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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2016 Rhif 18 (Cy. 6)**

**2016 No. 18 (W. 6)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**TOWN AND COUNTRY  
PLANNING, WALES**

Rheoliadau Cynllunio Strategol  
(Cyfansoddiad Paneli a Gwariant  
Cymwys) (Cymru) 2016

The Strategic Planning  
(Composition of Panels and  
Qualifying Expenditure) (Wales)  
Regulations 2016

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Rheoliadau hyn yn gwneud darpariaeth ynghylch cyfansoddiad panel cynllunio strategol ("panel") o ran rhyw yr aelodau ac ynghylch gwariant cymwys panel sydd i'w dalu gan ei awdurdodau cynllunio lleol cyfansoddol.

These Regulations make provision about the gender composition of a strategic planning panel ("panel") and about the qualifying expenditure of a panel which is to be met by its constituent local planning authorities.

Mae rheoliad 3 yn nodi'r gofynion cyfansoddiad o ran panel, ac yn darparu bod rhaid i fenywod a dynion gyfansoddi o leiaf 40% yr un, o aelodau'r panel sy'n aelodau awdurdod cynllunio lleol. Gwneir eithriad, yn rheoliad 4, pan fo cyfansoddiad yr awdurdodau cynllunio lleol cyfansoddol yn peri bod y gofynion cyfansoddiad yn annichonadwy. Mewn achos o'r fath, fodd bynnag, y gofynion cyfansoddiad o ran aelodau'r panel yw fod rhaid i ganrannau'r ddau ryw o'r aelodau awdurdod cynllunio lleol cyfansoddol fod mor agos at 40% ag y bo modd.

Regulation 3 sets out the composition requirements relating to a panel and provides that women and men must comprise at least 40% respectively of the local planning authority members of a panel. An exception applies, in regulation 4, where the make up of constituent local planning authorities makes the composition requirements unachievable. However, where that is the case, the composition requirements are that membership of constituent local planning authority members of both sexes must be as near to 40% as is feasible.

Mae rheoliad 5 yn gosod dyletswydd ar awdurdodau cynllunio lleol cyfansoddol i gydweithio er mwyn bodloni'r gofynion cyfansoddiad.

Regulation 5 imposes a duty on constituent local planning authorities to work together to meet the composition requirements.

Mae rheoliad 6 yn gosod dyletswydd ar banel i barhau i adolygu cydymffurfiaeth â'r gofynion cyfansoddiad yn rheoliad 3.

Regulation 6 imposes a duty on a panel to keep under review compliance with the composition requirements in regulation 3.

Os na fodlonir y gofynion cyfansoddiad, am ba bynnag reswm, rhaid i'r panel gydymffurfio â'r gofynion adrodd a nodir yn rheoliad 7. Rhaid anfon adroddiad at Weinidogion Cymru sy'n rhoi manylion sut y methwyd â bodloni'r gofynion cyfansoddiad. Mae'r gofynion adrodd yn ymwneud â chynnwys ac amseriad yr adroddiad. Mae'r gofynion yn gymwys, i'r un graddau, i ddiwygiadau mewn adroddiad.

Mae rheoliad 8 yn ymwneud â methiant gan y panel i gydymffurfio â'r gofynion adrodd, ac yn darparu bod rhaid i Weinidogion Cymru hysbysu panel ynghylch methiant o'r fath o fewn yr amser penodedig a bod rhaid i banel ymateb o fewn y cyfnod o amser penodedig, gan gadarnhau pa gamau y mae'n bwriadu eu cymryd i unioni'r toriad.

Caiff Gweinidogion Cymru ddyroddi cyfarwyddyd i banel neu awdurdod cynllunio lleol cyfansoddol o dan reoliad 9 os yw un ohonynt neu'r ddau, ym marn Gweinidogion Cymru, yn methu â chydymffurfio â'r gofynion cyfansoddiad yn rheoliad 3, y ddyletswydd i gydweithio er mwyn bodloni'r gofynion cyfansoddiad yn rheoliad 5, y ddyletswydd i adolygu'r gofynion hynny wrth gydymffurfio â rheoliad 6, neu'r hysbysiad ynghylch gofynion adrodd yn rheoliad 8.

Os digwydd i awdurdodau cynllunio lleol cyfansoddol fethu â chydymffurfio â chyfarwyddyd a ddyroddir gan Weinidogion Cymru mewn perthynas â'r gofynion cyfansoddiad, mae rheoliad 10 yn darparu bod hawliau pleidleisio aelodau awdurdod cynllunio lleol yr awdurdodau sy'n methu, mewn perthynas â gweithrediadau'r panel, wedi eu hatal hyd nes bo'r toriad wedi ei unioni.

Mae rheoliad 11 yn darparu nad yw toriad o unrhyw ddarpariaeth sy'n ymwneud â'r canlynol: y gofynion cyfansoddiad, y ddyletswydd ar awdurdodau cynllunio lleol cyfansoddol i gydweithio er mwyn bodloni'r gofynion cyfansoddiad, yr adolygiad o'r gofynion hynny, a'r hysbysiad o'r gofynion adrodd, yn annilysu unrhyw beth a wneir gan y panel.

Mae rheoliad 12 yn nodi pa wariant gan banel sydd yn "gwariant cymwys", y bydd yr awdurdodau cynllunio lleol cyfansoddol yn talu amdano, at ddibenion paragraff 16 o Atodlen 2A i Ddeddf Cynllunio a Phrynu Gorfodol 2004. Mae'n disgrifio hefyd wariant nad yw'n "gwariant cymwys".

Mae asesiad effaith rheoleiddiol wedi ei baratoi mewn perthynas â'r Rheoliadau hyn. Mae copïau ohono ar gael gan Lywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru yn [www.llyw.cymru](http://www.llyw.cymru).

If the composition requirements are not met for any reason, a panel must comply with the reporting duties set out in regulation 7. A report must be sent to the Welsh Ministers detailing how the composition requirements are not met. The reporting requirements relate to the content and timing of the report. The requirements apply equally to revisions to a report.

Regulation 8 relates to a failure by the panel to comply with the reporting requirements and provides that the Welsh Ministers must notify a panel of the failure within the time specified and a panel must respond within a specified time period confirming what it intends to do to rectify the breach.

The Welsh Ministers may issue a direction to a panel or constituent local planning authority under regulation 9 if either or both are, in the opinion of the Welsh Ministers, failing to comply with the composition requirements in regulation 3, the duty to work together to achieve the composition requirements in regulation 5, the duty to review those requirements in compliance with regulation 6 or the notification of reporting requirements in regulation 8.

If constituent local planning authorities fail to comply with a direction issued by the Welsh Ministers in relation to the composition requirements, regulation 10 provides that the voting rights of local planning authority members of the failing authorities are, in relation to panel proceedings, suspended until the breach is remedied.

Regulation 11 provides that breach of any of the provisions relating to the following; composition requirements, the duty on constituent local planning authorities to work together to achieve the composition requirements, the review of those requirements, and the notification of reporting requirements, does not invalidate anything done by the panel.

Regulation 12 sets out the expenditure of a panel that is "qualifying expenditure" to be met by the constituent local planning authorities for the purposes of paragraph 16 of Schedule 2A to the Planning and Compulsory Purchase Act 2004. It also describes the expenditure that is not "qualifying expenditure".

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](http://www.gov.wales).

**2016 Rhif 18 (Cy. 6)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**Rheoliadau Cynllunio Strategol  
(Cyfansoddiad Paneli a Gwariant  
Cymwys) (Cymru) 2016**

*Gwnaed* 11 Ionawr 2016  
*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 13 Ionawr 2016  
*Yn dod i rym* 16 Mawrth 2016

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adran 122 o Ddeddf Cynllunio a Phrynu Gorfodol 2004(1) a pharagraffau 5 ac 16 o Atodlen 2A i'r Ddeddf honno.

**RHAN 1**

Materion rhagarweiniol

**Enwi, cychwyn a chymhwyso**

**1.**—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Strategol (Cyfansoddiad Paneli a Gwariant Cymwys) (Cymru) 2016 a deuant i rym ar 16 Mawrth 2016.

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

**2016 No. 18 (W. 6)**

**TOWN AND COUNTRY  
PLANNING, WALES**

**The Strategic Planning  
(Composition of Panels and  
Qualifying Expenditure) (Wales)  
Regulations 2016**

*Made* 11 January 2016  
*Laid before the National Assembly for Wales*  
13 January 2016  
*Coming into force* 16 March 2016

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 122 of, and paragraphs 5 and 16 of Schedule 2A to, the Planning and Compulsory Purchase Act 2004(1).

**PART 1**

Introductory matters

**Title, commencement and application**

**1.**—(1) The title of these Regulations is the Strategic Planning (Composition of Panels and Qualifying Expenditure) (Wales) Regulations 2016 and they come into force on 16 March 2016.

(2) These Regulations apply in relation to Wales.

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(1) 2004 p. 5. Mewnosodwyd Atodlen 2A gan adran 4 o Ddeddf Cynllunio (Cymru) 2015 (dccc 4) ac Atodlen 1 iddi.

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(1) 2004 c. 5. Schedule 2A was inserted by section 4 of, and Schedule 1 to, the Planning (Wales) Act 2015 (anaw 4).

## Dehongli

### 2. Yn y Rheoliadau hyn—

ystyr “Deddf 2004” (“*the 2004 Act*”) yw Deddf Cynllunio a Phrynu Gorfodol 2004;

ystyr “gofynion cyfansoddiad” (“*composition requirements*”) yw’r gofynion yn rheoliad 3;

ystyr “panel” (“*panel*”) yw panel cynllunio strategol(1).

## RHAN 2

### Paneli cynllunio strategol

#### Gofynion cyfansoddiad panel

3. Yn ddarostyngedig i reoliad 4(2), y gofynion cyfansoddiad yw’r canlynol—

- (a) rhaid i fenywod gyfansoddi o leiaf 40% o’r aelodau o banel sy’n aelodau awdurdod cynllunio lleol; a
- (b) rhaid i ddynion gyfansoddi o leiaf 40% o’r aelodau hynny o banel.

#### Eithriad o’r gofynion cyfansoddiad

4.—(1) Yn ddarostyngedig i baragraff (2), nid oes angen cydymffurfio â’r gofynion cyfansoddiad os yw cyfansoddiad yr awdurdodau cynllunio lleol cyfansoddol yn gwneud y gofynion cyfansoddiad yn annichonadwy.

(2) Pan fo paragraff (1) yn gymwys, y gofynion cyfansoddiad yw fod rhaid i fenywod a dynion gyfansoddi canrannau o’r aelodau awdurdod cynllunio lleol ar y panel sydd mor agos ag y bo’n ymarferol at 40% o’r naill a’r llall.

#### Dyletswydd i gydweithredu er mwyn cydymffurfio â’r gofynion cyfansoddiad

5. Rhaid i’r awdurdodau cynllunio lleol cyfansoddol(2) gydweithio er mwyn sicrhau cydymffurfiaeth â’r gofynion cyfansoddiad.

## Interpretation

### 2. In these Regulations—

“the 2004 Act” (“*Deddf 2004*”) means the Planning and Compulsory Purchase Act 2004;

“composition requirements” (“*gofynion cyfansoddiad*”) means the requirements in regulation 3;

“panel” (“*panel*”) means a strategic planning panel(1).

## PART 2

### Strategic planning panels

#### Panel composition requirements

3. Subject to regulation 4(2), the composition requirements are that—

- (a) women must make up a minimum of 40% of the local planning authority members of a panel; and
- (b) men must make up a minimum of 40% of those members of a panel.

#### Exception to composition requirements

4.—(1) Subject to paragraph (2), the composition requirements need not be complied with if the composition of the constituent local planning authorities makes the composition requirements unachievable.

(2) Where paragraph (1) applies, the composition requirements are that women and men must respectively make up as near to 40% of the local planning authority members of a panel as is practicable.

#### Duty to collaborate to comply with composition requirements

5. The constituent local planning authorities(2) must co-operate with a view to securing compliance with the composition requirements.

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(1) *Gweler* Rhan 1 o Atodlen 2A i Ddeddf Cynllunio a Phrynu Gorfodol 2004 ar gyfer darpariaethau ynghylch paneli cynllunio strategol.

(2) *Gweler* paragraff 3(3) o Atodlen 2A i Ddeddf Cynllunio a Phrynu Gorfodol 2004 ar gyfer ystyr “constituent local planning authority” (“awdurdod cynllunio lleol cyfansoddol”).

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(1) *See* Part 1 of Schedule 2A to the Planning and Compulsory Purchase Act 2004 for provisions about strategic planning panels.

(2) *See* paragraph 3(3) of Schedule 2A to the Planning and Compulsory Purchase Act 2004 for the meaning of “constituent local planning authority”.

## **Dyletswydd i adolygu'r gofynion cyfansoddiad**

6. Rhaid i banel barhau i adolygu cyfansoddiad y panel at y diben o fonitro cydymffurfiaeth â'r gofynion cyfansoddiad.

## **Gofynion adrodd**

7.—(1) Os na chaiff y gofynion cyfansoddiad eu bodloni, rhaid i'r panel baratoi adroddiad ar ei gydymffurfiaeth â'r gofynion cyfansoddiad, yn unol â'r rheoliad hwn.

(2) Rhaid i'r adroddiad sy'n ofynnol o dan baragraff (1) gynnwys yr wybodaeth ganlynol—

- (a) manylion am sut y methir â bodloni'r gofynion cyfansoddiad;
- (b) y rhesymau pam y methwyd â bodloni'r gofynion cyfansoddiad;
- (c) y camau a gymerwyd gan y panel a'r/neu'r awdurdodau cynllunio lleol cyfansoddiol i fodloni'r gofynion cyfansoddiad.

(3) Rhaid i'r adroddiad sy'n ofynnol o dan baragraff (1) gael ei lofnodi gan gadeirydd y panel neu, yn absenoldeb y cadeirydd, gan ddirprwy gadeirydd y panel.

(4) Rhaid i'r panel anfon yr adroddiad at Weinidogion Cymru o fewn 12 wythnos ar ôl y dyddiad y methir â bodloni'r gofynion cyfansoddiad.

(5) Rhaid i banel, ddim hwyrach na 7 diwrnod ar ôl y dyddiad yr anfonodd adroddiad at Weinidogion Cymru o dan y rheoliad hwn, hysbysu'r awdurdodau cynllunio lleol cyfansoddiol ynghylch cyflwyno'r adroddiad.

(6) Yn y rheoliad hwn, mae cyfeiriad at adroddiad yn cynnwys adroddiad fel y'i diwygiwyd.

(7) Mae unrhyw ofyniad i anfon adroddiad at Weinidogion Cymru o dan y rheoliad hwn yn cynnwys gofyniad i gyhoeddi'r adroddiad.

(8) Mae anfon adroddiad at Weinidogion Cymru neu ei gyhoeddi o dan y rheoliad hwn yn cynnwys anfon neu gyhoeddi'r adroddiad yn electronig.

## **Hysbysiad o fethiant i gydymffurfio â'r gofynion adrodd**

8.—(1) Os yw Gweinidogion Cymru yn credu bod panel yn methu â gwneud, neu'n hepgor gwneud, unrhyw beth y mae angen iddo ei wneud at y diben o gydymffurfio â'r gofynion adrodd yn rheoliad 7, rhaid i Weinidogion Cymru hysbysu'r panel yn unol â pharagraff (2) ac o fewn y cyfnod hysbysu a bennir ym mharagraff (3).

(2) Rhaid i'r hysbysiad nodi manylion y methiant neu'r hepgoriad.

## **Duty to review composition requirements**

6. A panel must keep the composition of the panel under review for the purpose of monitoring compliance with the composition requirements.

## **Reporting requirements**

7.—(1) If the composition requirements are not met, a panel must prepare a report about its compliance with the composition requirements in accordance with this regulation.

(2) The report required under paragraph (1) must contain the following information—

- (a) details of how the composition requirements are not met;
- (b) the reasons for failing to meet the composition requirements;
- (c) the steps taken by the panel and/or constituent local planning authorities to meet the composition requirements.

(3) The report required under paragraph (1) must be signed by the chair of the panel or, in the absence of the chair, by the deputy chair of the panel.

(4) The panel must send the report to the Welsh Ministers within 12 weeks of the date on which the composition requirements are not met.

(5) A panel must, no later than 7 days from the date when it sends a report to the Welsh Ministers under this regulation, notify the constituent local planning authorities of the submission of the report.

(6) In this regulation, reference to a report includes a report as revised.

(7) Any requirement to send a report to the Welsh Ministers under this regulation includes a requirement to publish the report.

(8) The sending of a report to the Welsh Ministers or the publication of it under this regulation includes sending or publishing the report electronically.

## **Notification of failure to comply with reporting requirements**

8.—(1) If the Welsh Ministers think that a panel is failing or omitting to do anything that it is necessary for it to do for the purpose of complying with the reporting requirements in regulation 7, they must notify the panel in accordance with paragraph (2) and within the notice period specified in paragraph (3).

(2) The notification must set out the details of the failure or omission.

(3) Y cyfnod hysbysu a bennir at ddibenion paragraff (1) yw—

- (a) 6 wythnos sy'n dechrau gyda'r dyddiad y cafodd Gweinidogion Cymru adroddiad o dan reoliad 7;
- (b) yn absenoldeb adroddiad, 6 wythnos sy'n dechrau gyda'r dyddiad y daeth Gweinidogion Cymru i gredu bod y panel yn methu â gwneud, neu'n hepgor gwneud, unrhyw beth y mae angen iddo ei wneud at y diben o gydymffurfio â'r gofynion adrodd yn rheoliad 7.

(4) Caiff Gweinidogion Cymru estyn y cyfnod hysbysu ym mharagraff (3) os tybiant fod angen gwneud hynny.

(5) Rhaid i'r panel, ddim hwyrach nag 28 diwrnod ar ôl dyddiad yr hysbysiad gan Weinidogion Cymru, anfon ateb at Weinidogion Cymru sy'n nodi'r modd y mae'r panel yn bwriadu unioni'r methiant neu'r hepgoriad.

#### **Pwerau mewn achos o fethiant i gydymffurfio**

**9.—**(1) Mae'r rheoliad hwn yn gymwys os yw Gweinidogion Cymru yn credu bod panel neu awdurdod cynllunio lleol cyfansoddol yn methu â gwneud, neu'n hepgor gwneud, unrhyw beth y mae angen iddo ei wneud at y diben o gydymffurfio â gofyniad penodedig.

(2) Caiff Gweinidogion Cymru gyfarwyddo panel neu awdurdod cynllunio lleol cyfansoddol i gymryd pa bynnag gamau a ystyrir yn briodol gan Weinidogion Cymru at y diben o gydymffurfio â gofyniad penodedig.

(3) Rhaid i banel neu awdurdod cynllunio lleol cyfansoddol gydymffurfio â chyfarwyddyd a roddir iddo o dan y rheoliad hwn.

(4) Gofyniad penodedig yw gofyniad a osodir gan unrhyw un o ddarpariaethau canlynol y Rheoliadau hyn—

- (a) rheoliad 3 (gofynion cyfansoddiad panel);
- (b) rheoliad 5 (dyletswydd i gydweithredu er mwyn cydymffurfio â'r gofynion cyfansoddiad);
- (c) rheoliad 6 (dyletswydd i adolygu'r gofynion cyfansoddiad);
- (d) rheoliad 8(1) (hysbysiad o fethiant i gydymffurfio â'r gofynion adrodd).

(3) The notice period specified for the purposes of paragraph (1) is—

- (a) 6 weeks beginning with the date on which the Welsh Ministers receive a report under regulation 7;
- (b) in the absence of a report, 6 weeks beginning with the date on which the Welsh Ministers think that a panel is failing or omitting to do anything that it is necessary for it to do for the purpose of complying with the reporting requirements in regulation 7.

(4) The Welsh Ministers may extend the notice period in paragraph (3) if they consider it necessary to do so.

(5) Not later than 28 days from the date of notification by the Welsh Ministers, the panel must send a response to the Welsh Ministers which sets out how it intends to rectify the failure or omission.

#### **Powers in the event of failure to comply**

**9.—**(1) This regulation applies if the Welsh Ministers think that a panel or a constituent local planning authority is failing or omitting to do anything that it is necessary for it to do for the purpose of complying with a specified requirement.

(2) The Welsh Ministers may direct a panel or a constituent local planning authority to take such steps as the Welsh Ministers think appropriate for the purpose of complying with a specified requirement.

(3) A panel or a constituent local planning authority must comply with a direction given to it under this regulation.

(4) A specified requirement is a requirement imposed by any of the following provisions of these Regulations—

- (a) regulation 3 (panel composition requirements);
- (b) regulation 5 (duty to collaborate to comply with composition requirements);
- (c) regulation 6 (duty to review composition requirements);
- (d) regulation 8(1) (notification of failure to comply with reporting requirements).

### **Effaith methiant i gydymffurfio â chyfarwyddyd ynghylch gofynion cyfansoddiad**

**10.** Effaith methiant i gydymffurfio â chyfarwyddyd o dan reoliad 9(2) mewn perthynas â gofyniad penodedig yn rheoliad 9(4)(a) yw fod hawliau pleidleisio aelod o awdurdod cynllunio lleol cyfansoddol a bennir yn y chyfarwyddyd wedi eu hatal hyd nes bodlonir y gofynion cyfansoddiad.

### **Dilysrwydd gweithredoedd panel**

**11.** Nid effeithir ar ddilysrwydd unrhyw beth a wneir gan banel o ganlyniad i fethiant gan banel neu awdurdod cynllunio lleol cyfansoddol i gydymffurfio ag unrhyw rwymedigaeth neu ofyniad a osodir arnynt (yn ôl y digwydd) gan—

- (a) rheoliadau 3 a 4(2) (gofynion cyfansoddiad panel);
- (b) rheoliad 6 (dyletswydd i adolygu'r gofynion cyfansoddiad);
- (c) rheoliad 7 (gofynion adrodd);
- (d) rheoliad 8 (hysbysiad o fethiant i gydymffurfio â'r gofynion adrodd);
- (e) rheoliad 9(3) (pwerau mewn achos o fethiant i gydymffurfio).

### **Effect of failure to comply with direction about composition requirements**

**10.** The effect of failure to comply with a direction under regulation 9(2) in relation to a specified requirement in regulation 9(4)(a) is that the voting rights of a member of a constituent local planning authority specified in the direction are suspended until such time as the composition requirements are met.

### **Validity of actions of panel**

**11.** The validity of anything done by a panel is not affected by a failure by a panel or a constituent local planning authority to comply with any obligation or requirement imposed on them (as the case may be) by—

- (a) regulations 3 and 4(2) (panel composition requirements);
- (b) regulation 6 (duty to review composition requirements);
- (c) regulation 7 (reporting requirements);
- (d) regulation 8 (notification of failure to comply with reporting requirements);
- (e) regulation 9(3) (powers in the event of failure to comply).

## **RHAN 3**

### **Trefniadau ariannol paneli cynllunio strategol**

#### **Gwariant cymwys**

**12.—**(1) Mae'r disgrifiadau a ganlyn o wariant yr aeth panel iddo neu y mae panel i fynd iddo wedi eu rhagnodi at ddibenion paragraff 16(2) o Atodlen 2A i Ddeddf 2004—

- (a) costau tâl neu gyflogau, cyfraniadau pensiwn a chostau diswyddo gorfodol neu wirfoddol neu gostau staff eraill;
- (b) cydnabyddiaeth i aelod enwebedig o'r panel;
- (c) costau lesio a/neu rentu mewn cysylltiad â llogi mangre;
- (d) costau mewn cysylltiad ag ardrethi a chyfleustodau y mae'r panel yn atebol amdanynt mewn cysylltiad â meddiannu mangre;
- (e) ffioedd proffesiynol, ffioedd ymgynghorol a ffioedd technegol;
- (f) costau mewn cysylltiad â swyddogaethau'r panel o ran paratoi ac adolygu cynllun strategol yn unol â Rhan 6 o Ddeddf 2004;

## **PART 3**

### **Financial arrangements of strategic planning panels**

#### **Qualifying expenditure**

**12.—**(1) The following descriptions of expenditure incurred or to be incurred by a panel are prescribed for the purposes of paragraph 16(2) of Schedule 2A to the 2004 Act—

- (a) costs of wages or salary, pension contributions and compulsory or voluntary redundancy costs or other staff costs;
- (b) remuneration of a nominated member of a panel;
- (c) lease and/or rental costs associated with the hire of premises;
- (d) costs in respect of rates and utilities in relation to which a panel is liable in connection with its occupation of premises;
- (e) professional fees, consultancy fees and technical fees;
- (f) costs associated with the functions of a panel in relation to strategic plan preparation and review in accordance with Part 6 of the 2004 Act;

- (g) costau offer, gan gynnwys costau prynu, prydlesu neu gynnal dodrefn, deunyddiau dodrefnu, a meddalwedd a chaledwedd cyfrifiadurol;
- (h) cydnabyddiaeth i unrhyw aelod cyfetholedig o'r panel, ac at ddibenion y paragraff hwn, nid yw aelod cyfetholedig yn aelod enwebedig o banel;
- (i) costau sy'n gysylltiedig â galluogi panel i ymgymryd â'i swyddogaethau o dan Ran 6 o Ddeddf 2004.

(2) Nid yw costau cydnabyddiaeth i aelod awdurdod cynllunio lleol cyfansoddol o'r panel yn wariant cymwys at ddibenion paragraff 16(2) o Atodlen 2A i Ddeddf 2004.

(3) Yn y rheoliad hwn—

mae "costau staff" ("*staff costs*") mewn perthynas â phanel yn cynnwys unrhyw gyfraniadau pensiwn ac yswiriant gwladol cyflogwr a wneir gan y panel;

ystyr "cyfraniadau pensiwn" ("*pension contributions*") yw unrhyw gostau y mae panel yn mynd iddynt mewn cysylltiad ag unrhyw gynllun pensiwn a sefydlwyd at y diben o ddarparu pensiynau i bersonau a gyflogir ar hyn o bryd neu a fu'n gyflogedig gan banel, unrhyw swm a osodir o'r neilltu ar gyfer talu pensiynau yn uniongyrchol yn y dyfodol gan banel i gyflogeion presennol neu gyn-gyflogeion, ac unrhyw bensiynau a delir yn uniongyrchol i bersonau o'r fath heb yn gyntaf eu gosod o'r neilltu;

mae "ffioedd proffesiynol" ("*professional fees*") yn cynnwys costau mewn perthynas â chorff proffesiynol ac aelodaeth o gorff proffesiynol;

mae "ffioedd technegol" ("*technical fees*") yn cynnwys costau mewn perthynas â chyfrifyddiaeth, archwilio, materion cyfreithiol, yswiriant, cyfathrebu, cyfieithu a chaffael.

- (g) equipment costs including purchase, leasing or maintenance of furniture, furnishings, computer software and hardware costs;
- (h) remuneration of any co-opted member of a panel and for the purpose of this paragraph, a co-opted member is not a nominated member of a panel;
- (i) costs associated with enabling a panel to undertake its functions under Part 6 of the 2004 Act.

(2) The costs of remuneration of a constituent local planning authority member of a panel are not qualifying expenditure for the purposes of paragraph 16(2) of Schedule 2A to the 2004 Act.

(3) In this regulation—

"pension contributions" ("*cyfraniadau pensiwn*") means any costs incurred by a panel in respect of any pension scheme established for the purpose of providing pensions for persons currently or formerly employed by a panel, any sum set aside for the future payment of pensions directly by a panel to current or former employees and any pensions paid directly to such persons without having first been set aside;

"professional fees" ("*ffioedd proffesiynol*") include costs relating to and membership of a professional body;

"staff costs" ("*costau staff*") in relation to a panel includes any employers' pension and national insurance contributions which a panel makes;

"technical fees" ("*ffioedd technegol*") include costs relating to accountancy, auditing, legal, insurance, communications, translation and procurement.

*Carl Sargeant*

Y Gweinidog Cyfoeth Naturiol, un o Weinidogion  
Cymru  
11 Ionawr 2016

Minister for Natural Resources, one of the Welsh  
Ministers  
11 January 2016

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