Order No. 52900]

The Common Seal Of The  
County Council Of The City  
And County Of  
Cardiff was hereunto affixed in  
the presence of:-

S. Davies  
Authorised signatory

**THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF  
PUBLIC SPACES PROTECTION ORDER (STALLCOURT AVENUE AND WATERLOO  
GARDENS) 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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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.
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Dated this 23<sup>rd</sup> day of June, 2021

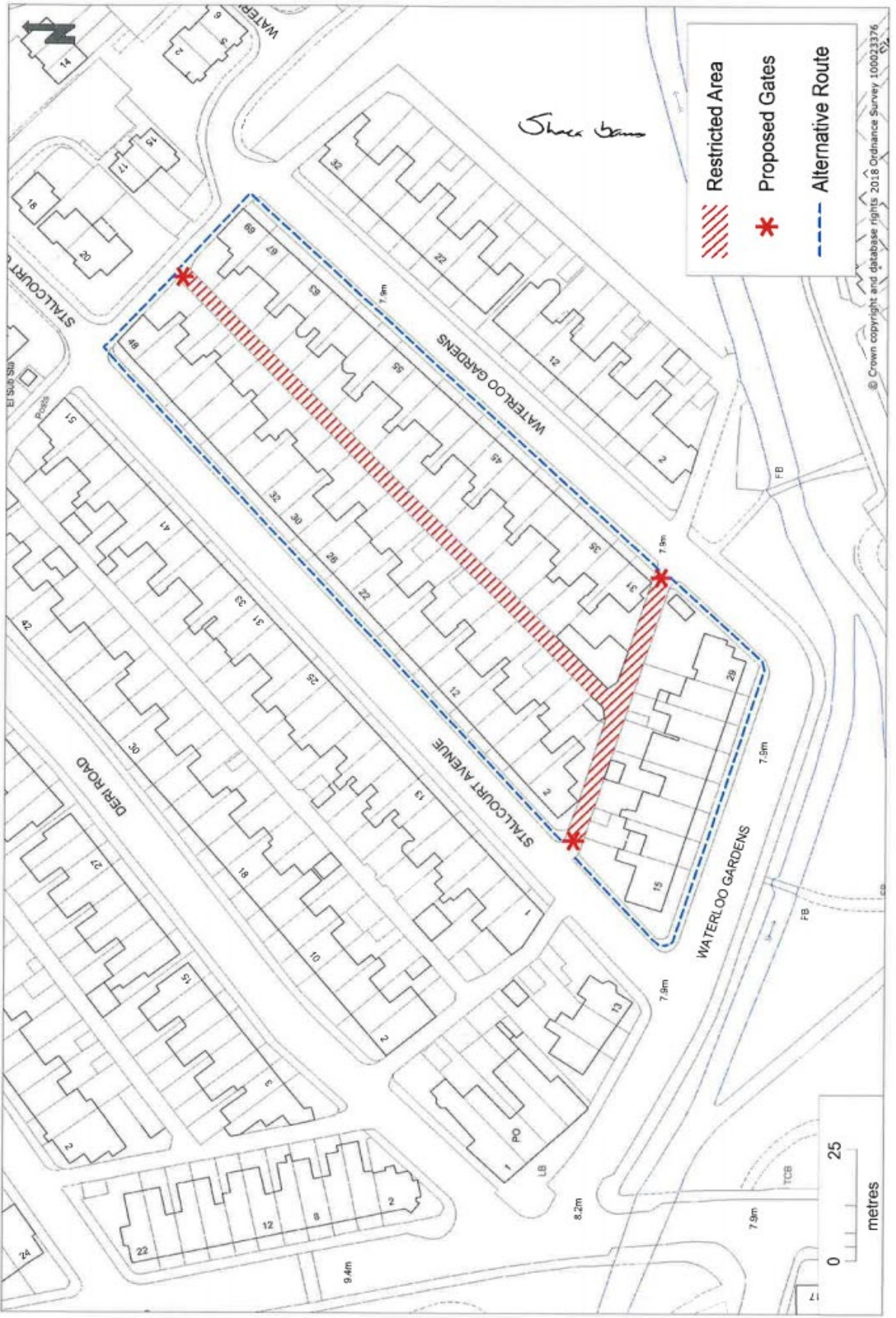
THE COMMON SEAL OF THE  
COUNTY COUNCIL OF THE  
CITY AND COUNTY OF  
CARDIFF was hereunto affixed in  
the presence of:-

*Shane Gann*

Authorised signatory



# Waterloo Gardens/ Stallcourt Avenue Alternative Route



**THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF  
PUBLIC SPACES PROTECTION ORDER (STALLCOURT AVENUE AND WATERLOO  
GARDENS) 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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A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3.

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Dated this 23<sup>rd</sup> day of June, 2021

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

*Shane Gann*

Authorised signatory



# Waterloo Gardens/ Stallcourt Avenue Alternative Route

