

Cyngor Sir Dinas a Sir Caerdydd
Gorchymyn Diogelu Mannau Agored Cyhoeddus - Estyniad Cyfun
Gabalfa Grŵp 2 (GAB G2) 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 14/10/2022 a bydd ar waith am 3 blynedd wedi hynny, oni chaiff ei ddiddymu, ei ddiwygio neu ei estyn gan orchmynion eraill y Cyngor.
2. Bwriad y Gorchymyn hwn yw gosod cyfyngiadau ar yr hawl dramwy gyhoeddus 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 Atodlen 2 isod a'u dangos fel ardaloedd tywyll ar y cynlluniau a atodir i'r Gorchymyn hwn ("yr Ardaloedd Cyfyngedig").
4. Mae'r Gorchymyn hwn yn awdurdodi gwaith i osod gathiau metel (a gynrychiolir â seren ar y cynlluniau a atodir) ym mhennau'r Ardaloedd Cyfyngedig, a fydd yn rhoi'r cyfyngiadau ar waith.
5. Os yw Ardal Gyfyngedig yn llwybr trwodd, mae'r Cyngor yn fodlon bod llwybrau amgen gweddol gyfleus ar gael i'r cyhoedd.
6. 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.
7. 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
8. 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.
9. Bydd y bobl a ddisgrifir yn Atodlen 3 yn cael eu heithrio rhag darpariaethau'r Gorchymyn hwn.
10. 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 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
- Cyfnod Penodedig 2: Rhwng 7pm a 7am o ddydd Llun i ddydd Gwener a thrwy'r dydd ar ddydd Sadwrn ac ar ddydd Sul

Atodlen 2

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

• GAB 01(a): St Mark's Avenue / Longspears Avenue
• GAB 02(a): Longspears Avenue / Flaxland Avenue
• GAB 05(a): Sachville Avenue / Banastre Avenue
• GAB 06: Clodien Avenue West
• GAB 07: Clodien Avenue East
• GAB 08(a): Banastre Avenue / Clodien Avenue
• GAB 08(b): Banastre Avenue / Clodien Avenue / Soberton Avenue
• GAB 09(a): Soberton Avenue / Banastre Avenue / Edington Avenue
• GAB 11: Summerfield Avenue / Clodien Avenue / Inglefield Avenue / Heol Allensbank
• GAB 12(a): Summerfield Avenue / Inglefield Avenue / Stryd Llanisien

Mae'r lleoliadau canlynol yn destun y cyfyngiadau yn ystod y cyfnod a nodir yn Atodlen 1, Cyfnod Penodedig 2:

• GAB 10: Edington Avenue / Summerfield Avenue / Clodien Avenue

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 12 Hydref 2022

Rhif Cyfeirnod y Sêl: 55224

Gosodwyd Sêl Gyffredin
Cyngor Sir Dinas A Sir
Caerdydd yma
ym mhresenoldeb:-

S. Davies
Llofnodwr awdurdodedig

GAB G2

Legal Ref. 99399

The County Council Of The City And County Of Cardiff
Public Spaces Protection Grouped Extension Order
Gabalfa Group 2 (GAB G2) 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 Policy Act 2014 hereby makes the following Order:

1. The Order shall come into operation on 14/10/2022 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 place restrictions over the public right of way during periods set out in Schedule 1 below (the "Specified Periods").
3. The areas subject to the restrictions of this Order are described in Schedule 2 below and shown as shaded areas on the plans attached to this Order ("the Restricted Areas").
4. This Order authorises the installation of metal gates at the ends of the Restricted Areas (identified by asterisk/star symbols on the attached plans), which will give effect to the restrictions.
5. Where a Restricted Area constitutes a through route, the Council is satisfied that a reasonably convenient alternative routes is available to the public.
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 crime and anti-social behaviour in the Restricted Areas.
7. 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
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:
 - 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 orderA 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
- Specified Period 2: Between the hours of 7pm-7am Monday to Friday and all day Saturday and Sunday

Schedule 2

The following locations are subject to restrictions during the period set out in Schedule1, Specified Period 1:

• GAB 01(a): St Mark's Avenue / Longspears Avenue
• GAB 02(a): Longspears Avenue / Flaxland Avenue
• GAB 05(a): Sachville Avenue / Banastre Avenue
• GAB 06: Clodien Avenue West
• GAB 07: Clodien Avenue East
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• GAB 09(a): Soberton Avenue / Banastre Avenue / Edington Avenue
• GAB 11: Summerfield Avenue / Clodien Avenue / Inglefield Avenue / Allensbank Road
• GAB 12(a): Summerfield Avenue / Inglefield Avenue / Llanishen Street

The following locations are subject to restrictions during the period set out in Schedule1, Specified Period 2:

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|---|
| • GAB 10: Edington Avenue / Summerfield Avenue / Clodien Avenue |
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Schedule 3

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 12th day of October, 2022

Seal Reference Number: 55224

The Common Seal Of The County
Council Of Thecity 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 Group Extension Order

Gabalfa Group 2 (GAB G2) 2022

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 - 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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• GAB 11: Summerfield Avenue / Clodien Avenue / Inglefield Avenue / Allensbank Road
• GAB 12(a): Summerfield Avenue / Inglefield Avenue / Llanishen Street

The following locations are subject to restrictions during the period set out in Schedule1, Specified Period 2:

• GAB 10: Edington Avenue / Summerfield Avenue / Clodien Avenue

Schedule 3

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.

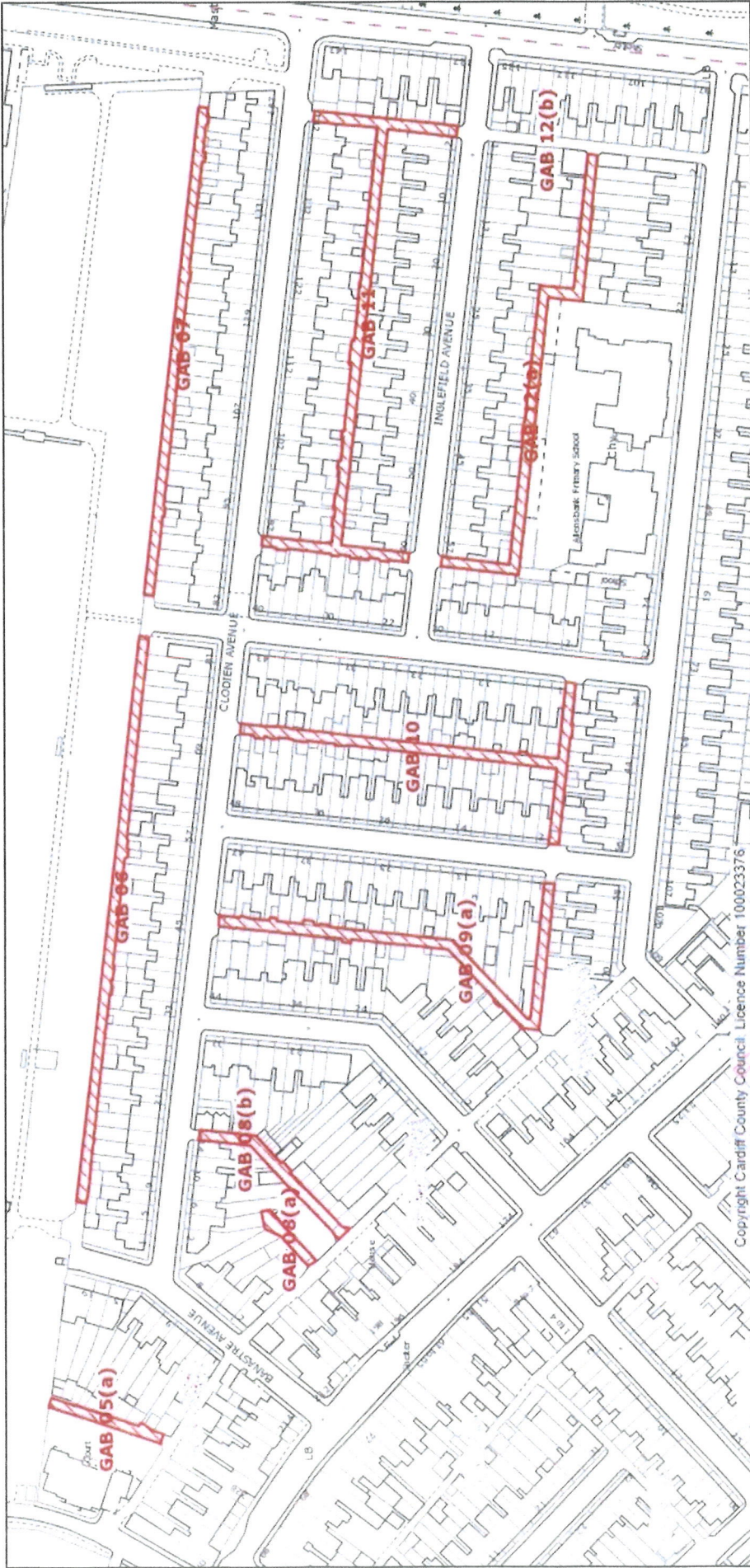
Dated this 12th day of October, 2022

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

Shree Gama



Authorised signatory



Steve Gams

Plan(s) illustrating the Restricted Areas subject to this Order
Cynllun(iau) yn dangos yr Ardaloedd Cyfyngedig sy'n destun y Gorchymyn hwn

Steve Jones

