



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

**2014 Rhif 2777 (Cy. 283)**

**2014 No. 2777 (W. 283)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**TOWN AND COUNTRY  
PLANNING, WALES**

Rheoliadau Cynllunio (Sylweddau  
Peryglus) (Pennu'r Weithdrefn)  
(Cyfnod Rhagnodedig) (Cymru)  
2014

The Planning (Hazardous  
Substances) (Determination of  
Procedure) (Prescribed Period)  
(Wales) Regulations 2014

**NODYN ESBONIADOL**

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

Caiff y Rheoliadau hyn eu gwneud gan Weinidogion Cymru drwy arfer y pwerau a roddwyd gan adrannau 21B a 40 o Ddeddf Cynllunio (Sylweddau Peryglus) 1990 ("Deddf 1990").

Mae'r Rheoliadau hyn yn cael eu rhagflaenu gan Orchymyn Cynllunio Gwlad a Thref (Pennu'r Weithdrefn) (Cymru) 2014, a fewnosododd adran 21B yn Neddf 1990.

Mae adran 21B 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 20 ac apelau o dan adran 21 o Ddeddf 1990. Rhaid i Weinidogion Cymru bennu'r weithdrefn ar gyfer achosion o'r fath cyn diwedd y cyfnod rhagnodedig.

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.

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

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made by the Welsh Ministers in exercise of the powers conferred by sections 21B and 40 of the Planning (Hazardous Substances) Act 1990 ("the 1990 Act").

These Regulations are preceded by the Town and Country Planning (Determination of Procedure) (Wales) Order 2014, which inserted section 21B into the 1990 Act.

Section 21B 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 20 and appeals under section 21 of the 1990 Act. Determinations of procedure for such proceedings must be made by the Welsh Ministers before the end of the prescribed period.

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

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.

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*Gwnaed* 14 Hydref 2014

*Made* 14 October 2014

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 17 Hydref 2014

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

*Yn dod i rym* 12 Tachwedd 2014

*Coming into force* 12 November 2014

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adran 21B(1) o Ddeddf Cynllunio (Sylweddau Peryglus) 1990 ac a roddwyd i'r Ysgrifennydd Gwladol gan adran 40(2) o'r Ddeddf honno, ac sydd bellach yn arferadwy ganddynt hwy(3), yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred on them by section 21B(1) of the Planning (Hazardous Substances) Act 1990 and conferred on the Secretary of State by section 40(2) of that Act, and now exercisable by them(3), make the following Regulations:

**Enwi, cychwyn a dehongli**

**Title, commencement and interpretation**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio (Sylweddau Peryglus) (Pennu'r Weithdrefn) (Cyfnod Rhagnodedig) (Cymru) 2014.

1.—(1) The title of these Regulations is the Planning (Hazardous Substances) (Determination of Procedure) (Prescribed Period) (Wales) Regulations 2014.

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

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

(3) Yn y Rheoliadau hyn ystyr "Deddf 1990" ("the 1990 Act") yw Deddf Cynllunio (Sylweddau Peryglus) 1990.

(3) In these Regulations "the 1990 Act" ("Deddf 1990") means the Planning (Hazardous Substances) Act 1990.

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(1) 1990 p. 10. Mewnosodwyd adran 21B 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 40 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 (Sylweddau Peryglus) 1990.

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(1) 1990 c. 10. Section 21B 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 40 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 (Hazardous Substances) Act 1990.

## Cyfnod rhagnodedig

2.—(1) Saith niwrnod gwaith o'r dyddiad perthnasol yw'r cyfnod rhagnodedig at ddibenion adran 21B(3) o Ddeddf 1990.

(2) Ym mharagraff (1)—

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

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

- (a) o ran atgyfeiriadau o dan adran 20(1) o Ddeddf 1990, y diwrnod y mae Gweinidogion Cymru yn cael hysbysiad o'r atgyfeiriad gan yr awdurdod sylweddau peryglus; a
- (b) o ran apêl o dan adran 21(2) o Ddeddf 1990, y diwrnod y mae Gweinidogion Cymru yn cael hysbysiad o'r apêl ynghyd ag unrhyw wybodaeth a ragnodir.

## Prescribed period

2.—(1) For the purposes of section 21B(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 20(1) of the 1990 Act, the day on which the Welsh Ministers receive notice of the referral from the hazardous substances authority; and
- (b) in relation to an appeal under section 21(2) of the 1990 Act, the day on which the Welsh Ministers receive notice of the appeal accompanied by information as may be prescribed.

*Carl Sargeant*

Y Gweinidog Cyfoeth Naturiol, un o Weiniogion Cymru

14 Hydref 2014

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Minister for Natural Resources, one of the Welsh Ministers

14 October 2014

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(1) Mae diwygiadau i adran 20 o Ddeddf 1990 ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.  
(2) Diwygiwyd adran 21 o Ddeddf 1990 gan adran 197 o Ddeddf Cynllunio 2008 a pharagraff 6 o Atodlen 11 iddi. Mae diwygiadau eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(1) There are amendments to section 20 of the 1990 Act but none are relevant to these Regulations.  
(2) Section 21 of the 1990 Act was amended by section 197 of, and paragraph 6 of Schedule 11 to the Planning Act 2008. There are other amendments but none are relevant to these Regulations.

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