

## Cyngor Sir Dinas a Sir Caerdydd

### Gorchymyn Estyn Cyfun Diogelu Mannau Cyhoeddus Grŵp 1 Adamsdown, 2022

Mae Cyngor Sir Dinas a Sir Caerdydd, wrth arfer ei bwerau dan adrannau 59, 60, 64 a 72 Deddf Ymddygiad Gwrthgymdeithasol, Troseddau a Phlisma 2014, drwy hyn yn gwneud y Gorchymyn canlynol:

1. Daw'r Gorchymyn i rym ar **11.12.2022** a bydd ar waith am 3 blynedd wedi hynny, oni chaiff ei ddiwyddu, ei ddiwygio neu ei estyn gan orchmynion eraill y Cyngor.
2. Bwriad y Gorchymyn hwn yw gosod y cyfyngiadau cyfredol ar yr hawliau tramwy cyhoeddus yn ystod y cyfnodau a nodir yn Atodlen 1 isod ("Cyfnodau Penodedig").
3. Mae'r ardaloedd sy'n destun cyfyngiadau'r Gorchymyn hwn yn cael eu disgrifio yn Atodlenni 2 a 3 isod a'u dangos fel ardaloedd tywyll ar y cynlluniau a atodir i'r Gorchymyn hwn ("yr Ardaloedd Cyfyngedig").
4. Cydgrynhoir y Gorchymynion yn Atodlen 3 o fewn y Gorchymyn hwn heb unrhyw newid i'w hanfod yn unol â Deddf Ymddygiad Gwrthgymdeithasol, Troseddau a Phlisma 2014 i'r graddau y maent yn ymwneud â gosod cyfyngiadau ar yr hawl dramwy gyhoeddus o fewn ystyr adrannau 59, 60, 64 a 72 y Ddeddf.
5. Mae'r Gorchymyn hwn yn awdurdodi gwaith i osod gatiau metel (a gynrychiolir â seren/gât ar y cynlluniau a atodir) ym mhennau'r Ardaloedd Cyfyngedig, a fydd yn rhoi'r cyfyngiadau ar waith.
6. Os yw Ardal Gyfyngedig yn llwybr trwodd, mae'r Cyngor yn fodlon bod llwybrau amgen gweddol gyfleus ar gael i'r cyhoedd.
7. Mae'r Cyngor yn fodlon bod yr amodau a nodir yn adrannau 59, 64 a 72 y Ddeddf wedi'u bodloni a'i bod yn iawn dan yr holl amgylchiadau i wneud y Gorchymyn hwn at ddibenion lleihau trosedd ac ymddygiad gwrthgymdeithasol yn yr Ardaloedd Cyfyngedig.
8. 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: Trosedd ac Ymddygiad Gwrthgymdeithasol
  - b. Gwneir y Gorchymyn hwn gan y Cyngor am fod y Cyngor yn fodlon ar sail resymol bod 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 pobl yn yr ardaloedd lleol
    - ii. yn neu'n debygol o fod yn gyson neu'n barhaus eu natur ac yn afresymol ac yn cyfiawnhau'r cyfyngiadau a osodir
9. 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.

10. Bydd y bobl a ddisgrifir yn Atodlen 4 yn cael eu heithrio rhag darpariaethau'r Gorchymyn hwn.
11. Mae Adran 67 y Ddeddf yn ei gwneud yn drosedd i berson sydd heb esgus rhesymol:
  1. 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 hwn

Mae 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**

Bydd y cyfyngiadau'n berthnasol ar yr adegau canlynol, drwy gydol cyfnod y Gorchymyn:

- **Cyfnod Penodedig 1:** Ar bob adeg

### **Atodlen 2**

Mae'r lleoliadau canlynol yn destun y cyfyngiadau yn ystod y cyfnod a nodir yn Atodlen 1, Cyfnod Penodedig 1:

- ADM 06: Y lonydd cefn rhwng cefn 29 Richards Terrace / 52 Heol Stacey, rhwng cefn 81 Richards Terrace / Ysgol Gynradd Heol Stacey a chefn 208-232 Heol Casnewydd, Adamsdown, Caerdydd
- ADM 07: Y lonydd cefn rhwng ochr 2 Heol Stacey / cefn 25 Heol Lydan, cefn 77 Heol Lydan / ochr Richards Court, cefn 50 Heol Stacey / cefn 27 Richards Terrace a rhwng cefn 53-57 Heol Lydan / cefn 59-65 Heol Lydan, Adamsdown, Caerdydd
- ADM 08: Y lonydd cefn rhwng cefn:
  - 2-28 Richards Terrace; 79-97 Heol Lydan; tu blaen 51-52 Fox Lane; ochr 11 Fox Street,
  - 34-48 Richards Terrace; ochrau 12 Fox Street a 13 Booker Street,
  - 52-64 Richards Terrace; ochrau 14 Booker Street a 15 Tyler Street,
  - 70-80 Richards Terrace; ochrau 16 Tyler Street a 13 Fort Street,
  - 86-92 Richards Terrace; 234-250 Heol Casnewydd; ochr 12 Fort Street; rhwng 177-181 Heol Lydan, Adamsdown, Caerdydd
- ADM 12: Y lonydd cefn rhwng cefn 101 Anderson Place / cefn 36 Zinc Street, cefn 91 Anderson Place / cefn 29 Zinc Street a chefn 89 Anderson Place / cefn 24 Zinc Street, cefn 83 Anderson Place / cefn 19 Zinc Street, Adamsdown, Caerdydd

### **Atodlen 3**

Mae'r lleoliadau canlynol wedi'u hychwanegu at y gorchymyn hwn ac yn destun y cyfyngiadau yn ystod y cyfnod a nodir yn Atodlen 1, Cyfnod Penodedig 1

- ADM18: Y lôn gefn yng nghefn 17-31 Gerddi Howard, 2-10 Teras Howard, 25-29 Teras Moira

### **Atodlen 3**

Ni fydd y cyfyngiadau y cyfeirir atynt yn y Gorchymyn hwn yn berthnasol i feddianwyr yr eiddo sydd ger yr Ardaloedd Cyfyngedig perthnasol neu sy'n ffinio â nhw, swyddog y Cyngor, yr Heddlu, na'r Gwasanaethau Tân neu Ambiwlans sydd â rheswm i ddefnyddio'r Ardaloedd Cyfyngedig wrth arfer eu pwerau a'u dyletswyddau statudol nac unrhyw ymgymerydd statudol sydd angen cael mynediad i'w cyfarpar.

Dyddiedig 30 Tachwedd, 2022

Cyfeirnod y Sêl: 55530

Gosodwyd SÊL GYFFREDIN  
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 Group Extension Order**

**Adamsdown Group 1, 2022**

The County Council of the City and County of Cardiff in exercise of its powers under sections 59, 60, 64 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 hereby makes the following Order:

1. The Order shall come into operation on **11.12.2022** and shall have effect for a period of 3 years thereafter, unless revoked, amended or extended by further orders under the Council'
2. The effect of this Order is to impose the existing restrictions over the public rights of way during the periods set out in Schedule 1 below (the "Specified Periods")
3. The areas subject to the restrictions of this Order are described in Schedules 2 and 3 below and are shown as shaded areas on the plans attached to this Order ("the Restricted Areas").
4. The Orders in Schedule 3 are consolidated within this Order without any change of substance pursuant to the Anti-Social Behaviour, Crime and Policing Act 2014 in so far as they relate to the placing of restrictions over the public right of way within the meaning of sections 59 60, 64 and 72 of the Act.
5. This Order authorises the installation of metal gates at the ends of the Restricted Areas (identified by gate/star symbols on the attached plans), which will give effect to the restrictions.
6. Where a Restricted Area constitutes a through route, the Council is satisfied that a reasonably convenient alternative routes is available to the public.
7. 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.
8. 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
9. 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.

10. Those persons described in Schedule 4 shall be exempt from the provisions of this Order.
11. 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**

Restrictions will apply at the following times, for the duration of the Order:

- **Specified Period 1:** At all times

#### **Schedule 2**

The following locations are subject to restrictions during the period set out in Schedule 1, Specified Period 1:

- ADM 06: Alleyways between the rear of 29 Richards Terrace / 52 Stacey Road, between the rear of 81 Richards Terrace / Stacey Road Primary School and to the rear of 208-232 Newport Road, Adamsdown, Cardiff
- ADM 07: Alleyways between the side of 2 Stacey Road / the rear of 25 Broadway, the rear of 77 Broadway / the side of Richards Court, the rear of 50 Stacey Road / the rear of 27 Richards Terrace and between the rear of 53-57 Broadway / the rear of 59-65 Broadway, Adamsdown, Cardiff
- ADM 08: Alleyways between the rears of:
  - 2-28 Richards Terrace; 79-97 Broadway; the front of 51-52 Fox Lane; side of 11 Fox Street,
  - 34-48 Richards Terrace; sides of 12 Fox Street & 13 Booker Street,
  - 52-64 Richards Terrace, sides of 14 Booker Street & 15 Tyler Street,
  - 70-80 Richards Terrace; sides of 16 Tyler Street & 13 Fort Street,
  - 86-92 Richards Terrace; 234-250 Newport Road; side of 12 Fort Street; between 177-181 Broadway, Adamsdown, Cardiff
- ADM 12: Alleyways between the rear of 101 Anderson Place / the rear of 36 Zinc Street, the rear of 91 Anderson Place / the rear of 29 Zinc Street and to the rear of 89 Anderson Place / the rear of 24 Zinc Street, the rear of 83 Anderson Place / the rear of 19 Zinc Street, Adamsdown, Cardiff

#### **Schedule 3**

The following locations have been added to this order and are subject to restrictions during the period as set out in Schedule 1, Specified Period 1

- ADM18: Alleyway to rear of 17-31 Howard Gardens, 2-10 Howard Terrace, 25-29 Moira Terrace

#### **Schedule 4**

The restrictions referred to in this 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.

Dated this 30<sup>th</sup> day of November, 2022

Sealing Ref. 55530

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

