



# Mesur Caeau Chwarae (Ymgysylltiad Cymunedau â Phenderfyniadau Gwaredu) (Cymru) 2010

2010 mccc 6

# Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010

2010 nawm 6

---

Lluniwyd Nodiadau Esboniadol yn gymorth i ddeall y Mesur hwn ac maent ar gael ar wahân.

Explanatory Notes have been produced to assist in the understanding of this Measure and are available separately.

---

£ 5.75



# Mesur Caeau Chwarae (Ymgysylltiad Cymunedau â Phenderfyniadau Gwaredu) (Cymru) 2010

2010 mccc 6

Mesur gan Gynulliad Cenedlaethol Cymru i wneud darpariaeth ynghylch ymgysylltiad cymunedau â phenderfyniadau gan awdurdodau lleol yng Nghymru a ddylid gwaredu caeau chwarae; ac at ddibenion cysylltiedig.

**Mae'r Mesur hwn, a basiwyd gan Gynulliad Cenedlaethol Cymru ar 6 Hydref 2010 ac a gymeradwywyd gan Ei Mawrhydi yn Ei Chyngor ar 15 Rhagfyr 2010, yn deddfu'r darpariaethau a ganlyn:-**

- 1 Ymgysylltiad cymunedau â gwarediadau gan awdurdodau lleol o gaeau chwarae**
  - (1) Caiff Gweinidogion Cymru, trwy reoliadau, wneud darpariaeth ar gyfer ymgysylltiad cymunedau â phenderfyniadau gan awdurdodau lleol am warediadau ganddynt o dir sy'n gae chwarae neu'n rhan o gae chwarae.
  - (2) Caiff rheoliadau o dan is-adran (1) ymhlith pethau eraill-
    - (a) cymhwyso'r rheoliadau i fathau penodedig o warediadau;
    - (b) cymhwyso'r rheoliadau i warediadau o fathau penodedig o gae chwarae;
    - (c) gwneud gwarediad y mae'r rheoliadau yn gymwys iddo yn ddarostyngedig i ymgynghoriad yn unol â'r rheoliadau;
    - (d) pennu'r personau neu'r categorïau o berson y mae'n rhaid ymgynghori â hwy, sef y personau hynny yr effeithir arnynt gan warediad neu sydd â buddiant mewn gwarediad, a'r gwarediad hwnnw yn un y mae'r rheoliadau yn gymwys iddo;
    - (e) darparu ar gyfer ffurf a dull yr ymgynghori;
    - (f) darparu ar gyfer rhoi hysbysiad am warediadau arfaethedig, gan gynnwys ffurf a dull yr hysbysiad;



# Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010

2010 nawm 6

A Measure of the National Assembly for Wales to make provision in relation to community involvement in decisions by local authorities in Wales whether to dispose of playing fields; and for connected purposes.

**This Measure, passed by the National Assembly for Wales on 6 October 2010 and approved by Her Majesty in Council on 15 December 2010, enacts the following provisions:-**

## **1 Community involvement in disposals by local authorities of playing fields**

- (1) The Welsh Ministers may, by regulations, make provision for the involvement of communities in decisions by local authorities about disposals by them of land consisting or forming part of a playing field.
- (2) Regulations under subsection (1) may amongst other things-
  - (a) apply the regulations to specified kinds of disposals;
  - (b) apply the regulations to disposals of specified kinds of playing field;
  - (c) make a disposal to which the regulations apply subject to consultation in accordance with the regulations;
  - (d) specify persons or categories of person who must be consulted, those persons being those affected by, or interested in, a disposal to which the regulations apply;
  - (e) provide for the form and manner of consultation;
  - (f) provide for the giving of notice of proposed disposals, including the form and manner of notice;

- (g) ei gwneud yn ofynnol bod gwybodaeth am y canlynol yn cael ei darparu-
    - (i) effaith gwarediad arfaethedig ar unrhyw strategaeth, cynllun neu asesiad a bennir yn y rheoliadau, neu
    - (ii) unrhyw beth arall cysylltiedig â gwarediad arfaethedig;
  - (h) pennu ffurf a dull y mae'r wybodaeth i'w darparu ynddi ac ynddo;
  - (i) darparu bod rhaid i awdurdod lleol, wrth arfer ei swyddogaethau o dan y rheoliadau, roi sylw i ganllawiau a roddir o bryd i'w gilydd gan Weinidogion Cymru;
  - (j) gwneud darpariaeth wahanol ar gyfer achosion gwahanol neu ddsbarthau ar achosion gwahanol;
  - (k) gwneud darpariaeth yn gyffredinol neu yn ddarostyngedig i eithriadau neu yn unig o ran achosion penodol neu ddsbarthau ar achosion penodol;
  - (l) gwneud unrhyw ddarpariaethau cysylltiedig, darpariaethau atodol, darpariaethau canlyniadol, darpariaethau trosiannol neu ddarpariaethau arbed a wêl Gweinidogion Cymru yn dda.
- (3) Yn y Mesur hwn-
- ystyr "awdurdod lleol" ("*local authority*") yw-
    - (i) cyngor sir neu gyngor bwrdeistref sirol,
    - (ii) cyngor cymuned (gan gynnwys cyngor tref),
    - (iii) awdurdod Parc Cenedlaethol;
  - ystyr "cae chwarae" ("*playing field*") yw man agored sy'n cynnwys un neu fwy o ardaloedd sydd ar unrhyw adeg wedi'u marcio neu wedi'u neilltuo fel arall ar gyfer chwaraeon neu weithgaredd hamddenol tebyg;
  - ystyr "gwarediad" ("*disposal*") yw rhoi unrhyw ystâd neu fuddiant mewn tir neu wneud cytundeb i wneud hynny.

## 2 Diwygio Deddf Llywodraeth Leol 1972 (p. 70)

- (1) Diwygir Deddf Llywodraeth Leol 1972 (p. 70) fel a ganlyn.
- (2) Yn adran 123 (gwaredu tir gan y prif gynghorau)-
  - (a) yn is-adran (1), ar ôl "Subject to the following provisions of this section," mewnosoder-

"and to those of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010, ",
  - (b) ar ôl is-adran (2A), mewnosoder-

"(2AA) Subsection (2A) does not apply to a disposal to which the provisions of regulations made under section 1 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 apply.", ac
  - (c) yn is-adran (2B), ar ôl "by virtue of subsection (2A) above", mewnosoder-

"or in accordance with the provisions of regulations made under section 1 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010."

- (g) require the provision of information about-
  - (i) the effect of a proposed disposal on any strategy, plan or assessment specified in the regulations, or
  - (ii) anything else connected to a proposed disposal;
- (h) specify the form and manner in which information is to be provided;
- (i) provide that a local authority must, in exercising its functions under the regulations, have regard to guidance given from time to time by the Welsh Ministers;
- (j) make different provision for different cases or classes of case;
- (k) make provision generally or subject to exceptions or only in relation to specific cases or classes of case;
- (l) make such incidental, supplementary, consequential, transitional or saving provisions as the Welsh Ministers think fit.

(3) In this Measure-

"disposal" ("*gwarediad*") means a grant of any estate or interest in land or the entry into an agreement to do so;

"local authority" ("*awdurdod lleol*") means-

- (i) a county or county borough council,
- (ii) a community council (including a town council),
- (iii) a National Park authority;

"playing field" ("*cae chwarae*") means an open space which includes one or more areas which have at any time been marked or otherwise set aside for sport or other similar recreational activity.

## 2 Amendment to the Local Government Act 1972 (c. 70)

- (1) The Local Government Act 1972 (c. 70) is amended as follows.
- (2) In section 123 (disposal of land by principal councils)-
  - (a) in subsection (1), after "Subject to the following provisions of this section," insert-
 

"and to those of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010, ",
  - (b) after subsection (2A), insert-
 

"(2AA) Subsection (2A) does not apply to a disposal to which the provisions of regulations made under section 1 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 apply.", and
  - (c) in subsection (2B), after "by virtue of subsection (2A) above" insert-
 

"or in accordance with the provisions of regulations made under section 1 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010."

- (3) Yn adran 127 (gwaredu tir gan blwyfi a chymunedau), yn is-adran (1), ar ôl "Subject to the following provisions of this section," mewnosoder-

"and to those of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010,".

### **3 Gwaredu caeau chwarae gan awdurdodau Parciau Cenedlaethol**

- (1) Diwygir Deddf yr Amgylchedd 1995 (p. 25) fel a ganlyn.  
(2) Yn Atodlen 8, ar ôl paragraff 1(1), mewnosoder-

"(1A) The reference in sub-paragraph (1) to section 123 of the 1972 Act is to be interpreted as a reference to that section as amended by section 2 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 in so far as that sub-paragraph applies to a National Park authority for a National Park in Wales."

### **4 Trefn ar gyfer rheoliadau**

- (1) Mae unrhyw bŵer i wneud rheoliadau a roddir gan y Mesur hwn yn arferadwy drwy offeryn statudol.  
(2) Mae unrhyw offeryn statudol sy'n cynnwys rheoliadau a wneir o dan y Mesur hwn yn gallu cael ei ddiddymu yn unol â phenderfyniad gan y Cynulliad.

### **5 Enw byr a chychwyn**

- (1) Enw'r Mesur hwn yw Mesur Caeau Chwarae (Ymgysylltiad Cymunedau â Phenderfyniadau Gwaredu) (Cymru) 2010.  
(2) Daw'r Mesur hwn i rym ar y diwrnod y'i cymeradwyir gan Ei Mawrhydi yn y Cyfrin Gyngor.

- (3) In section 127 (disposal of land by parishes and communities), in subsection (1), after "Subject to the following provisions of this section," insert-

"and to those of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010,".

### **3 Disposal by National Park authorities of playing fields**

- (1) The Environment Act 1995 (c. 25) is amended as follows.  
(2) In Schedule 8, after paragraph 1(1) insert-

"(1A) The reference in sub-paragraph (1) to section 123 of the 1972 Act is to be interpreted as a reference to that section as amended by section 2 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 in so far as that sub-paragraph applies to a National Park authority for a National Park in Wales."

### **4 Procedure for regulations**

- (1) The power to make regulations conferred by this Measure is exercisable by statutory instrument.  
(2) A statutory instrument containing regulations made under this Measure is subject to annulment in pursuance of a resolution of the Assembly.

### **5 Short title and commencement**

- (1) This Measure may be referred to as the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010.  
(2) This Measure comes into force on the day on which it is approved by Her Majesty in Council.

**Cyhoeddwyd gan (The Stationery Office)**  
ac mae ar gael oddi wrth:

**Online**  
[www.tsoshop.co.uk](http://www.tsoshop.co.uk)

**Mail, Telephone, Fax & E-mail**  
TSO  
PO Box 29, Norwich NR3 1GN  
Archebion / ymholiadau ffôn 0870 600 5522  
Archebion ffacs 0870 600 5533  
[book.orders@theso.co.uk](mailto:book.orders@theso.co.uk)  
<http://www.ukstate.com>

**Siopau Llyfrau The Stationery Office**  
16 Arthur Street, Belfast BT1 4GD  
028 9023 8451 Ffacs 028 9023 5401

**The Parliamentary Bookshop**  
12 Bridge Street, Parliament Square,  
Llundain SW1A 2JX  
Archebion dros y ffôn/ Ymholiadau cyffredinol: 020 7219 3890  
Archebion ffacs: 020 7219 3866  
E-bost: [bookshop@parliament.uk](mailto:bookshop@parliament.uk)  
Gwefan: <http://www.bookshop.parliament.uk>

**TSO @ Blackwell ac Asiantau Achrededig eraill**

**Published by TSO (The Stationery Office)**  
and available from:

**Online**  
[www.tsoshop.co.uk](http://www.tsoshop.co.uk)

**Mail, Telephone, Fax & E-mail**  
TSO  
PO Box 29, Norwich NR3 1GN  
General enquiries: 0870 600 5522  
Order through the Parliamentary Hotline *Lo-call* 0845 7 023474  
Fax orders: 0870 600 5533  
E-mail: [customer.service@tso.co.uk](mailto:customer.service@tso.co.uk)  
Textphone: 0870 240 3701

**TSO Shops**  
16 Arthur Street, Belfast BT1 4GD  
028 9023 8451 Fax 028 9023 5401

**The Parliamentary Bookshop**  
12 Bridge Street, Parliament Square,  
London SW1A 2JX  
Telephone orders/General enquiries: 020 7219 3890  
Fax orders: 020 7219 3866  
Email: [bookshop@parliament.uk](mailto:bookshop@parliament.uk)  
Internet: <http://www.bookshop.parliament.uk>

**TSO @ Blackwell and other Accredited Agents**

ISBN 978-0-348-10491-2



9 780348 104912