

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
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DYDD LLUN, 18 CHWFROR 2019

**AT: HOLL AELODAU'R PWYLLGOR CRAFFU DIOGELU'R
CYHOEDD A'R AMGYLCHEDD**

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD
O'R **PWYLLGOR CRAFFU DIOGELU'R CYHOEDD A'R
AMGYLCHEDD** SYDD I'W GYNNAL YN Y SIAMBR, 3 HEOL
SPILMAN NEUADD Y SIR, CAERFYRDDIN AM 10.00 AM AR
DYDD GWENER, 22^{AIN} CHWFROR, 2019 ER MWYN
CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA
ATODEDIG.

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

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Cyf:	AD016-001

PWYLLGOR CRAFFU DIOGELU'R CYHOEDD A'R AMGYLCHEDD 14 AELOD

GRŴP PLAID CYMRU – 8 AELOD

- | | | |
|----|------------|----------------------------------|
| 1. | Cynghorydd | Karen Davies |
| 2. | Cynghorydd | Mansel Charles |
| 3. | Cynghorydd | Jeanette Gilasbey |
| 4. | Cynghorydd | Dorian Phillips |
| 5. | Cynghorydd | Susan Phillips |
| 6. | Cynghorydd | Alan Speake |
| 7. | Cynghorydd | Dai Thomas |
| 8. | Cynghorydd | Aled Vaughan Owen (Is-Cadeirydd) |

GRŴP LLAFUR – 4 AELOD

- | | | |
|----|------------|------------------------|
| 1. | Cynghorydd | Penny Edwards |
| 2. | Cynghorydd | Amanda Fox |
| 3. | Cynghorydd | Tina Higgins |
| 4. | Cynghorydd | John James (Cadeirydd) |

GRŴP ANNIBYNNOL – 2 AELOD

- | | | |
|----|------------|---------------|
| 1. | Cynghorydd | Arwel Davies |
| 2. | Cynghorydd | Joseph Davies |

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGANIADAU O FUDDIANNAU PERSONOL GAN GYNNWYS UNRHYW CHWIPIAU PLEIDIAU A RODDIR MEWN YMATEB I UNRHYW EITEM AR YR AGENDA.
3. CWESTIYNAU GAN Y CYHOEDD (NID OEDD DIM WEDI DOD I LAW)
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Mae'r dudalen hon yn wag yn fwriadol

Y PWYLLGOR CRAFFU DIOGELU'R CYHOEDD A'R AMGYLCHEDD

22 CHWEFROR 2019

ADOLYGU'R PROSIECT NEWID I OLEUADAU LED

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Y wybodaeth ddiweddaraf ynghylch cyflwyno camau'r cynlluniau LED a chael gwybod am y cynnydd diweddaraf ynghylch y prosiect newid i lanternau LED hyd yn hyn

Y Rhesymau:

Er gwybodaeth i'r Pwyllgor

**Angen ei gyfeirio at y Bwrdd Gweithredol / Cyngor er mwyn gwneud penderfyniad:
NAC OES**

Yr Aelod o'r Bwrdd Gweithredol sy'n Gyfrifol am y Portffolio:

Y Cynghorydd Hazel Evans (Yr Amgylchedd)

Y Gyfarwyddiaeth: Yr Amgylchedd	Swydd:	Rhifau Ffôn a Chyfeiriadau E-bost:
Enw Pennaeth y Gwasanaeth: Stephen Pilliner	Pennaeth Priffyrdd a Thrafnidiaeth	01267 228150 SGPilliner@sirgar.gov.uk
Awdur yr Adroddiad: Arwel Price	Peiriannydd Goleuadau Cyhoeddus	01554 742288 AWPrice@sirgar.gov.uk

EXECUTIVE SUMMARY
ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE

22nd FEBRUARY 2019

REVIEW OF LED CONVERSION PROJECT

To update the committee on the phasing and progress of the LED lantern conversion program.

The Executive Board approved the LED lantern conversion under the Street lighting PBB saving options on 27th July 2015. The department has secured the funding through a combination of the Welsh Government Invest to Save (I2S) and from the Council's reserves.

The third phase of the program is almost complete and the attached report gives the details of the phasing and the savings achieved.

The report is for the Committee's information.

DETAILED REPORT ATTACHED?

YES

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.G. Pilliner**

Title: **Head of Transportation and Highways**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	NONE

3. Finance – Capital has been secured via the Wales Government Invest to Safe fund and from reserves. Budget efficiencies of £627,000 have been delivered to date with a further £107,000 efficiency to be delivered in phase 3 of the programme during 2018/19.

CONSULTATIONS

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

Signed: **S.G. Pilliner**

Title: **Head of Transportation and Highways**

1. Local Member(s) – N/A
2. Community / Town Councils – N/A
3. Relevant Partners – N/A
4. 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
STREET LIGHTING PBB SAVING OPTIONS	http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20150727/index.asp

Mae'r dudalen hon yn wag yn fwriadol

Report to Environment Scrutiny Committee LED Lighting Project Update.

1. Introduction and Background

1.1 The Authority Public Lighting section has continued to implement a programme to convert sodium lanterns to LED lanterns as approved by Executive board on 27th July 2015. The programme was developed to deliver a targeted efficiency saving of £627,000 over a three year period.

1.2 The report to Executive Board set out that £401,000 of revenue savings would be achieved through converting the Sodium lamps to LED with a further £227,000 to be delivered from reduced maintenance, labour and plant costs.

1.3 Executive Board resolved:

1.3.1 That the Technical Services Department be authorised to prepare a business case to pursue the option of funding the capital investment required to deliver the “Converting sodium lanterns to LED lanterns” option savings over the next years to implement Phases 1-3 noted in the report, via the WAG “Invest to Save” fund.

1.3.2 That the Technical Services Department’s reserves (Fleet Management Reserve) be utilized to fund the capital works (up to £1.875m) required to deliver the PBB savings identified in Phase 1 and Phase 2 of the report, and that the Department continues to investigate alternative funding for Phase 3;

1.3.3 That the Public Lighting section fully implements measures to deliver the options for reducing maintenance, vehicle and labour costs noted in the report thus reducing its operational costs in order to meet its PBB targets;

1.3.4 That, should the proposals noted above fail to be delivered, then a programme of “de-commissioning” lights on the road networks be prepared by the Public Lighting section to achieve the required budget savings for the outstanding amount and report thereon be submitted in due course.

1.4 The capital investment required to fund delivery of the first phases of the programme was secured from a Wales Government Invest to Save Fund and reserves.

The programme was structured into three phases as set out in the Table One overleaf:

Table One

Phase	Programme Detail	Capital Investment 000's £	Forecast Revenue Savings £
1	Convert 3,202 Lanterns to Dimmable LED	925	119
2	Convert 4,429 Lanterns to Dimmable LED	950	153
3	Convert 4,776 Lanterns to Dimmable LED	1090	137
Total		2,965	409

2.0 Progress

Funding for the programme was secured through a £1.4 million Invest to Save Loan and the balance from the reserves, as approved by Executive Board. Further provision has been made from the Public Lighting section.

The original programme was reviewed and amended to exploit advancement in technology and improve efficiency during the installation phase. The detail is set out in Table Two below:

Table Two

Phase	Original Detail	Progress	Capital Investment Incurred/Forecast 000's	Variation	Revenue Savings Realised/Forecast
1	Convert 3,400 Lanterns to Dimmable LED	Converted 3,400 lamps	586	- 339	145
2	Convert 2,945 Lanterns to Dimmable /high Wattage LED	Converted 2,945 lamps	530	- 420	162
3	Convert 6,074 Lanterns to Dimmable LED	Ready for Implementa tion in 18/19	985 (Forecast)	-105	137
Total			2101	-864	444

The total PBB saving delivered to the end of Phase Three is **£734,000**.

The saving delivered to the end of the current financial year is consistent with the budget profile as set out in Table Three below.

Table Three

	2015/16 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's
PBB Savings Target	258	196	173	107
Cumulative	258	454	627	734

In terms of capital investment, the authority has drawn down the full £1,400,000 of an agreed invest to save loan.

The forecast savings moving forward are reliant on the Department continuing to sustain the efficiencies, the programme is subject to risk particularly with regards to energy costs.

The efficiencies gained from the procurement process has enabled all three phases of the LED conversion program to be delivered below the original forecasted budgeted costs. This has enabled us to fund all of the LED lantern conversions as set out in Phase 3.

The project to date has been successful in delivering the efficiencies forecast at the outset and we envisage that phase 3 will continue in the same vein.

Conclusion and Recommendation.

Members are asked to consider and comment on the progress to date as set out in the report.

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR CRAFFU
DIOGELU'R CYHOEDD A'R AMGYLCHEDD**

22 CHWEFROR 2019

**Y DIWEDDARAF YNGHYLCH Y RHAGLEN FUDDSODDI O RAN
PRIFYRDD, TROEDFFYRDD A DIOGELWCH FFYRDD**

Y Pwrpas:

Rhoi diweddariad ynghylch y rhaglen fuddsoddi bresennol mewn perthynas â diogelwch ffyrdd a seilwaith cysylltiedig.

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Bod y Pwyllgor yn ystyried ac yn gwneud sylwadau ar y rhaglen fuddsoddi bresennol mewn perthynas â diogelwch ffyrdd a seilwaith cysylltiedig.

Y Rhesymau:

Er gwybodaeth i'r Pwyllgor.

**Angen ei gyfeirio at y Bwrdd Gweithredol / Cyngor er mwyn gwneud penderfyniad:
NAC OES**

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cynghorydd H.A.L Evans – Amgylchedd

Cyfarwyddiaeth: Amgylchedd

Enw y Pennaeth Gwasanaeth:
Stephen G Pilliner

Awdur yr Adroddiad:
Simon Charles

Swyddi:
Pennaeth Prifffyrdd a Thrafnidiaeth

Rheolwr Strategaeth a Seilwaith
Trafnidiaeth

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EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

22nd FEBRUARY 2019

HIGHWAY FOOTWAY AND ROAD SAFETY STRATEGY INVESTMENT PROGRAMME UPDATE

1.0 Introduction and Background.

1.1 The County Council employs many measures to prevent road traffic casualties including education, publicity campaigns, training, traffic management and other road safety initiatives as well as the construction of a number of road safety improvement schemes each year. The overall strategy is outlined in the Carmarthenshire County Council Local Transport Plan which is contained within the Joint Local Transport Plan for South West Wales.

1.2 These measures are funded from a variety of sources including both capital and revenue grants and other funds which are summarised as follows with further details provided in the Summary Table at the end of the report.

2.0 Local Transport Plan / Local Transport Fund

2.1 The South West Wales Integrated Transport Consortium (SWWITCH) was formally dissolved in early 2014 and Welsh Government required local authorities to prepare a Local Transport Plan. The four West Wales local authorities agreed to continue a collaborative approach which is linked to the Swansea Bay City Region and the emerging City Deal. The priorities within the Carmarthenshire County Council Local Transport Plan (LTP) were approved in 2015.

2.2 Funding which was previously allocated to the Regional Consortium is now allocated to the individual local authorities on a competitive basis and bids for the Local Transport Fund (LTF) are submitted to Welsh Government on an annual basis. This LTF Grant is subject to an ever increasing level of scrutiny as the all Wales funding is limited. The annual bid for 2018-19 was limited to a maximum of three projects, one of which had to be linked to the provision of walking and cycling related initiatives as a result of the now enacted Active Travel (Wales) Act; Welsh Government recently advised that future funding for Active Travel related projects will be based on these Integrated Network Maps (INM) submitted by Local Authorities and approved by Welsh Government.

2.3 Bids listed below for next year's LTF funding have been submitted to Welsh Government on 18th January 2019:

- Cross Hands Economic Link Road - £2,370,000
- EV Charge Points - £219,882
- Llanelli Urban and Coastal Belt Network Improvements - £750,000
- Access to Pembrey County Park - £150,000
- Towy Valley Path - £1,875,000. Please note this is being submitted to 2 funding streams
- Ammanford Distributor Road - £100,000.

3.0 Local Transport Network Fund

3.1 Similar to the Local Transport Fund, Local Authorities could also submit bids for grant from the Welsh Government Local Transport Network Fund (LTNF).

3.2 LTNF Grant provides a funding opportunity for the Authority to deliver projects / implement measures so as to improve public transport journey time reliability, to reduce public transport journey times and to connect communities and enable access to employment, education and key services.

3.3 A bid listed below for next year's LTNF funding has been submitted to Welsh Government on 18th January 2019. Details are set out below:

- Carmarthenshire Strategic Public Transport Corridors - £450,000

4.0 Safe Routes in Communities

4.1 The Safe Routes in Communities (SRiC) grant provides direct funding from the Welsh Government for the County Council to deliver projects that create or enhance active travel within communities with the aim of improving accessibility and safety. This will help create greater social inclusion and improved community safety. Safe Routes in the Communities funds capital works such as: -

- crossings
- traffic calming measures
- shared use paths
- footpaths
- secure cycle facilities (including stands and CCTV), lockers and changing facilities.

4.2 The County Council must bid for this funding on an annual basis. The Welsh Government has advised that schemes must link directly with the Integrated Network map or have been included in a schedule of works to upgrade safe walking routes to schools included in a response to the Minister in the summer of 2014.

New guidance suggests that only one bid can be submitted along with one ongoing scheme. Two projects are included in the current 2018-19 financial year for works in the Llanelli West (2 year works programme) and Newcastle Emlyn areas. A total of £587,647 has been secured for these areas with £20k included in the current Capital Programme to utilise as match funding to the 2018-19 grant.

4.3 Carmarthenshire County Council has been highly successful in securing this SRiC funding being consistently among the highest awards for this particular grant.

4.4 Bids listed below for next year's SRiC funding have been submitted to Welsh Government on 18th January 2019:

- Llanelli West (Phase 2) - £409,572
- Ammanford & Betws - £440,172
- Efailwen - £44,250

5.0 Active Travel Act and Local Authority Obligations

5.1 The Active Travel (Wales) Act makes provision for a number of items including the development of approved maps of existing active travel routes, the promotion of active travel journeys and to enhance the infrastructure provision made for walkers and cyclists among others.

5.2 A number of key obligations have been passed to Local Authorities to implement, including the mapping of routes, the need to have regard for the active travel route network in the development of transport policies, the promotion of active travel journeys and to enhance the provision made for walkers and cyclists.

5.3 One of the obligations require Local Authorities to submit details of walking and cycling routes for inclusion in all Wales database of such routes (known as Existing Route Map). These details included an audit of all routes and Carmarthenshire County Council were one of only five Local Authorities that secured Welsh Government approval without the need for further work. The Authority was also required to submit an Integrated Network Map (INM) during 2017 which also received formal approval from the Welsh Government.

5.4 Welsh Government have confirmed that future funding for Active Travel related projects will be based on these INMs.

In the current financial year 2018-19, a total of £240,000 has been awarded under LTF (Active Travel Design) for the development of routes identified on the INM for works such as feasibility studies, scheme design, land purchase and consultation/engagement.

In addition to this, we have secured £532,800 via Welsh Government **Active Travel Fund** for capital works constructing schemes identified on the INM; these include completing the missing active travel link on the A4138 in Llanelli and works on the Ammanford to Cross Hands masterplan.

5.5 Bids listed below for next year's **Active Travel Fund** have been submitted to Welsh Government on 18th January 2019:

- Strategic (Towy Valley Path) - £1,875,000. Please note this is being submitted to 2 funding streams.
- Local (Carmarthenshire Walking & Cycling Linkages) - £1,043,000

6.0 Road Safety Improvement and Footway Improvement Programme

6.1 At its meeting on the 14th November 2011 the Executive Board approved the criteria for assessment, selection and prioritisation of Road Safety Improvement and Footway Improvements to be funded from the Council's capital budget allocation for such works. A new 3 year rolling programme was developed and implemented from 2013-14. The prioritised programme is subject to an annual review to allow for new requests to be assessed and to re-assess locations where circumstances are known to have changed since the last prioritisation assessment, with a fundamental review at periodic intervals. The criteria for assessment was updated in the spring of 2017 and formally approved by Executive Board on 27th February 2017.

6.2 During the summer of 2017 the prioritised programme was reassessed in accordance with the criteria to determine the 3 year rolling programme (commencing in 2018-19); the schemes will be subject to further feasibility works in future years, subject to the availability of funding.

6.3 Previously committed schemes continue to be developed and implemented as funding and any other constraints permit. The committed schemes included in Table 1 will continue to be developed and implemented as funding and other constraints permit.

7.0 Road Safety Grant (Capital & Revenue)

7.1 The Road Safety Grant was introduced in 2000. The Capital Grant provides direct funding from the Welsh Government for the County Council to provide engineering solutions to road safety problems on the county road network. The Revenue Grant is used to provide a programme of road safety related education and training initiatives.

7.2 The County Council must bid to the Welsh Government for both capital and revenue funding on an annual basis. The revenue allocation is set for each LA by use of a formula based on the latest available population numbers (60%) and casualty numbers of those killed or seriously injured (40%).

7.3 The County Council prioritises the selection of road safety engineering projects for its capital bids on the basis of historic collision and casualty statistics along rural routes and at urban cluster sites. The Council assesses the collision and casualty reduction performance of each scheme delivered using the grant. There is a strong partnering approach to all initiatives funded from this grant through groups such as 1) the Carmarthenshire Speed Limit Working Group; 2) Dyfed Powys Police and 3) GoSafe.

7.3 For its revenue bids priority is given to high risk groups of young people and motorcyclists and also to child pedestrian and cycling training. The programmes are designed to improve people's awareness, knowledge, skills, and behaviour and develop safer attitudes towards using the highway.

7.4 Bids listed below for next year's Road Safety Grant funding have been submitted to Welsh Government on 18th January 2019:-

Capital:-

A485/A4243 Carmarthen – Cwmann Route

Total Bid = £497,700

Revenue:-

Kerbcraft

National Cycle Training

Biker Down! Cymru

Dragon Rider Cymru

Pass Plus Cymru

Older Drivers' Refresher Programme

Rural Roads Project

Total Bid = £129,200

8.0 Traffic Management and Accident Prevention Programme

8.1 The following traffic and accident prevention elements are provided on the county road network using the Councils revenue budget allocation for such works: -

- Traffic orders for speed limits, one way working, weight restrictions, width restrictions, buses only, no entry order, no motor vehicles order, disabled persons parking bays, waiting restrictions, residents parking zones;
- Traffic calming elements, road humps, narrowing's and chicanes, gateway and entry treatments, vehicle activated message signs, speed limit roundel markings, coloured surfaces, surface texture – skid resistant material;
- Hatched road markings, countdown signs, bollards, disabled parking bays.

8.2 The current programme of traffic management and accident prevention projects being delivered using the revenue funding is shown in Table 1 at the end of the report.

9.0 Recommendations.

Members are asked to note the report.

SUMMARY OF FUNDING FOR ROAD SAFETY RELATED AND OTHER INFRASTRUCTURE SCHEMES FOR 2018 – 19

PROJECT	COMMENTS	2018/19 BUDGET
Road Safety Improvement Programme - (previously committed proposals)		£286,434
C2134 Tycroes	Ongoing development, negotiations, view to commence – potential s. 106 contributions	
Rhos / Saron Footway Improvement	Phase 2 – feasibility design only : completed	
Bronwydd	DFS installations	
Prioritised Programme for Highway Infrastructure and Road Safety Improvements -		
Allt y Cnap Road / Llanstephan Road, Johnstown, Carmarthen (B4312 / C2078)	Design only	
Llanstephan Road flyover, Johnstown (B4312)	Complete	
Ponthenri (B4317 / C2077)	Design only	
Llanybydder Square to Pencarreg (A485)	Design only	
A484 between Idole and Cwmffrwd (A484)	Design only	
Nantgaredig to Abergorlech (B4310)	Design only	
Oaklands Junction, Cwmffrwd (A484 / B4309)	Design only	
Nantycaws (C2071)	Design only	
Carway / Pontyates	Subject to design / feasibility due to commence in Yr 18/19	
Llangain (NR Lodge/Llwyn-du) (B4312)	Complete	
Llangain (Belmont to kiosk) (B4312)	Complete	
Kidwelly (Carmarthen Road) (A484)	Design only	
Carmarthen Road, Cwmann (A485)	Location included in bid for WG Active Travel Fund Yr 19/20	
Safe Routes in Communities -		<i>External Grant allocation:</i>
Llanelli West	Funded by WG Grant	£398,647.22
Newcastle Emlyn	Funded by WG Grant	£189,000
Active Travel Projects -		<i>External Grant allocation</i>
Active Travel Design (LTF 18/19)	Feasibility designs only	£240,000

PROJECT	COMMENTS	2018/19 BUDGET
Local Transport Fund Projects -		<i>External Grant allocation:</i>
Ammanford Economic Regeneration Highway Infrastructure: <u>Wind Street / Tirydail Lane Jct</u>	Completion of construction in current FY	£650,000
Cross Hands Economic Link Road Phase 2	Continuation of land acquisition and completion of northern section (i.e. Llandeilo Road to Norton Road)	£2,185,000
Carmarthenshire Walking and Cycling Linkages	Active Travel projects including development of Tywi Valley Path from Carmarthen to Llandeilo (a 21km traffic free, shared use route along the River Tywi)	£200,000
Llanelli Urban and Coastal Belt Network Improvements	Continuation of detailed junction modelling and design of interventions subsequently identified	£100,000
Road Safety Schemes (funded by WG Road Safety Grant - Capital)		£512.5k
B4302 Llandeilo - Crugybar	Route treatment engineering works	
B4312 Johnstown - Llansteffan	Route treatment engineering works	
C2130 Capel Hendre - Ammanford	Route treatment engineering works/New footway	
Road Safety Education & Training (funded by WG Road Safety Grant - Revenue)		£133.5k
Pass Plus Cymru	An established initiative aimed at new drivers between the ages of 17 and 25 who have less than one year driving experience	
BikerDown! Cymru	A training process that has been tailored for motorcyclists who wish to enhance their knowledge and broaden their experience in dealing with road related incidents or collisions that may require basic First Aid intervention at the roadside	
Dragon Rider Cymru	The training package encourages post-test motorbike riders to improve their riding skills and follows the syllabus as laid down by the Driver and Vehicle Standards Agency Enhanced Rider Scheme.	
Young Driver Programme	A responsible driver/car-owner <i>education</i> course suitable for pre-drivers, learners, newly qualified drivers and their passengers. It is targeted mainly to Year 12s in 6th form and to students at tertiary/apprenticeship college.	
Kerbcraft	The scheme is designed to teach children to be safe pedestrians by giving them practical roadside training and showing them how to make the right decisions to keep safe when crossing the road.	
National Standards Cycle Training	The scheme is aimed at pupils in their last year at Primary school i.e. year 6 pupils, which in turn will encourage active travel to their chosen secondary school	

Rural Roads Project	Engagement events in targeted rural areas where there is a history of local resident casualty issues.	
Traffic Management Schemes - Miscellaneous		£242k
Minor TM Schemes (100 locations)	Road signs and markings	
Meidrim Village (Phase2)	Traffic Calming	
Park Lane, Llangennch	Weight Limit	
Four Roads	Speed Limit Reduction	
Glenalla Road, Llanelli	Residents Parking Scheme	
Llanelli (Various Streets)	Waiting Restrictions	
Carmarthen (Various Streets)	Waiting Restrictions	
	OVERALL TOTAL 2018/19 BUDGET	£4,023,000
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: **S. Pilliner** Head of Highways and Transport

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	YES	NONE	NONE

1. Policy, Crime & Disorder and Equalities

Road Safety is one of the Carmarthenshire Integrated Community Strategies. Road Safety strategies are also set out in the Carmarthenshire County Council Local Transport Plan which is contained within the Joint Transport Plan for South West Wales.

Delivery of sustainable transport projects is also one of the objectives of the Carmarthenshire County Council Local Transport Plan which is contained within the Joint Transport Plan for South West Wales.

2. Legal

The Council has a statutory responsibility to manage and maintain public roads. That duty includes the investigation of road traffic accidents, the provision of road safety measures and enabling the expeditious movement of traffic.

The Council has a statutory responsibility to promote walking and cycling and other sustainable modes of transport as outlined in the Active Travel (Wales) Act.

3. Finance

The budgets for the current financial year to deliver sustainable transport and road safety projects are set out in the report.

5. Risk Management Issues

Potential for challenge to the Council's management of sustainable transport and road safety project grant claims.

CONSULTATIONS

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

Signed: S. Pilliner

Head of Highways and Transport

1. Local Member(s) - N/A.
2. Community / Town Council - N/A.
3. Relevant Partners - N/A.
4. 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
Joint Transport Plan for South West Wales		http://www.carmarthenshire.gov.wales/media/1085004/Joint-Transport-Plan-300115.pdf

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR CRAFFU
DIOGELU'R CYHOEDD A'R AMGYLCHEDD**

22 CHWEFROR 2019

**DIWEDDARIAD YNGHYLCH GWAITH Y TÎM GORFODI
MATERION AMGYLCHEDDOL**

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Derbyn gwybodaeth mewn perthynas â gwaith y Tîm Gorfodi Materion Amgylcheddol.

Y Rhesymau:

Er gwybodaeth y Pwyllgor: mae'r adroddiad hwn yn darparu diweddariad ynghylch y math o waith a'r gweithgareddau a wnaed gan yr Uned Gorfodi Materion Amgylcheddol.

**Angen ei gyfeirio at y Bwrdd Gweithredol / Cyngor er mwyn gwneud penderfyniad:
NAC OES**

Yr Aelod o'r Bwrdd Gweithredol sy'n Gyfrifol am y Portffolio:

Y Cynghorydd Philip Hughes (Diogelu'r Cyhoedd)

<p>Y Gyfarwyddiaeth: Yr Amgylchedd</p> <p>Enw Pennaeth y Gwasanaeth: Ainsley Williams</p> <p>Awdur yr Adroddiad: Paul Morris</p>	<p>Swydd:</p> <p>Pennaeth Gwasanaethau Amgylcheddol a Gwastraff</p> <p>Rheolwr Gorfodaeth Amgylcheddol</p>	<p>Rhifau Ffôn a Chyfeiriadau E-bost:</p> <p>01267 224500 AIWilliams@sirgar.gov.uk</p> <p>01554 784164 PMorris@sirgar.gov.uk</p>
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EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

22nd FEBRUARY 2019

ENVIRONMENTAL ENFORCEMENT TEAM ACTIVITY UPDATE

1. Introduction

- 1.1** The Environmental Enforcement Unit consists of 4 teams that cover Carmarthenshire and are split into 4 areas or beats. These beats are: the North West covering Carmarthen/Whitland/Newcastle Emlyn, the North East covering Llandeilo/Ammanford/Crosshands, the South West covering Llanelli West/Burry Port/Kidwelly and the South East covering Llanelli East/Llywnhendy/Bynea.
- 1.2** The unit is primarily focused on dealing with litter, dog fouling and fly tipping however they are responsible for dealing with environmental crime that has an adverse impact on local environmental quality namely graffiti, fly posting, abandoned and nuisance vehicles, highways offences and waste offences. Preventing offences is equally important and officers conduct talks in schools highlighting the issues surrounding litter and dog fouling.
- 1.3** The Officers are responsible for reactive and pro-active enforcement by responding to complaints and also providing a patrolling element detecting offenders who commit offences within the officer's authorised powers.
- 1.4** The officers respond to around 300 to 350 incidents per month dealing with the spectrum of environmental crime utilising the Flare operational system that is shared between Public Protection, Trading Standards and the Environmental Enforcement Section this allows for data sharing between the teams.

2. Background

- 2.1** The unit was originally created in response to the need to take action to deal with dog fouling, litter and fly tipping. Once established the unit began to issue fixed penalty fines, interview suspects under the Police and Criminal Evidence Act which led to prosecutions in both the Magistrates/Crown Court and issued notices in compliance of our waste policies.
- 2.2** To ensure the section was adhering to good enforcement principles the enforcement concordat was adopted, this promoted best practice values that have recently been implemented into the current Corporate Enforcement Policy (Appendix A).

2.3 Legislation has dictated how the unit can function and over the years the law has evolved to reflect current society. The section has been at the forefront of interpretation and implementation of these laws an example being the current Public Space Protection Orders.

2.4 There has been much research undertaken that without effective and efficient enforcement areas would become degraded, anti-social behaviour increases which links in with an increase in crime. The unit aspires to undertake all enforcement activities across the spectrum of environmental crime to restrict and reduce incidents of anti-social behaviour.

2.5 Offences dealt with are:

- Dog Fouling
- Litter
- Fly- tipping
- Duty of care- including waste related offences
- Graffiti and fly posting
- Abandoned/ nuisance vehicles
- Highway Offences

3. Current situation

3.1 The section utilises the Flare operational system to manage complaints from a variety of sources and operates the system for case file preparation and letter generation. The system is shared between Environmental Health and Trading Standards and allows for data sharing as there is cross departmental working between the respective units.

3.2 Officers provide input into the Local Environmental Quality forum whereby agenda items are provided via Grounds, Cleansing, Refuse, Policy and Enforcement. As a result of the meetings, actions are created in order to provide a holistic approach in dealing with Waste and Environmental issues.

3.3 Officers attend the National Enforcement Forum in order to obtain the latest updates in Enforcement and share best practice.

3.4 The Unit work closely with the Council's Communications Unit in highlighting fines and prosecutions for maximum effect in deterring individuals to commit crime.

3.5 Officers attend local groups like the needle exchange programme and CCTV operational meetings, to provide expertise and direction.

3.6 The Unit follows a work programme that encapsulates current trends and focus on the issues at hand. (Appendix B). By the nature of the work undertaken, the programme of work must be flexible to allow reactive work to take place.

DETAILED REPORT ATTACHED?

YES and

Appendix A – Enforcement Policy

Appendix B – Enforcement Work Programme

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: A I Williams Title: Head of Waste & Environmental Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

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

Signed: A I Williams Title: Head of Waste & Environmental Services

- 1. Local Member(s) – N/A**
- 2. Community / Town Councils – N/A**
- 3. Relevant Partners – N/A**
- 4. 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
Environmental Protection Act 1990	Legislation.gov.uk/ https://www.legislation.gov.uk/ukpga/1990/43/contents
Anti-Social Crime and Policing Act 2014	Legislation.gov.uk/ http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted
Clean Neighbourhoods and Environment Act 2005	Legislation.gov.uk/ https://www.legislation.gov.uk/ukpga/2005/16/contents
Highways Act 1980	Legislation.gov.uk/ https://www.legislation.gov.uk/ukpga/1980/66
Welsh Government Stats	Welsh Government Webpage/ https://statswales.gov.wales/Catalogue/Environment-and-Countryside/Fly-tipping

REPORT OF DIRECTOR OF ENVIRONMENT

**ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY
COMMITTEE**

DATE 22ND FEBRUARY 2019

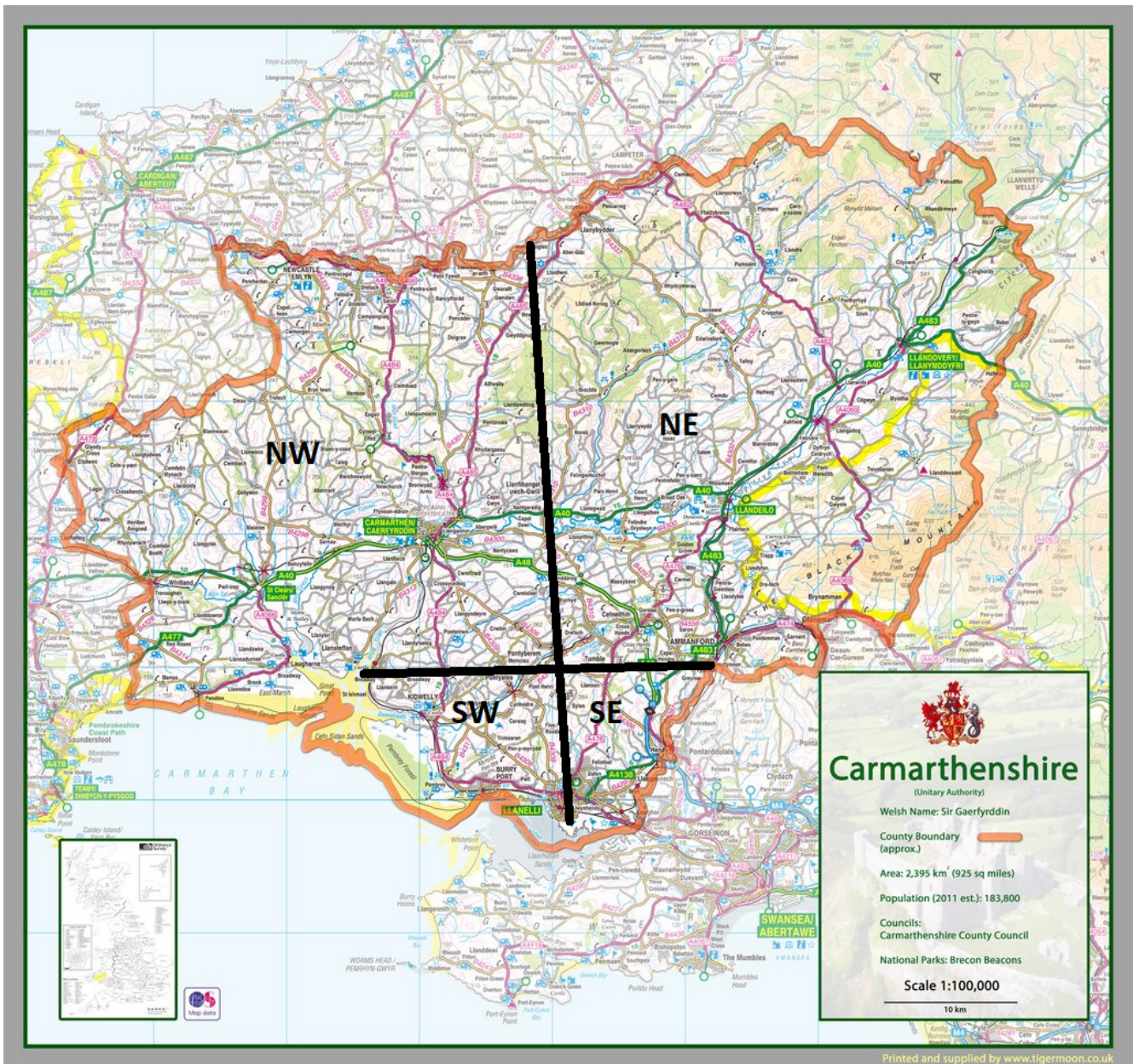
Environmental Enforcement Activity Update

HEAD OF SERVICE & DESIGNATION. A Williams Head of Waste & Environmental Services	DIRECTORATE Environment	TELEPHONE NO. 01267 224500
AUTHOR & DESIGNATION P Morris Environmental Enforcement Manager	DIRECTORATE Environment	TELEPHONE NO 01554 784164

1. Introduction

1.1. The Environmental Enforcement Unit consists of 4 teams that cover Carmarthenshire and are split into 4 geographical areas or beats.

These beats are: the North West covering Carmarthen/Whitland/Newcastle Emlyn, the North East covering Llandeilo/Ammanford/Crosshands, the South West covering Llanelli West/Burry Port/Kidwelly and the South East covering Llanelli East/Llywnehdy/Bynea.



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- 1.2 The unit is primarily focused on dealing with litter, dog fouling and fly tipping however they are responsible for dealing with environmental crime that has an adverse impact on local environmental quality namely graffiti, fly posting, abandoned and nuisance vehicles, highways offences and waste offences. Preventing offences is equally important and officers conduct talks in schools highlighting the issues surrounding litter and dog fouling.
- 1.3 The Officers are responsible for reactive and pro-active enforcement by responding to complaints and also providing a patrolling element detecting offenders who commit offences within the officer's authorised powers.
- 1.4 The officers respond to around 300 to 350 incidents per month dealing with the spectrum of environmental crime utilising the Flare operational system. The staff in the contact centre directly input into the Flare system that generates an incident into the officer's inbox.

2. Background

2.1 The unit was originally created in response to requests from members and our communities for action to be taken in relation to dog fouling, litter and fly tipping. Once established the unit began to issue fixed penalty fines, interview suspects under the Police and Criminal Evidence Act which led to prosecutions in both the Magistrates/Crown Court and issued notices in compliance of our waste policies.

2.2 To ensure the section was adhering to good enforcement principles the enforcement concordat was adopted, this promoted best practice values that have recently been implemented into the current Corporate Enforcement Policy (Appendix a):

- **Standards**
- **Openness**
- **Helpfulness**
- **Complaints about service**
- **Proportionality**
- **Consistency**
- **Principles of Good Enforcement: Procedures**

2.3 Once created the unit was co-opted into the Corporate Enforcement Group which was integral in following the concordat for all enforcement bodies within the council and still continues today under the chair of the current Executive Board Member Cllr. Philip Hughes.

2.4 Legislation has dictated how the unit can function and over the years the law has evolved to reflect current society. The section has been at the forefront of interpretation and implementation of these laws an example being the current Public Space Protection Orders.

2.5 There has been much research undertaken that without effective and efficient enforcement areas would become degraded, anti-social behaviour increases which links in with an increase in crime. The unit aspires to undertake all enforcement activities across the spectrum of environmental crime to restrict and reduce incidents of anti-social behaviour.

3 Offences dealt with

3.1 Dog fouling

Dog fouling is now undertaken utilising Public Space Protections orders under the Anti-Social Crime and Policing Act 2014. In 2016 following a comprehensive public consultation it was approved to enforce on the following conditions:-

- A county wide order requiring people to clean up after their dogs on all public land within the County.
- A county wide order requiring people to place their dog on a lead of no more than 2m in length when directed to do so by authorised officer.
- An order excluding dogs from children's play areas.

Penalties for offenders is set in the legislation at £100 for a fixed penalty and £50 if paid within 10 days of the offence. Offenders can be taken to the Magistrates Court where they can receive higher penalties of up to £1000.

Since the introduction of the Public Space Protection Order on the 1st of July 2016 there have been 396 complaints received in relation to dog fouling; 73 fixed penalty tickets have been issued and 7 prosecutions have been undertaken for offenders who failed to pay the fixed penalty notice.

Prior to 2018 there have been 530 fixed penalty tickets issued for dog fouling.

3.2 Litter

The Environmental Protection Act 1990 gives the section the authority to undertake enforcement which includes cigarette butts and chewing gum. Fixed penalty tickets are given in the first instance which are currently set at £75 with an early repayment of £50 if paid within 10 days. If taken to the Magistrates Court they can increase the fine up to £2500. Since the unit has undertaken enforcement 2323 fixed penalty tickets have been issued with an income to the authority of £100,510.

3.3 Fly tipping

The main legislation in dealing with fly tipping comes under the Environmental Protection Act 1990 however there have been a number of amendments over the years and other pieces of legislation that allow us to tackle the waste carriers, these are the white van men and tipper lorry drivers who contribute to the offences of fly tipping.

Fly tipping is a problem across Wales and we are no exception receiving around 1500 incidents a year however this year there has been an increase to 2900 due to a change in recording techniques utilising a fly mapper app that accurately plots the tipping.

To scope the problem we are required to report to the government our complaints and investigations which is then broken down into the type of waste and quantity. Household waste tops the table by a long way followed by construction waste and white goods. Full analysis can be seen on the government webpage.

To tackle this problem the unit engages with external partners namely the Police and National Resource Wales. We conduct joint operations in stopping waste carriers at source to check they have the necessary waste documentation. Since undertaking this role we have issued 78 fixed penalties for not having a waste carrier's licence or not having any waste transfer notes.

The unit has undertaken 162 prosecutions for fly tipping also a successful prosecution for fraud whereby an individual used the Household Waste Recycling Centres (HWRCs) to dispose of his business waste using the domestic facility. The offender was fined £12000. The unit has successfully applied for 2 court warrants for the seizure of vehicles involved in fly tipping.

The unit is competent in utilising covert camera techniques and has deployed equipment on a number of occasions which has led to the successful prosecution of a number of offenders. However, it should be noted that there are strict controls on surveillance operations, ultimately controlled by the The Investigatory Powers Commissioner.

Since 2018 legislation has allowed the section to issue fixed penalties for fly tipping that has a penalty of £350. 11 fixed penalties have been handed out since the implementation.

3.4 Duty of Care

The law requires anyone dealing with waste to keep it safe, make sure it's dealt with responsibly and only given to businesses authorised to take it. The Code of Practice applies to if you produce, carry, keep, dispose of, treat, import or have control of the waste.

The section has undertaken 123 prosecutions for breaches of duty of care. It is an important area to Police as an example of a breach of duty of care could be waste escaping from the back of lorries that can have an impact on the cleansing service and in some instances cause traffic accidents. The officers have issued 248 notices requiring waste carriers to present their waste transfer notes.

Under the Environmental Protection Act 1990 the section has the powers to deal with residents and business who fail to comply with our waste policies. Examples are early presentation of waste, contaminated items in recyclable blue bags and excess waste being presented. Notices can be issued to the resident and business to which they would have a right to appeal in the Magistrates court and after that period has expired then fixed penalties can be issued of £100 for breaches of the notice. The unit has issued 114 fixed penalty notices and undertaken 12 prosecutions for this offence and issued 2007 notices to residents and 524 notices to businesses.

3.5 Graffiti and Fly posting.

Graffiti is wording or imagery that is written, painted, sprayed or scratched onto the surface of any property.

Fly-posters usually advertise or promote events and are placed without permission of the owner of the property and can take the form of stickers, signs or posters.

Both are deemed to be criminal offences and the severity can depend on the type of graffiti displayed i.e. racially motivated, xenophobic, sexual, and other forms that amount to hate crime.

Some individuals like to be recognised for their work and normally leave “tags” which can identify the individual. These “tags” can be collated as an evidence exercise and used against the individual when apprehended.

The section has issued 99 fixed penalty tickets for graffiti and fly posting and undertaken 11 prosecutions for flyposting with one case being challenged in the Crown Court that was upheld ending in a successful prosecution.

3.6 Abandoned Vehicles

Vehicles left abandoned can have a negative effect on the quality of the local environment, and fixed penalties can be issued if it is proven that the offender abandoned it. The section has issued 24 fixed penalties for this offence.

Also included in this section is nuisance vehicles, vehicles for sale and vehicles repaired on a road. The legislation is catered for under the Clean Neighbourhood Act 2005.

3.7 Highway Offences

Highways law is a wide scoping area and can include the following

- Mud on the road
- Obstructions to the Highway
- Unauthorised skips on the Highway
- Unauthorised scaffolding on the Highway.
- Depositing material on the Highway

The section works closely with colleagues in Highways to ensure the legislation is adhered to

4 Current situation

4.1 The section utilises the Flare operational system to manage complaints from a variety of sources and operates the system for file preparation and letter generation. The system is shared between Environmental Health and Trading Standards that allows for data sharing as there is cross departmental working between the sections.

4.2 Officers provide input into the Local Environmental Quality forum whereby agenda items are provided via Grounds, Cleansing, Refuse, Policy and Enforcement. As a result of the meetings actions are created in order to provide a holistic approach in dealing with Waste and Environmental issues.

4.3 Officers attend the National Enforcement Forum in order to obtain the latest updates in Enforcement and share best practice.

4.4 Officers work closely with the Communications Unit in highlighting fines and prosecutions for maximum effect in deterring individuals to commit crime.

4.5 Officers attend local groups like the needle exchange programme and CCTV operational meetings to provide expertise and direction.

4.6 Officers follow a work programme that encapsulates current trends and focus on the issues at hand. (Appendix b)

5 Successes

5.1 The unit's success has been recognised outside the Authority which has resulted in Panorama producing a programme following the officers when out on patrol. BBC1 Street Patrol, ITV Week in Week out and a number of radio interviews. Presentations to other authorities highlighting our techniques including locations such as London, Birmingham and Northern Ireland.

5.2 The unit has access to a variety of surveillance equipment and following the Regulatory Investigatory Powers Act of 2000 ensures that any evidence gathering activity complies with the regulations. The section has deployed surveillance equipment on a number of occasions that has been successful in catching offenders who commit fly tipping.

5.3 Working with local fast food outlets the section is able to detect offenders who throw fast food packaging into the road.

5.4 The unit has consistently appeared in the top quartile as reported by the Welsh Government for its performance in enforcement.

6 Future

6.1 The Public Space Protection Orders that were implemented in 2016 are due for renewal in 2019 and will require renewal every 3 years due to the current statutory requirements.

6.2 The Welsh Government are in the process of legislating against householders with regard to their duty of care. At present the only opportunity to deal with this offence is to take the matter before the Magistrates however the new legislation will allow the section to issue fixed penalty notices of £300 with an early payment of £150 within 10 days.

6.3 To review the potential of adopting the devolved DVLA powers in dealing with untaxed vehicles.

6.4 The use of social media has been successful in the identification of fly tipping at bring sites and individuals who allow their dogs to foul without picking up. The Enforcement Unit together with the Communications Unit are exploring more ways in utilising this modern technology.

6.5 To review legislation that allows the council to seize vehicles involved in fly tipping whereby previously application for warrants were required to seize and certain criteria had to be applied.

6.6 To continue to work closely with other departments in the council and outside agencies like the Police, Fire Service and National Resource Wales in order to provide an effective and efficient enforcement deterrent that educates the residents to comply with the legislation and our waste policies.

6.7 To continue to play an integral role in addressing local environmental quality matters across the wide spectrum of environmental crime.

Appendix A - CARMARTHENSHIRE GENERAL ENFORCEMENT POLICY

1.0 Introduction

1.1 Carmarthenshire County Council is committed to protecting the community from harm and enforcement is one of the tools used by this Authority to fulfil this commitment. This Policy is intended to establish a uniform approach to enforcement. Carmarthenshire County Council (the Council) believes that 'prevention is better than cure' and that, through actively working with businesses and the community, by providing advice and assistance with regards compliance, we can reduce the need for enforcement action.

1.2 Where enforcement action is needed, the Council will take a consistent, fair and proportional approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

1.3 In the interest of the prevention and detection of crime/protection of public safety, the Council will exchange information with its agency partners and between Council Services, in compliance with relevant legislation.

1.4 A copy of this policy is available at:

<http://www.carmarthenshire.gov.wales/>

1.5 Areas we regulate

- Environmental Health
- Trading Standards
- Licensing
- Animal Welfare,
- Private Sector Housing,
- Public Sector Housing,
- Planning,
- Building Regulation,
- Waste Regulation,
- Highways,
- Education,
- Benefit Regulation

2.0 Carmarthenshire's approach to compliance and enforcement

2.1 Principles of Good Regulation

2.1.1 The Legislative and Regulatory Reform Act 2006, Part 2, requires Carmarthenshire County Council to have regard to the Principles of Good Regulation when exercising a specified regulatory function as set out in The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

2.1.2 We will exercise our regulatory activities in a way which is:

- (i) Proportionate – our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence,
- (ii) Accountable – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures,
- (iii) Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities,
- (iv) Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return, and
- (v) Targeted – we will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.

2.2 Regulators' Code

2.3.1 Carmarthenshire County Council has had regard to the [Regulators' Code](#) in the preparation of this policy. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

2.3 Human Rights Act 1998

2.3.1 Carmarthenshire County Council is a public authority for the purposes of the Human Rights Act 1998. We therefore apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This Policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

2.4 Data Protection Act 1998

2.4.1 Where there is a need for Carmarthenshire County Council to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1988.

2.5 The Code for Crown Prosecutors

2.5.1 When deciding whether to prosecute Carmarthenshire County Council has regard to the provisions of [The Code for Crown Prosecutors](#) as issued by the Director of Public Prosecutions.

2.5.2 The Code for Crown Prosecutors is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases. The Code sets out two tests that must be satisfied, commonly referred to as the 'Evidential Test' and the 'Public Interest Test':

- a. Evidential Test - is there enough evidence against the defendant?

When deciding whether there is enough evidence to prosecute, Carmarthenshire County Council will consider what evidence can be used in court and is reliable. We

must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each alleged offender.

b. Public Interest Test - is it in the public interest for the case to be brought to court?

Carmarthenshire County Council will balance factors for and against prosecution carefully and fairly, considering each case on its merits.

2.6 Regulatory Enforcement and Sanctions Act 2008 ('the RES Act')

2.6.1 The Regulatory Enforcement and Sanctions Act 2008, as amended, established the Primary Authority scheme. We will comply with the requirements of the Act when we are considering taking enforcement action against any business or organisation that has a primary authority, and will have regard to guidance issued by the Secretary of State in relation to Primary Authority.

3.0 Advice and guidance

3.1 Carmarthenshire County Council, where appropriate, will provide information, advice and guidance to make it easier for businesses to understand and meet their legal obligations and we will provide it in clear, concise and accessible language.

<http://www.carmarthenshire.gov.wales/home>

3.2 All investigations will be carried out under the following legislation and in accordance with any associated guidance or codes of practice, in so far as they relate to Carmarthenshire County Council:

- the Police and Criminal Evidence Act 1984
- the Criminal Procedure and Investigations Act 1996
- the Regulation of Investigatory Powers Act 2000
- the Criminal Justice and Police Act 2001
- the Human Rights Act 1998

3.3 These Acts and associated guidance control how evidence is collected and used and give a range of protections to citizens and potential defendants.

3.4 Our authorised officers will also comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice.

3.5 Powers of entry

Where applicable enforcement officers may exercise their rights of powers of entry under relevant legislation or obtain a warrant of entry from the Justices.

4.0 Enforcement action

4.1 Advice/warning letter

4.1.1 Where it is deemed appropriate by Carmarthenshire County Council, officers may provide compliance advice, guidance and support as a first response to a breach of legislation. Advice is provided, sometimes in the form of a warning letter, to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible, avoiding the need for further enforcement action. A warning letter will set out what should be done to rectify the

breach and to prevent re-occurrence. If a similar breach is identified in the future, this letter will be persuasive in considering the most appropriate enforcement action to take on that occasion. Such a letter cannot be cited in court as a previous conviction but it may be presented in evidence.

4.2 Voluntary undertakings

4.2.1 In certain circumstances, Carmarthenshire County Council may accept voluntary undertakings that breaches will be rectified and/or recurrences prevented. Failure to honour voluntary undertakings are taken very seriously and enforcement action is likely to result from such a failure

4.3 Statutory and Legal Notices

4.3.1 Statutory notices and other legal notices include, but are not limited to: 'Stop Notices', 'Prohibition Notices', 'Remedial Action Notices', 'Emergency Prohibition Notices', 'Abatement Notices' and 'Improvement Notices'. Such notices are legally binding. Failure to comply with a statutory notice in some circumstances can be a criminal offence and may lead to prosecution and/or, where appropriate, the carrying out of work in default.

4.3.2 A statutory or legal notice will, where applicable, clearly set out what actions must be taken and the timescales within which they must be taken as well as the consequences of non-compliance and any appeals procedure.

4.4 Financial penalties

4.4.1 Carmarthenshire County Council have powers to issue Fixed Penalty Notices in respect to some breaches of legislation. A fixed penalty notice is not a criminal fine and does not appear on an individual's criminal record. If a fixed penalty is not paid Carmarthenshire County Council may commence criminal proceedings or take other enforcement action in respect of the breach. In some circumstances, in particular where breaches are serious or recurrent, it may be that prosecution is more appropriate than the issue of a fixed penalty notice.

4.5 Refusal/suspension/revocation of licences

4.5.1 Carmarthenshire County Council process and issue a number of licences, authorisations, approvals and permits. During the processing of applications, previous breaches, enforcement action and intelligence will be considered. Most licences include conditions which require the licence holder to operate the businesses in a manner that protects public safety for example. Certain legislation sets out specific licensing objectives which must be upheld. Where breaches of these conditions are found, this may lead to further enforcement action and/or a review of the licence/approval which may result in warning, suspension, amendment or revocation.

4.6 Detention/ seizure /Forfeiture proceedings

4.6.1 Where the legislation permits Carmarthenshire County Council has the power to detain/ seize/forfeit items

4.7 Injunctive Actions, Enforcement Orders etc.

4.7.1 In some circumstances Carmarthenshire County Council may seek a direction from the court (in the form of an order or an injunction) that a breach is rectified and/or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/or safeguards have been put in place to prevent future breaches.

4.7.2 Failure to comply with a court order constitutes contempt of court, a serious offence which may lead to imprisonment.

4.7.3 Carmarthenshire County Council is required to seek enforcement orders after issuing some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by the notice. Otherwise, Carmarthenshire County Council will usually only seek a court order if it has serious concerns about compliance with voluntary undertakings or a notice.

4.8 Simple cautions

4.8.1 Carmarthenshire County Council has the power to issue simple cautions (previously known as 'formal cautions') as an alternative to prosecution, if it is deemed appropriate in the circumstances. This can only be considered where a person admits an offence and consents to the simple caution. Where a simple caution is offered and declined, Carmarthenshire County Council is likely to consider prosecution.

4.8.2 A simple caution will appear on the offender's criminal record. It is likely to influence how Carmarthenshire County Council and others deal with any similar breaches in the future, and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment.

4.8.3 Simple cautions will be used in accordance with Home Office Circular 016/2008 and other relevant guidance.

4.9 Prosecutions

In addition to specific powers to prosecute under certain legislation, s.222 of the Local Government Act 1972 allows Carmarthenshire County Council has the power to prosecute any criminal offence where they consider it expedient for the promotion or protection of the interests of the inhabitants of their area.

4.9.1 When deciding whether to prosecute Carmarthenshire County Council has regard to the provisions of [The Code for Crown Prosecutors](#) as issued by the Director of Public Prosecutions.

4.9.2 Prosecution will only be considered where Carmarthenshire County Council is satisfied that it has sufficient evidence to provide a realistic prospect of conviction against the defendant(s).

4.9.3 Before deciding that prosecution is appropriate, Carmarthenshire County Council will have due regard to the public interest test as set out in the Code for Crown Prosecutors

<http://www.cps.gov.uk/publications/codeforcrownprosecutors/index.html>

4.9.4 A successful prosecution will result in a criminal record. The court may impose a fine, community based penalty, and in respect of particularly serious breaches a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of any criminal benefit which have resulted from the breach. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors.

4.10 Fixed Monetary Penalties

4.10.1 Carmarthenshire County Council has powers under certain legislation to impose Fixed Monetary Penalties, which are capped at a relatively low level and are not intended to be used for more serious cases of non-compliance. Fixed Monetary Penalties are not criminal fines and do not appear on an individual's criminal record. Fixed Monetary Penalties cannot be used in conjunction with any other sanction.

4.11 Discretionary Requirements

4.11.1 Carmarthenshire County Council has powers under certain legislation to impose Variable Monetary Penalties and Non-Monetary Discretionary Requirements.

4.11.2 Variable Monetary Penalties may be imposed up to a maximum level set out in the relevant legislation.

4.11.3 Non-Monetary Discretionary Requirements are requirements to take steps to ensure that a breach does not continue or recur. Where Carmarthenshire County Council chooses to impose Non-Monetary Discretionary Requirements it will clearly set out what those steps should be and the time period within which they must be completed. A failure to comply with the requirements is likely to result in a financial penalty.

4.11.3 Carmarthenshire County Council may use Variable Monetary Penalties and Non-Monetary Discretionary Requirements in combination.

4.12 Proceeds of Crime

4.12.1 Where applicable Carmarthenshire County Council may make an application under the Proceeds of Crime Act 2002 for the restraint/confiscation of assets.

5.0 Working in partnership

5.1 If an offender commits offences in a number of Local Authority areas it may be more appropriate for one Council to take a prosecution for all offences, including ones that took place outside of its area.

5.2 Where an offender commits offences across different Local Authority areas, consideration will be given to the provisions in s.101 of the Local Government Act 1972, which allows for one Local Authority to instigate a prosecution on another's behalf. Need to mention section 222? 5.3 Carmarthenshire County Council will work closely with our partners including other local Authorities and other Agencies. As such, we will exchange information on enforcement activities with our partner organisations and we will do so in

accordance with any established methods of information sharing and legal requirements. A decision may be made for a case to be passed to a third party for further action.

6.0 Review

We will review this enforcement Policy annually or where there are any significant changes for example to legislation.

Mae'r dudalen hon yn wag yn fwriadol

Appendix B - 2019 Planned Work Programme (in addition to the daily suite of reactive works).

Month	Activity
Jan	To provide talks to primary school children across the county engaging in Dog fouling, litter and recycling/waste matters. These talks are in conjunction with colleagues in waste ensuring consistent messages are applied to the schools.
Feb	To investigate and remove fly posting across the county.
Mar	Action day in Carmarthen and Ammanford concentrating on dog fouling in the recreational areas and parks.
Apr	To check waste carriers at the 3 CA sites namely Trostre, Nantycaws and Wernddu.
May	Action day in Llanelli concentrating on dog fouling in the recreational areas and parks.
Jun	Working in partnership with colleagues in waste, joint visits to properties in hotspot areas in an effort to improve recycling through education and enforcement.
Jul	Town centre litter patrol Carmarthen.
Aug	Town centre litter patrol Llanelli.
Sep	Town centre litter patrol Ammanford.
Oct	Bring site patrol across the county checking for excess waste.
Nov	Business waste compliance in Llanelli
Dec	Business waste compliance in Carmarthen/Ammanford.

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR CRAFFU
DIOGELU'R CYHOEDD A'R AMGYLCHEDD**

22 CHWEFROR 2019

**ADRODDIAD POLISI CANOLFANNAU AILGYLCHU
GWASTRAFF Y CARTREF**

Y Pwrpas:

Darparu manylion ynglŷn a'r polisiâu arfaethedig mewn perthynas â chyfyngiadau gwastraff yn ein Canolfannau Ailgylchu Gwastraff y Cartref.

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Gofynnir i'r Pwyllgor ystyried y materion canlynol ynglŷn â chanolfannau ailgylchu gwastraff y cartref er mwyn i'r Bwrdd Gweithredu cael ystyried ymhellach.

- Lleihau oriau agor erbyn 1 awr bob dydd - 1^{af} o Ebrill 2019.
- Gwahardd ar wastraff masnachol - 1^{af} o Ebrill 2019.
- Gwiriadau preswyl - yn raddol o'r 1^{af} o Ebrill 2019.
- System trwyddedau - 3^{ydd} Mehefin 2019 (gweler Atodiad A yn ymwneud â mathau o gerbydau).
- Dosbarthu bagiau du - yn raddol o'r 1^{af} o Hydref 2019.

Y Rhesymau:

Os mabwysiadir y polisiâu arfaethedig, gallai hyn arwain at gynydd o 4.1% yn ein cyfradd ailgylchu gyffredinol ac efallai arbedion net i'r gyllideb gwastraff o tua £275k am ail-fuddsoddi mewn mentrau eraill i gynyddu'r ailgylchu ymhellach.

Angen ei gyfeirio at y Bwrdd Gweithredol / Cyngor er mwyn gwneud penderfyniad: OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cyngorydd Hazel Evans (Amgylchedd)

Y Gyfarwyddiaeth: Yr Amgylchedd

Enw Pennaeth y Gwasanaeth:
Ainsley Williams

Awdur yr Adroddiad:
Daniel W John

Swydd:
Pennaeth Gwasanaethau
Amgylcheddol a Gwastraff

Rheolwr Gwasanaethau
Amgylcheddol

Rhifau Ffôn / Cyfeiriadau E-bost:
01267 224500
AIWilliams@sirgar.gov.uk

01267 228131
DWJohn@sirgar.gov.uk

EXECUTIVE SUMMARY
ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE

22ND FEBRUARY 2019

HOUSEHOLD WASTE RECYCLING CENTRE POLICY REPORT

1. Introduction

Carmarthenshire County Council provides waste services to approximately 89,000 households and offers a fortnightly residual black waste collection and co-mingled kerbside recycling service as well as a weekly food collection.

2. Background

In 2016-17 Carmarthenshire County Council was exceeding the Welsh Government 2019/20 recycling target of 64%, However, due to changes in our disposal arrangements for our residual waste, reclassification of some wood recycling, and increased residual waste deposited at Household Waste Recycling Centres (HWRC) this performance has now dropped to 61% in the first two quarters of 2018-19.

This means at present there is a significant risk of not meeting the statutory recycling target of 64% in 2019/20 and therefore being potentially exposed to significant financial penalties from Welsh Government.

In order to address this challenge a Household Waste Recycling Centre review has been undertaken to assess options available to the Authority for achieving both cost savings and improved recycling performance.

From analysis it can be seen that:

- From 2015/16 onwards significant increases in waste arisings are being experienced across the network.
- Total residual (non-recyclable) waste deposited at HWRCs has increased by over 5,000 tonnes since 2014/15 an increase of 126%.
- HWRC Recycling performance has decreased from 76.6% in 2015/16 to 68.25% 2018/19.

There are three main factors relating to the type and quantity of waste disposed of at the HWRCs that in turn affect our overall recycling performance:

- Commercial waste.
- Waste from neighbouring counties.
- Recyclable waste not being segregated and simply deposited in black bags.

3. Other considerations:

The HWRC's currently operate spring/summer and autumn/winter opening times.

April – September: 8.30am – 7.00pm.

October – March: 8.30am – 5.00pm.

Due to the significantly reduced site usage between 6 -7pm in summer and 4-5pm in winter it is proposed to reduce the spring/summer opening times to 8.30am – 6.00pm (1-hour reduction) and autumn/winter opening times to 8.30am – 4.00pm (1-hour reduction).

In undertaking this 1-hour reduction over a 12-month period would result in cost savings in the region of £40,000.

Summary

It is recommended that the following proposals are implemented as set out:

- Reduce opening hours by 1 hour each day – 1st April 2019.
- Ban on commercial waste at HWRC's – 1st April 2019.
- Residency checks – phased from 1st April 2019.
- Permit system – June 2019 (see Appendix A relating to vehicle types).
- Black Bag sorting – phased from 1st October 2019.

If the proposed policies are adopted this could lead to a 4.1% increase in our overall recycling rate and a potential net saving to the waste budget of approximately £275k for reinvestment into other initiatives to further increase recycling.

DETAILED REPORT ATTACHED?	YES
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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 & Environmental Service

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
None	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

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

Signed: Ainsley Williams

Head of Waste & Environmental Services

1. Local Members: N/A
2. Community / Town Council: N/A
3. Relevant Partners - Cwm Environmental Ltd.
4. 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:

THERE ARE NONE

**Detailed Report of the Director of Director of Environment
ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY COMMITTEE**

22ND February 2019

Household Waste Recycling Centres Policy Report

Head of Service & Designation. Ainsley Williams Head of Waste and Environmental Services	Directorate Environment	Telephone No. 01267 224500
Author & Designation Daniel John Environmental Services Manager	Directorate Environment	Telephone No 01267 225131

DETAILED REPORT

1. Introduction & Background

Carmarthenshire County Council provides waste services to approximately 89,000 households and offers a fortnightly residual black waste collection and co-mingled kerbside recycling service as well as a weekly food collection. Kerbside bulky and garden waste are also offered as chargeable services. In addition to the kerbside collection service, the Council provide four Household Waste Recycling Centres located at Whitland, Wernddu, Nanycaus and Trostre. A fifth site, located in Llangadog closed in March 2017. The future provision potential for a fifth site will be covered in a separate report.

In 2016-17 Carmarthenshire County Council was exceeding the Welsh Government 2019/20 recycling target of 64% with an overall recycling rate of 66%. However, due to changes in our disposal arrangements for our residual waste, reclassification of some wood recycling, and increased residual waste deposited at Household Waste Recycling Centres (HWRC) this performance has now dropped to 61% in the first two quarters of 2018-19.

This means at present there is a significant risk of not meeting the statutory recycling target of 64% in 2019/20 and therefore being potentially exposed to significant financial penalties from Welsh Government.

In the absence of any other developments, major changes to the way the service operates will be required to meet the targets of 64% in 2019-20 and 70% by 2024-25, with officials from Welsh Government already proposing the introduction of more challenging targets beyond this timescale.

In order to address this challenge a Household Waste Recycling Centre review has been undertaken to assess options available to the Authority for achieving both cost savings and improved recycling performance.

2. Site Performance

At present the overall recycling rate for our facilities is on average 68%. The total waste received per household through the HWRCs in Carmarthenshire is amongst the highest across Wales. This means the recycling performance of our HWRC's has a greater effect on our overall recycling rate than many other Welsh authorities. Therefore, ensuring high performing sites is essential to increasing our overall recycling rate.

From analysis it can be seen that:

- From 2015/16 onwards significant increases in waste arisings are being experienced across the network.
- Total residual (non-recyclable) waste deposited at HWRCs has increased by over 5,000 tonnes since 2014/15 an increase of 126%.
- HWRC Recycling performance has decreased from 76.6% in 2015/16 to 68.25% 2018/19.

There are three main factors relating to the type and quantity of waste disposed of at the HWRCs that in turn affects our overall recycling performance:

- Commercial waste.
- Waste from neighbouring counties.
- Recyclable waste not being segregated and simply deposited in black bags.

3. Site Performance Factors

3.1 Commercial Waste

It has been identified that a number of commercial vehicles, thought to be depositing waste of commercial origin were observed using the facilities, with up to 30 commercial vehicles per hour using the Trostre facility witnessed. With this level of usage, commercial waste has significant contribution to the overall HWRC arisings.

Carmarthenshire's HWRC facilities are for the purpose of residents in the County to dispose of household waste. At present commercial waste enters the site unchecked and the following problems arise:

- Congestion on site, which may deter householders and create safety concerns;
- additional site demand and increased service vehicles being required on site incurring additional cost;
- costs of additional disposal;
- effects on the morale of site staff when they know it is difficult to manage the situation and they have great difficulty in taking preventative action.
- Commercial waste not being segregated into different recyclable streams, thereby affecting the recycling rate of the site.

All of these factors mean that commercial waste should be controlled. If commercial waste remains unchecked, other measures to improve the efficiency of the site are likely to be less effective.

These controls will take the form of an assessment of waste within vehicles entering the site by personnel together with controls on the type of vehicle entering the facility.

3.2 Waste from neighbouring counties

Current legislation stipulates local authorities will provide 'free access for local residents to household waste recycling centres to deposit household waste and recycling'. However, following the introduction of tighter restrictions across Swansea's HWRC network during 2016. In which residual waste was prohibited from a number of sites and residual waste sorting implemented at another, Carmarthenshire has experienced significant increases in wastes deposited at CCC HWRC facilities.

As a result of their restrictions Swansea have witnessed an 8,700t overall annual reduction of residual waste deposited at their HWRCs. A decrease of similar magnitude to the increase in material seen at Carmarthenshire's HWRC network over the same period.

Whilst it is impossible to say with any certainty that the increase in Carmarthenshire is a direct result of material being displaced from the Swansea region it is believed that there is partial correlation.

Analysis undertaken suggests approximately 18,000 households and wider neighbouring Authorities have a Carmarthenshire facility as their nearest HWRC. It can be assumed that these neighbouring household users may present up to 1,600t of residual waste at our facilities per year at a cost for disposal in the region of £190k.

In order to reduce costs and increase recycling performance targets it is proposed that the use of CCC HWRCs by 'non-local' residents is prohibited.

3.3 Recyclable waste

As previously indicated it can be seen that the total residual waste deposited at sites has increased significantly over recent years.

Whilst controls on commercial use and non-resident use would almost certainly result in a reduction to residual waste, further action to address the amount of residual waste entering the site is necessary.

The 2017 compositional analysis of CCC's HWRC residual waste suggests that more than 60% of residual waste material currently disposed is potentially recyclable, with nearly 42% being recyclable via facilities currently available at HWRC.

If it is assumed that half of the potentially recyclable materials within the remaining residual waste legitimately entering the site were diverted, an additional 1,960 tonnes could be recycled, which represents an increase to the HWRC recycling rate of around 6%. The estimated savings of a 50% increased recycling capture would be in the region of £200,000 per year.

4. Opening Times

The HWRC's currently operate spring/summer and autumn/winter opening times.

April – September: 8.30am – 7.00pm.

October – March: 8.30am – 5.00pm.

Site user numbers were monitored from July 18 – October 18 to establish level of site usage and vehicle throughput.

Month/Time	Average No. Vehicles	Daily Percentage
July (Summer Hours)		
8.30 – 9.30am	86	11.3%
5 – 6pm	33	4.3%
6 – 7pm	24	3.1%
August (Summer Hours)		
8.30 – 9.30am	60	7.2%
5 – 6pm	51	5.7%
6 – 7pm	42	4.7%
September (Summer Hours)		
8.30 – 9.30am	64	8.2%
5 – 6pm	56	8.0%
6 – 7pm	39	5.2%
October (Winter Hours)		
8.30 – 9.30am	74	10.00%
4 – 5pm	65	8.7%

Due to the significantly reduced site usage between 6 -7pm in summer and 4-5pm in winter it is proposed to reduce the spring/summer opening times to 8.30am – 6.00pm (1-hour reduction) and autumn/winter opening times to 8.30am – 4.00pm (1-hour reduction).

In undertaking this 1-hour reduction over a 12-month period would result in cost savings in the region of £40,000.

5. Recommendations including Savings and impact

Given the extent of increased waste, particularly residual waste, as a result of suspected commercial activity, use non-Carmarthenshire residents and a reluctance to recycle in general terms, the high level recommendations are as follows:

Intervention	Planned date	Additional Cost	Potential Savings	Potential Net Savings
Reduction in site opening times by one hour per day	April 2019	-	£40,000	£40,000
Ban commercial waste and divert via CWM Environmental Ltd.'s commercial route at Nantycaws	April 2019	£190,000 (additional staffing personnel across the sites)	£300,000	£110,000
Residency checks are conducted at HWRCs to ensure only Carmarthenshire residents use the sites.	From April 2019			
Introduce a permit system whereby some private vans can use the HWRCs for domestic purposes through a permit scheme (12 permits a year is recommended). *Vehicle Permit Proposal in Appendix A	June 2019			
Controls on residual waste is implemented through restrictions and checks on what is brought in to site. Provide areas for residents to segregate black bag waste into appropriate receptacles for recyclable materials.	From Oct 2019	£75,000	£200,000	£125,000
TOTAL	-	£265,000	£540,000	£275,000

Through the implementation of proposed policies it has been modelled that the impact on Carmarthenshire's recycling rates are likely to lead to a 4.1 percentage point increase. Financial benefit is likely to be realised through savings in the region of £110,000 per year from reducing trade and cross border use. In addition, a further £125,000 per year could be achieved from increased diversion and recycling of residual waste by sorting on site and a £40,000 saving from reduced operating times.











6. Summary




It is recommended that the following proposals are implemented as set out:

- Reduce opening hours by 1 hour each day – 1st April 2019.
- Ban on commercial waste at HWRC's – 1st April 2019.
- Residency checks – phased from 1st April 2019.
- Permit system – June 2019 (see Appendix A relating to vehicle types).
- Black Bag sorting – phased from 1st October 2019.

If the proposed policies are adopted this could lead to a 4.1% increase in our overall recycling rate and a potential net saving to the waste budget of approximately £275k for reinvestment into other initiatives to further increase recycling.

Appendix A – Vehicle Access Guidance List (carrying private domestic household waste only). No commercial/industrial waste will be allowed to enter into the facilities.

Type of vehicle	Access
 Car/Car type 4x4/SUV (including estate cars)	No permit required
 Car, car type 4x4/SUV with advertising/sign writing	No permit required
 Any car, car type 4x4/SUV with a single axle trailer	No permit required
 Compact pick-up 4x4/SUV with rear side windows, second row of seats with or without enclosed load bay (non-commercial waste)	No permit required
 Compact pick-up 4x4/SUV with rear side windows, second row of seats with or without enclosed load bay (non-commercial waste) with advertising/sign writing.	No permit required
 Car type van/people carrier with rear side windows, second row of seats.	No permit required
 Small Van (non-commercial waste)	Permit required
 Large van (non-commercial waste)	Permit Required
 Commercial Pick-up/Van with flatbed, cage and/ or drop-sider (including double cabs).	Vehicle not allowed at HWRCs
 Vehicle not allowed at HWRCs	Vehicle not allowed at HWRCs

Type of vehicle	Access
Small/large Van or Pick-up with a single axle trailer	
 Any vehicle towing a trailer with a more than one axle	Vehicle not allowed at HWRCs
 Horsebox or agricultural vehicles	Vehicle not allowed at HWRCs
 Large goods vehicle including Luton Box vans.	Vehicle not allowed at HWRCs

*Residents accessing the facilities with short term hired vans (with hire company sign writing) will be allowed to dispose of domestic (non-commercial) waste only, subject to providing a copy of the rental agreement to the site attendant.

Adapted vehicles for disabled use will not require permits.

ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY COMMITTEE

22ND FEBRUARY 2019

Explanation for non-submission of scrutiny report

ITEM	RESPONSIBLE OFFICER	EXPLANATION	REVISED SUBMISSION DATE
Budget Monitoring	Rhian James	The report will be presented to the next Scrutiny Committee in correlation with the Budget Monitoring reporting cycle.	18 th April 2019

Mae'r dudalen hon yn wag yn fwriadol

**ENVIRONMENTAL AND PUBLIC PROTECTION
SCRUTINY COMMITTEE**

22ND FEBRUARY 2019

**FORTHCOMING ITEMS
for next meeting to be held on 18th April 2019**

In order to ensure effective Scrutiny, Members need to be clear as to the purpose of requesting specific information and the outcome they are hoping to achieve as a consequence of examining a report. Limiting the number of agenda items may help to keep meetings focused and easier to manage.

Proposed Agenda Item	Background	Reason for report
Quarter 3 – New Corporate Strategy Performance Monitoring Report 2018/19	This item will provide a report on the progress against the actions and measures in the 2018/19 Well-being Objectives delivery Plan relevant to the Committee's remit, up to 31 st December 2018.	This item will enable the Committee to consider and comment upon progress achieved. To enable members to exercise their scrutiny role.
Environmental and Public Protection Scrutiny Committee Actions	These updates provide details on progress made in relation to actions and requests from previous Environmental and Scrutiny Committee meetings.	The Committee is being requested to consider and note progress.
Budget Monitoring 2018/19	This item enables members to undertake their monitoring role of the Environment Department, Public Protection Services and Community Safety Team's revenue and capital budgets.	To enable the committee to undertake its monitoring role of the budgets which fall within its remit

**Items circulated to the Committee under separate cover
since the last meeting held on 14th January 2019**

E&PP Action No	Description
E&PP 014-18/19	<p>At its meeting on 10th December, the E&PP Scrutiny Committee resolved that a letter from the Committee to send to Assembly Members reflecting the views of the Committee in relation to highway adoptions (Minute 6 refers).</p> <p>On 14th January 2019, Cllr John James sent a Letter on behalf of the Committee to the following AM's:-</p> <ul style="list-style-type: none">- Mr Neil Hamilton AM- Mr Adam Price AM- Mrs Angela Burns AM- Mr Lee Waters AM <p>A copy of the letter was e-mailed to Committee Members on 14th January 2019</p>

PWYLLGOR CRAFFU DIOGELU'R CYHOEDD A'R AMGYLCHEDD

10 RHAGFYR 2018

YN BRESENNOL: Y Cyngorydd A.Vaughan Owen (Cadeirydd)

Y Cynghorwyr:

K. Davies, J.A. Davies, P.M. Edwards, A.L. Fox, S.J.G. Gilasbey, T.M. Higgins, A.D.T. Speake, B.D.J. Phillips, J.S. Phillips and D. Thomas

Hefyd yn bresennol:

Y Cyngorydd H.A.L. Evans, Aelod y Bwrdd Gweithredol dros yr Amgylchedd
Y Cyngorydd P.M. Hughes, Aelod y Bwrdd Gweithredol dros Diogelu'r Cyhoedd
Y Cyngorydd D. Cundy – yn lle Cyngorydd J. James;
Y Cyngorydd T. Evans – yn lle Cyngorydd A. James.

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

R. Hemingway, Pennaeth Gwasanaethau Ariannol;
J. Morgan, Pennaeth Cartrefi a Chymunedau Mwy Diogel Dros Dro;
S. Pilliner, Pennaeth Priffyrdd a Thrafnidiaeth;
L. Quelch, Y Pennaeth Cynllunio;
R. Edmunds, Rheolwr Materion Defnyddwyr a Busnes;
S. Charles, Rheolwr Strategaeth a Seilwaith Trafnidiaeth;
K. Harrop, Rheolwr Diogelwch Cymunedol;
D.W. John, Rheolwr y Gwasanaethau Gwastraff;
R. James, Cyfrifydd Grŵp;
A. Kenyon, Uwch Swyddog Rheoli Perfformiad;
J. Owen, Swyddog Gwasanaethau Democrataidd;
L. Jenkins, Swyddog Gwasanaethau Democrataidd.

Siambwr, Neuadd y Sir, Caerfyrddin – 10:00am - 11:20am

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr A. Davies, A. James a J. James.

2. DATGANIADAU O FUDDIANNAU PERSONOL GAN GYNNWYS UNRHYW CHWIPIAU PLEIDIAU A RODDIR MEWN YMATEB I UNRHYW EITEM AR YR AGENDA.

Ni chafwyd dim datganiadau o fuddiant personol.
Ni chafwyd dim datganiadau ynghylch chwip waharddedig.

3. CWESTIYNAU GAN Y CYHOEDD (NID OEDD DIM WEDI DOD I LAW)

Dywedodd y Cadeirydd nad oedd dim cwestiynau wedi dod i law gan y cyhoedd.

4. YMGYNGHORI YNGHYLCH STRATEGAETH Y GYLLIDEB REFENIW 2019/20 TAN 2021/22

Bu'r Pwyllgor yn ystyried Strategaeth y Gyllideb Refeniw 2019/20 - 2021/22 (Atodiad A) a oedd wedi'i chymeradwyo gan y Bwrdd Gweithredol at ddibenion ymgynghori yn y cyfarfod ar 19 Tachwedd 2018. Roedd yr adroddiad yn cyflwyno'r sefyllfa bresennol i'r Aelodau ynghylch y Gyllideb Refeniw ar gyfer 2019/2020, ynghyd â ffigurau dangosol ar gyfer blynyddoedd ariannol 2020/2021 a 2021/2022. Roedd yr adroddiad yn seiliedig ar ragamcanion gwariant y swyddogion, gan ystyried y setliad amodol a gyhoeddwyd gan Lywodraeth Cymru ar 9 Hydref 2018.

Dyweddodd Pennaeth y Gwasanaethau Ariannol er bod y setliad dros dro a gyhoeddwyd yn cynrychioli gostyngiad o 0.3% ar gyfartaledd ledled Cymru ar setliad 18/19, mae'r effaith ar Sir Gaerfyrddin, ar ôl ystyried ffactorau megis talu cost y dyfarniad cyflog athrawon a chymhwysedd o ran prydau ysgol am ddim, yn ostyngiad o 0.5%, sy'n cyfateb i £1.873m.

Gan grynhof, byddai'r cynigion ar gyfer y gyllideb yn darparu'r £28 o arbedion a nodwyd dros gyfnod y cynllun. At hynny, roedd cynigion y gyllideb yn tybio cynnydd yn y Dreth Gyngor o 4.89% ar gyfer 2019/20.

Dyweddodd Pennaeth y Gwasanaethau Ariannol hefyd yn dilyn cyhoeddi cynigion cyllideb y Cyngor ar gyfer ymgynghori, fod Ysgrifennydd y Cabinet dros Gyllid, Llywodraeth Cymru wedi cyhoeddi £13m yn ychwanegol i ychwanegu at y Grant Cynnal Refeniw Cymru ar gyfer 2019/20. Er bod manylion penodol am y cyhoeddiad eto i ddod i law, amcangyfrifwyd y byddai effaith hyn ar Sir Gaerfyrddin yn golygu gostyngiad yn y cyllid i 0.2% dros gyfnod setliad 18/19. Yn ogystal, roedd Llywodraeth Cymru wedi cyhoeddi grant ychwanegol o £7.5m ledled Cymru i ariannu dyfarniad cyflog yr athrawon yn rhannol;

Nododd y Pwyllgor mai peidio â chyrraedd targedau o ran incwm meysydd parcio a gostyngiad mewn incwm yn sgil ceisiadau cynllunio oedd yn gyfrifol yn bennaf am orwariant Adran yr Amgylchedd a'r amcanestyniad presennol ynghylch y Canlyniadau Refeniw ar gyfer 2018/19.

Bu'r Pwyllgor yn ystyried y wybodaeth gyllidebol fanwl ganlynol a oedd wedi'i hatodi i'r Strategaeth ac a oedd yn berthnasol i'w faes gorchwyl:

- **Atodiad A(i)** – Crynodeb effeithlonrwydd ar gyfer Gwasanaethau Diogelu'r Cyhoedd a'r Amgylchedd;
- **Atodiad A(ii)** – Crynodeb o'r Pwysau Twf ar gyfer Gwasanaethau'r Amgylchedd;
- **Atodiad B** – Y rhannau o'r gyllideb sy'n ymwneud â Gwasanaethau Diogelu'r Cyhoedd, yr Amgylchedd a Diogelwch Cymunedol;
- **Atodiad C** – Crynhoad Taliadau ar gyfer Gwasanaethau Diogelu'r Cyhoedd a'r Amgylchedd.

Codwyd y cwestiynau/materion canlynol ar yr adroddiad:-

- Cyfeiriwyd at arbedion effeithlonrwydd y Cyngor mewn perthynas â'r Priffyrdd - Ysgubo Ffyrdd Gwledig yn Atodiad A(i). Mewn ymateb i ymholiad ynghylch yr effaith o ran diogelwch yn sgil peidio â gwneud y gwaith a gynllunnir i ysgubo ffyrdd gwledig, dywedodd y Pennaeth Trafnidiaeth a Phriffyrdd er mai'r cynnig oedd peidio â gwneud gwaith ysgubo ad hoc a'r gwaith a gynllunnir, y byddai'r adran yn ymateb i argyfyngau yn ôl y galw, o bosibl drwy gyflogi contractwyr. Y bwriad oedd y byddai arbedion yn cael eu cyflawni yn sgil lleihau'r gwasanaeth yn rhannol, er enghraifft gellir cysylltu atodiadau ysgubo mecanyddol â JCBs am gost gymharol isel wrth drwsio rhannau o'r ffordd.

Er y cydnabyddir y gostyngiadau yn y cyllidebau, mynegwyd pryder mawr ynghylch yr effaith o ran diogelwch petai'r cyllidebau'n parhau i gael eu lleihau dros y blynyddoedd nesaf.

- O ran y cynnig mewn perthynas â chodi tâl am ddarpariaeth cludiant ar gyfer addysg ôl-16 neu'r posibilrwydd o'i thynnu'n ôl. Dywedwyd er bod hyn wedi cael ei ohirio am flwyddyn er mwyn i'r awdurdod fodloni ei ymrwymadau statudol o ran newidiadau, fod nifer o aelodau yn gwrthwynebu'r cynnig hwn.

PENDERFYNWYD:

4.1 Bod yr Ymgynghoriad ynghylch Strategaeth Cyllideb Refeniw 2019/20 – 2021/22 yn cael ei dderbyn;

4.2 Bod y Crynhoad Taliadau ar gyfer Gwasanaethau Diogelu'r Cyhoedd a'r Amgylchedd, fel y manylir yn Atodiad C i'r adroddiad, yn cael ei dderbyn.

5. CANLLAW DYLUNIO PRIFFYRDD SIR GAERFYRDDIN

Bu'r Pwyllgor yn ystyried adroddiad a oedd yn atodiad i'r Canllaw Dylunio Priffyrdd diwygiedig. Roedd y canllaw wedi'i lunio gyda'r nod o ddarparu arweiniad i ddatblygwyr, dylunwyr a gweithwyr proffesiynol eraill wrth baratoi seilwaith trafndiaeth ac ymyriadau cysylltiedig mewn perthynas ag ystod eang o ddatblygiadau yn Sir Gaerfyrddin.

Byddai'r Canllaw Dylunio Priffyrdd yn cymryd lle'r Canllaw Dylunio Priffyrdd presennol a grëwyd ym 1997. Nododd y Pwyllgor mai prif nod y Canllaw Dylunio Priffyrdd oedd annog datblygwyr i greu dyluniadau Priffyrdd a fyddai'n cynnwys cymeriad nodedig yn yr amgylchedd adeiledig a'r dirwedd, wrth ddefnyddio safonau dylunio a fyddai'n sicrhau darpariaeth ddiogel a chynaliadwy ar gyfer yr holl ddefnyddwyr.

Yn ogystal, mae'r Canllaw yn pennu disgwyliadau'r Awdurdod o ran dyluniad seilwaith priffyrdd ar gyfer datblygiadau yn y Sir fel a ganlyn:

1. Nodau ac Amcanion y Canllaw Dylunio
2. Y Broses Gynllunio
3. Y Cyd-destun o ran Polisi
4. Y Broses Dylunio
5. Safonau Dylunio
6. Adeiladu, Cynnal a Chadw a Chytundebau Statudol

Byddai'r Canllaw Dylunio Priffyrdd yn cael ei ddefnyddio fel dogfen bolisi allweddol i'r swyddogion Cydgysylltu Cynllunio Priffyrdd a'r Awdurdod Cynllunio Lleol gyfeirio ati wrth asesu ceisiadau cynllunio a gwneud penderfyniadau yn eu cylch.

Codwyd y cwestiynau/materion canlynol ar yr adroddiad:-

Cyfeiriwyd at dudalen 47 y Canllaw Dylunio Priffyrdd. Mewn perthynas â'r ffyrdd a fabwysiadwyd, gofynnwyd am ragor o eglurdeb ynghylch y cytundeb adran 278. Dywedodd y Rheolwr Strategaeth Drafnidiaeth ac Isadeiledd nad oedd rhai o'r ffyrdd ar ddatblygiadau tai newydd yn cael eu mabwysiadu gan yr Awdurdod Lleol oherwydd na chydymffurfir â'r safonau gofynnol ar gyfer mabwysiadu a bennir yn y Canllaw Dylunio Priffyrdd. Yn ogystal, ar hyn o bryd nid oedd pwerau cyfreithiol ar waith i'w gwneud yn ofynnol i ddatblygwyr godi safonau'r ffyrdd i gyrraedd y safon ofynnol.

Hefyd, dywedwyd bod y ddarpariaeth o ran parcio ar ddatblygiadau tai newydd yn annigonol yn aml. Dywedodd y Rheolwr Strategaeth Drafnidiaeth ac Isadeiledd fod canllawiau yn Safonau Parcio Cymru 2014 gan Gymdeithas Syrfewyr Sirol (CSS) Cymru yn ceisio lleihau tarfu ac yn annog pobl i ddefnyddio trafndiaeth gynaliadwy drwy beidio â darparu gormod. Efallai y bydd mabwysiadu'r Canllawiau Cynllunio Atodol diwygiedig yn mynd i'r afael â'r problemau hyn yn y dyfodol.

Mewn ymateb i bryder a godwyd ynghylch y gwaith cynnal a chadw parhaus ar briffyrdd nas mabwysiadwyd ac a allai'r Cyngor wneud unrhyw beth i wella amserlen y datblygwyr, dywedodd y Rheolwr Strategaeth Drafnidiaeth ac Isadeiledd nad oedd y Cyngor yn gallu cael dylanwad ar y datblygwyr. Dywedodd y Pennaeth Trafnidiaeth a Phriffyrdd y byddai perchennog yr eiddo yn gallu gofyn i'w gyfreithiwr am ragor o fanylion ar ôl proses drosglwyddo.

Yn ogystal, nododd y Pwyllgor fod y Canllaw Dylunio Priffyrdd yn cydnabod bod pwysigrwydd cynnal a chadw'r priffyrdd yn elfen allweddol ar sicrhau diogelwch a llesiant pobl Sir Gaerfyrddin a bod priffyrdd sydd mewn cyflwr gwael yn gallu lleihau ansawdd a hwylustod teithio bob dydd. Felly, wrth ddylunio datblygiadau dylid rhagdybio y byddent yn cael eu mabwysiadu gan Gyngor Sir Caerfyrddin, ac felly dylai'r holl strydoedd gydymffurfio â'r gofynion a'r manylebau a bennir yn y Canllaw Dylunio Priffyrdd.

Yn ogystal, o ran y strydoedd hynny lle nad oes bwriad i'w cynnig i gael eu mabwysiadu, dylent barhau i gael eu dylunio yn unol â safon fabwysiadwy er mwyn diogelu gwaith cynnal a chadw effeithlon ar briffyrdd y datblygiad yn y dyfodol.

Pwysleisiodd y Pennaeth Trafnidiaeth a Phriffyrdd nad oes gan yr Awdurdod bwerau cyfreithiol i'w gwneud yn ofynnol i ddatblygwr fabwysiadu priffordd er mwyn sicrhau bod gwaith stryd yn cael ei wneud yn unol â safon dderbyniol a mabwysiadwy ac y dylai preswylwyr gyfeirio'r mater hwn at eu cyfreithiwr trosglwyddo.

Ar ôl cael gwybod bod elfennau o Gytundeb Adran 38 y Ddeddf Prifffyrdd yn cael eu hadolygu ar hyn o bryd gan Lywodraeth Cymru, cynigiodd y Pwyllgor y dylid ysgrifennu at Aelod Cynulliad bob plaid i ofyn iddynt, fel rhan o adolygiad Cytundeb Adran 38, ei gwneud yn ofynnol o dan y gyfraith i ddatblygwyr sicrhau bod strydoedd yn cael eu datblygu yn unol â'r safon ofynnol ar gyfer cael eu mabwysiadu, a hynny er mwyn diogelu perchnogion tai ar ddatblygiadau tai newydd.

PENDERFYNWYD:

5.1 derbyn Canllaw Dylunio Prifffyrdd Sir Gaerfyrddin;

5.2 ysgrifennu llythyr at yr Aelodau Cynulliad uchod gan ofyn iddynt, fel rhan o adolygiad Cytundeb Adran 38, ei gwneud yn ofynnol o dan y gyfraith i ddatblygwyr sicrhau bod strydoedd yn cael eu datblygu yn unol â safon fabwysiadwy.

6. CYNLLUN BUSNES ADRANNOL YR AMGYLCHEDD 2019/20 - 2022

Ystyriodd y Pwyllgor Gynllun Busnes Adrannol Drafft Adran yr Amgylchedd 2019/20 - 2022 a oedd yn amlinellu'r blaenoriaethau ar gyfer yr adran a sut yr oedd yr adran wedi cefnogi pum ffordd o weithio a nodau Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2022. Roedd yr adroddiad yn cynnwys detholiad o'r agweddau a oedd yn berthnasol i'r Pwyllgor Craffu - Diogelu'r Cyhoedd a'r Amgylchedd gan gynnwys yr elfennau canlynol:-

- Prifffyrdd a Thrafnidiaeth
- Gwasanaethau Amgylcheddol a Gwastraff
- Gwella Busnes

Trafodwyd y mater canlynol wrth ystyried y cynllun:

Cyfeiriwyd at y cynnydd sylweddol yng nghanran y gwastraff trefol a anfonir i safleoedd tirlenwi o 4.73% yn 2016/17 i 20.29% yn 2017/18. Dywedodd Rheolwr y Gwasanaethau Gwastraff fod y contract llosgi â CWM Environmental wedi dod i ben ac roedd proses gaffael yn cael ei chynnal ar hyn o bryd, gyda'r nod o ddod o hyd i ateb hirdymor. Eglurwyd bod y Grantiau Tirlenwi a weinyddwyd gan y contractwr yn flaenorol bellach yn cael eu gweinyddu gan Awdurdod Cyllid Cymru fel rhan o gynllun cenedlaethol.

PENDERFYNWYD bod Cynllun Busnes Adran yr Amgylchedd 2019/20-2022 yn cael ei dderbyn.

7. CYNLLUN BUSNES DRAFFT ADRANNOL ADRAN CYMUNEDAU 2019/20 - 2022

Cafodd y Pwyllgor Gynllun Busnes Adrannol yr Adran Cymunedau 2019/20 – 2021/2022 a oedd yn rhoi trosolwg cynhwysfawr i'r Aelodau ar gynnydd yr Adran Cymunedau.

Nodwyd, er bod y cynllun yn cwmpasu holl flaenoriaethau'r Adran, mai rôl y Pwyllgor oedd craffu ar elfennau Diogelu'r Cyhoedd a nodwyd ar dudalen 25 o'r adroddiad.

PENDERFYNWYD derbyn Cynllun Busnes Adrannol yr Adran Cymunedau 2019/20-2022.

8. CYNLLUN BUSNES ADRANNOL Y PRIF WEITHREDWR 2019/2022

Rhoddodd y Pwyllgor ystyriaeth i'r Adroddiad ar Gynllun Busnes Adrannol y Prif Weithredwr 2019/20 – 2021/22. Roedd yr adroddiad yn cynnwys detholiad o'r agweddau a oedd yn berthnasol i'r Pwyllgor Craffu - Diogelu'r Cyhoedd a'r Amgylchedd o ran Diogelwch Cymunedol.

Mewn ymateb i sylw a gafwyd ynghylch targed 2018/19 o ran y troseddau a gofnodwyd, dywedodd y Rheolwr Diogelwch Cymunedol fod newidiadau diweddar i'r ffordd y mae troseddau'n cael eu cofnodi wedi achosi cynnydd yn y troseddau a gofnodir o gymharu â'r flwyddyn flaenorol, gan ei gwneud yn anodd i darged heriol gael ei nodi. Fodd bynnag, rhoddwyd sicrwydd bod yr holl ffigurau o ran troseddau'n cael eu monitro'n agos ac yr eir i'r afael â'r pryderon, yn aml mewn partneriaeth.

PENDERFYNWYD YN UNFRYDOL dderbyn Cynllun Busnes Adrannol y Prif Weithredwr 2019/20 - 2021/2022.

9. GWASANAETHAU MATERION BUSNES A DEFNYDDWYR ADRODDIAD BLYNYDDOL 2017/18

Ystyriodd y Pwyllgor Adroddiad Blynyddol y Gwasanaethau Materion Defnyddwyr a Busnes ar gyfer 2017/18. Rhoddodd yr adroddiad wybodaeth i'r aelodau yn ogystal ag ystadegau ynghylch y gwaith a wnaed gan y Gwasanaeth yn 2017/18.

Nododd y Pwyllgor fod y Gwasanaeth yn cynnwys Safonau Masnach, Trwyddedu a Gwasanaethau Iechyd Anifeiliaid.

Trafodwyd y materion canlynol wrth ystyried yr adroddiad:

- Mewn ymateb i ymholiad a godwyd ynghylch rhestr o grefftwyd y gellir ymddiried ynddynt, dywedodd y Rheolwr Materion Defnyddwyr a Busnes y byddai'r Cyngor yn lansio cynllun 'Prynu â Hyder' a fyddai'n darparu rhestr ar gyfer pobl Sir Gaerfyrddin sy'n nodi'r busnesau lleol sydd wedi ymrwymo i fasnachu teg, er mwyn cydnabod busnesau yn Sir Gaerfyrddin sy'n cydymffurfio â'r ddeddfwriaeth yn ogystal â rhoi gwybodaeth i ddefnyddwyr. Byddai rhagor o wybodaeth am y cynllun yn cael ei chyflwyno i gyfarfod y Pwyllgor Craffu yn y dyfodol.

- Mewn ymateb i ymholiad a godwyd ynghylch Arolygwyr Diogelwch Bwyd allanol, cadarnhaodd y Pennaeth Cartrefi a Chymunedau Mwy Diogel fod Arolygwyr Diogelwch Bwyd wedi cael eu contractio yn ystod y flwyddyn i wneud gwaith mewn ardaloedd wrth i'r adran gynnal adolygiad ac felly nid oedd yn ateb hirdymor.

Mynegodd yr Aelod o'r Bwrdd Gweithredol ei ddiolch yn ddiffuant i'r timau yn yr Adain Materion Defnyddwyr a Busnes am eu hymrwymiad a'u gwaith caled dros y flwyddyn, yn enwedig yn ystod y broses ailstrwythuro.

PENDERFYNWYD YN UNFRYDOL dderbyn Adroddiad Blynyddol y Gwasanaethau Materion Defnyddwyr a Busnes ar gyfer 2017/18.

10. EITEMAU AR GYFER Y DYFODOL

Derbyniodd y Pwyllgor yr eitemau ar gyfer y cyfarfod nesaf a oedd wedi cael ei drefnu ar gyfer 14 Ionawr 2019.

PENDERFYNWYD YN UNFRYDOL gytuno ar restr o'r eitemau i'w hystyried yn y cyfarfod nesaf o'r Pwyllgor ar 14 Ionawr 2019.

CADEIRYDD

DYDDIAD

Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR CRAFFU DIOGELU'R CYHOEDD A'R AMGYLCHEDD

14 IONAWR 2019

YN BRESENNOL: Y Cynghorydd J.D. James (Cadeirydd)

Y Cynghorwyr: J.M. Charles, T.A.J. Davies, J.A. Davies, K. Davies, P.M. Edwards, A.L. Fox, S.J.G. Gilasbey, B.D.J. Phillips, J.S. Phillips, A.D.T. Speake, D. Thomas ac A. Vaughan Owen.

Hefyd yn bresennol:

Y Cynghorydd G.R. Jones – yn lle'r Cynghorydd T. Higgins.

Y Cynghorydd H.A.L. Evans, Aelod y Bwrdd Gweithredol dros yr Amgylchedd;
Y Cynghorydd P.M. Hughes, Aelod y Bwrdd Gweithredol dros Diogelu'r Cyhoedd.

Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:

R. Mullen, Cyfarwyddwr yr Amgylchedd;
J. Morgan, Pennaeth Cartrefi a Chymunedau Mwy Diogel;
S. Pilliner, Pennaeth Priffyrdd a Thrafnidiaeth;
S.E. Watts, Rheolwr Diogelu'r Amgylchedd;
R. Carmichael, Rheolwr Cadwraeth Wledig;
A. Rees, Ymarferydd Iechyd yr Amgylchedd;
R. S. Waters, Rheolwr Priffyrdd a Chludiant;
N. French, Rheolwr Tiroedd a Glanhau;
R. James, Cyfrifydd Grŵp;
J. Owen, Swyddog Gwasanaethau Democrataidd.

Y Siambr, Neuadd y Sir, Caerfyrddin: 10:00am - 11:45am

1. YMDDIHEURIADAU AM ABSENOLDEB

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorydd T. Higgins.

2. DATGANIADAU O FUDDIANNAU PERSONOL GAN GYNNWYS UNRHYW CHWIPIAU PLEIDIAU A RODDIR MEWN YMATEB I UNRHYW EITEM AR YR AGENDA.

Ni chafwyd dim datganiadau o fuddiant personol.

3. CWESTIYNAU GAN Y CYHOEDD (NID OEDD DIM WEDI DOD I LAW)

Dywedodd y Cadeirydd nad oedd dim cwestiynau wedi dod i law gan y cyhoedd.

4. ADRODDIAD TERFYNOL 2017/18 GRŴP GORCHWYL A GORFFEN Y PWYLLGOR CRAFFU DIOGELU'R CYHOEDD A'R AMGYLCHEDD

Bu'r Pwyllgor yn ystyried adroddiad diwygiedig y Grŵp Gorchwyl a Gorffen a luniwyd ar 17 Tachwedd 2017, sef ymchwilio i'r ddarpariaeth o ran cynnal a chadw perthi ac ymylon priffyrdd.

Nododd y Pwyllgor fod y Grŵp Gorchwyl a Gorffen wedi cyflwyno adroddiad terfynol i'r Pwyllgor ar 18 Mai 2018 lle penderfynwyd cyfeirio'r adroddiad i'r Bwrdd Gweithredol i'w ystyried. Fodd bynnag, yn unol â'r Cyfansoddiad - Rhan 4.5 - Rheolau Gweithdrefn Craffu, yn dilyn trafodaeth anffurfiol yr Aelodau o'r Bwrdd Gweithredol, cytunodd Cadeirydd y Grŵp Gorchwyl a Gorffen i gyfeirio'r sylwadau a gyflwynwyd at y Grŵp Gorchwyl a Gorffen i'w hystyried ymhellach.

Yn ogystal, mewn ymateb i fater a gyfeiriwyd gan y Cyngor ar 12 Medi 2018 (gweler cofnod 8.3) roedd y Grŵp Gorchwyl a Gorffen yn dilyn ymchwil ychwanegol wedi cynnwys adran ynghylch ymylon a dorrir yn hwyr ac yn dilyn hynny wedi cynnwys argymhellid ychwanegol (2c).

Lluniodd y Grŵp yr argymhellion sydd yn yr adroddiad ar ôl ystyried yr ystod o dystiolaeth oedd dan sylw mewn cyfres o gyfarfodydd a gynhaliwyd rhwng mis Ionawr 2018 a mis Tachwedd 2018.

Cyflwynodd aelodau'r Grŵp Gorchwyl a Gorffen bob un o'r argymhellion i'r Pwyllgor.

Roedd yr adroddiad hefyd yn cynnwys yr atodiadau canlynol:

- Map o ardaloedd criwiau Sir Cyngor Sir Caerfyrddin
- Canllawiau ar gyfer Contractwyr - Rheoli Ymylon Ffyrdd er Diogelwch ac er budd Bioamrywiaeth
- Taflen – Tirfeddianwyr Cyfagos a'r Briffordd Gyhoeddus
- Canllawiau Amgylcheddol ar gyfer Cyngorau Cymuned wrth reoli eich tir

Holodd y Pwyllgor ynghylch y canlynol mewn perthynas â'r adroddiad:

- Yn dilyn cymeradwyaeth am y broses dendro ddiwygiedig, roedd y Rheolwr Priffyrdd a Thrafnidiaeth wedi ail-bwysleisio mai nod y broses dendro newydd oedd annog a chynyddu diddordeb lleol. Yn ogystal, byddai'r Cyngor, ar ddechrau'r broses dendro, yn cynnal digwyddiadau 'cwrdd â'r prynwr' i roi cyfle i gontractwyr sydd â diddordeb o Sir Gaerfyrddin ac ardaloedd cyfagos i drafod cyfleoedd posibl mewn ymgais i annog cyflenwyr posibl i dendro.
- Mewn ymateb i bryder ynghylch y diffyg cystadleuaeth yng ngogledd Sir Gaerfyrddin, roedd y Rheolwr Priffyrdd a Thrafnidiaeth wedi cydnabod bod hyn yn her ac roedd yn gobeithio y byddai'r digwyddiadau Cwrdd â'r Prynwr yn helpu i fynd i'r afael â hyn.

- Yn dilyn sylw a fynegwyd bod yr adroddiad yn canolbwyntio'n helaeth ar ardaloedd gwledig ac nid ardaloedd trefol, dywedodd y Rheolwr Priffyrdd a Thrafnidiaeth, er bod torri porfa amwynderau wedi'i gydnabod yn yr adroddiad, nid oedd y ddarpariaeth o fewn cwmpas y grŵp gorchwyl a gorffen hwn a bod y drefn o ran rheoli ymylon ffyrdd mewn ardaloedd trefol yn wahanol iawn i ffyrdd gwledig, roedd y manylion hyn yn yr adroddiad o dan adran 2.3 Yr Arfer Presennol ar gyfer Ffyrdd Trefol. Yn ogystal, roedd yr eitem nesaf ar yr Agenda ynghylch torri Porfa - Amwynderau yn cynnwys gwybodaeth am y dorri gwair trefol.

PENDERFYNWYD derbyn yr adroddiad a'i gyfeirio at sylw'r Bwrdd Gweithredol i'w hystyried.

5. TORRI PORFA - AMWYNDERAU

Gofynnodd y Pwyllgor, yn ei gyfarfod ar 29 Mehefin 2018, i gael cyflwyniad ar y ddarpariaeth bresennol o ran torri porfa amwynderau. Mewn ymateb i'r cais hwn, cafodd y Pwyllgor gyflwyniad gan y Rheolwr Priffyrdd a Thrafnidiaeth a'r Rheolwr Tiroedd a Glanhau a roddodd wybodaeth am y canlynol:

- Trefniadau ar gyfer torri'r borfa
- Canolbwyntio ar ardaloedd trefol, gan gynnwys nifer y toriadau
- Diben torri porfa amwynderau
- Nifer y toriadau a'r amserlen
- Yr ardaloedd sy'n cael eu torri yn contract
- Goruchwyliaeth
- Y Fanyleb

Rhodddwyd cyfle i'r aelodau ofyn cwestiynau yn dilyn y cyflwyniad.

- Cafwyd cwestiwn ynglŷn â phwy oedd yn gyfrifol am yr ardaloedd glaswellt ym Mharc Diwydiannol Crosshands. Esboniodd y Rheolwr Tiroedd a Glanhau fod y Cyngor bellach yn gyfrifol a bod yr ardal dan sylw yn cael 12 toriad y flwyddyn fel rhan o'r rhaglen torri'r borfa.
- Mynegwyd gwerthfawrogiad o ran y gydnabyddiaeth a roddir i bwysigrwydd bioamrywiaeth a chadwraeth mewn ardaloedd gwledig a threfol. Fodd bynnag, mynegwyd sylw bod cryn dipyn o sylw yn cael ei roi ar y pyrth i mewn i drefi fel nodweddion allweddol ac yn hynny o beth roedd ardaloedd eraill mewn trefi yn cael eu hesgeuluso. Dywedodd y Rheolwr Priffyrdd a Thrafnidiaeth fod y Grŵp Gorchwyl a Gorffen wedi ystyried cadwraeth a bioamrywiaeth yn rhan o'r adolygiad a bod toriadau yn cael eu cyflawni yn bennaf at ddibenion diogelwch.

Ychwanegodd Cyfarwyddwr yr Amgylchedd er bod symudiad tuag at drefn a fyddai'n cynnwys cyflawni llai o doriadau i'r borfa, cydnabuwyd ei bod yn bwysig i gynnal amwynder deniadol. I gefnogi hyn, roedd darn o waith yn mynd rhagddo i archwilio pa rywogaethau o laswellt fyddai'n gwella ardal benodol heb yr angen am ormod o waith cynnal a chadw.

- Dywedwyd mewn rhai ardaloedd gwledig bod y contractwyr yn gyrru'n rhy gyflym ac o ganlyniad nid oedd y gwaith yn cael ei gwblhau i safon dderbyniol. Eglurodd y Rheolwr Priffyrdd a Thrafnidiaeth bod contractwyr, ar ddechrau pob tymor torri, yn cael gwybodaeth ac arweiniad o ran Rheoli Ymylon Ffyrdd ar gyfer diogelwch a bioamrywiaeth, ac mae'n ofynnol i bob contractwr lofnodi i ddweud ei fod wedi darllen a deall y manylion. Yn ogystal, pennir pob ardal benodedig/ardal leol i Arolygydd Priffyrdd er mwyn rheoli safon gwaith y contractwyr.
- O ran lleihau'r amledd, dywedwyd y byddai angen rheoli'r un faint o borfa a thwf hyd yn oed gyda llai o doriadau. Eglurodd Cyfarwyddwr yr Amgylchedd yn dilyn cytundeb y Cyngor i leihau amlder torri'r borfa yn ystod y cyfnod ymgynghori ar y gyllideb, byddai'r adran yn sicrhau arbedion drwy gyfrwng yr adnoddau a'r tanwydd a byddai'r drefn o ran y toriadau yn cael eu rheoli'n unol â hynny.
- Mewn ymateb i ymholiad, esboniodd y Rheolwr Tiroedd a Glanhau wrth y Pwyllgor y byddai swyddogion yn gallu cynorthwyo'r Aelodau pe byddai ganddynt unrhyw ymholiadau o ran pwy oedd yn gyfrifol am berth benodol.

PENDERFYNWYD YN UNFRYDOL nodi'r cyflwyniad ar dorri porfa amwynderau.

6. Y WYBODAETH DDIWEDDARAF AM YR ARDALOEDD RHEOLI ANSAWDD AER PRESENNOL YN SIR GAERFYRDDIN

Bu'r Pwyllgor yn ystyried y Wybodaeth Ddiweddaraf am yr Ardal Rheoli Ansawdd Aer presennol yn Sir Gaerfyrddin. Atgoffwyd yr Aelodau fod Deddf yr Amgylchedd 1995 yn datgan bod dyletswydd ar awdurdodau lleol i asesu a rheoli'r ansawdd aer yn eu hardal.

Roedd yr adroddiad yn rhoi gwybodaeth fanwl i'r Pwyllgor am lefelau NO₂ yn enwedig yn nhref Llandeilo ac ardaloedd Caerfyrddin a Llanelli yn ystod 2016, 2017 a 2018.

Atodwyd Cynllun Gweithredu ar gyfer Rheoli Ansawdd Aer pob ardal i'r adroddiad a oedd yn nodi mesurau penodol i'w hystyried er mwyn gwella'r ansawdd aer. Yn dilyn cyfnod ymgynghori cyhoeddus ffurfiol o wyth wythnos, roedd y sylwadau a gafwyd wedi cael eu cynnwys yn adroddiad 'Cynllun Gweithredu Caerfyrddin a Llanelli'

Nododd yr adroddiad fod y camau gweithredu yn parhau i gael eu gweithredu fel y nodwyd ar gam 2 y cynllun gweithredu, a bod lefelau NO₂ yn parhau i gael eu monitro, fodd bynnag, roedd yr adroddiad yn cydnabod mai'r unig opsiwn hyfyw tymor hir tebygol a fyddai'n sicrhau gwelliant parhaol a phendant i'r aer yn Llandeilo fyddai darparu ffordd osgoi.

Codwyd y materion canlynol wrth ystyried yr adroddiad:

- Yn dilyn sylwadau yn ddiweddar gan y Dirprwy Weinidog dros yr Economi a Thrafnidiaeth a fynegodd yn gyhoeddus ei fod yn gwrthwynebu ffordd osgoi Llandeilo, cyfeiriwyd at farwolaeth merch 9 blwydd oed yn 2013, a fu farw o anawsterau anadlu yn ymwneud ag asthma. Roedd hyn, ynghyd â'r newyddion diweddar am y cyswllt tebyg rhwng derbyniadau i'r ysbyty a chynnydd mewn llygredd aer a bod teulu'r ferch wedi cael caniatâd yn ddiweddar i gyflwyno cais o'r newydd am gwest i'w marwolaeth, yn bryderon sylweddol i'r Pwyllgor.

Ynghyd â'r ardaloedd monitro o fewn Sir Gaerfyrddin sy'n dangos tystiolaeth o lefelau cynyddol o NO₂ flwyddyn ar ôl blwyddyn, mynegwyd nifer o bryderon cryf ynghylch diogelwch y cyhoedd. Er mwyn diogelu'r cyhoedd, roedd y Pwyllgor o'r farn bod angen gwneud rhywbeth i leihau'r lefelau NO₂ ac yn benodol sicrhau bod ffordd osgoi Llandeilo yn cael ei chwblhau'n gyflym.

Cynigwyd felly bod y Pwyllgor Craffu yn ysgrifennu at y Gweinidog dros yr Economi a Thrafnidiaeth i fynegi pryderon y Pwyllgor. Cynigiwyd ymhellach anfon copi o'r llythyr at y Dirprwy Weinidog dros yr Economi a Thrafnidiaeth, Lee Waters AC.

Rhoddodd y Pennaeth Trafnidiaeth a Phrifyrdd ddiweddariad llafar ar y sefyllfa bresennol ynglŷn â ffordd osgoi Llandeilo. Roedd y Cyngor wedi bod yn rhagweithiol wrth lobïo Llywodraeth Cymru i symud y cynllun ymlaen. Roedd Llywodraeth Cymru wedi gosod £50m o'r neilltu ac roedd ar hyn o bryd yn aros am gwblhau ail gam arfarniad y cynllun yn unol â phroses Canllawiau Arfarnu Trafnidiaeth Cymru (WeITAG). Mewn ymateb i ymholiad ynghylch yr ansawdd aer ar Heol Ffynnon Job, Caerfyrddin, cadarnhaodd y Penymarferydd lechyd yr Amgylchedd fod yr ardal yn cael ei monitro.

- Dywedodd y Pennaeth Trafnidiaeth a Phrifyrdd wrth y Pwyllgor fod yr awdurdod wedi datblygu a rhoi ar waith nifer o lwybrau cerdded/beicio mwy diogel ar gyfer prosiectau ysgol. Fodd bynnag, roedd hyn yn cynnwys elfen o newid ymddygiad a datblygwyd pecynnau i annog rhieni a disgyblion i newid ymddygiad teithio. Cyfeiriwyd at Atodiad 5 yr adroddiad sy'n dangos y canlyniadau tiwb tryledol NO₂ ar gyfer 2017. Gofynnwyd am eglurhad ynghylch pam yr oedd y ffigurau ar y daenlen yn goch. Eglurodd Penymarferydd lechyd yr Amgylchedd mai'r Amcan Ansawdd Aer ar gyfer NO₂ yw 40µg/m³ a fynegir fel lefel gymedrig flynyddol. Mae'r ffigurau coch at ddibenion enghreifftiol yn unig, gan ddangos ffigurau ar gyfer misoedd unigol / lleoliadau sy'n uwch na 40µg/m³. Eglurwyd na ddylid dod i unrhyw gasgliadau ynghylch y misoedd unigol yn unig oherwydd dim ond y ffigwr cymedrig blynyddol dylid cymharu â'r Amcan Ansawdd Aer.

- Mewn ymateb i sylw ynghylch canlyniadau ansawdd aer amser real, eglurodd y Pen-ymarferydd lechyd yr Amgylchedd, fod rhai awdurdodau lleol, (yn enwedig mewn dinasoedd mawr megis Llundain, Caerdydd ac Abertawe) wedi calibro'r offer monitro er mwyn cael canlyniadau amser real. Fodd bynnag, dywedwyd wrth y Pwyllgor bod y cyfarpar hwn yn gostus iawn ac yn faich ar adnoddau o ran calibro a chynnal a chadw parhaus. Yn ogystal, gall fod angen tipyn o le er mwyn gosod yr offer ac nid yw hynny ar gael yn rhai o'n Hardaloedd Rheoli Ansawdd Aer. Esboniwyd bod Sir Gaerfyrddin yn defnyddio tiwbiau tryledu goddefol i fonitro lefelau NO₂ yn y Sir, ac mae'r arfer hwn yn cydymffurfio â'r canllawiau perthnasol a hwn yw'r dull a ddefnyddir fwyaf helaeth ledled y DU.

Eglurwyd ymhellach bod Sir Gaerfyrddin wedi buddsoddi mewn offer monitro dangosol cludadwy i ychwanegu at y defnydd o diwbiau tryledu goddefol. Gall hyn fod yn ddefnyddiol ar gyfer gwaith sy'n ymwneud â'r Cynllun Gweithredu neu brosiectau penodol. Mae'r Cyngor yn gweithio ar y cyd â Phrifysgol Abertawe sydd â'r un offer; a rhennir y data a ddaw i law. Nid yw'r wybodaeth a ddaw o'r offer yn cael ei throsglwyddo mewn 'amser real', ond gellir ei gael o bell pan fo angen.

Er y cydnabuwyd bod nifer o fentrau i wella ansawdd aer yn cael eu defnyddio, awgrymwyd yn y cyfamser y gallai canlyniadau ansawdd aer dangosol gael eu harddangos yn yr ardaloedd dan sylw i roi gwell gwybodaeth i'r cyhoedd am ansawdd yr aer. Dywedodd y Pen-ymarferydd lechyd yr Amgylchedd fod canlyniadau misol NO₂ yn cael ei llwytho ar wefan sy'n hygyrch i'r cyhoedd.

O ran gwaith y Cyngor i wella ansawdd aer, dywedodd y Pennaeth Trafnidiaeth a Phrifyrdd fod Sir Gaerfyrddin wedi arwain y ffordd i leihau'r effaith ar yr amgylchedd, drwy resymoli'r fflyd sbwriel a fflyd y briffordd yn un o'r fflydoedd mwyaf modern ac isel o ran allyriadau. Yn ogystal, roedd pwyntiau gwefru trydan wedi'u gosod ledled y Sir mewn ymgais i dyfu'r sector hwn ymhellach.

PENDERFYNWYD:

- 6.1 derbyn y wybodaeth ddiweddaraf am yr Ardaloedd Rheoli Ansawdd Aer yn Sir Gaerfyrddin;**
- 6.2 ysgrifennu llythyr at y Gweinidog dros yr Economi a Thrafnidiaeth yn mynegi pryderon y Pwyllgor;**
- 6.3 anfon copi o'r llythyr uchod at y Dirprwy Weinidog dros yr Economi a Thrafnidiaeth.**

7. ADRODDIAD MONITRO CYLLIDEB CYFALAF A REFENIW 2018/19

Bu'r Pwyllgor yn ystyried yr Adroddiadau Monitro ynghylch y Gyllideb Refeniw a'r Gyllideb Gyfalaf fel yr oeddynt ar 31 Hydref 2018, mewn perthynas â blwyddyn ariannol 2018/19. Roedd yr adroddiad yn rhoi i'r aelodau wybodaeth am fonitro'r gyllideb ar gyfer Gwasanaeth yr Amgylchedd, Gwasanaeth Diogelu'r Cyhoedd, a'r Gwasanaeth Diogelwch Cymunedol ac roedd yn rhoi ystyriaeth i'r sefyllfa gyllidebol. Yn gyffredinol, rhagwelir y bydd y gwasanaethau Amgylchedd, Diogelu'r Cyhoedd a Diogelwch Cymunedol ym mynd y tu hwnt i'r gyllideb a gymeradwywyd o £511k.

Roedd y prif amrywiannau ar gynlluniau cyfalaf yn dangos gwariant net rhagweladwy o £16,717 o gymharu â chyllideb net weithredol o £16,820 gan roi amrywiant o £-103k.

Atodwyd Adroddiad Monitro Arbedion a oedd yn cynnwys cynigion 'cyrraedd y targed' a 'heb gyrraedd y targed' o ran arbedion rheoli.

Codwyd y materion canlynol wrth ystyried yr adroddiad:-

- Gofynnwyd a fu unrhyw ddatblygiadau pellach mewn perthynas â meysydd parcio, dywedodd y Pennaeth Priffyrdd a Thrafnidiaeth yr aethpwyd i'r afael â hwn fel rhan o gynigion y gyllideb a rhagwelwyd defnyddio cronfa a fyddai'n disodli'r mesuryddion parcio presennol gyda chyfleusterau talu mwy modern.
- Gofynnwyd a fyddai'r Pwyllgor yn cael y newyddion diweddaraf am yr adolygiad o'r gwasanaeth glanhau. Awgrymodd Cyfarwyddwr yr Amgylchedd y gallai'r Pwyllgor gynnwys yr adroddiad hwn yn ei flaenraglen waith ar gyfer 2019/20. Atgoffodd y Cadeirydd y Pwyllgor am sesiwn ddatblygu ar gyfer y blaenraglen waith oedd wedi cael ei drefnu ar ddiwedd prif gyfarfod y Pwyllgor Craffu – Diogelu'r Cyhoedd a'r Amgylchedd ar 22 Chwefror 2019.

PENDERFYNWYD YN UNFRYDOL dderbyn yr adroddiad.

8. EITEMAU AR GYFER Y DYFODOL

Cafodd y Pwyllgor restr o'r eitemau a fyddai'n cael eu hystyried yn ei gyfarfod nesaf ar 22 Chwefror 2019.

PENDERFYNWYD YN UNFRYDOL nodi'r rhestr o eitemau ar gyfer y dyfodol a oedd i'w hystyried yn y cyfarfod nesaf ar 22 Chwefror 2019.

9. LLOFNODI FEL COFNOD CYWIR COFNODION CYFARFOD Y PWYLLGOR A GYNHALWYD AR Y 16 TACHWEDD 2018

PENDERFYNWYD llofnodi cofnodion cyfarfod y Pwyllgor Craffu - Diogelu'r Cyhoedd a'r Amgylchedd a gynhaliwyd ar 16 Tachwedd, 2018 gan eu bod yn gywir.

CADEIRYDD

DYDDIAD