



# Deddf Cynllunio (Cymru) 2015

2015 dccc 4

## RHAN 6

### RHEOLI DATBLYGU ETC

*Arfer swyddogaethau awdurdod cynllunio lleol sy'n ymwneud â cheisiadau*

#### **39 Arfer swyddogaethau awdurdod cynllunio lleol sy'n ymwneud â cheisiadau**

(1) Yn DCGTh 1990, ar ôl adran 319 mewnosoder—

*“Wales: discharge of functions of local planning authority relating to applications*

#### **319ZA Requirement for functions to be discharged by committee, sub-committee or officer**

- (1) The Welsh Ministers may by regulations require a relevant local planning authority to make arrangements under section 101 of the 1972 Act for a relevant function to be discharged by a committee, sub-committee or officer of the authority.
- (2) The regulations may prescribe the terms of the arrangements (which may include exceptions) and any permitted variations in those terms.
- (3) Where arrangements required by the regulations are in force in relation to a relevant function, the function may only be exercised in accordance with the arrangements (and section 101(4) of the 1972 Act does not apply).

#### **319ZB Size and composition of committee discharging functions**

- (1) The Welsh Ministers may by regulations prescribe requirements relating to the size and composition of a committee or sub-committee by which a relevant function is to be discharged.

*Newidiadau i ddeddfwriaeth: Deddf Cynllunio (Cymru) 2015, Adran 39 yn gyfredol gyda'r holl newidiadau y gwyddys eu bod mewn grym ar neu cyn 19 Mehefin 2024. Mae newidiadau a all gael eu dwyn i rym yn y dyfodol. Mae newidiadau a wnaed yn ymddangos yn y cynnwys a chyfeirir atynt trwy anodiadau. (See end of Document for details) View outstanding changes*

- (2) A relevant local planning authority may not arrange for a relevant function to be discharged by a committee or sub-committee of the authority which fails to satisfy a requirement of regulations under this section.
- (3) If a committee or sub-committee discharging a relevant function fails to satisfy such a requirement, paragraph 43 of Schedule 12 to the 1972 Act (validity of proceedings) does not apply in relation to the failure.

### **319ZC Sections 319ZA and 319ZB: supplementary**

- (1) Sections 101 and 102 of the 1972 Act have effect subject to sections 319ZA and 319ZB and any regulations made under them.
- (2) Where arrangements are in force under section 101(5) of the 1972 Act for two or more relevant local planning authorities to discharge any of their relevant functions jointly, sections 319ZA and 319ZB apply in relation to those functions as if—
  - (a) references to a committee or sub-committee of a relevant local planning authority were references to a joint committee or sub-committee of those authorities;
  - (b) references to an officer of a relevant local planning authority were references to an officer of any of those authorities.
- (3) Regulations under sections 319ZA and 319ZB may—
  - (a) make different provision for different local planning authorities;
  - (b) make special provision for cases where two or more authorities have made arrangements under section 101(1)(b) or (5) of the 1972 Act for the discharge of any of their relevant functions.

### **319ZD Interpretation of sections 319ZA to 319ZC**

In sections 319ZA to 319ZC—

“the 1972 Act” means the Local Government Act 1972;

“relevant function” means a function exercisable by a relevant local planning authority in relation to an application under this Act;

“relevant local planning authority” means a local planning authority in Wales which is—

- (a) a county council or county borough council,
- (b) a joint planning board, or
- (c) a National Park authority.”

- (2) Yn adran 316 o DCGTh 1990 (tir awdurdodau cynllunio a chanddynt fuddiant a datblygiad ganddynt hwy), yn is-adran (3), ar ôl “notwithstanding” mewnosoder “any provision made by or under sections 319ZA to 319ZC or”.
- (3) Yn adran 89 o [Ddeddf Cynllunio \(Adeiladau Rhestredig ac Ardaloedd Cadwraeth\) 1990 \(p. 9\)](#) (cymhwyso darpariaethau cyffredinol penodol o'r brif Ddeddf), yn is-adran (1), cyn yr eitem sy'n ymwneud ag adran 320, mewnosoder—
 

“sections 319ZA to 319ZD (Wales: discharge of functions of local planning authority relating to applications),”.

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- (4) Yn adran 37 o [Ddeddf Cynllunio \(Sylweddau Peryglus\) 1990 \(p. 10\)](#) (cymhwyso darpariaethau cyffredinol penodol o'r brif Ddeddf), yn is-adran (2), cyn yr eitem sy'n ymwneud ag adran 320, mewnosoder—  
“sections 319ZA to 319ZD (Wales: discharge of functions of local planning authority relating to applications)”.
- (5) Yn [Neddf Llywodraeth Leol a Thai 1989 \(p. 42\)](#)—
- (a) yn adran 13 (hawliau pleidleisio aelodau pwyllgorau penodol), yn is-adran (9), yn y diffiniad o “relevant authority”, yn lle “or (h) to (jb)” rhodder “, (h) to (jb) or (n)”;
  - (b) yn adran 20 (pŵer i'w gwneud yn ofynnol i reolau sefydlog gweithdrefnol penodol gael eu mabwysiadu), yn is-adran (4)(a), ar ôl “(a) to (jb)” mewnosoder “or (n)”.

#### Gwybodaeth Cychwyn

**I1** [A. 39](#) mewn grym ar 6.9.2015 at ddibenion penodedig, gweler [a. 58\(2\)\(b\)](#)

**I2** [A. 39](#) mewn grym ar 5.5.2017 i'r graddau nad yw eisoes mewn grym gan [O.S. 2017/546](#), [ergl. 3\(a\)](#)

**Newidiadau i ddeddfwriaeth:**

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**Changes and effects yet to be applied to :**

- s. 39(3) omitted by [2023 asc 3 Sch. 13 para. 190](#)