



COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION

Penderfyniad Allweddol | Key Decision ✓

NOT FOR PUBLICATION

The report to accompany this Decision will not be open for inspection by the press and public before the meeting as in the opinion of the Director of Legal Services it contains information as defined in paragraph 17 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended) namely Information which reveals that the authority proposes: (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any Enactment. It is not considered to be in the public interest to disclose such information at this time. Consequently the public interest in maintaining the exemption outweighs the public interest in disclosing the information by virtue of which the meeting is likely not to be open to the public during its consideration.

PWNC | SUBJECT:

Request to approve the use of Enforcement Powers, regarding the obstructions associated to the ordinary watercourse's that convey above Turberville road (ref: LDA-20-0035) under Section 25 of the Land Drainage Act 1991.

DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:


In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Chief Executive.

The purpose of the report is to inform the delegated officer of the obstructions identified within the Ordinary Watercourse Infrastructure associated to the Phase 1 and Phase 2 Development of the Pleasant Heights Estate.

The report provides an overview of the options available to the authority to regulate the obstructions and the financial costs and consequences/risks associated to each option.

PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:

The serving of a Legal Notice under section 25 of the Land Drainage Act 1991 upon the registered landowner/Riparian Landowner is 'Approved'. The notice will require the landowner/Riparian Landowner to abate the nuisance.

 Llofnod y Prif Swyddog Chief Officer Signature	Chris Bradshaw Enw (priflythrennau) Name (Print Name)	28.04.21 Dyddiad Date
---	--	------------------------------------

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION

A. Morgan

27.04.21

LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE

DYDDIAD | DATE

LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YDY | YES x NAC YDY | NO ✓

Rheswm dros fod yn fater brys | Reason for Urgency:

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....

(Llywydd | *Presiding Member*) (Dyddiad | *Date*)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Councils Website:- 29.04.21

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

06.05.21
DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

Rhagor o wybodaeth | Further Information:

Cyfadran Directorate:	Prosperity, Development and Frontline Services
Enw'r Person Cyswllt Contact Name:	Owen Griffiths
Swydd Designation:	Flood Water and Tip Risk Manager
Rhif Ffôn Telephone Number:	01443 281172