

CYNGOR SIR CEREDIGION

Adroddiad i'r:	Cabinet
Dyddiad y Cyfarfod:	18 Mai 2021
Teitl:	Mabwysiadu Coed y Bryn, Aberaeron
Pwrpas yr adroddiad:	Ceisio am awdurdodiad i godi hysbysiad ar y safle i ddatgan bwriad y Cyngor i geisio mabwysiadu Coed y Bryn fel Priffordd a gynhelir ar gost y cyhoedd.
Er:	Penderfyniad
Portffolio Cabinet ac Aelod Cabinet:	Y Cynghorydd Dafydd Edwards, Aelod o'r Cabinet dros Briffyrdd a Gwasanaethau Amgylcheddol, Tai a Chyswllt Cwsmeriaid

1.0 CRYNODEB GWEITHREDOL

Mae'r adroddiad yn ceisio am awdurdodiad i godi hysbysiad ar y safle o dan Adran 228 o Ddeddf y Priffyrdd 1980 er mwyn mabwysiadu Coed y Bryn, Aberaeron fel priffordd a gynhelir ar gost y cyhoedd.

Gofynnwyd am y mabwysiadu hwn gan drigolion heol yr ystâd ac er gwaethaf sawl ymgais i gysylltu â'r datblygwr, sy'n parhau i berchen ar y ffordd, ni chafwyd ymateb ganddo. O archwilio seilwaith y briffordd (10/10/2017), mae'n addas ar y cyfan i'w mabwysiadu ac felly y llwybr mwyaf addas ar gyfer ei mabwysiadu yw drwy Adran 228 o Ddeddf Priffyrdd 1980.

2.0 GWYBODAETH GEFNDIROL

- 2.1 Adeiladwyd Coed y Bryn yn yr 1990au ar sail cynlluniau cymeradwy ac er i heol yr ystâd gael ei chwblhau i safon uchel, ni aethpwyd ymlaen i'w mabwysiadu'n derfynol.
- 2.2 Cysylltodd un o drigolion Coed y Bryn â'r Cyngor ym mis Rhagfyr 2016 i ystyried ei mabwysiadu'n ffurfiol. Roedd gan y preswlydd awdurdod gan drigolion eraill heol yr ystâd i fynd ar drywydd mabwysiadu'n ffurfiol ac i weithredu ar eu rhan.

3.0 PRIF FATERION

- 3.1 Datblygwr heol yr ystâd yw perchennog y ffordd fetlin a thra bod pob un o'r trigolion yn dymuno i'r ffordd gael ei mabwysiadu, nid yw'r perchennog wedi ymateb. Mae gweithredoedd pob eiddo yn sicrhau fod pob preswlydd yn cynnal y gerbyttfordd hyd nes y caiff ei mabwysiadu gan yr Awdurdod Priffyrdd, sy'n golygu nad oes angen na rheswm i'r datblygwr fynd ar drywydd mabwysiadu. Fodd bynnag, nid oes yr un o'r preswylwyr yn berchen ar y ffordd ac felly maent wedi'u cyfyngu'n gyfreithiol o ran trefnu cynhaliaeth barhaus drwy'r broses fabwysiadu. Dim ond yr Awdurdod Priffyrdd neu'r Perchennog (Datblygwr) all wneud hyn.

3.2 Ni chafwyd **dim** cyfarwyddyd clir gan y Datblygwr er gwaethaf sawl ymgais gan Swyddogion y Cyngor i ofyn am eglurhad na fyddai'n gwrthwynebu'r camau gweithredu hyn:

- Llythyr gan y Cyngor at y Datblygwr 26/04/2017 yn gofyn am sgwrs – dim ymateb.
- Llythyr gan y Cyngor at y Datblygwr 26/06/2017 yn cyflwyno hysbysiad adran 297 i roi pob buddiant yn y tir i'r Cyngor – ni chafwyd ymateb.
- Llythyr gan y Cyngor at y Datblygwr 18/12/2020 yn gofyn am gadarnhad o'i fuddiant yn y tir ac o fwriad yr Awdurdod i fabwysiadu'r briffordd.

3.3 Mae'r cyngor a gafwyd gan y Gwasanaethau Cyfreithiol a Llywodraethu yn cadarnhau y gellir mabwysiadu'n ffurfiol o dan Adran 228 o Ddeddf Priffyrdd 1980 heb ganiatâd perchennog cyfreithiol heol yr ystâd. Byddai angen i'r perchennog tir wrthwynebu ar ôl cael hysbysiad o fwriad y Cyngor i fabwysiadu. Hysbysir drwy godi hysbysiad ar y safle am "un mis" h.y. 28 diwrnod.

4.0 CAMAU GWEITHREDU'R CYNGOR A'R GOBLYGIADAU

4.1 Cyflwr y briffordd

Cyflwr presennol y ffordd a'i seilwaith ategol sy'n pennu sut y gall y Cyngor a'r trigolion fabwysiadu heol ystâd. Bydd archwiliad gan beiriannydd o'r Cyngor yn datgelu faint o waith sydd i'w wneud cyn bod heol ystâd mewn cyflwr digon da i'w mabwysiadu. Mae'r Cod Ymarfer Gwaith Stryd Preifat yn nodi'r broses pan gyflwynir heol ystâd mewn cyflwr is na'r safon. Gall heolydd ystadau sydd mewn cyflwr boddhaol hepgor proses y Cod Ymarfer a chyda diwydrwydd dyladwy gellir eu mabwysiadu drwy hysbysiad syml o dan adran 228 o Ddeddf Tai 1980.

4.2 Gwnaed arolygiad o Goed y Bryn ac fe'i cyflwynwyd mewn adroddiad ar 10/10/2017 (gweler Atodiad A). Yr argymhellion ar ôl derbyn yr adroddiad arolygu oedd:

- Archwilio'r Goleuadau Stryd i weld a ydynt yn dderbyniol
- Bod stribyn gwasanaethu o 1.8m yn cael ei neilltuo i'r Awdurdod Priffyrdd i osgoi dargyfeirio'r draeniau tanddaearol a chyfarpar y goleuadau stryd.
- Arolygu pibellau draenio'r briffordd a bod hawddfaint yn cael ei darparu ar gyfer cynnal a chadw yn y dyfodol.

Cynhelir arolygiad terfynol o'r safle cyn codi'r hysbysiad adran 228 i ddangos bwriad y Cyngor i fabwysiadu.

4.3 Mae'r system Goleuadau Stryd wedi'i harchwilio gan yr adain Goleuadau Stryd ac mae'r gwelliannau angenrheidiol wedi'u gwneud ar gost y trigolion. Cynhaliwyd prawf cydymffurfiaeth drydanol gan SSE ar 04/03/2019 ac roedd hwn yn llwyddiannus. Cynhelir archwiliad terfynol o'r Goleuadau Stryd cyn codi'r hysbysiad adran 228 i ddangos bwriad y Cyngor i fabwysiadu.

4.4 Yn dilyn proses i ddilysu diddordeb y perchnogion tir ymhlith pob un o'r trigolion, neilltuwyd stribyn gwasanaethu o 1.8m i'r Cyngor.

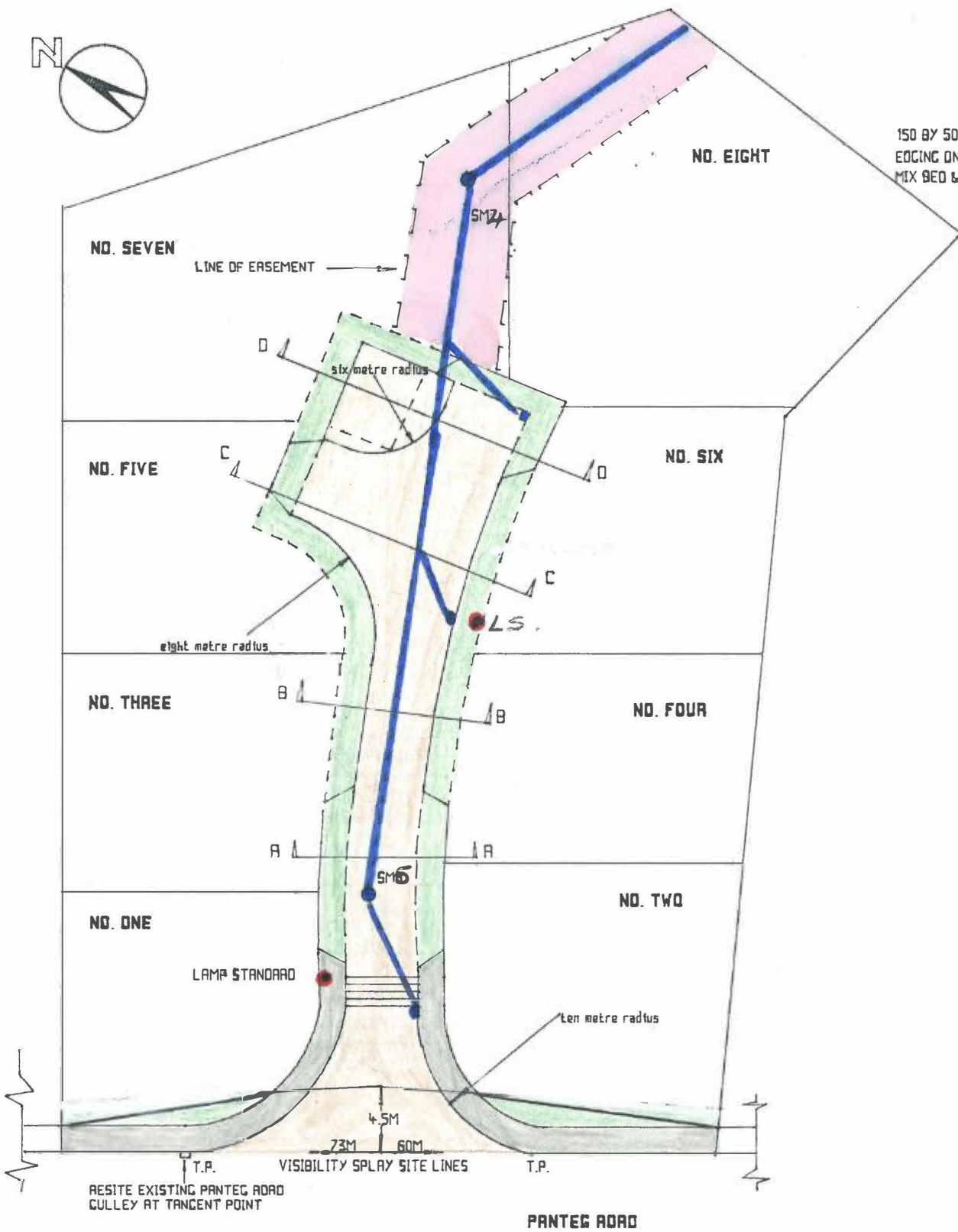
4.5 Mae'r perchennog tir yn Rhif 4 yn cytuno i gael hawddfaint ar draws ei dir er mwyn parhau i gynnal gwaith draenio dŵr wyneb y briffordd. Bydd angen

sicrhau a chwblhau hawddfrait ar gyfer y system ddraenio cyn codi hysbysiad adran 228.

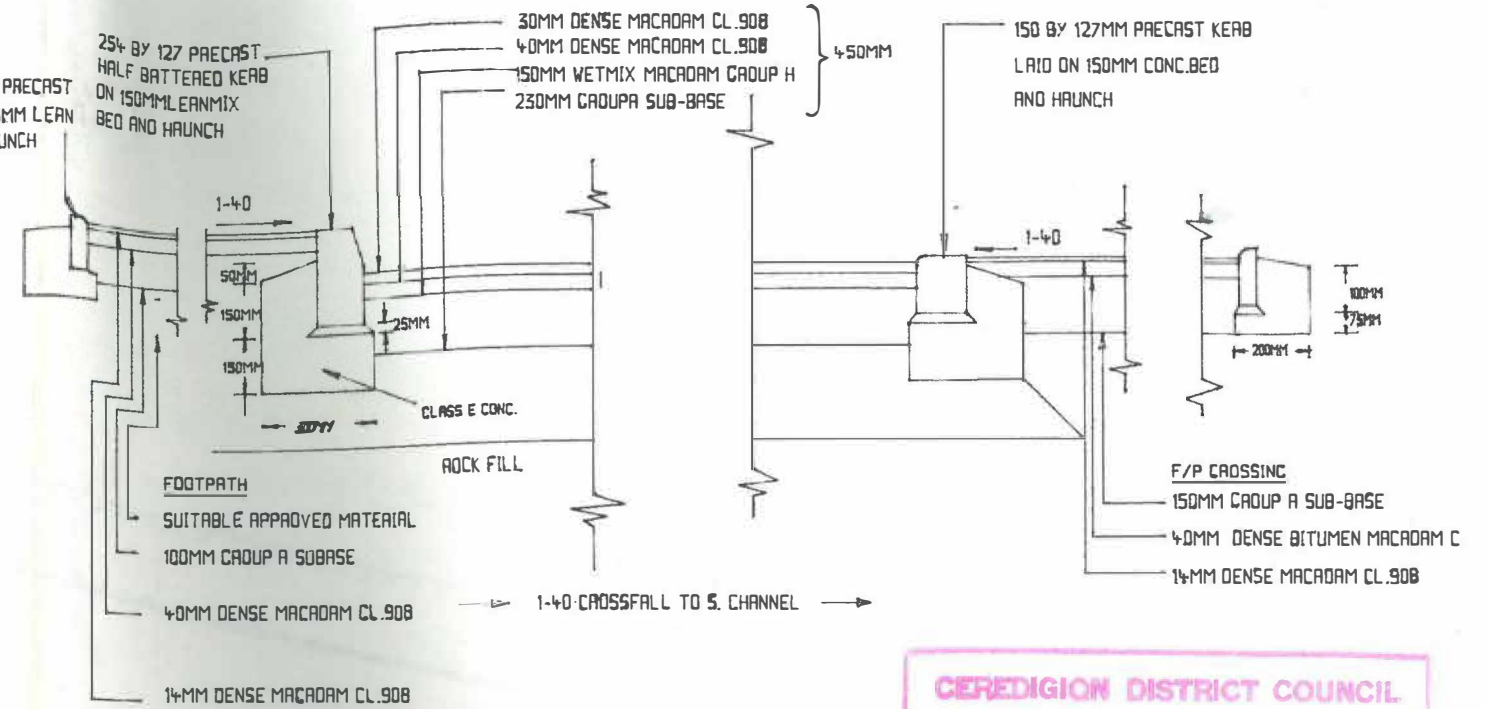
- 4.6. Mae angen arolygu system ddraenio'r briffordd gydaamera cylch cyfyng i weld beth yw cyflwr y pibellau sy'n arwain i'r pwynt gollwng yn Berllan Deg, y tu cefn i Goed y Bryn. Caiff unrhyw waith cywiro ei wneud ar gost y trigolion cyn codi'r hysbysiad adran 228.

	Oes Aseiad Effaith Integredig wedi ei gwblhau? Os na, esboniwch pam	Nac oes – ni chynigir newidiadau ar hyn o bryd.
Llesiant Cenedlaethau'r Dyfodol:	Crynodeb: Hirdymor: Cydweithio: Cynnwys: Atal: Integreiddio:	 Ddim yn berthnasol Ddim yn berthnasol Ddim yn berthnasol Ddim yn berthnasol Ddim yn berthnasol
Argymhellion:	ARGYMHELLIR BOD y Cabinet yn: 1. Awdurdodi codi Hysbysiad Adran 228, ac 2. Os na ddaw gwrthwynebiadau, yn bwrw ymlaen â'r broses fabwysiadu.	
Rheswm dros y penderfyniad:	y	I sicrhau y cynhelir llesiant y trigolion drwy gydol y gwaith parhaus o arolygu a chynnal heol yr ystâd.
Trosolwg a Chraffu:		Cymunedau Ffyniannus
Fframwaith Polisi:		Creu ffyrdd gwell a mwy diogel.
Blaenoriaethau Corfforaethol:		Hybu'r Economi Buddsoddi yn Nyfodol y Bobl Galluogi Cydnerthedd Unigolion a Theuluoedd Hyrwyddo Cydnerthedd Amgylcheddol a Chymunedol
Goblygiadau Ariannol a Chaffael:		Bydd y trigolion yn ysgwyddo'r gost sy'n weddill o ran mabwysiadu. Bydd y gwaith o gynnal a chadw heol yr ystâd yn y dyfodol yn cael ei ariannu gan gyllideb Refeniw'r Adran Briffyrdd a Gwasanaethau Amgylcheddol.
Goblygiadau Cyfreithiol:		Bod her i'r Hysbysiad Adran 228 gan berchennog tir heol yr ystâd.
Goblygiadau Staffio:		Ni ddynodwyd dim
Goblygiadau o ran Eiddo / Asedau:		Ni ddynodwyd dim

Risg(iau):	Mae'r risgiau wedi'u lleihau gan y camau sydd wedi'u cymryd eisoes
Pwerau Statudol:	Deddf Priffyrdd 1980
Papurau Cefndirol:	Dim
Atodiadau:	Atodiad 1: Dyluniadau o Gynllun y Safle Adroddiad Arolygiad EDS
Swyddog Arweiniol Corfforaethol:	Rhodri Llwyd
Swyddog Adrodd:	Steve Hallows
Dyddiad:	27/01/2021



SITE LAYOUT. SCALE 1/400



TYPICAL CROSS SECTION. SCALE - 1/20

CEREDIGION DISTRICT COUNCIL
PLAN APPROVED
 FOR SECTION 38 AGREEMENT
 HIGHWAYS ACT 1980
 DATE 13.02.90
 TECHNICAL SERVICES

NOTES

- 1) ACCESS DRIVES WILL BE SIX METRES OR MORE IN LENGTH FROM REAR OF VERGE TO GARAGE DOORS
- 2) CARRIAGEWAY WIDTH 5 METRES
- 3) VERGE WIDTH 1.8 METRES
- 4) TRANSITION STRIP. REFER DYFED C.C. DESIGN GUIDE. FIGS. 4/7 & 4/8
- 5) STREET LIGHTS. TUBULAR ALUMINIUM COLUMNS. KEY-MECH LOCK NON BARREL TYPE BSC1004. POST TOP LANTERN POLYCARBONATE BOWL. 26 WATT 50X E. SWITCHING TWO PART PHOTOCELL TYPE (ATE P. 4.2) INCLUDE FOR THE PROVISION OF FEEDER PULL RA
- 6) CASUAL PARKING IN HAMMERHEAD DELINEATED BY DOTTED LINE. 6 M. RADIUS TO BE DELINEATED IN ENGINEERING BRICK OR SIMILAR CONTRACTING MATERIAL
- 7) ROOF WATER TO BE TRAPPED AND DISPOSED OF VIA SORKAWAYS
- 8) FOOTPATHS TO BE CONSTRUCTED TO MARRY IN TO EXISTING PANTEG ROAD FOOTPATHS

DEVELOPMENT AT PANTEG ROAD ABERAERON

SCALES - 1/400 AND 1/20

SITE LAYOUT

TYPICAL CROSS SECTION

DRAWING NO. 1/112/1189

ED4414 Condition Report.

Site: - Coed y Bryn. Aberaeron.

Report on Joint inspection by Marc Chapple and Carl Fitches.

Date of Inspection – 10-10-2017

Weather Conditions – Dry but cloudy.

This report should be read in conjunction with the site drawings.

Condition of Carriageway and Footways –

The condition of the main carriageway and footways is good with no evidence of settlement or crazing, no potholes are evident and the likelihood of any appearing is very low. There was one stop valve that was low within the footway but was located at the rear of the footway and shouldn't cause a problem. The disabled crossing points alongside the main road have been done by the highways department; whilst these require some attention it should not be the responsibility of the developer. The drawing shows a rumble strip as you enter the estate; whilst this is not in place, CCC no longer require it. Kerbs are in good condition and will not require any repairs.



Signing and road markings -

The junction with the main road is covered with the correct give way markings. The site has signs advertising its name on both sides of the entrance.



Drainage –

The site consists of 3 gullies; these are in good condition but are dated; the gullies are constructed using concrete pot's, the gully gratings are in good condition and are accessible without too much effort but replacing the gully covers with more modern D400 ones might be an option. The gullies connect up to the carrier drain via a “Y” system.

There is one manhole within the carriageway and whilst the cover is sound, further investigation work will be required to establish the condition of the chamber itself. There is a further manhole within property No8 (see drawing No1/112/1189); this is within an easement that allows access for maintenance; this manhole is a light pedestrian cover that will have to be changed to a heavy duty one. (see photos below).



Drawing No3/112/1289 shows the drainage run leaving the grounds of No8 and entering the property known as Llawr y Glyn and eventually discharges into the highway system via a manhole within the footway on the A482. (Eventually discharges into the Aeron). There does not seem to be an easement for the section running along Llawr y Glyn?



The main carrier drain and the gully connections will have to be camera surveyed before the council can consider adopting this estate road; there could be issues with the drainage run within Llawr y Glyn as there are trees growing in this area and the pipes might have suffered tree root damage? There could be a dropped manhole within this property or at No8; the levels indicate this could be the case?

Visibility Splays.

There are no issues to concern CCC.

Retaining Walls –

There is no mention of retaining walls on the drawing; however the wall surrounding No1 is retaining the footway and will be deemed part of the highway if we adopt. The top of the wall has a wooden fence; this fence has recently been repaired but the rails are on the wrong side. We are not aware of the walls construction but there are no visible cracks, the wall has been re-pointed in some areas and has been done well.



Lighting System -

There are 2 lighting columns within the site; there is a large gap between both columns, this might be too large a gap? The columns are old and shorter in height than today's standards, one of the columns has an old lamp fitting but one seems to have a newer version, maybe this was changed due to a failure. The site has a feeder pillar and seems to be in good condition. The whole estate will have to be tested and inspected by our lighting section before adoption can take place.



Whilst the drawing shows that the estate road has a service strip outside the properties lawns and drives, there is no visible line (i.e. edging kerbs). The lighting column on the right is in the verge but is inside the service strip. Should the developer lay a visible line?

Summary –

- 1) A camera and condition survey should be carried out to determine the size of the drainage pipe used and its condition; the manholes within the drainage run should also be inspected.
- 2) The lighting layout should be looked at as well as its condition; are the columns and lantern's correct, is the wiring safe and up to current standards?
- 3) Do we adopt the retaining wall without further investigations?
- 4) Do we insist on marking the service strip? (see below)
- 5) There is slight encroachment onto the service strip, two incidents can be removed easily but a hedge will have to be cut back to achieve the 1.8m.
- 6) What easements do we possess and do we need more?

