



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2017 Rhif 460 (Cy. 98)

2017 No. 460 (W. 98)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

**Rheoliadau Awdurdodau Lleol
(Rheolau Sefydlog) (Cymru)
(Diwygio) 2017**

**The Local Authorities (Standing
Orders) (Wales) (Amendment)
Regulations 2017**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Awdurdodau Lleol (Rheolau Sefydlog) (Cymru) 2006 (O.S. 2006/1275) (Cy. 121) ("Rheoliadau 2006"). Maent yn gymwys o ran Cymru.

Mae Rheoliadau 2006 yn ei gwneud yn ofynnol i awdurdodau perthnasol ymgorffori yn eu rheolau sefydlog ddarpariaethau penodol sy'n ymwneud â'u staff, eu cyfarfodydd a'u trafodion.

Mae'n ofynnol i awdurdodau perthnasol wneud neu addasu rheolau sefydlog fel eu bod yn cynnwys y darpariaethau a nodir yn Rheoliadau 2006 neu ddarpariaethau sy'n cael yr un effaith.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau 2006 er mwyn gwneud darpariaeth ynghylch aelodaeth a'r cworwm ar gyfer cyfarfodydd awdurdodau perthnasol. Mae "awdurdodau perthnasol" at ddiben rheoliad newydd 4A (1) o Rheoliadau 2006, a fewnosodir gan reoliad 3(3), yn cynnwys byrddau cydgynllunio ac awdurdodau Parciau Cenedlaethol yn ogystal â chynghorau sir a chynghorau bwrdeistref sirol.

Mae'r Rheoliadau hyn yn gymwys i bwyllgorau ac is-bwyllgorau awdurdodau perthnasol sy'n cyflawni swyddogaeth berthnasol. "Swyddogaeth berthnasol" yw swyddogaeth sy'n arferadwy mewn perthynas â chais o dan Ddeddf Cynllunio Gwlad a Thref 1990.

Mae rheoliad 2(3) yn mewnosod rheoliad newydd 4A ac Atodlen 2A newydd yn Rheoliadau 2006, sy'n ei gwneud yn ofynnol i awdurdod perthnasol gynnwys yn eu rheolau sefydlog ofyniad bod yn rhaid i gworwm ar gyfer eu cyfarfodydd gynnwys o leiaf hanner aelodau'r pwyllgor.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Standing Orders) (Wales) Regulations 2006 (S.I. 2006/1275) (W. 121) ("the 2006 Regulations"). They apply in relation to Wales.

The 2006 Regulations require relevant authorities to incorporate into their standing orders certain provisions relating to their staff, meetings and proceedings.

Relevant authorities are required to make or modify standing orders so that they include the provisions set out in the 2006 Regulations or provisions to like effect.

These Regulations amend the 2006 Regulations to make provision about membership and the quorum for meetings of relevant authorities. "Relevant authorities" for the purpose of new regulation 4A (1) of the 2006 Regulations, inserted by regulation 3(3) include, in addition to county and county borough councils, joint planning boards and National Park authorities.

These Regulations apply to committees and sub-committees of relevant authorities by which a relevant function is discharged. A "relevant function" is a function exercisable in relation to an application under the Town and Country Planning Act 1990.

Regulation 2(3) inserts new regulation 4A and new Schedule 2A in the 2006 Regulations, to require a relevant authority to include in their standing orders a requirement that the quorum for their meetings must include at least half of the committee's members.

Rhaid i reolau sefydlog hefyd gyfyngu ar benodi aelodau dirprwyol i bwyllgorau.

Lluniwyd asesiad effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. Gellir cael copi gan Lywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru yn www.llyw.cymru.

Standing orders must also restrict the appointment of substitute members to committees.

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.

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Rheoliadau Awdurdodau Lleol
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(Diwygio) 2017

The Local Authorities (Standing
Orders) (Wales) (Amendment)
Regulations 2017

Gwnaed 21 Mawrth 2017

Made 21 March 2017

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 24 Mawrth 2017

Laid before the National Assembly for Wales
24 March 2017

Yn dod i rym 5 Mai 2017

Coming into force 5 May 2017

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 20 a 190 o Ddeddf Llywodraeth Leol a Thai 1989(1), sy'n arferadwy bellach ganddynt hwy(2), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 20 and 190 of the Local Government and Housing Act 1989(1), now exercisable by them(2) make the following Regulations.

Enwi, cychwyn a chymhwyso

Title, commencement and application

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Rheolau Sefydlog) (Cymru) (Diwygio) 2017 a deuant i rym ar 5 Mai 2017.

1.—(1) The title of these Regulations is The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017 and they come into force on 5 May 2017.

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

(2) These Regulations apply in relation to Wales.

(1) 1989 p. 42. Diwygiwyd adran 20 gan adran 119 o Ddeddf Democratiaeth Leol, Datblygu Economaidd ac Adeiladu 2009 (p. 20) a pharagraff 81(1) a (4) o Atodlen 6 iddi, gan adran 23(1) o Ddeddf Datganoli Dinasoedd a Llywodraeth Leol 2016 (p. 1) a pharagraff 12(1) a (4) o Atodlen 5 iddi; a chan adran 39(5)(b) o Ddeddf Cynllunio (Cymru) 2015 (dccc 4).
(2) Mae'r pwerau o dan adrannau 20 a 190 o Ddeddf Llywodraeth Leol a Thai 1989 bellach wedi eu breinio yng Ngweinidogion Cymru i'r graddau y maent yn arferadwy o ran Cymru. Yr oeddent wedi eu breinio'n flaenorol yng Nghynulliad Cenedlaethol Cymru yn rhinwedd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo. Yn rhinwedd paragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32), fe'u trosglwyddwyd i Weinidogion Cymru.

(1) 1989 c. 42. Section 20 was amended by section 119 and paragraph 81(1) and (4) of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 (c. 20), by section 23 (1) and paragraph 12(1) and (4) of Schedule 5 to the Cities and Local Government Devolution Act 2016 (c. 1); and by section 39(5)(b) of the Planning (Wales) Act 2015 (anaw 4).
(2) Powers under sections, 20 and 190 of the Local Government and Housing Act 1989 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously vested in the National Assembly for Wales by virtue of article 2 and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), they were transferred to the Welsh Ministers.

Diwygio Rheoliadau Awdurdodau Lleol (Rheolau Sefydlog) (Cymru) 2006

2.—(1) Mae Rheoliadau Awdurdodau Lleol (Rheolau Sefydlog) (Cymru) 2006(1) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2, yn y diffiniad o “awdurdod perthnasol”, ar ôl “Nghymru” mewnosoder, “(yn ddarostyngedig i reoliad 4A)”;

(3) Ar ôl rheoliad 4 mewnosoder—

“Rheolau sefydlog sy’n ymwneud ag awdurdodau cynllunio lleol

4A.—(1) Yn y rheoliad hwn—

ystyr “awdurdod perthnasol” (“*relevant authority*”) yw awdurdod cynllunio lleol yng Nghymru sy’n —

(a) cyngor sir neu gyngor bwrdeistref sirol;

(b) bwrdd cydgynllunio(2); neu

(c) awdurdod Parc Cenedlaethol(3);

ystyr “pwyllgor” (“*committee*”) yw pwyllgor awdurdod perthnasol sy’n cyflawni swyddogaeth berthnasol ac mae’n cynnwys is-bwyllgor;

mae i “swyddogaeth berthnasol” yr un ystyr a roddir i “relevant function” gan adran 319ZD o Ddeddf Cynllunio Gwlad a Thref 1990(4).

(2) Heb fod yn hwyrach na chyfarfod arferol cyntaf yr awdurdod perthnasol ar ôl 5 Mai 2017, ac mewn cysylltiad â’r materion a grybwyllir ym mharagraff (3), rhaid i’r awdurdod perthnasol—

(a) gwneud rheolau sefydlog sy’n ymgorffori’r darpariaethau a nodir yn Atodlen 2A, neu ddarpariaethau sy’n cael yr un effaith; a

(b) addasu unrhyw rai o’u rheolau sefydlog presennol i’r graddau y bo’n angenrheidiol er mwyn cydymffurfio â’r darpariaethau hynny.

Amendment of the Local Authorities (Standing Orders) (Wales) Regulations 2006

2.—(1) The Local Authorities (Standing Orders) (Wales) Regulations 2006(1) are amended as follows.

(2) In regulation 2, in the definition of “relevant authority”, after “means” insert, “(subject to regulation 4A)”;

(3) After regulation 4 insert—

“Standing orders relating to local planning authorities

4A.—(1) In this regulation—

“committee” (“*pwyllgor*”) means a committee of a relevant authority by which a relevant function is to be discharged and includes a sub-committee;

“relevant authority” (“*awdurdod perthnasol*”) means a local planning authority in Wales which is—

(a) a county council or county borough council;

(b) a joint planning board(2); or

(c) a National Park authority(3);

“relevant function” (“*swyddogaeth berthnasol*”) has the meaning given by section 319ZD of the Town and Country Planning Act 1990(4).

(2) No later than the first ordinary meeting of the relevant authority falling after 5 May 2017, the relevant authority must, in respect of the matters mentioned in paragraph (3)—

(a) make standing orders incorporating the provisions set out in Schedule 2A, or provisions to like effect; and

(b) modify any of their existing standing orders so far as it is necessary to do so to conform with those provisions.

(1) O.S. 2006/1275 (Cy. 121).

(2) Canieteir i fwrdd cydgynllunio gael ei gyfansoddi ar gyfer ardal yng Nghymru drwy orchymyn o dan adran 2(1B) o Ddeddf Cynllunio Gwlad a Thref 1990 (p. 8).

(3) Gweler adran 4A o Ddeddf Cynllunio Gwlad a Thref 1990. Awdurdodau Parciau Cenedlaethol yw’r unig awdurdod cynllunio lleol ar gyfer ardal y Parc.

(4) 1990 p. 8. Mewnosodwyd adran 319ZD gan adran 39(1) o Ddeddf Cynllunio (Cymru) 2015 (decc 4).

(1) S.I. 2006/1275 (W. 121).

(2) A joint planning board may be constituted for an area in Wales by order under section 2(1B) of the Town and Country Planning Act 1990 (c. 8).

(3) See section 4A of the Town and Country Planning Act 1990. National Park authorities are the sole local planning authority for the area of the Park.

(4) 1990 c. 8. Section 319ZD was inserted by section 39(1) of the Planning (Wales) Act 2015 (anaw 4).

(3) Y materion y cyfeirir atynt ym mharagraff (2) yw—

(a) cworwm ar gyfer cyfarfod pwyllgor;

(b) aelodaeth pwyllgor”.

(4) Ar ôl Atodlen 2, mewnosoder —

(3) The matters referred to in paragraph (2) are—

(a) quorum for a meeting of a committee;

(b) membership of a committee”.

(4) After Schedule 2, insert —

“ATODLEN 2A rheoliad 4A

Rheolau sefydlog sy’n ymwneud ag awdurdodau cynllunio lleol

Cworwm

1. Ni chaniateir trafod busnes mewn cyfarfod pwyllgor oni bai bod o leiaf hanner cyfanswm nifer aelodau’r pwyllgor yn bresennol, wedi’i dalgrynnu i’r rhif cyfan agosaf.

Aelodau dirprwyol

2. Ni chaniateir i awdurdod perthnasol benodi un arall o’i aelodau i fod yn aelod o bwyllgor yn absenoldeb yr aelod a benodwyd yn unol â Rheoliadau Maint a Chyfansoddiad Pwyllgorau Awdurdodau Cynllunio Lleol (Cymru) 2017(1).”

“SCHEDULE 2A regulation 4A

Standing orders relating to local planning authorities

Quorum

1. No business is to be transacted at a meeting of a committee unless at least half of the total number of members of the committee, rounded to the nearest whole number, is present.

Substitute members

2. A relevant authority is not to appoint another of their members to act as a member of a committee in the absence of the member appointed in accordance with the Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017(1).”

Jane Hutt

Un o Weinidogion Cymru
21 Mawrth 2017

One of the Welsh Ministers
21 March 2017

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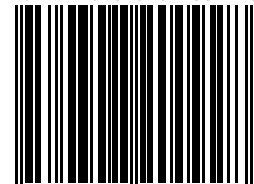
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