



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2021 Rhif 1297 (Cy. 330)

2021 No. 1297 (W. 330)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

Gorchymyn Gweithdrefn
Ddatblygu (Ymgynghori) (Cymru)
(Diwygiadau Amrywiol)
(Diwygio) 2021

The Development Procedure
(Consultees) (Wales)
(Miscellaneous Amendments)
(Amendment) Order 2021

NODYN ESBONIADOL

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

EXPLANATORY NOTE

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Gweithdrefn Ddatblygu (Ymgynghori) (Cymru) (Diwygiadau Amrywiol) 2021 drwy hepgor darpariaethau yn y Gorchymyn mewn perthynas â'r categorïau o ddatblygiad sydd mewn perygl o lifogydd y mae rhaid ymgynghori â Chorff Adnoddau Naturiol Cymru mewn cysylltiad â hwy.

This Order amends the Development Procedure (Consultees) (Wales) (Miscellaneous Amendments) Order 2021 by omitting provisions in the Order in relation to the categories of development at risk of flooding in respect of which Natural Resources Wales are to be consulted.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Yr Is-adran Cyllid Strategol Llywodraeth Leol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

2021 Rhif 1297 (Cy. 330)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

Gorchymyn Gweithdrefn
Ddatblygu (Ymgynghoreion)
(Cymru) (Diwygiadau Amrywiol)
(Diwygio) 2021

Gwnaed 22 Tachwedd 2021
Gosodwyd gerbron *Senedd*
Cymru 23 Tachwedd 2021
Yn dod i rym 25 Tachwedd 2021

2021 No. 1297 (W. 330)

**TOWN AND COUNTRY
PLANNING, WALES**

The Development Procedure
(Consultees) (Wales)
(Miscellaneous Amendments)
(Amendment) Order 2021

Made 22 November 2021
Laid before Senedd Cymru 23 November 2021
Coming into force 25 November 2021

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 59 a 74(1)(c) o Ddeddf Cynllunio Gwlad a Thref 1990(1) ac sydd bellach yn arferadwy ganddynt hwy(2), a thrwy arfer y pwerau a roddir iddynt gan adrannau 61Z(8) a (9), 62R, 333(4B) a (7) o'r Ddeddf honno(3), yn gwneud y Gorchymyn a ganlyn.

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 59 and 74(1)(c) of the Town and Country Planning Act 1990(1) and now exercisable by them(2) and in exercise of the powers conferred on them by sections 61Z(8) and (9), 62R, 333(4B) and (7) of that Act(3), make the following Order.

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- (1) 1990 p. 8 (“Deddf 1990”). Diwygiwyd adran 59 gan adran 27 o Ddeddf Cynllunio (Cymru) 2015 (decc 4) (“Deddf 2015”) a pharagraffau 1 a 3 o Atodlen 4 iddi, ac adran 55 o'r Ddeddf honno a pharagraff 5 o Atodlen 7 iddi, a chan adran 1(2) o Ddeddf Twf a Seilwaith 2013 (p. 27) a pharagraffau 1 a 4 o Atodlen 1 iddi. Mae diwygiadau i adran 74 nad ydynt yn berthnasol i'r offeryn hwn.
- (2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672); gweler y cofnod yn Atodlen 1 ar gyfer Deddf 1990 fel y'i hamnewidiwyd gan O.S. 2000/253. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraffau 30 a 32 o Atodlen 11 iddi. Gweler hefyd adran 59(4) o Ddeddf 1990, sy'n darparu mai ystyr gorchymyn datblygu o ran Cymru yw gorchymyn datblygu a wneir gan Weinidogion Cymru.
- (3) Mewnosodwyd adran 61Z gan adran 17(1) a (2) o Ddeddf 2015. Mewnosodwyd adran 62R gan adran 25 o Ddeddf 2015. Mewnosodwyd adran 333(4B) gan adran 55 o Ddeddf 2015 a pharagraff 6(1) a (3) o Atodlen 7 iddi.

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- (1) 1990 c.8 (“the 1990 Act”). Section 59 was amended by section 27 of, and paragraphs 1 and 3 of Schedule 4 to, and section 55 of, and paragraph 5 of Schedule 7 to, the Planning (Wales) Act 2015 (anaw 4) (“the 2015 Act”) and by section 1(2) of, and paragraphs 1 and 4 of Schedule 1 to, the Growth and Infrastructure Act 2013 (c.27). There are amendments to section 74 which are not relevant to this instrument.
- (2) The functions of the Secretary of State were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 for the 1990 Act as substituted by S.I. 2000/253. The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32). See also section 59(4) of the 1990 Act which provides that a development order in relation to Wales means a development order made by the Welsh Ministers.
- (3) Section 61Z was inserted by section 17(1) and (2) of the 2015 Act. Section 62R was inserted by section 25 of the 2015 Act. Section 333(4B) was inserted by section 55 of, and paragraph 6(1) and (3) of Schedule 7 to the 2015 Act.

Enwi a chychwyn

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Gweithdrefn Ddatblygu (Ymgynghoreion) (Cymru) (Diwygiadau Amrywiol) (Diwygio) 2021.

(2) Daw'r Gorchymyn hwn i rym ar 25 Tachwedd 2021.

Diwygio Gorchymyn Gweithdrefn Ddatblygu (Ymgynghoreion) (Cymru) (Diwygiadau Amrywiol) 2021

2.—(1) Mae Gorchymyn Gweithdrefn Ddatblygu (Ymgynghoreion) (Cymru) (Diwygiadau Amrywiol) 2021(1) wedi ei ddiwygio fel a ganlyn.

(2) Yn lle erthygl 1(2)(a) rhodder—

“(a) daw'r erthygl hon ac erthyglau 2(1) a 3(1) i rym ar 1 Rhagfyr 2021;”

(3) Hepgorer y canlynol—

- (a) erthygl 2(2)(a);
- (b) erthygl 2(3)(b);
- (c) erthygl 3(2)(a); ac
- (d) erthygl 3(3).

Title and commencement

1.—(1) The title of this Order is the Development Procedure (Consultees) (Wales) (Miscellaneous Amendments) (Amendment) Order 2021.

(2) This Order comes into force on 25 November 2021.

Amendment of the Development Procedure (Consultees) (Wales) (Miscellaneous Amendments) Order 2021

2.—(1) The Development Procedure (Consultees) (Wales) (Miscellaneous Amendments) Order 2021(1) is amended as follows.

(2) For article 1(2)(a) substitute—

“(a) this article and articles 2(1) and 3(1) come into force on 1 December 2021;”

(3) Omit the following—

- (a) article 2(2)(a);
- (b) article 2(3)(b);
- (c) article 3(2)(a); and
- (d) article 3(3).

Julie James

Y Gweinidog Newid Hinsawdd, un o Weinidogion
Cymru
22 Tachwedd 2021

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Minister for Climate Change, one of the Welsh
Ministers
22 November 2021

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