

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

DYDD GWENER, 9 CHWFROR 2018

AT: YR AELOD O'R BWRDD GWEITHREDOL DROS ADNODDAU

**YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD
O'R CYFARFOD PENDERFYNIADAU AELOD O'R BWRDD
GWEITHREDOL DROS ADNODDAU A GYNHELIR YN
YSTAFELL CYFARFOD ADFYWIO, NEUADD Y SIR,
CAERFYRDDIN AM 10.00 AM, AR DYDD GWENER,
16^{EG} CHWFROR, 2018 ER MWYN CYFLAWNI'R MATERION A
AMLINELLIR AR YR AGENDA ATODEDIG.**

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democrataidd:	Janine Owen
Ffôn (llinell uniongyrchol):	01267 224030
E-bost:	JanineOwen@sirgar.gov.uk
Cyf:	AD016-001

AGENDA

1. DATGANIADAU O FUDDIANNAU PERSONOL
2. LLOFNODI FEL COFNOD CYWIR COFNOD PENDERFYNIADAU'R CYFARFOD A GYNHALIWYD AR 15^{FED} IONAWR 2018 3 - 4
3. FFORDD GYSWLLT GORLLEWIN CAERFYRDDIN 5 - 14
4. ADRODDIADAU NAD YDYNT I'W CYHOEDDI

WEDI YSTYRIED HOLL AMGYLCHIADAU'R ACHOS AC WEDI CYNNAL PRAWF BUDD Y CYHOEDD GALL YR AELOD O'R BWRDD GWEITHREDOL FARNU NAD YW'R EITEM CANLYNOL I'W GYHOEDDI AM EI FOD YN CYNNEWYS GWYBODAETH EITHRIEDIG FEL Y'I DIFFINNIR YM MHARAGRAFF 14 O RAN 4 O ATODLEN 12A I DDEDDF LLYWODRAETH LEOL 1972, FEL Y'I NEWIDIWYD GAN ORCHYMYN LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) (AMRYWIO) (CYMRU) 2007.
5. DILEU DYLEDION CYN-DENANTIAID 15 - 30
6. TRETH Y CYNGOR - GOSTYNGIADAU YN ÔL DISGRESIWN 31 - 106
7. CYFRIFON NA ELLIR EU HADFER 107 - 114
8. TRETHI ANNOMESTIG - CYMORTH CALEDI 115 - 128

CYFARFOD PENDERFYNIADAU AELOD O'R BWRDD GWEITHREDOL DROS ADNODDAU

15^{fed} Ionawr 2018

YN BRESENNOL: Y Cyngorydd: D.M. Jenkins (Aelod o'r Bwrdd Gweithredol).

Roedd y swyddogion canlynol yn bresennol:

A Thomas, Rheolwr Budd-daliadau Treth y Cyngor

K. Thomas, Swyddog Gwasanaethau Democrataidd

Ystafell Bwyllgor Gwasanaethau Democrataidd, Neuadd y Sir, Caerfyrddin - 10.00 - 10.20 am

1. DATGANIADAU O FUDDIANNAU PERSONOL

Ni chafwyd dim datganiadau o fuddiant personol.

2. LLOFNODI FEL COFNOD CYWIR COFNOD PENDERFYNIADAU'R CYFARFOD A GYNHALIWDYD AR:-

2.1 10 TACHWEDD 2017

PENDERFYNWYD Ilofnodi bod Cofnod Penderfyniadau'r cyfarfod a gynhaliwyd ar 10 Tachwedd 2017 yn gofnod cywir.

2.2 22 TACHWEDD 2017

PENDERFYNWYD Ilofnodi bod Cofnod Penderfyniadau'r cyfarfod a gynhaliwyd ar 22 Tachwedd 2017 yn gofnod cywir.

3. ADRODDIADAU NAD YDYNT I'W CYHOEDDI

PENDERFYNWYD yn unol â Deddf Llywodraeth Leol 1972, fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007, na fyddai'r eitemau canlynol yn cael eu cyhoeddi, gan fod yr adroddiadau'n cynnwys gwybodaeth eithriedig fel y'i diffiniwyd ym Mharagraff 14 o Ran 4 o Atodlen 12A i'r Ddeddf.

4. TRETHI ANNOMESTIG - CYMORTH CALEDI

Ar ôl cynnal prawf budd y cyhoedd PENDERFYNWYD, yn unol â'r Ddeddf y cyfeiriwyd ati yng nghofnod rhif 3 uchod, beidio â chyhoeddi cynnwys yr adroddiad am ei fod yn cynnwys gwybodaeth eithriedig ynghylch materion ariannol neu faterion busnes unrhyw unigolyn penodol (gan gynnwys yr Awdurdod oedd yn meddu ar y wybodaeth honno) (Paragraff 14 o Ran 4 o Atodlen 12A i'r Ddeddf).

Yr oedd y prawf budd y cyhoedd o ran y mater hwn yn ymwneud â'r ffaith fod yr adroddiad yn cynnwys gwybodaeth am hanes ariannol diweddar trethdalwyr unigol a/neu wybodaeth bersonol. Er y byddai datgelu'r adroddiad i'r cyhoedd yn hybu atebolrwydd o ran cyllid cyhoeddus, byddai hefyd yn datgelu gwybodaeth ariannol gyfrinachol. Felly, ar ôl pwysu a mesur y mater, yr oeddid yn barnu bod y budd i'r cyhoedd o ran cadw'r wybodaeth yn gyfrinachol yn drech na'r budd i'r cyhoedd o ran datgelu'r wybodaeth ar hyn o bryd.

Bu'r Aelod o'r Bwrdd Gweithredol yn ystyried cais am Ryddhad Caledi o dan ddarpariaethau Adran 49 o Ddeddf Cyllid Llywodraeth Leol 1988 fel y'i diwygiwyd.

PENDERFYNWYD, yn dilyn cofnod rhif 8 y cyfarfod a gynhaliwyd ar 8 Medi 2017, bod 25% pellach o'r cynnydd ar gyfer 2017/18 yn cael ei hepgor yn achos cais cyfeirnod 30033902

5. TRETH Y CYNGOR - GOSTYNGIADAU YN ÔL DISGRESIWN

Ar ôl cynnal prawf budd y cyhoedd PENDERFYNWYD, yn unol â'r Ddeddf y cyfeiriwyd ati yng nghofnod rhif 3 uchod, beidio â chyhoeddi cynnwys yr adroddiad am ei fod yn cynnwys gwybodaeth eithriedig ynghylch materion ariannol neu faterion busnes unrhyw unigolyn penodol (gan gynnwys yr Awdurdod oedd yn meddu ar y wybodaeth honno) (Paragraff 14 o Ran 4 o Atodlen 12A i'r Ddeddf).

Roedd y prawf budd y cyhoedd mewn perthynas â'r mater hwn yn ymwneud â'r ffaith fod yr adroddiad yn cynnwys gwybodaeth am unigolion oedd yn agored i dalu'r Dreth Gyngor. Er y byddai datgelu'r adroddiad i'r cyhoedd yn hybu atebolrwydd o ran cyllid cyhoeddus, byddai hefyd yn datgelu gwybodaeth ariannol gyfrinachol nad oedd yn eiddo i'r cyhoedd ac na fyddai'n cael ei datgelu fel rheol i drydydd partïon. Felly, ar ôl cloriannu'r mater, yr oeddid yn barnu bod y budd i'r cyhoedd o ran cadw'r wybodaeth yn gyfrinachol yn drech na'r budd i'r cyhoedd o ran datgelu'r wybodaeth ar hyn o bryd.

Bu'r Aelod o'r Bwrdd Gweithredol yn ystyried adroddiad oedd yn manylu ar gais oedd wedi dod i law am ostyngiad yn ôl disgrisiwn o ran y Dreth Gyngor.

Nodwyd bod rheoliadau wedi eu cyflwyno, a ddaeth i rym ym mis Ebrill 2004, a roddai bwerau disgrisiwn i Awdurdodau Lleol roi disgownt neu ostyngiad a benderfynwyd yn lleol o ran y Dreth Gyngor, a bod y rhain yn ychwanegol at y gostyngiadau statudol presennol.

PENDERFYNWYD bod cais cyfeirnod 60245532-X yn cael ei wrthod.

AELOD O'R BWRDD GWEITHREDOL

DYDDIAD

**CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD
GWEITHREDOL DROS ADNODDAU
16^{EG} CHWEFROR 2018**

Yr Aelod o'r Bwrdd Gweithredol:	Portffolio:
Y Cyngorydd David Jenkins	Adnoddau

FFORDD GYSWLLT GORLLEWIN CAERFYRDDIN

Y Pwrpas:

Nodi'r llythyr gan Lywodraeth Cymru dyddiedig 19 Rhagfyr 2017 ynghylch "GORCHYMYN PRYNU GORFODOL CYNGOR SIR CAERFYRDDIN (FFORDD GYSWLLT GORLLEWIN CAERFYRDDIN) 2016" a chymeradwyo cadarnhau'r Gorchymyn dywededig fel y dirprwyir i'r Cyngor gan Lywodraeth Cymru er mwyn galluogi prynu tir i adeiladu Ffordd Gyswllt Gorllewin Caerfyrddin.

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

1. Nodi'r llythyr gan Lywodraeth Cymru dyddiedig 19 Rhagfyr 2017 ynghylch "GORCHYMYN PRYNU GORFODOL CYNGOR SIR CAERFYRDDIN (FFORDD GYSWLLT GORLLEWIN CAERFYRDDIN) 2016".
2. Cymeradwyo cadarnhau'r Gorchymyn dywededig fel y dirprwyir i'r Cyngor gan Lywodraeth Cymru er mwyn galluogi prynu tir i adeiladu Ffordd Gyswllt Gorllewin Caerfyrddin.

Y Rhesymau:

Mae angen cael cymeradwyaeth i sicrhau bod Ffordd Gyswllt Gorllewin Caerfyrddin yn gallu cael ei chyflawni i fodloni gofynion y Cynllun Datblygu Lleol a buddsoddiad cysylltiedig yn yr ardal gyfagos, gan gynnwys datblygiad cyflogaeth y Brifysgol sy'n cynnwys ail-leoli Pencadlys S4C yng Nghaerfyrddin fel rhan o gynllun Yr Egin.

Y Gyfarwyddiaeth Yr Amgylchedd Enw Pennaeth y Gwasanaeth: Stephen G Pilliner Awdur yr Adroddiad: Brian Jenkins	Swydd Pennaeth Priffyrdd a Thrafnidiaeth Rheolwr Strategaeth a Gweithredu	Rhif Ffôn 01267 228150 01267 228153 Cyfeiriad e-bost: SGPilliner@sirgar.gov.uk BLJenkins@sirgar.gov.uk
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Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR RESOURCES

16TH FEBRUARY 2018

CARMARTHEN WESTERN LINK ROAD

The Executive Board at its meeting on 19th September 2016 approved a recommendation to commence the making, confirmation and implementation of the Carmarthen West Compulsory Purchase Order 2016 (CPO) to acquire land for the construction of the Carmarthen Western Link Road. The full recommendations were as follows –

1. *To note the current position with the Carmarthen West road construction and Landowner Agreements.*
2. *To take all necessary action to secure the making, confirmation and implementation of the Carmarthen West Compulsory Purchase Order 2016 (CPO) to acquire land for the construction of the West Carmarthen Link Road including:*
 - (i) the publication and service of all relevant notices; and*
 - (ii) the presentation of the Council's case at any public inquiry;**for the purpose of acquiring the areas of land shown edged red on the plan in Appendix A and thereafter declare that the said land be subject to the CPO.*
3. *To note the draft Statement of Reasons for the making of the CPO and delegate the finalising of the detailed Statement to the Executive Board Member for Resources in consultation with the Chief Executive.*
4. *In tandem with Recommendation 2 above the Head of Property to commence negotiations to acquire the land required for the link road by agreement if possible, and that Council approves pursuing Option 2 in the first instance if agreement cannot be reached.*
5. *To approve the revision of capital expenditure included within the report in respect of 'Option 2' is included in the current capital programme and the proposed virement detailed in the financial implications note of this report.*

The recommendations of the Executive Board were noted by the County Council at its meeting on 9th November 2016.

The detailed Statement of Reasons was approved by the Executive Board Member for Resources at a Decision Meeting held on 27th April 2017 following which the Order was submitted to the Welsh Government on 26th June 2017.

The Order is formally titled "THE CARMARTHENSHIRE COUNTY COUNCIL (CARMARTHEN WESTERN LINK ROAD) COMPULSORY PURCHASE ORDER 2017".

A letter dated 19th December 2017 was received from the Welsh Government outlining the Welsh Minister's consideration and decision which concludes that the Order can be confirmed and in accordance with relevant legislation the confirmation of the Order can be delegated to the Council. A copy of the letter is included in Appendix 1.

The recommendation is to note the letter received from the Welsh Government and to approve the confirmation of the Order as delegated by the Welsh Government.

DETAILED REPORT ATTACHED ?

NO - Appendix 1 is attached

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: S. Pilliner

Head of Highways and Transport

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
YES	YES	YES	NONE	YES	NONE	YES

1. Policy, Crime & Disorder and Equalities

The acquisition of this land would enables the Council to proceed with the development and delivery of the Local Development Plan and is a key project within the County Council's Regeneration Masterplan. The project will contribute to one of the Council's key priorities within its Corporate Strategy and the County's Integrated Strategy of creating jobs.

The proposals support the 'building blocks' of Sustainable Development, Equalities, Welsh Language and Social Inclusion.

The proposals also accord with the policy of the Welsh Assembly Government in terms of promoting the social and economic wellbeing of the County.

2. Legal

Subject to the necessary criteria for compulsory acquisition being met, the County Council is able to use its statutory powers to compulsorily acquire land and buildings should acquisition by agreement fail.

On confirmation of the Order appropriate Notices have to be served on the interested parties following which entry can be gained after the expiry of the periods as set out in the relevant legislation.

Those whose land is acquired will receive compensation based on the CPO compensation code principles and should the quantum of compensation be at dispute the matter can be referred to the Lands Tribunal for determination.

Negotiations will also continue with the interested parties to seek acquisition by agreement.

3. Finance

The Executive Board approved the funding of the scheme as outlined in the report to the meeting held on 19th September 2016 which was subsequently noted by the County Council at its meeting on 9th November 2016. Appropriate funding of £1.2 million was identified within the Capital Programme and in addition a further £1.19 million of Local Transport Funding grant has been secured from Welsh Government in the 2016/17 financial year. A further grant of £880,000 has been secured from the Welsh Government Local Transport Fund in the current 2017/18 financial year, £750,000 of which is allocated for land acquisition.

4. Risk Management Issues

The current impasse in land acquisition discussions present the Council with a series of significant financial and other risks. The CPO process offers the 'security' that:

- a) Negotiations will continue in parallel to CPO proceedings to ensure that where possible agreement is reached voluntarily outside of the CPO process.
- b) Invoking the powers of a CPO would only occur after allowing an opportunity for any final negotiations.

Ultimately however, the confirmation of a CPO would be the only way to resolve the major area of uncertainty that is otherwise delaying the programme to the extent that surrounding investment would not realise its full potential.

Not proceeding to complete the road could risk the following:

- a) Potential clawback of the Welsh Government grant - Local Transport Fund grant of £1.3 million secured in 2015/16, the £1.19 million secured in 2016/17, and the £880,000 from the 2017/18 financial year, i.e. a total of £3.29 million.
- b) Reputational damage from Welsh Government and other grant bodies and severe risk to future funding for infrastructure schemes.
- c) Exposure to the costs of acquiring the Health Board and Welsh Government property with no way of securing reimbursement of the costs from developers.
- d) Loss of development and employment opportunities.
- e) Deterioration in traffic conditions in the West Carmarthen area.
- f) Potential requirement to reinstate the areas subject to the Licence Agreements on which the current construction work has been undertaken, i.e. undo work to the value of approximately £3.5 million.

Should there be objections to the Order a Public Inquiry may be necessary which could delay the confirmation of the Order by several months.

5. Physical Assets

The land and properties required from Welsh Government and Hywel Dda University Health Board have been acquired. The properties could be sold, once the road has been completed, to recover part of the costs incurred.

Development of the road would provide enhanced access to the Council's St David's Park office campus and includes provision of car parking to replace that lost along the route of the road.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: S G Pilliner

Head of Highways and Transport

1. Scrutiny Committee – N / A.
2. Local Member(s) - N / A.
3. Community / Town Council - N / A.
4. Relevant Partners - N / A.
5. Staff Side Representatives and other Organisations - N / A.

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Executive Board Meeting on 19 th September 2016		http://democracy.carmarthenshire.gov.wales/documents/g306/Printed%20minutes%2019th-Sep-2016%2010.00%20Executive%20Board.pdf?T=1
County Council Meeting on 9 th November 2016		http://democracy.carmarthenshire.gov.wales/documents/g430/Printed%20minutes%2009th-Nov-2016%2010.00%20County%20Council.pdf?T=1
Executive Board Member for Resources Decision Meeting on 27 th April 2017		http://democracy.carmarthenshire.gov.wales/documents/g974/Printed%20minutes%2027th-Apr-2017%2014.30%20Executive%20Board%20Member%20Decisions%20Meeting%20for%20Resources.htm?T=1&CT=2

Mae'r dudalen hon yn wag yn fwriadol

Adran Seilwaith yr Economi
Department for Economic Infrastructure



Llywodraeth Cymru
Welsh Government

CARMS C.C.

22 DEC 2017

RIF WEITHREDWR
CMAF EXECUTIVE

Head of Administration and Law
Carmarthenshire County Council
County Hall
Carmarthen
SA31 1JP

For the attention of Mrs Ann Evans

Our Ref:
Your Ref: MAE/HP/HTCP-387

Date: 19 December 2017

Dear Madam,

ACQUISITION OF LAND ACT 1981

THE CARMARTHENSHIRE COUNTY COUNCIL (CARMARTHEN WESTERN LINK ROAD) COMPULSORY PURCHASE ORDER 2017

DELEGATION ARRANGEMENTS

1. The function of deciding whether or not to confirm this Order has been transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006. This falls under the authority of Ken Skates AM, Cabinet Secretary for Economy and Transport, one of the Welsh Ministers ("the Minister"). This letter conveys the Minister's decision.

INTRODUCTION

2. Your letter of 26 June 2017, submitted the above mentioned Order to the Welsh Ministers for confirmation.

THE ORDERS

3. The Compulsory Purchase Order ("the CPO") will enable Carmarthenshire County Council ("the Council") to acquire land and rights compulsorily for the construction and maintenance of the Carmarthen Western Link Road Scheme.

MINISTER'S CONSIDERATION AND DECISION

4. Section 14A(1) of the Acquisition of Land Act 1981 enables the confirming authority (in this case the Welsh Ministers) to confer the power to confirm a CPO on the acquiring authority, provided the land does not fall within the categories of land mentioned in section 14A(2) of the Act and the Welsh Ministers are content that the requirements of section 14A(3) of the said Act are satisfied (i.e. the notice requirements have been complied with; no objections have been received or, if received, have been withdrawn and the Order is capable of being confirmed without modification).

5. The Planning Inspectorate have confirmed that the notice requirements have been met and the objections received have been withdrawn. The Minister is satisfied that the land does not fall within the categories of land mentioned in section 14A(2) of the Act and that all the requirements described in paragraph 4 have been met and has therefore decided that the confirmation of this CPO is one that can be undertaken by the Council.

CONVEYANCE OF DECISION

6. Please arrange for copies of this letter to be placed on deposit for public inspection at the Customer Service Centre of the Carmarthenshire County Council at Number 3 Spilman Street, Carmarthen SA31 1JP.

PROCEDURAL MATTERS

7. The CPO will come into effect on the date when the Council first publishes the Notice of the Confirmation of the Order in the local newspaper. The notice should specify the right of challenge to the confirmation of the Order. The Council's attention is drawn to the requirements of section 15(3A) of The Acquisition of Land Act 1981. At the coming into force stage, would you please arrange for a copy of the confirmed Order to be made available at the deposit location listed at paragraph 6 above.

8. Please send, as soon as possible, 2 copies of the Order and map, as confirmed, to the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff CF10 3NQ.

COMPENSATION ISSUES

9. The Council is required to negotiate and pay any compensation arising as a consequence of the confirmed CPO. If parties fail to agree the amount of compensation, then they may refer the matter to the Lands Tribunal for determination under the provisions of the Lands Tribunal Act 1949 and the Land Compensation Act 1961.

Yours faithfully



SHEENA HAGUE

Deputy Director, Network Management, Transport

Eitem Rhif 5

Yn rhinwedd paragraff(s) 14 o Rhan 4 o Atodlen 12A% o ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd
Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007

Document is Restricted

Mae'r dudalen hon yn wag yn fwriadol

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Mae'r dudalen hon yn wag yn fwriadol

Eitem Rhif 6

Yn rhinwedd paragraff(s) 14 o Rhan 4 o Atodlen 12A% o ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd
Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007

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Eitem Rhif 7

Yn rhinwedd paragraff(s) 14 o Rhan 4 o Atodlen 12A% o ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd
Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007

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Mae'r dudalen hon yn wag yn fwriadol

Eitem Rhif 8

Yn rhinwedd paragraff(s) 14 o Rhan 4 o Atodlen 12A% o ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd
Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007

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