Pecyn Dogfennau

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

DYDD IAU, 29 MAWRTH 2018

AT: YR AELOD O'R BWRDD GWEITHREDOL DROS

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R **CYFARFOD PENDERFYNIADAU AELOD Y BWRDD GWEITHREDOL DROS DIOGELU'R CYHOEDD** A GYNHELIR YN **YSTAFELL CYFARFOD ADFYWIO, NEUADD Y SIR, CAERFYRDDIN** AM **10.00 AM,** AR **DYDD IAU, 12FED EBRILL, 2018** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA ATODEDIG.

Mark James DYB

PRIF WEITHREDWR

AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democrataidd:	**Kevin Thomas**
Ffôn (llinell uniongyrchol):	**01267 224027**
E-bost:	**Kjthomas @sirgar.gov.uk**
Cyf:	**AD016-001**

A G E N D A

1.	**DATGANIADAU O FUDDIANT**	
2.	**DIWYGIO CAMAU GORFODI O RAN TIPIO ANGHYFREITHLON**	5 - 10
3.	**LLOFNODI BOD COFNOD PENDERFYNIADAU'R CYFARFOD A GYNHALIWYD AR 19EG IONAWR, 2018 YN GOFNOD CYWIR**	11 - 12

CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD GWEITHREDOL DROS DIOGELU'R CYHOEDD

12 FED EBRILL 2018

Yr Aelod o'r Bwrdd Gweithredol:	**Portffolio:**
Y Cynghorydd Philip Hughes	Diogelu'r Cyhoedd

Pwnc

Pwrpas: Diwygio camau gorfodi o ran tipio anghyfreithlon

Yr argymhellion / penderfyniadau allweddol sydd eu hangen: Cymeradwyo'r gosb benodedig am dipio anghyfreithlon, sef £350, neu £180 os caiff y gosb ei thalu o fewn 10 diwrnod. Mae'r gallu i roi tocyn cosb benodedig yn welliant o dan Adran 33z(b) o Ddeddf Diogelu'r Amgylchedd 1990.

Y Rhesymau: Mae'r Llywodraeth wedi gwneud darpariaethau i ddiwygio Deddf Diogelu'r Amgylchedd 1990 i gynnwys rhoi tocyn cosb benodedig fel ffordd o ymdrin â throsedd tipio anghyfreithlon yn lle mynd â'r mater i'r llys. Mae'r gwelliant yn canolbwyntio ar waredu symiau bach o wastraff yn anghyfreithlon, hyd at 8 bag du. Ni fyddai'r opsiwn hwn yn cael ei gynnig yn achos gwastraff masnachol a gwastraff peryglus lle byddai camau erlyn yn cael eu cymryd. Mae'r mesurau hyn wedi cael eu cymryd i atal pobl sy'n gwaredu symiau bach o wastraff yn anghyfreithlon rhag mynd i'r llys.

Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Ainsley Williams	Swydd	Rhif Ffôn: 3764
Awdur yr Adroddiad: Paul Morris	Rheolwr Gorfodi Materion Amgylcheddol	Cyfeiriad e-bost: PMorris@sirgar.gov.uk

Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

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 SUMMARY
EXECUTIVE BOARD MEMBER FOR PUBLIC PROTECTION
12TH APRIL 2018

Amendment to Fly Tipping Enforcement - Fixed Penalty Ticket	

Fly-tipping is the illegal dumping of waste on to land. It can pollute the environment, be harmful to human health and spoils our enjoyment of our towns and countryside.

To tackle fly-tipping across the county, Fixed Penalty Notices (FPNs) for small-scale fly-tipping offences can be issued by an authorised officer to those who commit this offence. This will enable the authority to provide a more proportionate response to low-level, high-volume offences and act as a deterrent to offenders.

The FPN fines for small-scale fly-tipping can range between £150 and £400. If no amount is specified by the waste collection authority, the amount of the fixed penalty is £200. Provision can be made by the waste collection authority for a discount for early payment of a fixed penalty.

The advantage of utilising this disposal of offence is to avoid costly legal processes.

Recommendation:-

Having reviewed the cost of removal of small scale fly tipping a proportionate amount of a fixed penalty would be £350 with an early payment in 10 days reduced to £180.

DETAILED REPORT ATTACHED ?	**NO**

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: Ainsley Williams **Head of Waste and Environmental Services**

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

Legal

Enforcement Officers have existing powers and authorised under S33 of the Environmental Protection Act 1990.

This amendment under section 33z(b) enables the officers to issue fixed penalty tickets for the offence of fly tipping

Finance

Currently action through the courts results in fines and costs being awarded. Any fines issued are sent to the treasury and costs awarded are given back to the authority.

In the event of small scale fly tipping and a fixed penalty being issued the revenue is given back to the authority.

Any failure to pay the fixed penalty ticket will result in court proceedings and the outcome is as described above.

ICT

The back office systems are already in place to deal with other fixed penalty tickets and would require no change.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below **Signed: Ainsley Williams**   **Head of Waste and Environmental Services**

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee – Not Applicable

2.Local Member(s) - Not Applicable

3.Community / Town Council – Not Applicable

4.Relevant Partners - Not Applicable

5.Staff Side Representatives and other Organisations – Not Applicable

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

THERE ARE NONE

Mae'r dudalen hon yn wag yn fwriadol

CYFARFOD PENDERFYNIADAU AELOD Y BWRDD GWEITHREDOL DROS DIOGELU'R CYHOEDD

DYDD Gwener, 19 Ionawr 2018

YN BRESENNOL: Y Cynghorydd: P.M. Hughes (Aelod o'r Bwrdd Gweithredol).

Roedd y swyddogion canlynol yn bresennol:
K. Thomas, Swyddog Gwasanaethau Democrataidd

Ystafell 72A - Neuadd Y Sir, Caerfyrddin - 10.00 - 10.05 am

1. DATGANIADAU O FUDDIANT

Y Cynghorydd	Rhif y Cofnod	Y Math o Fuddiant
Y Cynghorydd P.M. Hughes	Cofnod 2 – Cynllun Cyflawni Gwasanaeth 2017/18 - Gwasanaethau Diogelu'r Amgylchedd	Mae'n berchen ar fusnesau y bydd y Cynllun Cyflawni yn effeithio arnynt

2. CYNLLUN CYFLAWNI GWASANAETH 2017/18 - GWASANAETHAU DIOGELU'R AMGYLCHEDD

(NODER: Roedd y Cynghorydd P.M. Hughes wedi datgan buddiant yn yr eitem hon yn gynharach)

Oherwydd bod y Cynghorydd P.M. Hughes wedi datgan buddiant yn yr eitem hon yn gynharach bydd yr adroddiad yn cael ei gyfeirio at y Bwrdd Gweithredol i wneud penderfyniad yn ei gylch.

3. DERBYN COFNOD PENDERFYNIADAU CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD GWEITHREDOL DROS DDIOGELU'R CYHOEDD A GYNHALIWYD AR 22AIN TACHWEDD, 2017.

PENDERFYNWYD llofnodi bod Cofnod Penderfyniadau cyfarfod yr Aelod o'r Bwrdd Gweithredol dros Ddiogelu'r Cyhoedd a gynhaliwyd ar 22 Tachwedd, 2017, yn gofnod cywir.

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AELOD O'R BWRDD GWEITHREDOL **DYDDIAD**

Mae'r dudalen hon yn wag yn fwriadol