

Cyngor Sir Dinas a Sir Caerdydd

Gorchymyn Estyn Cyfun Diogelu Mannau Cyhoeddus Grŵp 2 2023 Glan-yr-afon

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 **22/10/2023** 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 y cyfyngiadau presennol 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. Cydgrynhair y Gorchmynion 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 yn ôl yr ystyr sydd yn adrannau 59, 60, 64 a 72 y Ddeddf.
5. Mae'r Gorchymyn hwn yn awdurdodi gwaith i osod gatiau metel (a gynrychiolir â symbolau 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 sy'n rhesymol 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 gwneud y Gorchymyn hwn dan yr holl amgylchiadau at ddibenion lleihau trosedd ac ymddygiad gwrthgymdeithasol yn yr Ardaloedd Cyfyngedig.
8. 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 o ran y 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:
 - 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 golffarnu'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:

<ul style="list-style-type: none"> • RIV 35 Lôn gefn y tu ôl i: 5-19 Heol Ddwyreiniol y Bont-faen; 1-31 Mark Street; i ochrau 1 Green Street ac 1 Teras Coldstream, Glan-yr-afon
<ul style="list-style-type: none"> • RIV 36 Lôn gefn y tu ôl i: 1-53 Brook Street; 2-36 Mark Street; 11-15 Teras Coldstream; 27 Green Street
<ul style="list-style-type: none"> • RIV 37 Lôn gefn y tu ôl i: 1-43 Stryd Despenser; 2-36 Brook Street; 39-53 Heol y Gadeirlan Isaf
<ul style="list-style-type: none"> • RIV 38 Lôn gefn y tu ôl i: 45-59 Stryd Despenser; i ochr 62 Plantagenet Street
<ul style="list-style-type: none"> • RIV 39(a) Lôn gefn y tu ôl i: 3-11 Gerddi Clare; 26-40 Gloucester Street; 29-41 Stryd Clare
<ul style="list-style-type: none"> • RIV 39(b) Lôn gefn y tu ôl i: 4-24 Gloucester Street; 1-27 Stryd Clare; 74-76 Stryd Tudor
<ul style="list-style-type: none"> • RIV 40(a) Lôn gefn y tu ôl i: 25-35 Beauchamp Street; 1-6 Gerddi Despenser; 26-36 Stryd Clare
<ul style="list-style-type: none"> • RIV 40(b) Lôn gefn y tu ôl i: 1a-23 Beauchamp Street; 52-66 Stryd Tudor; 2-24 Stryd Clare Street
<ul style="list-style-type: none"> • RIV 41(a) Lôn gefn y tu ôl i: 40-74 Beauchamp Street; 39-67 Plantagenet Street
<ul style="list-style-type: none"> • RIV 41(b) Lôn gefn y tu ôl i: 32-44 Stryd Tudor; 2-38 Beauchamp Street; 1-37 Plantagenet Street; i ochr The Mews, Plantagenet Street
<ul style="list-style-type: none"> • RIV 42 Lôn gefn y tu ôl i: 4-22 Stryd Tudor; 4-38 Plantagenet Street; 1-45 Arglawdd Fitzhamon; i ochr Millenium View, Arglawdd Fitzhamon

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:

• RIV 05: Y lôn gefn y tu ôl i 2-26 Teilo Street ac 1-21 Dogo Street
• RIV 06: Y lôn gefn y tu ôl i 2-22 Dogo Street ac 1-19 Berthwin Street
• RIV 07: Y lôn gefn y tu ôl i 2-18 Berthwin Street ac 1-15 Kyveillog Street
• RIV 14: Y lôn gefn y tu ôl i 104 Heol Llandaf a 87-97 Cilgant Romilly
• RIV 21: Y lôn gefn y tu ôl i 2-74 Hamilton Street ac 1-61 Talbot Street
• RIV 27: Y lôn gefn y tu ôl i 48-64 Albert Street a'r tu ôl i gefn 15-17 Dugdale Walk

Atodlen 4

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 gyfarpar.

Dyddiedig: 19 Hydref 2023

Cyfeirnod y Sêl: 56976

Gosodwyd SÊL GYFFREDIN
CYNGOR SIR
DINAS A SIR
CAERDYDD yma
ym mhresenoldeb:

Richard Crane

Llofnodwr awdurdodedig

The County Council Of The City And County Of Cardiff

Public Spaces Protection Grouped Extension Order

Riverside Group 2 2023

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 **22/10/2023** 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:

• RIV 35 Alleyway to the rears of: 5-19 Cowbridge Road East; 1-31 Mark Street; to the sides of 1 Green Street and 1 Coldstream Terrace, Riverside
• RIV 36 Alleyway to the rears of: 1-53 Brook Street; 2-36 Mark Street; 11-15 Coldstream Terrace; 27 Green Street
• RIV 37 Alleyway to the rears of: 1-43 Despenser Street; 2-36 Brook Street; 39-53 Lower Cathedral Road
• RIV 38 Alleyway to the rears of: 45-59 Despenser Street; to the side of 62 Plantagenet Street
• RIV 39(a) Alleyway to the rears of: 3-11 Clare Gardens; 26-40 Gloucester Street; 29-41 Clare Street
• RIV 39(b) Alleyway to the rears of: 4-24 Gloucester Street; 1-27 Clare Street; 74-76 Tudor Street
• RIV 40(a) Alleyway to the rears of: 25-35 Beauchamp Street; 1-6 Despenser Gardens; 26-36 Clare Street
• RIV 40(b) Alleyway to the rears of: 1a-23 Beauchamp Street; 52-66 Tudor Street; 2-24 Clare Street
• RIV 41(a) Alleyway to the rears of: 40-74 Beauchamp Street; 39-67 Plantagenet Street
• RIV 41(b) Alleyway to the rears of: 32-44 Tudor Street; 2-38 Beauchamp Street; 1-37 Plantagenet Street; to the side of the Mews, Plantagenet Street
• RIV 42 Alleyway to the rears of: 4-22 Tudor Street; 4-38 Plantagenet Street; 1-45 Fitzhamon Embankment; to the side of Millennium View, Fitzhamon Embankment

Schedule 3

The following locations have been added to this order and are subject to restrictions during the period as set out in Schedule1, Specified Period 1:

• RIV 05: Alleyway to the rear of 2-26 Teilo Street and 1-21 Dogo Street
• RIV 06: Alleyway to the rear of 2-22 Dogo Street and 1-19 Berthwin Street
• RIV 07: Alleyway to the rear of 2-18 Berthwin Street and 1-15 Kyveilog Street
• RIV 14: Alleyway to the rear of 104 Llandaff Road and 87-97 Romilly Crescent
• RIV 21: Alleyway to the rear of 2-74 Hamilton Street and 1-61 Talbot Street
• RIV 27: Alleyway to the rear of 48-64 Albert Street and to the rear of 15-17 Dugdale Walk

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 19th day of October 2023

Seal Reference Number: 56976

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

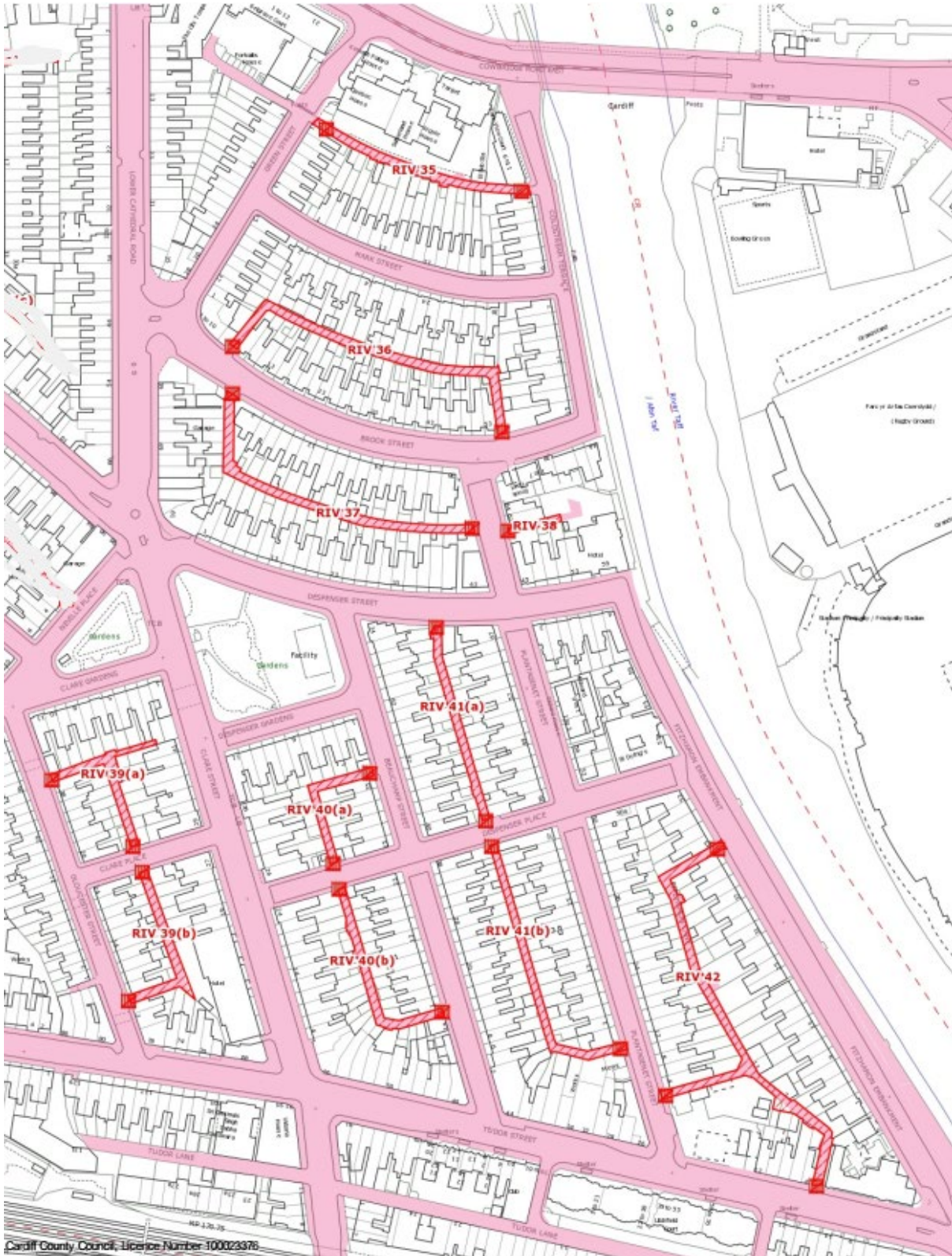
Richard Crane

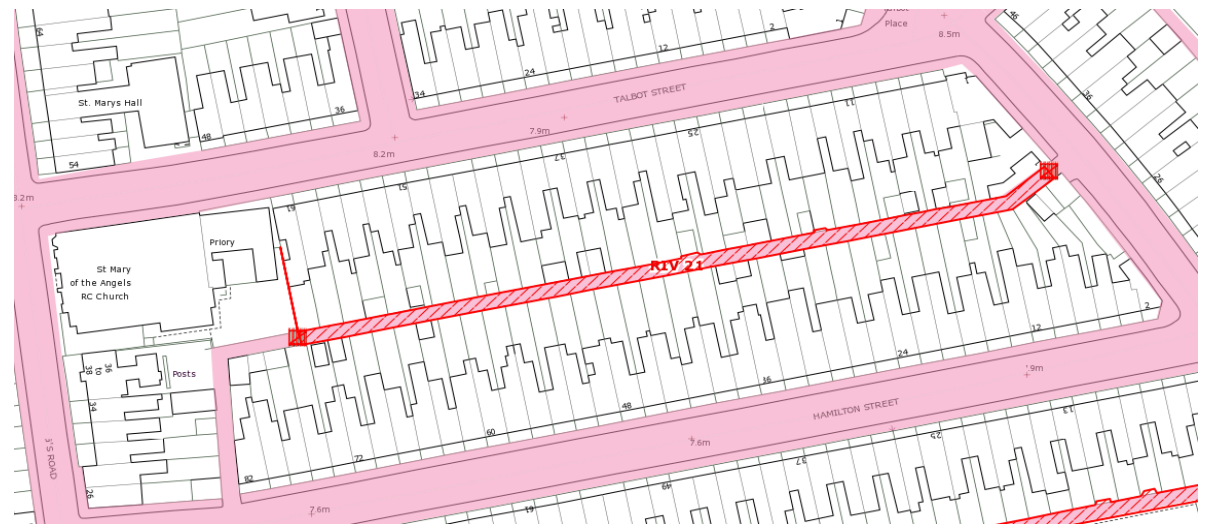
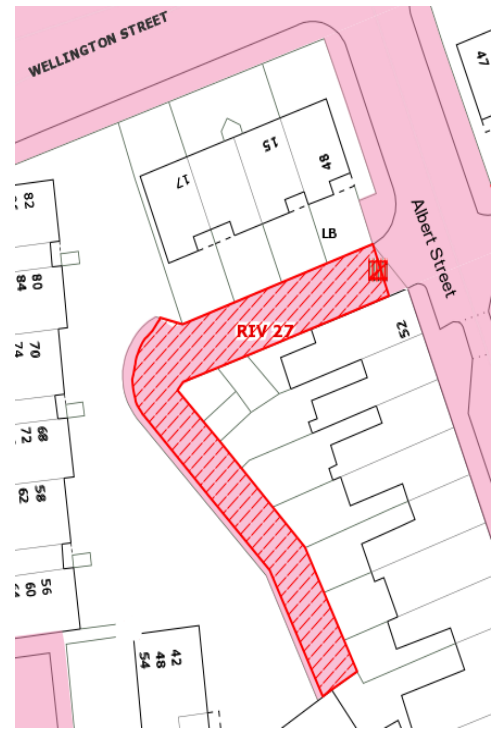
Authorised signatory

Plan(s) illustrating the Restricted Areas subject to this Order

Cynllun(iau) yn dangos yr Ardaloedd Cyfyngedig sy'n destun y Gorchymyn hwn

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