



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2014 Rhif 2776 (Cy. 282)

2014 No. 2776 (W. 282)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

Rheoliadau Cynllunio (Adeiladau
Rhestredig ac Ardaloedd
Cadwraeth) (Pennu'r Weithdrefn)
(Cyfnod Rhagnodedig) (Cymru)
2014

The Planning (Listed Buildings and
Conservation Areas)
(Determination of Procedure)
(Prescribed Period) (Wales)
Regulations 2014

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Caiff y Rheoliadau hyn eu gwneud gan Weinidogion Cymru drwy arfer y pwerau a roddwyd iddynt gan adrannau 88E a 93 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 ("Deddf 1990").

These Regulations are made by the Welsh Ministers in exercise of the powers conferred on them by sections 88E and 93 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act").

Mae'r Rheoliadau hyn yn cael eu rhagflaenu gan Orchymyn Cynllunio Gwlad a Thref (Pennu'r Weithdrefn) (Cymru) 2014, a fewnosododd adran 88E yn Neddf 1990.

These Regulations are preceded by the Town and Country Planning (Determination of Procedure) (Wales) Order 2014, which inserted section 88E into the 1990 Act.

Mae adran 88E o Ddeddf 1990 yn rhoi'r pŵer i Weinidogion Cymru bennu'r weithdrefn ar gyfer rhai achosion yng Nghymru, sef achosion ar gyfer ceisiadau sy'n cael eu hatgyfeirio at Weinidogion Cymru o dan adran 12 ac apelau o dan adrannau 20 a 39 o Ddeddf 1990. Rhaid i Weinidogion Cymru bennu'r weithdrefn ar gyfer achosion o'r fath cyn diwedd y cyfnod rhagnodedig.

Section 88E of the 1990 Act gives the Welsh Ministers the power to determine the procedure for certain proceedings in Wales, namely proceedings for applications referred to the Welsh Ministers under section 12 and appeals under sections 20 and 39 of the 1990 Act. Determinations of procedure for such proceedings must be made by the Welsh Ministers before the end of the prescribed period.

Mae'r Rheoliadau hyn yn rhagnodi mai saith niwrnod gwaith o'r dyddiad perthnasol yw'r cyfnod hwnnw, sy'n cael ei ddiffinio at y dibenion hyn.

These Regulations prescribe that period as seven working days from the relevant date, which is defined for these purposes.

Paratowyd asesiad effaith mewn perthynas â'r offeryn hwn. Gellir cael copïau oddi wrth Is-adran Gynllunio Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

An impact assessment has been prepared in relation to this instrument. Copies may be obtained from the Planning Division of the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

2014 Rhif 2776 (Cy. 282)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

Rheoliadau Cynllunio (Adeiladau
Rhestredig ac Ardaloedd
Cadwraeth) (Pennu'r Weithdrefn)
(Cyfnod Rhagnodedig) (Cymru)
2014

Gwnaed 14 Hydref 2014

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 17 Hydref 2014

Yn dod i rym 12 Tachwedd 2014

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adran 88E(1) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 ac a roddwyd i'r Ysgrifennydd Gwladol gan adran 93(2) o'r Ddeddf honno, ac sydd bellach yn arferadwy ganddynt hwy(3), yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Pennu'r Weithdrefn) (Cyfnod Rhagnodedig) (Cymru) 2014.

(2) Daw'r Rheoliadau hyn i rym ar 12 Tachwedd 2014.

2014 No. 2776 (W. 282)

**TOWN AND COUNTRY
PLANNING, WALES**

The Planning (Listed Buildings and
Conservation Areas)
(Determination of Procedure)
(Prescribed Period) (Wales)
Regulations 2014

Made 14 October 2014

*Laid before the National Assembly for
Wales* 17 October 2014

Coming into force 12 November 2014

The Welsh Ministers, in exercise of the powers conferred on them by section 88E(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and on the Secretary of State by section 93(2) of that Act and now exercisable by them(3), make the following Regulations:

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Planning (Listed Buildings and Conservation Areas) (Determination of Procedure) (Prescribed Period) (Wales) Regulations 2014.

(2) These Regulations come into force on 12 November 2014.

(1) 1990 p. 9. Mewnosodwyd adran 88E o Ddeddf 1990 gan Orchymyn Cynllunio Gwlad a Thref (Pennu'r Weithdrefn) (Cymru) 2014, O.S. 2014/2773 (Cy.280).

(2) Mae diwygiadau i adran 93 o Ddeddf 1990 ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(3) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672); gweler y cofnod yn Atodlen 1 ar gyfer Deddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.

(1) 1990 c. 9. Section 88E of the 1990 Act was inserted by the Town and Country Planning (Determination of Procedure) (Wales) Order 2014, S.I.2014/2773 (W.280).

(2) There are amendments to section 93 of the 1990 Act but none are relevant to these Regulations.

(3) The functions of the Secretary of State were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 for the Planning (Listed Buildings and Conservation Areas) Act 1990.

(3) Yn y Rheoliadau hyn ystyr “Deddf 1990” (“*the 1990 Act*”) yw Deddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.

Cyfnod rhagnodedig

2.—(1) Saith niwrnod gwaith o'r dyddiad perthnasol yw'r cyfnod rhagnodedig at ddibenion adran 88E(3) o Ddeddf 1990.

(2) Ym mharagraff (1)—

ystyr “diwrnod gwaith” (“*working day*”) yw diwrnod nad yw'n ddydd Sadwrn, yn ddydd Sul, yn Ŵyl y Banc nac yn ŵyl gyhoeddus arall yng Nghymru; ac

ystyr “y dyddiad perthnasol” (“*the relevant date*”) yw—

- (a) o ran atgyfeiriadau o dan adran 12(1) o Ddeddf 1990, y diwrnod y mae Gweinidogion Cymru yn cael hysbysiad o'r atgyfeiriad gan yr awdurdod cynllunio lleol;
- (b) o ran apêl o dan adran 20(2) o Ddeddf 1990, y diwrnod y mae Gweinidogion Cymru yn cael hysbysiad o'r apêl, ynghyd â'r dogfennau a bennir yn rheoliad 12(2) o Reoliadau Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) (Cymru) 2012(3); ac
- (c) o ran apêl o dan adran 39(4) o Ddeddf 1990, y diwrnod y mae Gweinidogion Cymru yn cael hysbysiad o'r apêl a'r datganiad ysgrifenedig yn unol â rheoliad 5 o Reoliadau Cynllunio Gwlad a Thref (Hysbysiadau Gorfodi ac Apelau) (Cymru) 2003(5).

(3) In these Regulations “the 1990 Act” (“*Deddf 1990*”) means the Planning (Listed Buildings and Conservation Areas) Act 1990.

Prescribed period

2.—(1) For the purposes of section 88E(3) of the 1990 Act the prescribed period is seven working days from the relevant date.

(2) In paragraph (1)—

“working day” (“*diwrnod gwaith*”) means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday in Wales; and

“the relevant date” (“*y dyddiad perthnasol*”) means—

- (a) in relation to referrals under section 12(1) of the 1990 Act, the day on which the Welsh Ministers receive notice of the referral from the local planning authority;
- (b) in relation to an appeal under section 20(2) of the 1990 Act, the day on which the Welsh Ministers receive notice of the appeal, together with the documents specified in regulation 12(2) of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012(3); and
- (c) in relation to an appeal under section 39(4) of the 1990 Act, the day on which the Welsh Ministers receive notice of the appeal and the written statement in accordance with regulation 5 of the Town and Country Planning (Enforcement Notices and Appeals) (Wales) Regulations 2003(5).

(1) Mae diwygiadau i adran 12 o Ddeddf 1990 ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.
(2) Diwygiwyd adran 20 o Ddeddf 1990 gan adran 43(4)(a) a (b) o Ddeddf Cynllunio a Phrynu Gorfodol 2004. Mae diwygiad arall ond nid yw'n berthnasol i'r Rheoliadau hyn.
(3) O.S. 2012/793 (Cy. 108).
(4) Diwygiwyd adran 39 o Ddeddf 1990 gan adran 25 o Ddeddf Cynllunio a Digolledu 1991, a pharagraff 3(2), (3) a (4) o Atodlen 3 iddi; ac erthygl 7 o Orchymyn Cynllunio Gwlad a Thref (Cyfathrebu Electronig) (Rhif 1) 2004, O.S. 2004/3156. Mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.
(5) O.S. 2003/394 (Cy. 53).

(1) There are amendments to section 12 of the 1990 Act but none are relevant to these Regulations.
(2) Section 20 of the 1990 Act was amended by section 43(4)(a) and (b) of the Planning and Compulsory Purchase Act 2004. There is another amendment but it is not relevant to these Regulations.
(3) S.I. 2012/793 (W. 108).
(4) Section 39 of the 1990 Act was amended by section 25 of, and paragraph 3(2), (3) and (4) of Schedule 3 to the Planning and Compensation Act 1991; and article 7 of the Town and Country Planning (Electronic Communications) (No.1) Order 2004, S.I. 2004/3156. There are other amendments but none are relevant to these Regulations.
(5) S.I. 2003/394 (W. 53).

Carl Sargeant

Y Gweinidog Cyfoeth Naturiol, un o Weinidogion
Cymru

14 Hydref 2014

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Minister for Natural Resources, one of the Welsh
Ministers

14 October 2014

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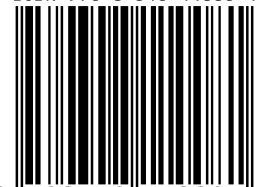
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