



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 3241 (Cy.283)

2004 No. 3241 (W.283)

TIR, CYMRU

LAND, WALES

**YMDDYGIAD
GWRTHGYMDEITHASOL,
CYMRU**

**ANTI-SOCIAL
BEHAVIOUR,
WALES**

**Rheoliadau Gwrychoedd neu
Berthi Uchel (Ffioedd) (Cymru)
2004**

**The High Hedges (Fees) (Wales)
Regulations
2004**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae Rhan 8 o Ddeddf Ymddygiad Gwrthgymdeithasol 2003 yn rhoi'r pŵer i awdurdodau lleol ymdrin â chwynion ynghylch gwrychoedd neu berthi uchel sy'n effeithio'n andwyol ar y mwynhad a gaiff cymydog o'i eiddo.

Part 8 of the Anti-social Behaviour Act 2003 gives local authorities the power to deal with complaints about high hedges which are having an adverse effect on a neighbour's enjoyment of his or her property.

Caiff perchennog neu feddiannydd eiddo domestig wneud cwyn os bod uchder gwrych neu berth a leolir ar dir y mae person arall yn berchen arno neu'n ei feddiannu yn effeithio'n andwyol ar y mwynhad rhesymol a gaiff y perchennog neu'r meddiannydd o'r eiddo hwnnw.

A complaint may be made by the owner or occupier of a domestic property if that person's reasonable enjoyment of the property is being adversely affected by the height of a hedge situated on land owned or occupied by another person.

Rhaid gwneud cwyn i'r awdurdod lleol y mae'r tir y mae'r gwrych neu'r berth wedi'u lleoli arno yn ei ardal a rhaid amgáu gyda'r gŵyn ffi a bennir gan yr awdurdod lleol (yn ddarostyngedig i uchafswm a ragnodir mewn rheoliadau a wneir gan Gynulliad Cenedlaethol Cymru mewn perthynas â gwrychoedd neu berthi sydd wedi'u lleoli yng Nghymru).

A complaint must be made to the local authority in whose area the land on which the hedge is situated lies and must be accompanied by a fee determined by the local authority (subject to a maximum amount prescribed in regulations made, in relation to hedges situated in Wales, by the National Assembly for Wales).

Mae'r Rheoliadau hyn yn rhagnodi'r uchafswm hwnnw.

These Regulations prescribe that maximum amount.

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Wedi'u gwneud 8 Rhagfyr 2004

Made 8 December 2004

Yn dod i rym 31 Rhagfyr 2004

Coming into force 31 December 2004

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pŵer a roddwyd iddo gan adran 68(7)(b) o Ddeddf Ymddygiad Gwrthgymdeithasol 2003 ("y Ddeddf")(a), drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the power conferred upon it by section 68(7)(b) of the Anti-social Behaviour Act 2003 ("the Act")(a), hereby makes the following Regulations:

Enwi, cychwyn a chymhwysu

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwrychoedd neu Berthi Uchel (Ffioedd) (Cymru) 2004 a deuant i rym ar 31 Rhagfyr 2004.

(2) Mae'r Rheoliadau hyn yn gymwys i gŵynion a wneir, mewn perthynas â gwrychoedd neu berthi sydd wedi'u lleoli yng Nghymru(b), o dan adran 68 o'r Ddeddf i awdurdod perthnasol(c) ar y dyddiad y daw'r Rheoliadau hyn i rym neu ar ôl y dyddiad hwnnw.

Uchafswm rhagnodedig

2. Rhaid i'r ffi a bennir gan yr awdurdod perthnasol o dan adran 68(1)(b) o'r Ddeddf beidio â bod yn fwy na £320.

Citation, commencement and application

1.-(1) These Regulations may be cited as the High Hedges (Fees) (Wales) Regulations 2004 and come into force on 31 December 2004.

(2) These Regulations apply to complaints made, in relation to hedges situated in Wales(b), under section 68 of the Act to a relevant authority(c) on or after the date on which these Regulations come into force.

Prescribed maximum amount

2. The fee determined by a relevant authority under section 68(1)(b) of the Act must not exceed £320.

(a) 2003 p.38.

(b) *Gweler* adran 66 o'r Ddeddf ar gyfer ystyr "high hedge".

(c) Mae adran 65(5) o'r Ddeddf yn diffinio'r "relevant authority" fel yr awdurdod lleol y mae'r tir y mae'r gwrych neu'r berth uchel wedi'u lleoli arno yn ei ardal. Mae adran 82 o'r Ddeddf yn diffinio "local authority", mewn perthynas â Chymru, fel y sir neu'r cyngor bwrdeistref sirol.

(a) 2003 c.38.

(b) *See* section 66 of the Act for the meaning of "high hedge".

(c) Section 65(5) of the Act defines the "relevant authority" as the local authority in whose area the land, on which the high hedge is situated, lies. Section 82 of the Act defines "local authority", in relation to Wales, as the county or county borough council.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru yn unol ag adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

8 Rhagfyr 2004

8 December 2004

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

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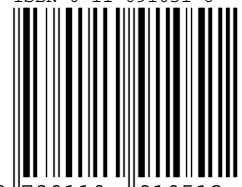
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