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INSTRUMENTS

2017 Rhif 459 (Cy. 97)

2017 No. 459 (W. 97)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

Rheoliadau Maint a Chyfansoddiad
Pwyllgorau Awdurdodau Cynllunio
Lleol (Cymru) 2017

The Size and Composition of Local
Planning Authority Committees
(Wales) Regulations 2017

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn rhagnodi gofynion sy'n ymwneud â maint a chyfansoddiad pwyllgorau ac is-bwyllgorau awdurdodau cynllunio lleol perthnasol yng Nghymru sy'n cyflawni swyddogaeth berthnasol.

“Awdurdodau cynllunio lleol perthnasol” yw cynghorau sir neu gynghorau bwrdeistref sirol, byrddau cydgynllunio ac Awdurdodau Parciau Cenedlaethol. “Swyddogaeth berthnasol” yw swyddogaeth sy'n arferadwy gan awdurdod cynllunio lleol perthnasol mewn perthynas â chais o dan Ddeddf Cynllunio Gwlad a Thref 1990 (gweler adran 319ZD o'r Ddeddf honno).

Y gofynion yw bod pwyllgorau ac is-bwyllgorau awdurdodau cynllunio lleol perthnasol i gynnwys dim llai nag 11 o aelodau a dim mwy nag 21 o aelodau o'r awdurdod. Mewn perthynas â wardiau amlaelod, un aelod o'r ward yn unig sy'n gymwys i gael ei benodi i bwyllgor neu is-bwyllgor. Nid yw'r cyfyngiad ar benodi un aelod yn unig yn gymwys pan fo awdurdod cynllunio lleol yn cynnwys wardiau amlaelod yn unig.

Lluniwyd asesiad effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. Gellir cael copi gan Lywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru yn www.llyw.cymru.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe requirements relating to the size and composition of relevant local planning authority committees and sub-committees in Wales by which a relevant function is discharged.

“Relevant local planning authorities” are county or county borough councils, joint planning boards and National Park Authorities. A “relevant function” is a function exercisable by a relevant local planning authority in relation to an application under the Town and Country Planning Act 1990 (see section 319ZD of that Act).

The requirements are that relevant local planning authority committees and sub-committees are to comprise no less than 11 members and no more than 21 members of the authority. In relation to multiple member wards, only one member of the ward is eligible for appointment to a committee or sub-committee. The restriction on appointing one member only does not apply where a local planning authority is comprised solely of multiple member wards.

A regulatory impact assessment has been prepared in relation to these Regulations. Copies are available from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government's website at www.gov.wales.

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Lleol (Cymru) 2017

The Size and Composition of Local
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(Wales) Regulations 2017

Gwnaed 21 Mawrth 2017
Yn dod i rym 5 Mai 2017

Made 21 March 2017
Coming into force 5 May 2017

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 319ZB a 319ZC o Ddeddf Cynllunio Gwlad a Thref 1990(1), ac a roddir i'r Ysgrifennydd Gwladol gan adran 333 o'r Ddeddf honno(2), sy'n arferadwy bellach ganddynt hwy(3), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred on them by sections 319ZB and 319ZC of the Town and Country Planning Act 1990(1), and conferred on the Secretary of State by section 333 of that Act(2) now exercisable by them(3), make the following Regulations.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Maint a Chyfansoddiad Pwyllgorau Awdurdodau Cynllunio Lleol (Cymru) 2017 a deuant i rym ar 5 Mai 2017.

Title, commencement and application

1.—(1) The title of these Regulations is The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 and they come into force on 5 May 2017.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(2) These Regulations apply in relation to Wales.

(1) 1990 p. 8. Mewnosodwyd adrannau 319ZB a 319ZC yn y Ddeddf honno gan adran 39(1) o Ddeddf Cynllunio (Cymru) 2015 (dccc 4).
(2) Diwygiwyd adran 333 o Ddeddf Cynllunio Gwlad a Thref 1990 gan adran 55 o Ddeddf Cynllunio (Cymru) 2015 a pharagraff 3 o Atodlen 7 iddi. Mae diwygiadau eraill nad ydynt 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 i Ddeddf Cynllunio Gwlad a Thref 1990. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraffau 30 a 32 o Atodlen 11 iddi.

(1) 1990 c. 8. Sections 319ZB and 319ZC were inserted into that Act by section 39(1) of the Planning (Wales) Act 2015 (anaw 4).
(2) Section 333 of the Town and Country Planning Act 1990 was amended by section 55 of, and paragraph 3 of Schedule 7 to, the Planning (Wales) Act 2015. There are other amendments to section 333 not 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 Town and Country Planning Act 1990. The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

Dehongli

2. Yn y Rheoliadau hyn—

ystyr “awdurdod lleol” (“*local authority*”) yw —

- (a) cyngor sir yng Nghymru;
- (b) cyngor bwrdeistref sirol yng Nghymru;

ystyr “awdurdod perthnasol” (“*relevant authority*”) yw awdurdod cynllunio lleol perthnasol(1);

ystyr “Deddf 1990” (“*the 1990 Act*”) yw Deddf Cynllunio Gwlad a Thref 1990;

mae “pwyllgor” (“*committee*”) yn cynnwys is-bwyllgor awdurdod perthnasol;

ystyr “ward amlaelod(2)” (“*multiple member ward*”) yw ward etholiadol yr etholir drosti fwy nag un aelod; ac

ystyr “ward etholiadol” (“*electoral ward*”) yw unrhyw ardal yr etholir drosti aelodau i awdurdod lleol.

Maint pwyllgor

3.—Mae’r gofynion a ganlyn wedi eu rhagnodi at ddibenion adran 319ZB o Ddeddf 1990.

4.—(1) Mae awdurdod perthnasol i benodi i bwyllgor yr awdurdod sy’n cyflawni swyddogaeth berthnasol(3)—

- (a) dim llai nag 11 o’u haelodau; a
- (b) dim mwy nag 21 o’u haelodau.

(2) Mae paragraff (1) yn ddarostyngedig i reoliad 5.

5.—(1) Mae’r rheoliad hwn yn gymwys i awdurdod perthnasol sy’n—

- (a) cyngor sir neu gyngor bwrdeistref sirol; neu
- (b) bwrdd cydgynllunio(4).

(2) Rhaid i nifer yr aelodau a benodir i bwyllgor yn unol â’r rheoliad 4 beidio â bod yn fwy na hanner cyfanswm nifer aelodau’r awdurdod perthnasol, wedi ei dalgrynnu i’r rhif cyfan agosaf.

Interpretation

2. In these Regulations—

“the 1990 Act” (“*Deddf 1990*”) means the Town and Country Planning Act 1990;

“committee” (“*pwyllgor*”) includes a sub-committee of a relevant authority;

“electoral ward” (“*ward etholiadol*”) means any area for which members are elected to a local authority;

“local authority” (“*awdurdod lleol*”) means —

- (a) a county council in Wales;
- (b) a county borough council in Wales;

“multiple member ward(1)” (“*ward amlaelod*”) means an electoral ward in respect of which more than one member is elected for that ward; and

“relevant authority” (“*awdurdod perthnasol*”) means a relevant local planning authority(2).

Size of committee

3. The following requirements are prescribed for the purposes of section 319ZB of the 1990 Act.

4.—(1) A relevant authority is to appoint to a committee of the authority by which a relevant function is to be discharged(3)—

- (a) no fewer than 11 of its members; and
- (b) no more than 21 of its members.

(2) Paragraph (1) is subject to regulation 5.

5.—(1) This regulation applies to a relevant authority which is—

- (a) a county council or county borough council; or
- (b) a joint planning board(4).

(2) The number of members appointed to a committee in accordance with regulation 4 must not exceed half of the total number of members of the relevant authority, rounded up to the nearest whole number.

(1) Gweler adran 319ZD o Ddeddf 1990 ar gyfer y diffiniad o “relevant local planning authority”.

(2) Gweler adran 29(11) o Ddeddf Democratiaeth Llywodraeth Leol (Cymru) 2013 (2013 decc 4).

(3) Gweler adran 319ZD ar gyfer y diffiniad o “relevant function”.

(4) Caniateir cyfansoddi bwrdd cydgynllunio ar gyfer ardal yng Nghymru drwy orchymyn o dan adran 2(1B) o Ddeddf 1990.

(1) See section 29(11) of the Local Government Democracy (Wales) Act 2013 (2013 anaw 4).

(2) See section 319ZD of the 1990 Act for the definition of “relevant local planning authority”.

(3) See section 319ZD for the definition of “relevant function”.

(4) A joint planning board may be constituted for an area in Wales by an order under section 2(1B) of the 1990 Act.

Wardiau amlaelod

6.—(1) Yn achos ward amlaelod, un o aelodau'r awdurdod lleol yn unig o'r ward hwnnw sy'n gymwys i'w benodi i bwyllgor awdurdod perthnasol.

(2) Mae paragraff (1) yn ddarostyngedig i baragraff (3).

(3) Nid yw paragraff (1) yn gymwys i awdurdod lleol sy'n cynnwys wardiau amlaelod yn unig.

Multiple member wards

6.—(1) In the case of a multiple member ward, only one of the local authority members of that ward is eligible for appointment to a committee of a relevant authority.

(2) Paragraph (1) is subject to paragraph (3).

(3) Paragraph (1) does not apply to a local authority which is comprised solely of multiple member wards.

Jane Hutt

Un o Weinidogion Cymru
21 Mawrth 2017

One of the Welsh Ministers
21 March 2017

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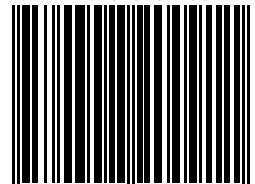
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