



# Deddf Amaethyddiaeth (Cymru) 2023

2023 dsc 4

## RHAN 4

### COEDWIGAETH

#### 38 Diwygio trwyddedau cwmpo coed drwy gytundeb

(1) Yn adran 10 o Ddeddf Coedwigaeth 1967 (p. 10) (cais am drwydded cwmpo coed a phenderfyniad awdurdod priodol), ar ôl is-adran (3) mewnosoder—

“(3A) The Natural Resources Body for Wales, and the person responsible, may agree to amend the licence at any time (but see section 10A, which imposes further requirements in relation to amendments in respect of trees to which a tree preservation order relates).

(3B) For the purposes of subsection (3A) of this section, and section 10A, the person responsible is—

- (a) the applicant for the licence, if the applicant has such estate or interest in the land as is referred to in subsection (1), or
- (b) if the applicant no longer has such estate or interest, a person who has such estate or interest.”

(2) Ar ôl adran 10 o Ddeddf Coedwigaeth 1967, mewnosoder—

#### **“10A Amendments made under section 10(3A) that affect tree preservation orders**

(1) The provisions of this section apply if—

- (a) an amendment to a licence under section 10(3A) is proposed in respect of any trees to which a tree preservation order relates, and
- (b) the Natural Resources Body for Wales does not consider that the amendment is necessary to respond to an imminent and serious risk of harm to—

- (i) natural beauty, or

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*Newidiadau i ddeddfwriaeth: Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Deddf Amaethyddiaeth (Cymru) 2023, Adran 38. (See end of Document for details)*

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- (ii) flora, fauna, geological or physiographical features, or natural habitats.
- (2) Before amending the licence, the Natural Resources Body for Wales must give notice in writing of the proposal to the authority by whom the tree preservation order was made.
- (3) If, within the prescribed period, the authority by whom the tree preservation order was made objects to the amendment in so far as it affects trees to which the tree preservation order relates, and does not withdraw its objection, the Natural Resources Body for Wales must refer the matter to the Welsh Ministers.
- (4) If a matter is referred to the Welsh Ministers under subsection (3), the Welsh Ministers may decide to—
- grant consent to the amendment, or
  - refuse to grant consent (in which case the amendment cannot be made).
- (5) Where the Natural Resources Body for Wales has given notice in writing under subsection (1) to an authority in respect of a proposed amendment, the proposed amendment cannot be made until—
- the period prescribed under subsection (3) has ended without the authority having objected (or, if the authority has objected, that objection has been withdrawn), or
  - if the Natural Resources Body for Wales has referred the matter to the Welsh Ministers, the Welsh Ministers have given their decision on the matter.
- (6) Before deciding whether to grant or refuse consent under subsection (4), the Welsh Ministers must consult—
- the person responsible (see section 10(3B));
  - the Natural Resources Body for Wales;
  - authority by whom the tree preservation order was made.”

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#### Gwybodaeth Cychwyn

**I1** A. 38 mewn grym ar 18.8.2023 at ddibenion penodedig, gweler **a. 56(1)(a)**

**I2** A. 38 mewn grym ar 1.4.2024 i'r graddau nad yw eisoes mewn grym gan O.S. 2023/1092, **er gl. 3(a)**

**Newidiadau i ddeddfwriaeth:**

Ar hyn o bryd nid oes unrhyw effeithiau heb eu gweithredu yn hysbys ar gyfer y Deddf Amaethyddiaeth (Cymru) 2023, Adran 38.