



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2017 Rhif 529 (Cy. 112)

2017 No. 529 (W. 112)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

Gorchymyn Cynllunio (Sylweddau
Peryglus) (Pennu'r Weithdrefn)
(Cymru) 2017

The Planning (Hazardous
Substances) (Determination of
Procedure) (Wales) Order 2017

NODYN ESBONIADOL

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

Mae'r Gorchymyn hwn yn ychwanegu at y rhestr o achosion y mae'n rhaid i Weinidogion Cymru bennu'r weithdrefn mewn cysylltiad â hwy. Gall y weithdrefn fod ar ffurf ymchwiliad lleol, gwrandawriad neu sylwadau ysgrifenedig, neu unrhyw gyfuniad o'r tair ffurf honno y mae Gweinidogion Cymru yn ystyried ei fod yn briodol. Effaith y Gorchymyn yw ei gwneud yn ofynnol i Weinidogion Cymru bennu'r weithdrefn mewn cysylltiad ag apelau yn erbyn hysbysadau tramgwydd sylweddau peryglus.

Lluniwyd asesiad effaith rheoleiddiol mewn perthynas â'r offeryn hwn. Gellir cael copïau oddi wrth yr Arolygiaeth Gynllunio, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru yn www.llyw.cymru.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order adds to the list of proceedings in respect of which the Welsh Ministers must make a determination as to the procedure. The procedure can be a local inquiry, a hearing or written representations, or any combination of those three as the Welsh Ministers consider appropriate. The effect of the Order is to require the Welsh Ministers to make a determination of procedure in respect of appeals against hazardous substances contravention notices.

A regulatory impact assessment has been prepared in relation to this instrument. Copies may be obtained from the Planning Directorate of the Welsh Government, Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government website at www.gov.wales.

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**The Planning (Hazardous
Substances) (Determination of
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Gwnaed 5 Ebrill 2017

Made 5 April 2017

Yn dod i rym 5 Mai 2017

Coming into force 5 May 2017

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 21B(8) o Ddeddf Cynllunio (Sylweddau Peryglus) 1990(1), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by section 21B(8) of the Planning (Hazardous Substances) Act 1990(1), make the following Order:

Yn unol ag adran 21B(10) o'r Ddeddf honno, gosodwyd drafft o'r offeryn hwn gerbron Cynulliad Cenedlaethol Cymru ac fe'i cymeradwywyd ganddo drwy benderfyniad.

In accordance with section 21B(10) of that Act, a draft of this instrument was laid before and approved by resolution of the National Assembly for Wales.

Enwi a chychwyn

Title and commencement

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cynllunio (Sylweddau Peryglus) (Pennu'r Weithdrefn) (Cymru) 2017.

1.—(1) The title of this Order is the Planning (Hazardous Substances) (Determination of Procedure) (Wales) Order 2017.

(2) Daw'r Gorchymyn hwn i rym ar 5 Mai 2017.

(2) This Order comes into force on 5 May 2017.

Pennu'r weithdrefn ar gyfer achosion penodol

Determination of procedure for certain proceedings

2.—(1) Mae adran 21B(7) o Ddeddf Cynllunio (Sylweddau Peryglus) 1990 wedi ei diwygio fel a ganlyn.

2.—(1) Section 21B(7) of the Planning (Hazardous Substances) Act 1990 is amended as follows.

(1) 1990 p. 10. Mewnosodwyd adran 21B gan erthygl 2(3) o Orchymyn Cynllunio Gwlad a Thref (Pennu'r Weithdrefn) (Cymru) 2014 (O.S. 2014/2773 (Cy. 280)).

(1) 1990 c. 10. Section 21B was inserted by article 2(3) of the Town and Country Planning (Determination of Procedure) (Wales) Order 2014 (S.I. 2014/2773 (W. 280)).

(2) Ar ôl paragraff (b) mewnosoder—

“(c) an appeal to the Welsh Ministers under section 174 of the principal Act⁽¹⁾ (appeal against enforcement notice) as applied by regulation 16 of, and Part 1 of Schedule 4 to, the Planning (Hazardous Substances) (Wales) Regulations 2015 (S.I. 2015/1597 (W. 196)) (appeals against hazardous substances contravention notices).”

(2) After paragraph (b) insert—

“(c) an appeal to the Welsh Ministers under section 174 of the principal Act⁽¹⁾ (appeal against enforcement notice) as applied by regulation 16 of, and Part 1 of Schedule 4 to, the Planning (Hazardous Substances) (Wales) Regulations 2015 (S.I. 2015/1597 (W. 196)) (appeals against hazardous substances contravention notices).”

Jane Hutt

Un o Weinidogion Cymru
5 Ebrill 2017

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One of the Welsh Ministers
5 April 2017

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(1) I gael y diffiniad o “the principal Act” gweler adran 39(1) o Ddeddf Cynllunio (Sylweddau Peryglus) 1990.

(1) For the definition of “the principal Act” see section 39(1) of the Planning (Hazardous Substances) Act 1990.

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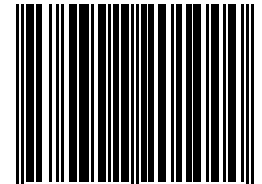
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