MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD AT COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY 21ST JANUARY 2015

PRESENT: County Councillor L.R.E. Davies (Chair)

County Councillors P.J. Ashton, D. Bailey, G.R. Banks, G. Bowker, R.G. Brown, J.H. Brunt, L.V. Corfield, K.W. Curry, A.W. Davies, C. Davies, D.E. Davies, E.R. Davies, M.J.B. Davies, S.C. Davies, S. Davies, M.J. Dorrance, D.O. Evans, W.J. Evans, M.R. Harris, P. Harris, S.M. Hayes, A. Holloway, G.G. Hopkins, D.C. Jones, D.R. Jones, E.A. Jones, E.M. Jones, Mrs E.M. Jones, G.M. Jones, J.R. Jones, M.J. Jones, W.T. Jones, F.H. Jump, H. Lewis, P.E. Lewis, M.C. Mackenzie, D.J. Mayor, S. McNicholas, P.J. Medlicott, D.W. Meredith, R.H. Mills, E.T. Morgan, G. Morgan, J.G. Morris, W.D. Powell, W.J.T. Powell, D.R. Price, G.D. Price, P.C. Pritchard, G.W. Ratcliffe, K.M. Roberts-Jones, J.G. Shearer, K.F. Tampin, A.G. Thomas, D.A. Thomas, D.G. Thomas, W.B. Thomas, T.G. Turner, T.J. Van Rees, G.P. Vaughan, D.H. Williams, G. Williams, J.M. Williams, S.L. Williams and A. York.

1.	APOLOGIES	CC1 – 2015

Apologies for absence were received from County Councillors M.C. Alexander, V.E. Evans, K.S. Silk and R.G. Thomas.

2.	MINUTES	CC2 – 2015

Subject to the deletion of County Councillor E.T. Morgan's name from the list of members present, the Chairman was authorised to sign the minutes of the meeting held on 22nd October 2014 as a correct record.

3.	DECLARATIONS OF INTEREST	CC3 – 2015

County Councillor M.J.B. Davies declared a personal and prejudicial interest in items 12.1 Mobile Homes (Wales) Act 2013 Fees Policy and 12.2 Mobile Homes (Wales) Act 2013 Fit and Proper Person Test.

4.	CHAIRMAN'S ANNOUNCEMENTS	CC4 – 2015

The Chairman thanked members for their best wishes and the health services for their care following his recent accident. He extended an invitation to the Members' Sunday lunch which would be held at Maes Mawr on 15th February. The Chairman reported that £320 had been raised for his charities and the Army Benevolent Fund at the fireworks display at Derings Lines and £96 at the carol service. He noted the successful receptions held at the Winter Fair for Farm Diversification and Gold and Silver Kite winners. He thanked County Councillor Joy Jones for accompanying him around her ward and said he would welcome the opportunity to visit other Members'

wards and to visit residents celebrating 100th birthdays or 60th wedding anniversaries.

The Chairman referred to the death of Mr Darren Davies, headteacher of Llanidloes High School. County Councillor Gareth Morgan paid tribute to Mr Davies.

5.	LEADER'S ANNOUNCEMENTS	CC5 – 2015

The Leader referred to the announcement made the previous week that County Councillors Wynne Jones and Avril York had joined the Cabinet. He thanked the Members of the Cabinet for their hard work and said that they had put the Council on a sound footing. He also thanked the group leaders for their help and gave an assurance that his door was always open to them.

6.	CHIEF EXECUTIVE'S BRIEFING	CC6 – 2015

The Chief Executive noted that the Council had saved £40m in the last 3 years but there was more to be done. He referred to the Wales GB Rally and the Winter Fair both of which had been good promotion for the county. He noted the success of the staff awards and to the leadership event which had been well received by staff and which had been webcast for the first time. He advised Council that the Welsh Government was expected to issue a white paper on 3rd February in response to the recommendations of the Williams Commission. As far as Powys was concerned, work continued on integration with Powys teaching Health Board. He advised that in principle approval had been received from Welsh Government for a primary school review in the Gwernyfed catchment area which represented a £24m investment in the area. He had been pleased to attend the turf cutting ceremony for the new Ysgol Dafydd Llwyd in Newtown and acknowledged the work of campaigners for Welsh language education in the county. Finally, he and Members of the Council congratulated County Councillor John Morris and his wife Margaret on the award of a Royal Warrant from H.R.H. The Prince of Wales for their Welsh farmhouse apple juice.

7.	WLGA CHARTER FOR MEMBER SUPPORT AND DEVELOPMENT	CC7 – 2015

Sarah Titcombe, the Organisational and Personal Development Adviser for the WLGA presented the Chairman with the WLGA Charter for Member Support and Development. She referred to the high quality of the submission and the good level of support being provided to Members. The Solicitor to the Council placed on record his thanks to the Head of Democratic Services, the Democratic Services Officer and Cabinet Manager for their work.

8.	APPOINTMENTS TO THE CABINET AND ALLOCATION OF PORTFOLIOS MADE BY THE LEADER	CC8 – 2015

Council received details of the Leader's appointments to the Cabinet and allocation of portfolios. The Leader announced that he had decided to move responsibility for Children's Services to County Councillor Darren Mayor. A revised list of portfolio holder responsibilities would be circulated to Members.

9.	SCRUTINY COMMITTEE CHAIRS	CC9 – 2015

Council considered the appointment of the Chairs of the People Scrutiny Committee and the Environment, Infrastructure and Crime and Disorder Scrutiny Committee following the resignation of County Councillor Wynne Jones from the People Scrutiny Committee to join the Cabinet. In accordance with the Measure 2011, the Executive Groups were entitled to one of the scrutiny chairs and the largest opposition group (the Welsh Conservatives) to the second.

RESOLVED	Reason for Decision:
To allocate the 2 Scrutiny Committee Chairs to the Political Groups as set out in paragraph 1.8, and to note the political groups' appointments in respect of Chairs as follows: **People Scrutiny Committee: County Councillor David Jones** **Environment, Infrastructure and Crime & Disorder Committee: County Councillor Gwynfor Thomas**	**To comply with statutory requirements (including those concerning the need for political balance) and the Council's Constitution in relation to the allocation and appointment of committee seats and Chairs.**

The Powys Independent Alliance advised that County Councillor Joy Shearer was moving from the Audit Committee to the People Scrutiny Committee and that County Councillor Gareth Ratcliffe was joining the Audit Committee.

10.	APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES BY POLITICAL GROUPS APPROVED BY THE MONITORING OFFICER	CC10 – 2015

Council noted the following appointments to committees made by the Monitoring Officer under the general power of delegation granted by Council on 16th May 2013:

County Councillor Gary Price appointed to Audit Committee in place of County Councillor Chris Davies.

County Councillor Graham Jones appointed to the People Scrutiny Committee to fill a vacancy.

11.	**BUDGET VIREMENTS REQUIRING COUNCIL APPROVAL**	**CC11 – 2015**

Council considered the recommendations of the Cabinet meeting on 17th June 2014 in respect of budget virements over £300,000.

In response to a Member's question the Strategic Director Resources advised that to date approximately 52% of the capital budget had been spent or committed.

The Strategic Director Place undertook to provide County Councillor Sandra Davies with details of the position of planning consent for the bulking station at Cwmtwrch and to copy the answer to all members.

RESOLVED	**Reason for decision**
To approve the virements set out in the schedule filed with the signed minutes.	**As required by financial standing orders.**

12.	**RECOMMENDATIONS FROM THE PLANNING, RIGHTS OF WAY AND TAXI LICENSING COMMITTEE**	**CC12 – 2015**

County Councillor M.J.B. Davies declared a personal and prejudicial interest in items 12.1 and 12.2 and left the Chamber while they were being considered.

Council considered the recommendations of the Planning, Rights of Way and Taxi Licensing Committee.

12.1 Mobile Homes (Wales) Act 2013 – Fees Policy

RESOLVED	**Reason for Decision:**
To adopt the fees policy for Mobile Homes as prepared and approved by the All Wales Expert Panel for Licensing.	**To approve a Fees Policy for Powys County Council**

12.2 Mobile Homes (Wales) Act 2013 – Fit and Proper Person Test

RESOLVED	**Reason for Decision:**
To adopt the Mobile Homes (Wales) Act 2013 – Fit and Proper Person Test.	**To approve a 'Fit and Proper Policy for Site Owners and Managers'.**

12.3 Registration of Acupuncture, Tattooing, Ear Piercing and Electrolysis

RESOLVED	Reason for Decision:
That the provisions of sections 14 to 17 (inclusive) of part VIII of the Local Government (Miscellaneous Provisions) Act 1982 shall apply to Powys including all of the descriptions of persons contained within section 15(1) and that this resolution shall come into force on the 31st March 2015.	**To ensure that the relevant provisions of The Local Government (Miscellaneous Provisions) Act 1982 that enables local authorities to register persons and premises providing acupuncture, tattooing, ear-piercing and electrolysis.**

13.	RECOMMENDATIONS FROM THE DEMOCRATIC SERVICES COMMITTEE	CC13 – 2015

Council considered the recommendations of the Democratic Services Committee.

13.1 Area (Shire) Committees

The recommendation of the Democratic Services Committee in relation to Shire Committees was that all Area (Shire) Committees move to bi-monthly meetings, with the ability to call additional meetings in the case of emergencies.

County Councillor Wynne Jones moved an amendment, duly seconded, adding the words “to be reviewed in 2 years prior to the end of this Council” to the end of the recommendation. Members debated the issue with some arguing that the Shire Committees did not provide value for money and others that they provided a useful forum in which to discuss matters of local concern. Further amendments calling for a root and branch review of whether Shire Committees were value for money, and a composite amendment calling for bi-monthly Shire meetings, a report on their value for money to be completed within 3 months and for attendance at Shire Committees to no longer count towards the figures monitored by the Standards Committee were withdrawn.

RESOLVED	Reason for Decision
that all Area (Shire) Committees move to bi-monthly meetings, with the ability to call additional meetings in the case of emergencies to be reviewed in 2 years prior to the end of this Council.	**To determine a future direction for the Area (Shire) Committees.**

County Councillor Wynne Jones moved a further amendment, duly seconded, that attendance at Shire Committees no longer count towards the 60% attendance target for Members.

RESOLVED	Reason for Decision
That attendance at Shire Committees no longer counts towards the 60% attendance target for Members.	**To determine a future direction for the Area (Shire) Committees.**

An amendment moved by County Councillor Tom Turner, duly seconded, that the frequency of Shire Committees be left as they are now with the Chairs having discretion to cancel meetings if there was insufficient business was lost upon being put to the vote.

Arrangements for rotating the Chair of Council between the Shires

The recommendation of the Democratic Services Committee was that the arrangements for rotating the Chair of Council between the Shires remain as currently until clarification is received regarding the future arrangements for Local Government in Wales.

Members debated an amendment moved by County Councillor Wynne Jones, duly seconded, that the Chair of Council rotate on a 2, 2, 1 rotation to take effect from May 2015 to take account of the larger number of Councillors in Montgomeryshire and Brecknockshire. One member felt that it would be insulting to the people of Radnorshire to be treated differently from the other Shires, other members felt that the Chair of Council should be elected by the whole Council regardless of which Shires they were from. The amendment was lost upon being put to the vote.

RESOLVED	Reason for Decision
That the arrangements for rotating the Chair of Council between the Shires remain as currently until clarification is received regarding the future arrangements for Local Government in Wales.	**To determine the rotational arrangements for the Chair of Council.**

The Chair agreed that the running order of the agenda could be varied to take the following item next.

14.	**CREATION OF POWYS LOCAL PENSION BOARD**	**CC14 – 2015**

Members were advised that the Council was required by the Public Service Pensions Act 2013 to create a local Pension Board for the Powys Pension Fund by 1st April 2015. An amendment moved by County Councillor Gary Price and duly seconded to

defer consideration of the report as final regulations had yet to be issued by the Department for Communities and Local Government was lost upon being put to the vote.

RESOLVED	Reason for Decision:
That Council approve an addition to its Constitution as outlined in Appendix 1 to the report filed with the signed minutes i.e. to create a local Pension Board to the Powys Pension Fund.	**That the Council, as Administering Authority for the Powys Pension Fund, can introduce a local Pension Board as required by the Public Service Pensions Act 2013 and LGPS Regulations to assist with ensuring compliance with regulations and to achieve efficient and effective pensions governance.**

County Councillor Dai Davies left the meeting.

13.	**RECOMMENDATIONS FROM THE DEMOCRATIC SERVICES COMMITTEE**	**CC13 – 2015**

13.2 Webcasting

Council considered the recommendations of the Democratic Services Committee.

RESOLVED	Reason for Decision:
That the Council undertake the maximum level of webcasting of meetings.	**To allow the Council to conduct efficient business and communicate with its residents.**

13.3 Payments to Co-opted Members

Council considered the recommendation of the Democratic Services Committee.

RESOLVED	Reason for Decision:
1. That the maximum number of days for which the Audit Committee Lay Member may be paid from the Annual Meeting in 2014 be increased to 25 days as an interim measure. **2. That a review of the limits set for the Audit Committee Lay Member and the Parent Governor Representatives be**	**To set the maximum number of days for which co-opted members may be paid in any one year as required by the Independent Remuneration Panel for Wales' Report – December 2012.**

undertaken at the end of the current financial year.	

15.	AMENDMENTS TO THE CURRENT CONSTITUTION	CC15 – 2015

Council considered amendments to the Planning Protocol in the current Constitution as recommended by the Planning, Rights of Way and Taxi Licensing Committee and the Democratic Services Committee. Council noted that there were some typographical errors in the document would be amended for the final version.

RESOLVED	Reason for Decision
That the revised Planning Protocol be approved (copy filed with the signed minutes).	**To take into account the recommendations of the Planning, Rights of Way and Taxi Licensing Committee and the Democratic Services Committee.**

16.	NEW CONSTITUTION	CC16 – 2015

Council considered sections of the new Constitution.

It was noted that Section 4 would be amended to include a new paragraph 4.16.14 dealing with the Remuneration of Chief Officers.

County Councillor John Brunt moved an amendment, duly seconded to delete Rule 4.22 Duration of Meetings from Section 4 which was lost upon being put to the vote.

County Councillor Stephen Hayes moved an amendment, duly seconded, to delete Rule 4.40.2, which states that a motion to remove the Leader cannot be moved more than once in any rolling 6 month period, which was lost upon being put to the vote.

RESOLVED	Reason for Decision:
To approve the following Sections of the new Constitution, subject to those sections not coming into force until the whole of the new Constitution has been agreed by the Council: **Section 1 – Introduction** **Section 2 – Purpose, Definition, Interpretation and Amendment of the Constitution** **Section 3 – Getting Information and Getting Involved** **Section 4 – Full Council (as amended)** **Section 5 – The Cabinet**	**To agree sections of the new Council.**

Section 6 – The Leader **Section 8 – The Standards Committee** **Section 9 – Regulatory Committees** **Section 10 – Joint Committees** **Section 18 – Code of Conduct for Members** **Section 19 – Planning Protocol** **Section 23 – Member Role Description** **Section 24 – Rights of Way Matters – Public Speaking Provisions** **Section 26 – Indemnities for Members and Officers** **Section 28 – Local Resolution Protocol** **Section 29 – Protocol on Civic and Executive Matters**	

17.	**COUNCIL FORWARD WORK PROGRAMME**	**CC17 – 2015**

Council received the forward work programme for 2015.

18.	**QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION**	**CC18 – 201**

18.1 Question to the Portfolio Holder for Adult Social Care from County Councillor Gwilym Williams

The background to my question is regarding adult and social care, when a consultant drew up contracts and awarded them to four national large providers for people's care in their homes.

It came to my attention when these contracts were being awarded I was told that the consultant after he had finished his contracts and left Powys, he was going to work for one of these providers.

At the beginning of 2014 when I was Chairman of the Radnorshire Committee when the portfolio holder Darren Mayor attended, I asked the above question was the consultant going to work for one of these providers. They assured me and promised that this was not going to happen. It then came to light, confirmed by Darren Mayor, that the consultant was now working for one of these companies, therefore, is it ethical for this to happen?

I now understand there is to be an independent inquiry into how these contracts were awarded, and obviously we must wait the decision, but

any inquiry will look at what has happened in the past, I would like to look to the future.

My question would be to the portfolio holder in light of the above can all consultants that award contracts for Powys County Council, and then leave the authority, be not allowed to work for these companies for at least one year after the contract was awarded?

The Solicitor to the Council has been asked to look into the legal issues involved in attempting to impose such a "restraint of trade" clause into our consultancy contracts. I am advised that his enquiries are continuing but it is clear that it is unusual for such clauses to be imposed, perhaps because such a clause could be used by the consultant to suggest that they are employees rather than consultants. Consideration will also need to be given as to the issue of enforceability against the individual consultant, rather than against the company that the Council contract with. For tax purpose, most (if not all) of the consultants we engage, set themselves up as Limited Companies for trading purposes and the consultancy contract is with the company, rather than with an individual. In such an arrangement, the restraint of trade clause (if enforceable at all) would only be enforceable against the company and not against the individual. There is a risk that the individual consultant could attempt to circumvent the effect of such a clause by setting up a second company in a different name and using that second company to undertake work for our appointed Contractors.

In answer to Councillor Williams' supplementary question, the Portfolio Holder confirmed that the contractor had given a verbal guarantee as he reported to Radnorshire and the Solicitor to the Council advised that the legal issues raised were being looked at but that as had been indicated in the response there were drawbacks to putting "restraint of trade" clauses into consultancy contracts.

18.2 Question to the Portfolio Holder for Highways from County Councillor David Jones

Following complaints to NRW of the fly tipping of contaminated waste by Highways at three sites in Guilsfield they partially cleared the offending material before resuming dumping. Why did Highways resume fly tipping and has this gone on in other parts of Powys?

The leaf litter deposited at the end of the highway known as Laundry Lane, Guilsfield; which was the initial subject of complaints, was cleared during the week ending 14th December 2014. There has been no further material deposited at this location to date.

There are a number of other locations where our rural highways pass through NRW woodlands, and similarly to Laundry Lane the NRW (Forestry Management Section) have requested that the leaf-litter from these highways

within their woodlands be deposited at locations at the sites for their collection and re-use in regenerating the soil within areas of their woodland.

The material previously removed was clearly unsuitable; being in such a wet state, and operatives are aware that this is not acceptable.

In light of the complaints now received, and the fact that we have again received requests from the NRW for the leaf-litter material, we have requested further written confirmation and clarification of their position.
In response to Councillor Jones' supplementary question about how waste that had run onto neighbouring land would be recovered, the Portfolio Holder said that he had understood that all of the waste had been removed but that he would check this again. He also undertook to forward NRW's response to all Members when it was received.

18.3 Question to the Portfolio Holder for Waste Management from County Councillor David Jones

Has the council reported to WAG that they have been diverting contaminated material out of the waste stream by fly tipping and thus "improving" the percentage of waste re-cycled?

On completion of the trial in which Powys County Council participated in conjunction with NRW/WG, we notified NRW of our intent to 'return all leaf litter arising to the highway verge on site'.

The material previously taken to the farm trial sites was included in the data submitted to WG and because it was being recycled at that time the material did contribute to our recycling figures.

The end of the trial meant a reduction in our recycling total of approximately 5.5%.

In answer to Councillor Jones' supplementary question about current recycling rates, the Portfolio Holder advised that the rate was 53.4%.

18.4 Question to the Portfolio Holder for Education from County Councillor Paul Ashton

In view of the introduction of the Education Improvement Grant how will the portfolio holder ensure that the transient Ministry of Defence pupils in Powys schools who require EAL will continue to receive the support they need in order to maintain standards?

It is a concern that the Welsh Government have decided to cease the Minority Ethnic Achievement Grant which has been used for many years to support learners across Powys and Wales who require support to develop their

competency in the English/Welsh language. Welsh Government are ceasing fourteen grants to create a new grant, namely the Education Improvement Grant. This new grant is a regional grant, the details of which have not as yet been provided by Welsh Government. As soon as details are available I shall be in a position to provide further information.

There was no supplementary question but Councillor Ashton did ask to be kept informed.

L.R.E. DAVIES
CHAIR

County Council 21st January 2015
10.30 – 13.10

COFNODION CYFARFOD Y CYNGOR SIR A GYNHALIWYD YN NEUADD Y SIR, LLANDRINDOD
DDYDD MERCHER 21 IONAWR 2015

YN BRESENNOL: Y Cynghorydd Sir L.R.E. Davies (Cadeirydd)

Y Cynghorwyr Sir P.J. Ashton, D. Bailey, G.R. Banks, G. Bowker, R.G. Brown, J.H. Brunt, L.V. Corfield, K.W. Curry, A.W. Davies, C. Davies, D.E. Davies, E.R. Davies, M.J.B. Davies, S.C. Davies, S. Davies, M.J. Dorrance, D.O. Evans, W.J. Evans, M.R. Harris, P. Harris, S.M. Hayes, A. Holloway, G.G. Hopkins, D.C. Jones, D.R. Jones, E.A. Jones, E.M. Jones, Mrs E.M. Jones, G.M. Jones, J.R. Jones, M.J. Jones, W.T. Jones, F.H. Jump, H. Lewis, P.E. Lewis, M.C. Mackenzie, D.J. Mayor, S. McNicholas, P.J. Medlicott, D.W. Meredith, R.H. Mills, E.T. Morgan, G. Morgan, J.G. Morris, W.D. Powell, W.J.T. Powell, D.R. Price, G.D. Price, P.C. Pritchard, G.W. Ratcliffe, K.M. Roberts-Jones, J.G. Shearer, K.F. Tampin, A.G. Thomas, D.A. Thomas, D.G. Thomas, W.B. Thomas, T.G. Turner, T.J. Van Rees, G.P. Vaughan, D.H. Williams, G. Williams, J.M. Williams, S.L. Williams ac A. York.

1.	**YMDDIHEURIADAU**	**CC1 – 2015**

Derbyniwyd ymddiheuriadau am absenoldeb gan y Cynghorwyr Sir M.C. Alexander, V.E. Evans, K.S. Silk ac R.G. Thomas.

2.	**COFNODION**	**CC2 – 2015**

Yn amodol ar ddileu enw'r Cynghorydd Sir E.T. Morgan o'r rhestr o aelodau oedd yn bresennol, cafodd y Cadeirydd ei awdurdodi i arwyddo cofnodion y cyfarfod a gynhaliwyd ar 22 Hydref, 2014 fel cofnod cywir.

3.	**DATGANIADAU O FUDDIANT**	**CC3 – 2015**

Datganodd y Cynghorydd Sir M.J.B. Davies fuddiant personol sy'n rhagfarnu yn eitemau 12.1 Deddf Cartrefi Symudol (Cymru) 2013 Polisi Ffioedd a 12.2 Deddf Cartrefi Symudol (Cymru) 2013 Prawf Person Addas a Phriodol.

4.	**CYHOEDDIADAU'R CADEIRYDD**	**CC4 – 2015**

Diolchodd y Cadeirydd i'r aelodau am eu dymuniadau gorau ac i'r gwasanaethau iechyd am eu gofal yn dilyn ei ddamwain ddiweddar. Estynnodd wahoddiad i ginio dydd Sul yr Aelodau a gynhelir ym Maes Mawr ar 15 Chwefror. Adroddodd y Cadeirydd fod £320 wedi cael ei godi tuag at ei elusennau a Chronfa Les y Fyddin yn yr arddangosfa tân gwyllt yn Derings Lines a £96 yn y gwasanaeth carolau. Nododd y derbyniadau llwyddiannus a gynhaliwyd yn y Ffair Aeaf ar gyfer enillwyr y cystadlaethau Arallgyfeirio ar Ffermydd ac enillwyr y Barcud Aur ac Arian.

Diolchodd i'r Cynghorydd Sir Joy Jones am fynd gydag ef o gwmpas ei ward hi a dywedodd y byddai'n croesawu'r cyfle i ymweld â wardiau Aelodau eraill ac ymweld â thrigolion sy'n dathlu eu pen-blwydd yn 100 oed neu achlysuron i ddathlu 60 o flynyddoedd o briodas.

Cyfeiriodd y Cadeirydd at farwolaeth Mr Darren Davies, Pennaeth Ysgol Uwchradd Llanidloes. Rhoddodd y Cynghorydd Sir Gareth Morgan deyrnged i Mr Davies.

5.	**CYHOEDDIADAU'R ARWEINYDD**	**CC5 – 2015**

Cyfeiriodd yr Arweinydd at y cyhoeddiad a wnaed yr wythnos flaenorol fod y Cynghorwyr Sir Wynne Jones ac Avril York wedi ymuno â'r Cabinet. Diolchodd i Aelodau'r Cabinet am eu gwaith caled a dywedodd eu bod wedi rhoi'r Cyngor ar sail gadarn. Diolchodd hefyd i arweinwyr y grwpiau am eu cymorth a rhoddodd sicrwydd fod ei ddrws bob amser yn agored iddynt.

6.	**ADRODDIAD Y PRIF WEITHREDWR**	**CC6 – 2015**

Nododd y Prif Weithredwr fod y Cyngor wedi arbed £40m yn y 3 blynedd ddiwethaf, ond roedd mwy i'w wneud. Cyfeiriodd at Rali GB Cymru a'r Ffair Aeaf - dau ddigwyddiad oedd wedi rhoi cyhoeddusrwydd da i'r sir. Nododd lwyddiant y gwobrau staff a chyfeiriodd at y digwyddiad arweinyddiaeth a oedd wedi cael derbyniad da gan y staff ac a oedd wedi cael ei we-ddarlledu am y tro cyntaf. Dywedodd wrth y Cyngor y disgwylid i Lywodraeth Cymru gyhoeddi Papur Gwyn ar 3 Chwefror mewn ymateb i argymhellion Comisiwn Williams. Cyn belled ag roedd Powys yn y cwestiwn, roedd gwaith yn parhau ar integreiddio gyda Bwrdd Iechyd addysgu Powys. Dywedodd fod cymeradwyaeth mewn egwyddor wedi dod i law oddi wrth Lywodraeth Cymru am adolygiad o ysgolion cynradd yn ardal dalgylch Gwernyfed a fyddai'n fuddsoddiad o £24m yn yr ardal. Roedd wedi bod yn falch o fynychu'r seremoni i dorri'r dywarchen gyntaf ar gyfer yr Ysgol Dafydd Llwyd newydd yn y Drenewydd ac fe wnaeth gydnabod gwaith ymgyrchwyr dros addysg Gymraeg yn y sir. Yn olaf, llongyfarchodd ef ac Aelodau'r Cyngor y Cynghorydd Sir John Morris a'i wraig Margaret ar ennill Gwarant Frenhinol gan Ei Uchelder Brenhinol Tywysog Cymru am eu sudd afal fferm Cymreig.

7.	**SIARTER CLLLC AR GYFER CYNORTHWYO A DATBLYGU CYNGHORWYR**	**CC7 – 2015**

Cyflwynodd Sarah Titcombe, Ymgynghorydd Sefydliadol a Datblygu Personol ar gyfer Cymdeithas Llywodraeth Leol Cymru Siarter CLILC ynghylch Cefnogi a Datblygu Aelodau i'r Cadeirydd. Cyfeiriodd at ansawdd uchel y gwaith a gyflwynwyd a lefel dda'r gefnogaeth sy'n cael ei rhoi i'r Aelodau. Gofynnodd Cyfreithiwr y Cyngor am gael rhoi ar gofnod ei ddiolch i Bennaeth y Gwasanaethau Democrataidd, y Swyddog Gwasanaethau Democrataidd a Rheolwr y Cabinet am eu gwaith.

8.	PENODIADAU I'R CABINET A DYRANNU PORTFFOLIOS A WNAED GAN YR ARWEINYDD	CC8 – 2015

Derbyniodd y Cyngor fanylion am benodiadau'r Arweinydd i'r Cabinet a'r modd y mae wedi dyrannu portffolios. Cyhoeddodd yr Arweinydd ei fod wedi penderfynu symud y cyfrifoldeb am Wasanaethau Plant i'r Cynghorydd Sir Darren Mayor. Byddai rhestr ddiwygiedig o gyfrifoldebau'r aelodau portffolio yn cael ei dosbarthu i'r Aelodau.

9.	CADEIRYDDION PWYLLGORAU CRAFFU	CC9 – 2015

Ystyriodd y Cyngor benodi Cadeiryddion y Pwyllgor Craffu Pobl a'r Amgylchedd, a'r Pwyllgor Craffu Seilwaith a Throsedd ac Anhrefn yn dilyn ymddiswyddiad y Cynghorydd Sir Wynne Jones o'r Pwyllgor Craffu Pobl i ymuno â'r Cabinet. Yn unol â Mesur 2011, roedd gan y Grwpiau Gweithredol hawl i un o swyddi'r cadeiryddion craffu ac roedd gan y grŵp gwrthblaid mwyaf (Ceidwadwyr Cymreig) yr hawl i'r ail.

PENDERFYNWYD	Rheswm am y penderfyniad:
Dyrannu'r 2 swydd i Gadeiryddion y Pwyllgorau Craffu i'r Grwpiau Gwleidyddol fel y nodir ym mharagraff 1.8, a nodi apwyntiadau'r grwpiau gwleidyddol mewn perthynas â Chadeiryddion fel a ganlyn: **Pwyllgor Craffu Pobl: Y Cynghorydd Sir David Jones** **Pwyllgor Craffu Seilwaith a Throsedd ac Anhrefn Y Cynghorydd Sir Gwynfor Thomas**	**I gydymffurfio â gofynion statudol (gan gynnwys y rhai sy'n ymwneud â'r angen am gydbwysedd gwleidyddol) a Chyfansoddiad y Cyngor mewn perthynas â dyrannu a phenodi seddau pwyllgor a Chadeiryddion.**

Dywedodd Cynghrair Annibynnol Powys fod y Cynghorydd Sir Joy Shearer yn symud o'r Pwyllgor Archwilio i'r Pwyllgor Craffu Pobl a bod y Cynghorydd Sir Gareth Ratcliffe yn ymuno â'r Pwyllgor Archwilio.

10.	PENODIADAU I BWYLLGORAU A CHYRFF ALLANOL GAN GRWPIAU GWLEIDYDDOL A GYMERADWYWYD GAN Y SWYDDOG MONITRO	CC10 – 2015

Nododd y Cyngor y penodiadau canlynol i bwyllgorau a wnaed gan y Swyddog Monitro o dan bŵer dirprwyo cyffredinol a roddwyd gan y Cyngor ar 16 Mai 2013:

Penodi'r Cynghorydd Sir Gary Price i'r Pwyllgor Archwilio yn lle'r Cynghorydd Sir Chris Davies.
Penodi'r Cynghorydd Sir Graham Jones i'r Pwyllgor Craffu Pobl i lenwi swydd wag.

11.	**TROSGLWYDDIADAU'R GYLLIDEB SYDD ANGEN CYMERADWYAETH Y CYNGOR**	**CC11 – 2015**

Ystyriodd y Cyngor argymhellion cyfarfod y Cabinet ar 17 Mehefin 2014 yng nghyswllt trosglwyddiadau'r gyllideb dros £300,000.

Mewn ymateb i gwestiwn Aelod dywedodd y Cyfarwyddwr Strategol Adnoddau fod tua 52% o'r gyllideb gyfalaf wedi cael ei gwario neu ei hymrwymo hyd yma.

Addawodd y Cyfarwyddwr Strategol Lle roi manylion i'r Cynghorydd Sir Sandra Davies am y sefyllfa o ran caniatâd cynllunio ar gyfer yr orsaf chwyddo gwastraff yng Nghwmtwrch ac i gopïo'r ateb i'r holl aelodau.

PENDERFYNWYD	Rheswm dros y penderfyniad
Cymeradwyo'r trosglwyddiadau a nodwyd yn yr atodlen a fydd yn cael eu ffeilio gyda'r cofnodion a lofnodwyd.	**I gyd-fynd â rheolau sefydlog ariannol.**

12.	**ARGYMHELLION GAN Y PWYLLGOR CYNLLUNIO, HAWLIAU TRAMWY A THRWYDDEDU TACSIS**	**CC12 – 2015**

Datganodd y Cynghorydd Sir M.J.B. Davies fuddiant personol a buddiant sy'n rhagfarnu yn eitemau 12.1 a 12.2 a gadawodd y Siambr tra oeddent yn cael eu hystyried.

Ystyriodd y Cyngor argymhellion y Pwyllgor Cynllunio, Hawliau Tramwy a Thrwyddedu Tacsis.

12.1 Deddf Cartrefi Symudol 2013 (Cymru) - Polisi Ffioedd

PENDERFYNWYD	Rheswm am y penderfyniad:
Mabwysiadu'r polisi ffioedd ar gyfer Cartrefi Symudol a baratowyd ac a gymeradwywyd gan Banel Arbenigol Cymru Gyfan ar gyfer Trwyddedu.	**I gymeradwyo Polisi Ffioedd ar gyfer Cyngor Sir Powys**

12.2 Cartrefi Symudol (Cymru) 2013 - Prawf Person Addas a Phriodol

PENDERFYNWYD	Rheswm am y penderfyniad:
Mabwysiadu Deddf Cartrefi	**I gymeradwyo 'Polisi Addas a**

Symudol (Cymru) 2013 - Prawf Person Addas a Phriodol.	**Phriodol i Berchnogion a Rheolwyr Safleoedd'.**

12.3 Cofrestru Aciwbigo, Tatŵio, Tyllu Clustiau ac Electrolysis

PENDERFYNWYD	Rheswm am y penderfyniad:
Bod darpariaethau adrannau 14 i 17 (yn gynhwysol) rhan VIII Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 yn berthnasol i Bowys gan gynnwys pob un o'r disgrifiadau o bersonau a gynhwysir yn adran 15(1) ac y bydd y penderfyniad hwn yn dod i rym ar 31 Mawrth 2015.	**I sicrhau bod darpariaethau perthnasol Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 yn galluogi awdurdodau lleol i gofrestru unigolion ac adeiladau sy'n darparu aciwbigo, tatŵio, tyllu clustiau ac electrolysis.**

13.	**ARGYMHELLION GAN Y PWYLLGOR GWASANAETHAU DEMOCRATAIDD**	**CC13 – 2015**

Ystyriodd y Cyngor argymhellion y Pwyllgor Gwasanaethau Democrataidd.

13.1 Pwyllgorau Ardal

Argymhelliad y Pwyllgor Gwasanaethau Democrataidd mewn perthynas â Phwyllgorau Ardal oedd bod pob Pwyllgor Ardal yn symud i gyfarfodydd bob deufis, gyda'r gallu i alw cyfarfodydd ychwanegol mewn achos o argyfwng.

Cynigiodd y Cynghorydd Sir Wynne Jones welliant, a eiliwyd yn briodol, yn ychwanegu'r geiriau "i'w adolygu ymhen 2 flynedd cyn diwedd y Cyngor hwn" ar ddiwedd yr argymhelliad. Trafododd yr Aelodau'r mater ac roedd rhai yn dadlau nad oedd y Pwyllgorau Ardal yn rhoi gwerth am arian ac eraill yn dweud eu bod yn darparu fforwm defnyddiol lle gellid trafod materion o bryder lleol. Cafodd diwygiadau pellach yn galw am adolygiad llwyr i weld a oedd Pwyllgorau Ardal yn rhoi gwerth am arian, ac am ddiwygiad cyfansawdd yn galw am gyfarfodydd Ardal bob deufis, ac yn galw am i adroddiad am eu gwerth am arian gael ei gwblhau o fewn 3 mis ac ar i bresenoldeb mewn Pwyllgorau Ardal bellach beidio â chyfrif tuag at y ffigurau sy'n cael eu monitro gan y Pwyllgor Safonau eu tynnu'n ôl.

PENDERFYNWYD	Rheswm am y Penderfyniad
bod pob Pwyllgor Ardal yn symud i gyfarfodydd bob deufis, gyda'r gallu i alw cyfarfodydd ychwanegol yn achos argyfyngau i'w adolygu ymhen 2 flynedd cyn diwedd y Cyngor hwn.	**I bennu cyfeiriad ar gyfer y Pwyllgorau Ardal yn y dyfodol.**

Cynigiodd y Cynghorydd Sir Wynne Jones welliant pellach, a eiliwyd yn briodol, na ddylai presenoldeb mewn Pwyllgorau Ardal gyfrif bellach tuag at y targed presenoldeb o 60% ar gyfer Aelodau.

PENDERFYNWYD	Rheswm am y Penderfyniad
Nad yw presenoldeb mewn Pwyllgorau Ardal yn cyfrif bellach tuag at y targed presenoldeb o 60% ar gyfer Aelodau.	**I bennu cyfeiriad ar gyfer y Pwyllgorau Ardal yn y dyfodol.**

Cafodd gwelliant a gynigiwyd gan y Cynghorydd Sir Tom Turner, a eiliwyd yn briodol, bod pa mor aml y mae'r Pwyllgorau Ardal yn cael eu cynnal yn cael ei gadw fel y mae yn awr, gyda disgresiwn i'r Cadeiryddion ganslo cyfarfodydd os nad oedd digon o fusnes i'w drafod ei golli wrth ei roi i bleidlais.

Trefniadau ar gyfer gylchdroi swydd Cadeirydd y Cyngor rhwng yr Ardaloedd

Argymhelliad y Pwyllgor Gwasanaethau Democrataidd oedd bod y trefniadau ar gyfer cylchdroi swydd Cadeirydd y Cyngor rhwng yr Ardaloedd yn parhau fel ar hyn o bryd hyd nes y derbynnir eglurhad ynghylch y trefniadau ar gyfer Llywodraeth Leol yn y dyfodol yng Nghymru.

Trafododd yr aelodau welliant a gynigiwyd gan y Cynghorydd Sir Wynne Jones, a eiliwyd yn briodol, fod swydd Cadeirydd y Cyngor yn cylchdroi ar gylchdro 2, 2, 1 i ddod i rym o fis Mai 2015 i gymryd i ystyriaeth y ffaith fod mwy o Gynghorwyr yn Sir Drefaldwyn a Sir Frycheiniog. Teimlai un aelod y byddai'n sarhaus i bobl Sir Faesyfed gael eu trin yn wahanol i'r Ardaloedd eraill; teimlai aelodau eraill y dylai Cadeirydd y Cyngor gael ei ethol gan y Cyngor cyfan ni waeth pa Ardal y deuai ohoni. Collwyd y gwelliant hwn wedi ei roi i bleidlais.

PENDERFYNWYD	Rheswm am y Penderfyniad
Bod y trefniadau ar gyfer cylchdroi swydd Cadeirydd y Cyngor rhwng yr Ardaloedd yn parhau fel ar hyn o bryd hyd nes y derbynnir eglurhad ynghylch y trefniadau ar gyfer Llywodraeth Leol yng Nghymru yn y dyfodol .	**I benderfynu ar y trefniadau ar gyfer cylchdroi swydd Cadeirydd y Cyngor.**

Cytunodd y Cadeirydd y gallai trefn yr agenda gael ei hamrywio i gymryd yr eitem ganlynol nesaf.

14.	CREU BWRDD PENSIYNAU LLEOL POWYS	CC14 – 2015

Dywedwyd wrth yr Aelodau ei bod yn ofynnol i'r Cyngor yn ôl Deddf Pensiynau Gwasanaethau Cyhoeddus 2013 greu Bwrdd Pensiynau lleol ar gyfer Cronfa Bensiwn Powys erbyn 1 Ebrill 2015. Cafodd gwelliant a gynigiwyd gan y Cynghorydd Sir Gary Price ac a eiliwyd yn briodol i ohirio ystyried yr adroddiad gan nad oedd rheoliadau terfynol wedi eu cyhoeddi eto gan yr Adran Cymunedau a Llywodraeth Leol ei golli ar ôl ei roi i bleidlais.

PENDERFYNWYD	Rheswm am y penderfyniad:
Bod y Cyngor yn cymeradwyo ychwanegiad at ei Gyfansoddiad fel yr amlinellwyd yn Atodiad 1 i'r adroddiad a ffeilir gyda'r cofnodion wedi'u llofnodi, hy creu Bwrdd Pensiynau lleol i Gronfa Bensiwn Powys.	**Bod y Cyngor, fel Awdurdod Gweinyddol ar gyfer Cronfa Bensiwn Powys, yn gallu cyflwyno Bwrdd Pensiynau lleol fel sy'n ofynnol gan Ddeddf Pensiynau Gwasanaethau Cyhoeddus 2013 a Rheoliadau Cynllun Pensiwn Llywodraeth Leol i gynorthwyo gyda sicrhau cydymffurfiaeth â rheoliadau ac i sicrhau bod pensiynau yn cael eu llywodraethu yn effeithlon ac effeithiol.**

Gadawodd y Cynghorydd Sir Dai Davies y cyfarfod.

13.	ARGYMHELLION GAN Y PWYLLGOR GWASANAETHAU DEMOCRATAIDD	CC13 – 2015

13.2 Gwe-ddarlledu

Ystyriodd y Cyngor argymhellion y Pwyllgor Gwasanaethau Democrataidd.

PENDERFYNWYD	Rheswm am y penderfyniad:
Bod y Cyngor yn gwe-ddarlledu cymaint o gyfarfodydd â phosibl.	**I alluogi'r Cyngor i gynnal busnes yn effeithlon a chyfathrebu â'i drigolion.**

13.3 Taliadau i Aelodau Cyfetholedig

Ystyriodd y Cyngor argymhelliad y Pwyllgor Gwasanaethau Democrataidd.

PENDERFYNWYD	Rheswm am y penderfyniad:
1. Bod uchafswm nifer y dyddiau y gall Aelodau Lleyg y Pwyllgor Archwilio gael eu talu o’r Cyfarfod Blynyddol yn 2014 gael ei gynyddu i 25 diwrnod fel mesur dros dro	**I osod uchafswm nifer y dyddiau y gall aelodau cyfetholedig gael eu talu mewn unrhyw un flwyddyn fel sy'n ofynnol gan Adroddiad Panel Taliadau Annibynnol Cymru - Rhagfyr 2012.**

2. Bod adolygiad o’r terfynau a osodwyd ar gyfer ar gyfer Aelodau Lleyg y Pwyllgor Archwilio a Chynrychiolwyr Rhieni Llywodraethwyr yn cael eu cynnal ar ddiwedd y flwyddyn ariannol gyfredol.	

15.	**NEWIDIADAU I'R CYFANSODDIAD CYFREDOL**	**CC15 – 2015**

Ystyriodd y Cyngor newidiadau i'r Protocol Cynllunio yn y Cyfansoddiad cyfredol fel yr argymhellwyd gan y Pwyllgor Cynllunio, Hawliau Tramwy a Thrwyddedu Tacsis a'r Pwyllgor Gwasanaethau Democrataidd. Nododd y Cyngor fod yna rai gwallau teipio yn y ddogfen ac y byddai yn cael ei diwygio ar gyfer y fersiwn terfynol.

PENDERFYNWYD	**Rheswm am y Penderfyniad**
Bod y Protocol Cynllunio diwygiedig yn cael ei gymeradwyo (gyda chopi yn cael ei ffeilio gyda'r cofnodion a lofnodwyd).	**I roi ystyriaeth i argymhellion y Pwyllgor Cynllunio, Hawliau Tramwy a Thrwyddedu Tacsis a'r Pwyllgor Gwasanaethau Democrataidd**

16.	**CYFANSODDIAD NEWYDD**	**CC16 – 2015**

Ystyriodd y Cyngor rhannau o'r Cyfansoddiad newydd.

Nodwyd y byddai Adran 4 yn cael ei diwygio i gynnwys paragraff newydd 4.16.14 yn ymdrin â Thâl y Prif Swyddogion.

Cynigiodd y Cynghorydd Sir John Brunt welliant, a eiliwyd yn briodol, i ddileu Rheol 4.22 Hyd Cyfarfodydd o Adran 4, a gollwyd ar ôl ei roi i bleidlais.

Cynigiodd y Cynghorydd Sir Stephen Hayes welliant, a eiliwyd yn briodol, i ddileu Rheol 4.40.2, sy'n datgan na ellir gwneud cynnig i gael gwared ar yr Arweinydd fwy nag unwaith mewn unrhyw gyfnod treigl o 6 mis, a gollwyd ar ôl ei roi i bleidlais.

PENDERFYNWYD	**Rheswm am y penderfyniad:**
Cymeradwyo'r Adrannau canlynol o'r Cyfansoddiad newydd, ar yr amod na fydd yr adrannau hynny yn dod i rym nes bod y Cyfansoddiad newydd i gyd wedi cael ei gytuno gan y Cyngor: **Adran 1 - Cyflwyniad** **Adran 2 - Pwrpas, Diffiniad, Dehongli a Diwygio'r Cyfansoddiad**	**I gytuno rhannau o'r Cyfansoddiad newydd.**

Adran 3 - Cael gwybodaeth a Chymryd Rhan **Adran 4 - Y Cyngor Llawn (fel y'i diwygiwyd)** **Adran 5 - Y Cabinet** **Adran 6 - Yr Arweinydd** **Adran 8 - Y Pwyllgor Safonau** **Adran 9 - Pwyllgorau Rheoleiddio** **Adran 10 - Pwyllgorau ar y Cyd** **Adran 18 - Cod Ymddygiad ar gyfer Aelodau** **Adran 19 - Protocol Cynllunio** **Adran 23 - Disgrifiad o Swyddogaeth yr Aelodau** **Adran 24 - Materion Hawliau Tramwy - Darpariaethau Siarad Cyhoeddus** **Adran 26 - Indemniadau ar gyfer Aelodau a Swyddogion** **Adran 28 - Protocol ar gyfer Datrysiadau Lleol** **Adran 29 - Protocol ar Faterion Dinesig a Gweithredol**	

17.	**BLAENRAGLEN WAITH Y CYNGOR**	**CC17 – 2015**

Derbyniodd y Cyngor y flaen raglen waith ar gyfer 2015.

18.	**CWESTIYNAU YN UNOL Â'R CYFANSODDIAD**	**CC18 – 201**

18.1 Cwestiwn i'r Aelod Portffolio dros Ofal Cymdeithasol i Oedolion gan y Cynghorydd Sir Gwilym Williams

Mae'r cefndir i'm cwestiwn yn ymwneud â gofal i oedolion a gofal cymdeithasol, pan luniodd ymgynghorydd gontractau a'u dyfarnu i bedwar darparwr mawr cenedlaethol ar gyfer gofal i bobl yn eu cartrefi.

Pan oedd y contractau hyn yn cael eu dyfarnu dywedwyd wrthyf fod yr ymgynghorydd wedi iddo orffen ei gontractau a gadael Powys, yn mynd i weithio i un o'r darparwyr hyn.

Ar ddechrau 2014 pan oeddwn yn Gadeirydd Pwyllgor Sir Faesyfed pan oedd yr aelod portffolio Darren Mayor yn bresennol, gofynnais y cwestiwn a oedd yr ymgynghorydd yn mynd i weithio i un o'r darparwyr hyn. Fe wnaethant fy sicrhau ac addo i mi nad oedd hyn yn mynd i ddigwydd. Yna daeth i'r amlwg, a chadarnhawyd hynny gan Darren Mayor, fod yr ymgynghorydd bellach yn gweithio i un o'r cwmnïau hyn, felly, a yw'n foesegol i hyn ddigwydd?

Rwyf bellach yn deall bod ymchwiliad annibynnol yn mynd i gael ei gynnal i sut y cafodd y contractau hyn eu dyfarnu, ac yn amlwg mae'n rhaid i ni aros am y penderfyniad, ond bydd unrhyw ymchwiliad yn edrych ar yr hyn sydd wedi digwydd yn y gorffennol, a hoffwn i edrych i'r dyfodol.

Hoffwn ofyn i'r aelod portffolio yng ngoleuni'r uchod a ellid sicrhau na fydd ymgynghorwyr sy'n dyfarnu contractau ar gyfer Cyngor Sir Powys, ac yna yn gadael yr awdurdod, yn cael hawl i weithio i'r cwmnïau hyn am o leiaf flwyddyn ar ôl i'r contract gael ei ddyfarnu?

Gofynnwyd i gyfreithiwr y Cyngor edrych i mewn i'r materion cyfreithiol sy'n ymwneud â cheisio gosod cymal "cyfyngu ar fasnach" o'r fath o fewn ein contractau ymgynghoriaeth. Dywedir wrthyf fod ei ymholiadau yn parhau ond mae'n eglur ei bod yn anghyffredin i gymalau o'r fath gael eu gosod, efallai oherwydd y gellid defnyddio cymal o'r fath gan yr ymgynghorydd i awgrymu eu bod yn weithwyr yn hytrach nag yn ymgynghorwyr. Bydd angen rhoi ystyriaeth hefyd i sut y gellir gorfodi hyn yn erbyn yr ymgynghorydd unigol, yn hytrach nag yn erbyn y cwmni y mae'r Cyngor yn contractio ag ef. I ddibenion treth, mae'r rhan fwyaf o'r ymgynghorwyr yr ydym ni yn eu defnyddio (os nad pob un ohonynt) yn sefydlu eu hunain fel Cwmnïau Cyfyngedig i ddibenion masnachu ac mae'r contract ymgynghoriaeth gyda'r cwmni, yn hytrach na gydag unigolyn. Mewn trefniant o'r fath, byddai'r cymal cyfyngu ar fasnach (os gellid ei orfodi o gwbl) yn un y gellid ei orfodi yn erbyn y cwmni yn unig ac nid yn erbyn yr unigolyn. Mae yna berygl y gallai'r ymgynghorydd unigol geisio trechu effaith cymal o'r fath drwy sefydlu ail gwmni mewn enw gwahanol a defnyddio'r ail gwmni hwnnw i wneud gwaith ar gyfer y Contractwyr y byddem wedi eu penodi.

Mewn ateb i gwestiwn atodol y Cynghorydd Williams, cadarnhaodd yr Aelod Portffolio fod y contractwr wedi rhoi sicrwydd ar lafar fel yr adroddodd i bwyllgor Sir Faesyfed. Cynghorodd Cyfreithiwr y Cyngor fod y materion cyfreithiol a godwyd yn cael eu hystyried, ond fel y nodwyd yn yr ymateb roedd anfanteision mewn rhoi cymalau "cyfyngu masnach" mewn contractau ymgynghoriaeth.

18.2 Cwestiwn i'r Aelod Portffolio dros Briffyrdd gan y Cynghorydd Sir David Jones

Yn dilyn cwynion i Gyfoeth Naturiol Cymru am dipio gwastraff wedi'i lygru'n anghyfreithlon gan yr adran Priffyrdd mewn tri safle yng Nghegidfa fe wnaethant glirio'r deunydd yn rhannol cyn ailddechrau gollwng y gwastraff. Pam y gwnaeth yr adran Priffyrdd ailddechrau tipio anghyfreithlon ac a yw hyn wedi digwydd mewn rhannau eraill o Bowys?

Cafodd y sbwriel dail a ollyngwyd ym mhen draw'r briffordd a elwir yn Laundry Lane, Cegidfa; sef testun y cwynion i ddechrau, ei glirio yn ystod yr wythnos yn diweddu 14 Rhagfyr, 2014. Ni chafodd ddeunydd arall ei ollwng yn y lleoliad hwn hyd yma.

Mae nifer o leoliadau eraill lle mae ein priffyrdd gwledig yn mynd drwy goetiroedd Cyfoeth Naturiol Cymru, ac yn yr un modd â Laundry Lane mae Cyfoeth Naturiol Cymru (yr Adran Rheoli Coedwigaeth) wedi gofyn am i'r sbwriel dail o'r priffyrdd hyn o fewn eu coetiroedd gael ei ollwng mewn lleoliadau yn y safleoedd ar gyfer eu casglu a'u hail-ddefnyddio wrth adfywio'r pridd o fewn ardaloedd o'u coetir.

Roedd y deunydd a gafodd ei symud yn flaenorol yn amlwg yn anaddas; oherwydd ei fod mewn cyflwr mor wlyb, ac mae gweithredwyr yn ymwybodol nad yw hyn yn dderbyniol.

Yn wyneb y cwynion a dderbyniwyd yn awr, a'r ffaith ein bod unwaith eto wedi derbyn ceisiadau gan Gyfoeth Naturiol Cymru ynghylch y sbwriel dail, rydym wedi gofyn am gadarnhad ysgrifenedig pellach ac am esboniad am eu sefyllfa.

Mewn ymateb i gwestiwn atodol y Cynghorydd Jones ynghylch sut y byddai gwastraff a oedd wedi rhedeg ar dir cyfagos yn cael ei adennill, dywedodd yr Aelod Portffolio ei fod wedi deall bod yr holl wastraff wedi cael ei symud, ond y byddai'n gwirio hyn eto. Addawodd hefyd anfon ymateb Cyfoeth Naturiol Cymru at yr holl Aelodau ar ôl iddo ei dderbyn.

Cwestiwn i'r Aelod Portffolio dros Reoli Gwastraff gan y Cynghorydd Sir David Jones

A yw'r cyngor wedi adrodd wrth Lywodraeth Cynulliad Cymru eu bod wedi bod yn dargyfeirio deunydd halogedig allan o'r ffrwd gwastraff drwy dipio anghyfreithlon, a thrwy hynny "wella" canran y gwastraff sy'n cael ei ail-gylchu?

Ar ôl cwblhau'r treial y bu Cyngor Sir Powys yn cymryd rhan ynddo ar y cyd â Chyfoeth Naturiol Cymru / LlC, fe wnaethom hysbysu Cyfoeth Naturiol Cymru am ein bwriad i 'ddychwelyd yr holl sbwriel dail sy'n ymddangos i ymyl y briffordd ar y safle'.

Cafodd y deunydd a gymerwyd o'r blaen i'r safleoedd treialu ar ffermydd ei gynnwys yn y data a gyflwynwyd i Lywodraeth Cymru ac oherwydd ei fod yn cael ei ailgylchu ar y pryd fe wnaeth y deunydd gyfrannu at ein ffigyrau ailgylchu.

Roedd diwedd y treial yn golygu gostyngiad yn ein cyfanswm ailgylchu o oddeutu 5.5%.

Mewn ateb i gwestiwn atodol y Cynghorydd Jones am gyfraddau ailgylchu ar hyn o bryd, dywedodd yr Aelod Portffolio mai'r gyfradd oedd 53.4%.

18.4 Cwestiwn i'r Aelod Portffolio dros Addysg gan y Cynghorydd Sir Paul Ashton

O ystyried cyflwyno'r Grant Gwella Addysg sut y bydd yr aelod portffolio yn sicrhau y bydd disgyblion dros dro'r Weinyddiaeth Amddiffyn yn ysgolion Powys sydd angen SIY (EAL) yn parhau i dderbyn y gefnogaeth angenrheidiol er mwyn cynnal safonau?

Mae'n bryder bod Llywodraeth Cymru wedi penderfynu rhoi'r gorau i'r Grant Cyrhaeddiad Lleiafrifoedd Ethnig sydd wedi cael ei ddefnyddio am flynyddoedd lawer i gefnogi dysgwyr ar draws Powys a Chymru sydd angen cymorth i ddatblygu eu cymhwysedd yn y Saesneg /y Gymraeg. Mae Llywodraeth Cymru yn dirwyn pedwar ar ddeg o grantiau i ben i greu grant newydd, sef y Grant Gwella Addysg. Mae'r grant newydd yn grant rhanbarthol, ac nid yw Llywodraeth Cymru wedi rhoi manylion amdano eto. Cyn gynted ag y bydd manylion ar gael byddaf mewn sefyllfa i roi gwybodaeth bellach.

Nid oedd unrhyw gwestiwn atodol, ond gofynnodd y Cynghorydd Ashton am gael ei hysbysu am unrhyw ddatblygiadau.

L.R.E. DAVIES
CADEIRYDD

Y Cyngor Sir 21 Ionawr 2015
10.30 – 13.10