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OFFERYNNAU STATUDOL CYMRU

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**2021 Rhif 360 (Cy. 109)**

**CYNLLUNIO GWLAD A THREF, CYMRU**

Rheoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Strategol)  
(Cymru) 2021

<i>Gwnaed</i>	<i>18 Mawrth 2021</i>
<i>Gosodwyd gerbron Senedd Cymru</i>	<i>22 Mawrth 2021</i>
<i>Yn dod i rym</i>	<i>28 Chwefror 2022</i>

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WELSH STATUTORY INSTRUMENTS

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**2021 No. 360 (W. 109)**

**TOWN AND COUNTRY PLANNING, WALES**

The Town and Country Planning (Strategic Development Plan)  
(Wales) Regulations 2021

<i>Made</i>	<i>18 March 2021</i>
<i>Laid before Senedd Cymru</i>	<i>22 March 2021</i>
<i>Coming into force</i>	<i>28 February 2022</i>

£11.50





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CYMRU

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INSTRUMENTS

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Rheoliadau Cynllunio Gwlad a  
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(Wales) Regulations 2021

**NODYN ESBONIADOL**

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

Mae adran 60M(1) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 yn ei gwneud yn ofynnol i gyd-bwyllgor corfforedig, y mae Rhan 6 o'r Ddeddf honno yn gymwys iddo yn rhinwedd rheoliadau a wnaed o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021, lunio cynllun datblygu strategol ("CDS") ar gyfer ei ardal.

Mae'r Rheoliadau hyn yn gwneud darpariaeth ar gyfer llunio a diwygio CDS ac ar gyfer materion cysylltiedig.

Mae Rhan 1 yn ymdrin â materion cyffredinol, gan gynnwys cymhwyso'r Rheoliadau hyn, dehongli ymadroddion amrywiol a defnyddio cyfathrebiadau electronig.

Mae Rhan 2 yn ymdrin â llunio a diwygio CDS, ac yn gwneud darpariaeth mewn cysylltiad â materion gan gynnwys—

- darparu dogfennaeth a dynodi'r cyrff ymgynghori (Pennod 1),
- y cytundeb cyflawni (Pennod 2),
- ffurf a chynnwys CDS a materion cysylltiedig (Pennod 3),
- y weithdrefn cyn adneuo, sy'n ymwneud â llunio cynigion mewn cysylltiad ag CDS ac ymgynghori ac ymgysylltu mewn cysylltiad â'r cynigion hynny (Pennod 4),

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Section 60M(1) of the Planning and Compulsory Purchase Act 2004 requires a corporate joint committee, to which Part 6 of that Act applies by virtue of regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021, to prepare a strategic development plan ("SDP") for its area.

These Regulations make provision for the preparation and revision of an SDP and associated matters.

Part 1 deals with general matters, including the application of these Regulations, the interpretation of various expressions and the use of electronic communications.

Part 2 deals with the preparation and revision of an SDP, and makes provision in respect of matters including the—

- provision of documentation and the identification of consultation bodies (Chapter 1),
- delivery agreement (Chapter 2),
- form and content of an SDP and associated matters (Chapter 3),
- pre-deposit procedure, which involves the formulation of proposals in respect of an SDP and consultation and engagement in respect of those proposals (Chapter 4),

- y weithdrefn adneuo, y mae rhaid i'r cyd-bwyllgor corfforedig adneuo ei gynigion ar gyfer CDS yn unol â hi at ddiben ymgynghori pellach (Pennod 5),
  - yr archwiliad annibynnol o'r CDS gan berson a benodwyd gan Weinidogion Cymru (Pennod 6),
  - pwerau Gweinidogion Cymru i ymyrryd (Pennod 7),
  - tynnu CDS yn ôl (Pennod 8), a
  - mabwysiadu CDS gan y cyd-bwyllgor corfforedig a'i gymeradwyo gan Weinidogion Cymru (Pennod 9).
- deposit procedure, in accordance with which the corporate joint committee must deposit its proposals for an SDP for the purpose of further consultation (Chapter 5),
  - independent examination of the SDP by a person appointed by the Welsh Ministers (Chapter 6),
  - Welsh Ministers' powers of intervention (Chapter 7),
  - withdrawal of an SDP (Chapter 8), and
  - adoption of an SDP by the corporate joint committee and approval by the Welsh Ministers (Chapter 9).

Mae Rhan 3 yn ymdrin â'r camau y mae rhaid eu cymryd ar ôl i CDS gael ei ddirymu.

Part 3 deals with the steps that must be taken following revocation of an SDP.

Mae Rhan 4 yn gwneud darpariaeth ar gyfer adolygu CDS bob chwe mlynedd.

Part 4 makes provision for the review of an SDP every six years.

Mae Rhan 5 yn ymdrin â chynnwys adroddiad monitro blynyddol a'i gyhoeddi.

Part 5 deals with the content and publication of an annual monitoring report.

Mae Rhan 6 yn darparu ar gyfer gofynion o ran argaeledd dogfennau.

Part 6 provides for requirements as to the availability of documents.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ni luniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has not been prepared as to the likely cost and benefit of complying with these Regulations.

**2021 Rhif 360 (Cy. 109)**

**2021 No. 360 (W. 109)**

**CYNLLUNIO GWLAD A  
THREF, CYMRU**

**TOWN AND COUNTRY  
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Rheoliadau Cynllunio Gwlad a  
Thref (Cynllun Datblygu Strategol)  
(Cymru) 2021

The Town and Country Planning  
(Strategic Development Plan)  
(Wales) Regulations 2021

*Gwnaed* 18 Mawrth 2021

*Made* 18 March 2021

*Gosodwyd* gerbron *Senedd*  
*Cymru* 22 Mawrth 2021

*Laid before* *Senedd Cymru* 22 March 2021

*Yn dod i rym* 28 Chwefror 2022

*Coming into force* 28 February 2022

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Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 60M(5) a (6)(f), 66A(6)(b), (8) a (9), 69(1)(b) a (3), 76(2) a (3) a 122(3) o Ddeddf Cynllunio a Phrynu Gorfodol 2004(1) a thrwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adrannau 63(3)(a) a (7), 64(3) a 77(1) o'r Ddeddf honno, ac sy'n arferadwy bellach ganddynt hwy (fel y'u cymhwysir yn achos adrannau 63(3)(a) a (7), 64(3), 66A(6)(b), (8) a (9), 69(1)(b) a (3), 76(2) a (3), 77(1) a 122(3) gan adran 60N o'r Ddeddf honno), yn gwneud y Rheoliadau a ganlyn.

## RHAN 1

### Cyffredinol

#### Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Strategol) (Cymru) 2021 a deuant i rym ar 28 Chwefror 2022.

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

(3) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â diwygio CDS o dan adran 70(1) o Ddeddf 2004 yn yr un modd ag y maent yn gymwys mewn perthynas â llunio CDS o dan adran 60M(1) o'r Ddeddf honno.

#### Dehongli

2.—(1) Yn y Rheoliadau hyn—

ystyr “ACLI” (“LPA”) yw awdurdod cynllunio lleol fel y'i dehonglir yn unol â Rhan 1 o Ddeddf 1990;

mae “adeilad” (“*building*”) yn cynnwys unrhyw strwythur neu adeiladwaith (gan gynnwys unrhyw estyniad, addasiad neu ailadeiladwaith), ac unrhyw ran o adeilad, fel y'i diffinnir yn y modd hwnnw, ond nid yw'n cynnwys cyfarpar neu beiriannau a gynhwysir mewn adeilad;

ystyr “adroddiad adolygu” (“*review report*”) yw'r adroddiad sy'n ofynnol gan adran 69(2) o Ddeddf

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(1) 2004 p. 5. O ran y pŵer i ragnodi drwy reoliadau, gweler adran 122(1) a (2). Rhoddwyd “Welsh Ministers” yn lle “National Assembly for Wales” yn adran 122(1)(b) gan adran 55(2) o Ddeddf Cynllunio (Cymru) 2015 (decc 4) (“Deddf 2015”), a pharagraff 1(2) o Atodlen 7 iddi. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru yn adrannau 63, 64, 69, 76, 77 a 122 o Ddeddf 2004 i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30 o Atodlen 11 iddi, ac yr oedd y swyddogaethau hynny yn swyddogaethau perthnasol y Cynulliad fel y'u diffinnir ym mharagraff 30(2). Mewnosodwyd adrannau 60M a 60N gan adran 88 o Ddeddf 2021, a pharagraff 4 o Atodlen 9 iddi. Mewnosodwyd adran 66A gan adran 13 o Ddeddf 2015. Mewnosodwyd adran 68A gan adran 8(1) o Ddeddf 2015. Diwygiwyd adran 69(1) gan adran 8(2) o Ddeddf 2015.

The Welsh Ministers, in exercise of the powers conferred upon them by sections 60M(5) and (6)(f), 66A(6)(b), (8) and (9), 69(1)(b) and (3), 76(2) and (3) and 122(3) of the Planning and Compulsory Purchase Act 2004(1) and in exercise of the powers conferred on the National Assembly for Wales by sections 63(3)(a) and (7), 64(3) and 77(1) of that Act, now exercisable by them (as applied in the case of sections 63(3)(a) and (7), 64(3), 66A(6)(b), (8) and (9), 69(1)(b) and (3), 76(2) and (3), 77(1) and 122(3) by section 60N of that Act), make the following Regulations.

## PART 1

### General

#### Title, commencement and application

1.—(1) The title of these Regulations is the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 and they come into force on 28 February 2022.

(2) These Regulations apply in relation to Wales.

(3) These Regulations apply in relation to the revision of an SDP under section 70(1) of the 2004 Act as they do in relation to the preparation of an SDP under section 60M(1) of that Act.

#### Interpretation

2.—(1) In these Regulations—

“1990 Act” (“*Deddf 1990*”) means the Town and Country Planning Act 1990(2);

“2004 Act” (“*Deddf 2004*”) means the Planning and Compulsory Purchase Act 2004;

“2021 Act” (“*Deddf 2021*”) means the Local Government and Elections (Wales) Act 2021(3);

“address” (“*cyfeiriad*”) in relation to electronic communications, means any number or address used for the purposes of such communications;

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(1) 2004 c. 5. As to the power to prescribe by regulations, see section 122(1) and (2). “Welsh Ministers” was substituted for “National Assembly for Wales” in section 122(1)(b) by section 55(2) of, and paragraph 1(2) of Schedule 7 to, the Planning (Wales) Act 2015 (anaw 4) (“the 2015 Act”). The functions of the National Assembly for Wales in sections 63, 64, 69, 76, 77 and 122 of the 2004 Act were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), the functions being relevant Assembly functions as defined in paragraph 30(2). Sections 60M and 60N were inserted by section 88 of, and paragraph 4 of Schedule 9 to, the 2021 Act. Section 66A was inserted by section 13 of the 2015 Act. Section 68A was inserted by section 8(1) of the 2015 Act. Section 69(1) was amended by section 8(2) of the 2015 Act.

(2) 1990 c. 8.

(3) 2021 asc 1.



2004 yn dilyn cynnal adolygiad o dan adran 69(1) o'r Ddeddf honno;

ystyr "adroddiad arfarnu cynaliadwyedd" ("*sustainability appraisal report*") yw'r adroddiad y cyfeirir ato yn adran 60M(7)(b) o Ddeddf 2004, ynghyd ag unrhyw adroddiad amgylcheddol sy'n ofynnol o dan ddarpariaethau Rheoliadau Aseidiadau Amgylcheddol o Gynlluniau a Rhaglenni (Cymru) 2004(1);

ystyr "adroddiad monitro blynyddol" ("*annual monitoring report*") yw'r adroddiad blynyddol sy'n ofynnol gan adran 76(1) o Ddeddf 2004;

mae i "adroddiad ymgynghori cychwynnol" ("*initial consultation report*") yr ystyr a roddir gan reoliad 20(a);

ystyr "amserlen" ("*timetable*") yw'r amserlen y cyfeirir ati yn adran 63(1)(b) o Ddeddf 2004;

ystyr "arolygu" ("*inspection*") yw arolygu gan y cyhoedd;

ystyr "CBC" ("*CJC*") yw'r cyd-bwyllgor corfforedig, o fewn ystyr adran 74 o Ddeddf 2021, ac y mae Rhan 6 o Ddeddf 2004 yn gymwys iddo yn rhinwedd rheoliadau a wnaed o dan Ran 5 o Ddeddf 2021, sy'n llunio CDS;

ystyr "CDS" ("*SDP*") yw cynllun datblygu strategol fel y darperir ar ei gyfer yn adran 60M o Ddeddf 2004;

mae i "cofrestr y lleoliadau a'r safleoedd strategol ymgeisiol" ("*candidate strategic locations and sites register*") yr ystyr a roddir yn rheoliad 16(1)(d);

mae i "cyfathrebiad electronig" yr ystyr a roddir i "electronic communication" gan adran 15(1) o Ddeddf Cyfathrebiadau Electronig 2000(2);

ystyr "cyfeiriad" ("*address*"), o ran cyfathrebiadau electronig, yw unrhyw rif neu gyfeiriad a ddefnyddir at ddibenion cyfathrebiadau o'r fath;

mae i "cynllun cynnwys cymunedau" yr ystyr a roddir i "community involvement scheme" yn adran 63(2) o Ddeddf 2004;

mae i "cyrff ymgynghori cyffredinol" ("*general consultation bodies*") yr ystyr a roddir yn rheoliad 5;

"annual monitoring report" ("*adroddiad monitro blynyddol*") means the annual report required by section 76(1) of the 2004 Act;

"appointed person" ("*person a benodwyd*") means a person appointed by the Welsh Ministers under section 64(4) of the 2004 Act;

"building" ("*adeilad*") includes any structure or erection (including any extension, alteration or re-erection), and any part of a building, as so defined, but does not include plant or machinery comprised in a building;

"candidate strategic locations and sites register" ("*cofrestr y lleoliadau a'r safleoedd strategol ymgeisiol*") has the meaning given in regulation 16(1)(d);

"CJC" ("*CBC*") means the corporate joint committee, within the meaning of section 74 of the 2021 Act, and to which Part 6 of the 2004 Act applies by virtue of regulations made under Part 5 of the 2021 Act, which is preparing an SDP;

"community involvement scheme" ("*cynllun cynnwys cymunedau*") has the meaning given in section 63(2) of the 2004 Act;

"delivery agreement" ("*cytundeb cyflawni*") means the agreement consisting of those items described in regulation 11(1);

"development" ("*datblygu*") has the meaning given in section 55(1) of the 1990 Act(1);

"electronic communication" ("*cyfathrebiad electronig*") has the meaning given by section 15(1) of the Electronic Communications Act 2000(2);

"general consultation bodies" ("*cyrff ymgynghori cyffredinol*") has the meaning given in regulation 5;

"initial consultation report" ("*adroddiad ymgynghori cychwynnol*") has the meaning given by regulation 20(a);

"inspection" ("*arolygu*") means inspection by the public;

"land" ("*tir*") means any corporeal hereditament and includes a building;

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(1) O.S. 2004/1656 (Cy. 170), a ddiwygiwyd gan O.S. 2011/1043, O.S. 2013/755 (Cy. 90), O.S. 2018/1216 (Cy. 249) ac O.S. 2019/245 (Cy. 60).

(2) 2000 p. 7; diwygiwyd adran 15(1) gan adran 406(1) o Ddeddf Cyfathrebiadau 2003 (p. 21), a pharagraff 158 o Atodlen 17 iddi.

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(1) Section 55 was amended by sections 13(1) and (2) and 14 of the Planning and Compensation Act 1991 (c. 34), and paragraph 9 of Schedule 6 to, and Parts 1 and 2 of Schedule 19 to that Act; and by sections 118(1) and 120 of the 2004 Act, and paragraphs 1 and 2 of Schedule 6, and Schedule 9 to, that Act. There are other amendments to section 55 not relevant to this instrument.

(2) 2000 c. 7; section 15(1) was amended by section 406(1) of, and paragraph 158 of Schedule 17 to, the Communications Act 2003 (c. 21).

mae i “cyrff ymgynghori penodol” (“*specific consultation bodies*”) yr ystyr a roddir yn rheoliad 6;

ystyr “cytundeb cyflawni” (“*delivery agreement*”) yw’r cytundeb sy’n cynnwys yr eitemau hynny a ddisgrifir yn rheoliad 11(1);

mae i “datblygu” yr ystyr a roddir i “development” yn adran 55(1) o Ddeddf 1990(1);

mae i “datganiad o faterion adneuo” (“*statement of deposit matters*”) yr ystyr a roddir gan reoliad 20(c);

mae i “datganiad o faterion cyn-adneuo” (“*statement of pre-deposit matters*”) yr ystyr a roddir gan reoliad 18(1);

ystyr “Deddf 1990” (“*1990 Act*”) yw Deddf Cynllunio Gwlad a Thref 1990(2);

ystyr “Deddf 2004” (“*2004 Act*”) yw Deddf Cynllunio a Phrynu Gorfodol 2004;

ystyr “Deddf 2021” (“*2021 Act*”) yw Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(3);

mae i “dogfennau cynigion yr CDS” (“*SDP proposals documents*”) yr ystyr ar roddir gan reoliad 20(b);

mae i “dogfennau cynigion cyn-adneuo” (“*pre-deposit proposals documents*”) yr ystyr a roddir gan reoliad 17;

ystyr “gweithdrefn yr CDS” (“*SDP procedure*”) yw’r weithdrefn y darperir ar ei chyfer yn Rhan 6 o Ddeddf 2004 ac yn y Rheoliadau hyn;

ystyr “person a benodwyd” (“*appointed person*”) yw person a benodwyd gan Weinidogion Cymru o dan adran 64(4) o Ddeddf 2004;

ystyr “tir” (“*land*”) yw unrhyw hereditament corfforol ac mae’n cynnwys adeilad.

(2) Yn y Rheoliadau hyn, mae cyfeiriad at—

- (a) unrhyw ddarpariaeth yn Neddf 2004, ac eithrio at unrhyw ddarpariaeth yn adran 60M o’r Ddeddf honno, yn gyfeiriad at y ddarpariaeth o dan sylw fel y mae’n gymwys yn rhinwedd adran 60N o’r Ddeddf honno;
- (b) ardal yr CBC yn gyfeiriad at yr ardal y mae’r CBC yn arfer swyddogaethau mewn perthynas â hi yn rhinwedd rheoliadau a wnaed o dan adran 74 o Ddeddf 2021.

“LPA” (“*ACL*”) means a local planning authority as construed in accordance with Part 1 of the 1990 Act;

“pre-deposit proposals documents” (“*dogfennau cynigion cyn adneuo*”) has the meaning given by regulation 17;

“review report” (“*adroddiad adolygu*”) means the report required by section 69(2) of the 2004 Act following the carrying out of a review under section 69(1) of that Act;

“SDP” (“*CDS*”) means a strategic development plan as provided for in section 60M of the 2004 Act;

“SDP procedure” (“*gweithdrefn yr CDS*”) means the procedure provided for in Part 6 of the 2004 Act and these Regulations;

“SDP proposals documents” (“*dogfennau cynigion yr CDS*”) has the meaning given by regulation 20(b);

“specific consultation bodies” (“*cyrff ymgynghori penodol*”) has the meaning given in regulation 6;

“statement of deposit matters” (“*datganiad o faterion adneuo*”) has the meaning given by regulation 20(c);

“statement of pre-deposit matters” (“*datganiad o faterion cyn-adneuo*”) has the meaning given by regulation 18(1);

“sustainability appraisal report” (“*adroddiad arfarnu cynaliadwyedd*”) means the report referred to in section 60M(7)(b) of the 2004 Act, together with any environmental report required under the provisions of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004(1);

“timetable” (“*amserlen*”) means the timetable referred to in section 63(1)(b) of the 2004 Act.

(2) In these Regulations, a reference to—

- (a) any provision of the 2004 Act, except to any provision in section 60M of that Act, is a reference to the provision in question as it applies by virtue of section 60N of that Act;
- (b) the CJC’s area is a reference to the area in relation to which the CJC exercises functions by virtue of regulations made under section 74 of the 2021 Act.

(1) Diwygiwyd adran 55 gan adrannau 13(1) a (2) a 14 o Ddeddf Cynllunio a Digolledu 1991 (p. 34), a pharagraff 9 o Atodlen 6, a Rhannau 1 a 2 o Atodlen 19 i’r Ddeddf honno; a chan adrannau 118(1) a 120 o Ddeddf 2004, a pharagraffau 1 a 2 o Atodlen 6, ac Atodlen 9 i’r Ddeddf honno. Mae diwygiadau eraill i adran 55 nad ydynt yn berthnasol i’r offeryn hwn.

(2) 1990 p. 8.  
(3) 2021 dsc 1.

(1) S.I. 2004/1656 (W. 170), amended by S.I. 2011/1043, S.I. 2013/755 (W. 90), S.I. 2018/1216 (W. 249) and S.I. 2019/245 (W. 60).

## Cyfathrebiadau electronig

- 3.—(1) Mae paragraff (2) yn gymwys—
- (a) pan fo'n ofynnol i berson —
    - (i) anfon dogfen, copi o ddogfen neu unrhyw hysbysiad at berson arall, neu
    - (ii) rhoi gwybod i berson arall am unrhyw fater, a
  - (b) pan fo'r person arall hwnnw wedi darparu cyfeiriad at ddibenion cyfathrebiadau electronig.

(2) Pan fo'r paragraff hwn yn gymwys, caniateir anfon y ddogfen, y copi neu'r hysbysiad neu roi'r wybodaeth ar ffurf cyfathrebiad electronig.

(3) Pan gaiff person roi ymateb neu gyflwyno sylwadau ar unrhyw fater neu ddogfen, caniateir rhoi'r ymatebion hynny neu gyflwyno'r sylwadau hynny ar ffurf cyfathrebiad electronig.

- (4) Pan fo—
- (a) cyfathrebiad electronig yn cael ei ddefnyddio o dan baragraff (2) neu (3), a
  - (b) y derbynnydd yn cael y cyfathrebiad y tu allan i oriau swyddfa arferol y person hwnnw,

cymerir bod y derbynnydd wedi ei gael ar y diwrnod gwaith nesaf.

## RHAN 2

### Gweithdrefn yr CDS: ei lunio

#### Pennod 1

##### Cyffredinol a rhagarweiniol

### Y dogfennau sydd i'w darparu i Weinidogion Cymru

4. Rhaid i'r CBC ddarparu i Weinidogion Cymru gopi o bob hysbysiad a phob datganiad a gyhoeddwyd gan yr CBC yn unol â'r Rheoliadau hyn cyn gynted ag y bo'n ymarferol ar ôl i'r hysbysiad neu'r datganiad o dan sylw gael ei gyhoeddi gyntaf, ynghyd â chopi o bob dogfen a roddwyd ar gael i'w harolygu yn unol â'r Rheoliadau hyn.

### Cyrff ymgynghori cyffredinol

5. Yn y Rheoliadau hyn, ystyr "cyrff ymgynghori cyffredinol" yw—

- (a) cyrff gwirfoddol, y mae rhai o'u gweithgareddau neu'r cyfan ohonynt yn fuddiol i unrhyw ran o ardal yr CBC,

## Electronic communications

- 3.—(1) Paragraph (2) applies where—
- (a) a person is required to—
    - (i) send a document, a copy of a document or any notice to another person, or
    - (ii) notify another person of any matter, and
  - (b) that other person has provided an address for the purposes of electronic communications.

(2) Where this paragraph applies, the document, copy, notice or notification may be sent or made by way of electronic communication.

(3) Where a person may give a response or make representations on any matter or document, those responses or representations may be given or made by way of electronic communication.

- (4) Where—
- (a) an electronic communication is used under paragraph (2) or (3), and
  - (b) the communication is received by the recipient outside that person's normal office hours,

it is taken to have been received on the next working day.

## PART 2

### SDP Procedure: preparation

#### Chapter 1

##### General and preliminary

### Documents to be supplied to the Welsh Ministers

4. The CJC must supply the Welsh Ministers with a copy of every notice and statement published by the CJC in accordance with these Regulations as soon as practicable after the notice or statement in question is first published, together with a copy of every document made available for inspection in accordance with these Regulations.

### General consultation bodies

5. In these Regulations, "general consultation bodies" means—

- (a) voluntary bodies, some or all of whose activities benefit any part of the CJC's area,

- (b) cyrff sy'n cynrychioli buddiannau gwahanol grwpiau hiliol, ethnig neu genedlaethol mewn unrhyw ran o ardal yr CBC,
  - (c) cyrff sy'n cynrychioli buddiannau gwahanol grwpiau crefyddol mewn unrhyw ran o ardal yr CBC,
  - (d) cyrff sy'n cynrychioli buddiannau pobl anabl, o fewn ystyr adran 6 o Ddeddf Cydraddoldeb 2010(1), mewn unrhyw ran o ardal yr CBC,
  - (e) cyrff sy'n cynrychioli buddiannau personau sy'n rhedeg busnesau mewn unrhyw ran o ardal yr CBC, ac
  - (f) cyrff sy'n cynrychioli buddiannau'r diwylliant Cymreig mewn unrhyw ran o ardal yr CBC.
- (b) bodies which represent the interests of different racial, ethnic or national groups in any part of the CJC's area,
  - (c) bodies which represent the interests of different religious groups in any part of the CJC's area,
  - (d) bodies which represent the interests of disabled persons, within the meaning of section 6 of the Equality Act 2010(1), in any part of the CJC's area,
  - (e) bodies which represent the interests of persons carrying on business in any part of the CJC's area, and
  - (f) bodies which represent the interests of Welsh culture in any part of the CJC's area.

### Cyrff ymgynghori penodol

6. Yn y Rheoliadau hyn, ystyr “cyrff ymgynghori penodol” yw—

- (a) Cyfoeth Naturiol Cymru;
- (b) Gweinidogion Cymru;
- (c) unrhyw ACLI yng Nghymru y mae ei ardal, neu unrhyw ran o'i ardal, yn ardal yr CBC neu'n cydffinio â hi;
- (d) unrhyw gyngor cymuned yng Nghymru y mae ei ardal, neu unrhyw ran o'i ardal, yn ardal yr CBC neu'n cydffinio â hi;
- (e) unrhyw gyd-bwyllgor corfforedig arall o fewn ystyr adran 68 o Ddeddf 2021 sydd, yn rhinwedd rheoliadau a wnaed o dan adran 72 neu 74 o Ddeddf 2021, yn arfer swyddogaethau mewn perthynas ag ardal sy'n cydffinio ag ardal yr CBC;
- (f) unrhyw berson—
  - (i) y mae'r cod cyfathrebiadau electronig, fel y diffinnir “the electronic communications code” yn adran 106(1) o Ddeddf Cyfathrebiadau 2003(2) yn gymwys iddo yn rhinwedd cyfarwyddyd a roddir o dan adran 106(3)(a) o'r Ddeddf honno, a
  - (ii) sy'n meddu ar gyfarpar cyfathrebu electronig, o fewn ystyr “electronic communications apparatus” ym mharagraff 5 o'r cod cyfathrebiadau electronig, sydd wedi ei leoli mewn unrhyw ran o ardal yr CBC, neu'n rheoli cyfarpar o'r fath (pan fo'n wybyddus);

### Specific consultation bodies

6. In these Regulations, “specific consultation bodies” means—

- (a) Natural Resources Wales;
- (b) the Welsh Ministers;
- (c) any LPA in Wales whose area, or any part of its area, is in or adjoins the CJC's area;
- (d) any community council in Wales whose area, or any part of its area, is in or adjoins the CJC's area;
- (e) any other corporate joint committee within the meaning of section 68 of the 2021 Act, that by virtue of regulations made under section 72 or 74 of the 2021 Act, exercises functions in relation to an area adjoining the CJC's area;
- (f) any person—
  - (i) to whom the electronic communications code, as defined in section 106(1) of the Communications Act 2003(2), applies by virtue of a direction given under section 106(3)(a) of that Act, and
  - (ii) who owns or controls electronic communications apparatus, within the meaning of paragraph 5 of the electronic communications code, which is situated in any part of the CJC's area (where known);

(1) 2010 p. 15.

(2) 2003 p. 21. Diwygiwyd adran 106(1) gan adran 4(3) a (4) o Ddeddf yr Economi Ddigidol 2017 (p. 30).

(1) 2010 c. 15.

(2) 2003 c. 21. Section 106(1) was amended by section 4(3) and (4) of the Digital Economy Act 2017 (c. 30).

- (g) os yw'n arfer swyddogaethau mewn unrhyw ran o ardal yr CBC—
- (i) bwrdd iechyd lleol a sefydlwyd o dan adran 11(1) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1), neu y mae ei sefydlu yn cael effaith fel pe bai wedi ei sefydlu o dan yr adran honno;
  - (ii) person y mae trwydded wedi ei rhoi iddo o dan adran 6(1)(b) neu (c) o Ddeddf Trydan 1989(2);
  - (iii) person y mae trwydded wedi ei rhoi iddo o dan adran 7(2) o Ddeddf Nwy 1986(3);
  - (iv) ymgymwrwr carthffosiaeth a benodwyd o dan adran 6(1) o Ddeddf y Diwydiant Dŵr 1991(4);
  - (v) ymgymwrwr dŵr a benodwyd o dan yr adran honno.

## Pennod 2

### Cytundeb cyflawni

#### Llunio cynllun cynnwys cymunedau

7. Y personau y mae rhaid i'r CBC ymgysylltu â hwy wrth lunio cynllun cynnwys cymunedau yw'r cyrff ymgynghori cyffredinol hynny y mae'n ymddangos i'r CBC fod ganddynt fuddiant mewn materion sy'n ymwneud â datblygu yn ardal yr CBC.

#### Cynnwys cynllun cynnwys cymunedau

8. Rhaid i gynllun cynnwys cymunedau gynnwys y canlynol—

- (a) rhestr o'r holl gyrff ymgynghori cyffredinol a'r holl gyrff ymgynghori penodol hynny sydd i'w cynnwys wrth i swyddogaethau'r CBC gael eu harfer o dan Ran 6 o Ddeddf 2004;
- (b) egwyddorion y polisi sydd i'w fabwysiadu gan yr CBC at ddiben ceisio cynnwys cyrff ymgynghori cyffredinol, cyrff ymgynghori

- (g) if it exercises functions in any part of the CJC's area—
- (i) a local health board established under, or whose establishment has effect as if under, section 11(1) of the National Health Service (Wales) Act 2006(1);
  - (ii) a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989(2);
  - (iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986(3);
  - (iv) a sewerage undertaker appointed under section 6(1) of the Water Industry Act 1991(4);
  - (v) a water undertaker appointed under that section.

## Chapter 2

### Delivery agreement

#### Community involvement scheme preparation

7. The persons the CJC must engage in the preparation of a community involvement scheme are those general consultation bodies which appear to the CJC as having an interest in matters relating to development in the CJC's area.

#### Content of community involvement scheme

8. A community involvement scheme must include the following—

- (a) a list of all those general consultation bodies and specific consultation bodies to be involved in the exercise of the CJC's functions under Part 6 of the 2004 Act;
- (b) the principles of the policy to be adopted by the CJC for the purpose of seeking the involvement of general consultation bodies,

(1) 2006 p. 42. Gweler paragraff 1 yn Rhan 1 o Atodlen 2 i Ddeddf y Gwasanaeth Iechyd Gwladol (Ddarpariaethau Canlyniadol) 2006 (p. 43) ar gyfer y ddarpariaeth drosiannol a'r ddarpariaeth arbed berthnasol. Gweler hefyd O.S. 2003/148 (Cy. 18), O.S. 2009/778 (Cy. 66), O.S. 2013/2918 (Cy. 286) ac O.S. 2019/349 (Cy. 83).

(2) 1989 p. 29. Amnewidiwyd adran 6 fel y'i deddfwyd yn wreiddiol gan adran 30 o Ddeddf Cyfleustodau 2000 (p. 27), amnewidiwyd is-adran (1)(b) gan adran 136(1) o Ddeddf Ynni 2004 (p. 20) a diwygiwyd is-adran (1)(c) gan adran 197(9) o'r Ddeddf honno a Rhan 1 o Atodlen 23 iddi.

(3) 1986 p. 44. Mae diwygiadau i adran 7(2) nad ydynt yn berthnasol i'r offeryn hwn.

(4) 1991 p. 56, y mae iddi ddiwygiadau nad ydynt yn berthnasol i'r offeryn hwn.

(1) 2006 c. 42. See paragraph 1 in Part 1 of Schedule 2 to the National Health Service (Consequential Provisions) Act 2006 (c. 43) for relevant transitional and saving provision. See also S.I. 2003/148 (W. 18), S.I. 2009/778 (W. 66), S.I. 2013/2918 (W. 286) and S.I. 2019/349 (W 83).

(2) 1989 c. 29. Section 6 as originally enacted was substituted by section 30 of the Utilities Act 2000 (c. 27), subsection (1)(b) was substituted by section 136(1) of the Energy Act 2004 (c. 20) and subsection (1)(c) was amended by section 197(9) of, and Part 1 of Schedule 23 to, that Act.

(3) 1986 c. 44. There are amendments to section 7(2) which are not relevant to this instrument.

(4) 1991 c. 56, to which there are amendments not relevant to this instrument.

penodol ac unrhyw berson o fewn adran 63(3)(b) o Ddeddf 2004 wrth arfer swyddogaethau'r CBC o dan Ran 6 o'r Ddeddf honno;

- (c) manylion yr amseriad a'r dull a ddefnyddir—
  - (i) er mwyn ceisio cynnwys cymunedau ac ym mha gam arfaethedig o weithdrefn yr CDS y gwneir hynny, a
  - (ii) gan yr CBC er mwyn ymateb i'r materion a godir;
- (d) manylion ynghylch sut y bydd yr CBC yn defnyddio'r ymatebion a'r sylwadau y mae'n eu cael, ac ym mha gam arfaethedig, wrth ddatblygu cynnwys ei CDS.

### **Llunio'r amserlen**

9. Y personau y mae rhaid i'r CBC ymgynghori â hwy wrth lunio'r amserlen yw'r cyrff ymgynghori penodol.

### **Cynnwys yr amserlen**

10. Rhaid i'r amserlen gynnwys pob dyddiad allweddol, gan gynnwys—

- (a) dyddiad pendant ar gyfer pob cam arfaethedig o weithdrefn yr CDS hyd at a chan gynnwys y cam sy'n ei gwneud yn ofynnol cyflwyno'r CDS i Weinidogion Cymru ar gyfer archwiliad annibynnol o dan adran 64(1) o Ddeddf 2004,
- (b) dyddiadau dangosol ar gyfer pob cam arfaethedig o weithdrefn yr CDS, ac eithrio'r rhai sy'n dod o fewn paragraff (a), hyd at a chan gynnwys y cam o fabwysiadu'r CDS o dan adran 67(3) o'r Ddeddf honno, ac
- (c) y rhai mewn cysylltiad â llunio a chyhoeddi—
  - (i) yr adroddiad arfarnu cynaliadwyedd, a
  - (ii) yr adroddiad monitro blynyddol.

### **Cytundeb cyflawni**

11.—(1) Mae cytundeb cyflawni yn cynnwys y cynllun cynnwys cymunedau a luniwyd yn unol â rheoliad 8 a'r amserlen a luniwyd yn unol â rheoliad 10.

(2) Rhaid i'r cytundeb cyflawni gael ei gymeradwyo drwy benderfyniad yr CBC ac yna cael ei gyflwyno i Weinidogion Cymru iddynt gytuno arno.

(3) Rhaid i Weinidogion Cymru ymateb o fewn y cyfnod o bedair wythnos sy'n dechrau â'r diwrnod y maent yn cael y cytundeb cyflawni.

specific consultation bodies and any person within section 63(3)(b) of the 2004 Act in the exercise of the CJC's functions under Part 6 of that Act;

- (c) details as to the timing of and the method by which—
  - (i) community involvement will be sought and at which planned stage of the SDP procedure, and
  - (ii) the CJC will respond to issues raised;
- (d) details of how the CJC will use responses and representations it receives, and at which planned stage, in developing the content of its SDP.

### **Timetable preparation**

9. The persons the CJC must consult in the preparation of the timetable are the specific consultation bodies.

### **Content of timetable**

10. The timetable must include all key dates, including—

- (a) a definitive date for each planned stage of the SDP procedure up to and including the stage requiring the submission of the SDP to the Welsh Ministers for independent examination under section 64(1) of the 2004 Act,
- (b) indicative dates for each planned stage of the SDP procedure, other than those falling within paragraph (a), up to and including the stage of adoption of the SDP under section 67(3) of that Act, and
- (c) those in respect of the preparation and publication of—
  - (i) the sustainability appraisal report, and
  - (ii) the annual monitoring report.

### **Delivery agreement**

11.—(1) A delivery agreement consists of the community involvement scheme prepared in accordance with regulation 8 and the timetable prepared in accordance with regulation 10.

(2) The delivery agreement must be approved by resolution of the CJC and then submitted to the Welsh Ministers for their agreement.

(3) The Welsh Ministers must respond within the period of four weeks beginning with the day on which they receive the delivery agreement.

(4) Os yw Gweinidogion Cymru yn methu ag ymateb o fewn y cyfnod hwnnw, bernir bod y cytundeb cyflawni wedi ei gytuno ar ddiwedd y cyfnod hwnnw, ond mae hyn yn ddarostyngedig i baragraffau (5) a (6).

(5) Caiff Gweinidogion Cymru hysbysu'r CBC yn ysgrifenedig bod arnynt angen hyd at 12 wythnos bellach, yn ychwanegol at yr amser ym mharagraff (3), i ystyried y cytundeb.

(6) Os yw Gweinidogion Cymru yn methu ag ymateb o fewn y cyfnod yr hysbysir yn ei gylch o dan baragraff (5), bernir bod y cytundeb cyflawni wedi ei gytuno ar ddiwedd y cyfnod hwnnw.

(7) Ni chaiff yr CBC gymryd unrhyw gamau o dan Bennod 4 hyd nes y bydd Gweinidogion Cymru wedi cytuno ar y cytundeb cyflawni, neu hyd nes y bernir bod y cytundeb cyflawni wedi ei gytuno.

(8) Rhaid i'r CBC adolygu'r cytundeb cyflawni yn rheolaidd a rhaid i unrhyw ddiwygiad gael ei gymeradwyo drwy benderfyniad yr CBC a'i gyflwyno i Weinidogion Cymru iddynt gytuno arno.

(9) Mae paragraffau (3) i (8) yn gymwys i unrhyw ddiwygiad i'r cytundeb cyflawni yn yr un modd ag y maent yn gymwys i lunio'r cytundeb.

(10) Rhaid i'r CBC, cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r cytundeb cyflawni neu ddiwygiad i'r cytundeb cyflawni gael ei gytuno, neu y bernir ei fod wedi ei gytuno, hysbysu—

- (a) y cyrff ymgynghori penodol, a
- (b) y cyrff ymgynghori cyffredinol hynny y mae'r CBC yn ystyried eu bod yn briodol.

(11) Nid oes angen i'r CBC gydymffurfio â gofyniad penodol yn ei gynllun cynnwys cymunedau os oes ganddo sail resymol dros gredu nad yw peidio â chydymffurfio yn debygol o ragfarnu cyfle unrhyw berson i fod yn rhan o arfer swyddogaethau'r CBC o dan Ran 6 o Ddeddf 2004.

### Argaeledd cytundeb cyflawni

**12.—**(1) Pan fo cytundeb cyflawni yn cael ei gytuno neu pan fernir ei fod wedi ei gytuno yn unol â rheoliad 11, rhaid i'r CBC—

- (a) rhoi copi o'r cytundeb ar gael i'w arolygu yn ei brif swyddfa yn ystod oriau swyddfa arferol, a
- (b) cyhoeddi'r cytundeb ar ei wefan.

(2) Pan fo diwygiad i gytundeb cyflawni yn cael ei gytuno neu pan fernir ei fod wedi ei gytuno yn unol â rheoliad 11, rhaid i'r CBC gydymffurfio â'r gofynion ym mharagraff (1) o fewn y cyfnod o ddwy wythnos sy'n dechrau â'r dyddiad pan fo diwygiad i'r cytundeb cyflawni'n cael ei gytuno neu pan fernir ei fod wedi ei gytuno.

(4) If the Welsh Ministers fail to respond within that period, the delivery agreement is deemed to have been agreed at the end of that period, but this is subject to paragraphs (5) and (6).

(5) The Welsh Ministers may notify the CJC in writing that they require up to a further 12 weeks, in addition to the time in paragraph (3), to consider the agreement.

(6) If the Welsh Ministers fail to respond within the period notified under paragraph (5), the delivery agreement is deemed to have been agreed at the end of that period.

(7) The CJC must not take any steps under Chapter 4 until the Welsh Ministers agree the delivery agreement, or the delivery agreement is deemed to have been agreed.

(8) The CJC must keep the delivery agreement under regular review and any revision must be approved by resolution of the CJC and submitted to the Welsh Ministers for their agreement.

(9) Paragraphs (3) to (8) apply to any revision of the delivery agreement as they do to the preparation of the agreement.

(10) The CJC must, as soon as reasonably practicable after the delivery agreement or a revision to the delivery agreement is agreed or deemed to be agreed, notify—

- (a) the specific consultation bodies, and
- (b) such of the general consultation bodies as the CJC considers appropriate.

(11) The CJC need not comply with a particular requirement of its community involvement scheme if it has reasonable grounds to believe that non-compliance is unlikely to prejudice any person's opportunity to be involved in the exercise of the CJC's functions under Part 6 of the 2004 Act.

### Availability of delivery agreement

**12.—**(1) Where a delivery agreement is agreed or deemed to have been agreed in accordance with regulation 11, the CJC must—

- (a) make a copy of the agreement available for inspection at its principal office during normal office hours, and
- (b) publish the agreement on its website.

(2) Where a revision to a delivery agreement is agreed or deemed to have been agreed in accordance with regulation 11(8), the CJC must comply with the requirements in paragraph (1) within the period of two weeks beginning with the date a revision to the delivery agreement is agreed or deemed to have been agreed.

**Ffurf a chynnwys**

13.—(1) Rhaid i CDS gynnwys—

- (a) teitl sydd—
  - (i) yn rhoi enw'r ardal y mae'r CDS yn cael ei lunio ar ei chyfer, a
  - (ii) yn pennu mai CDS ydyw;
- (b) is-deitl sy'n pennu—
  - (i) y dyddiad y'i mabwysiadwyd neu y'i cymeradwywyd a'r dyddiad y mae'r cyfnod y mae'n cael effaith mewn perthynas ag ef yn dod i ben, neu
  - (ii) pan fo'n CDS sydd wrthi'n ymddangos—
    - (aa) y cyfnod y bwriedir iddo gael effaith mewn perthynas ag ef,
    - (bb) y cam y mae wedi ei gyrraedd, ac
    - (cc) dyddiad ei gyhoeddi;
- (c) cyfiawnhad rhesymedig o'r polisiau sydd wedi eu cynnwys ynddo.

(2) Rhaid bod modd gwahaniaethu'n rhwydd rhwng y rhannau hynny o'r CDS sy'n cynnwys ei bolisiau fel sy'n ofynnol gan adran 60M(2)(b) o Ddeddf 2004 a'r rhannau hynny sy'n cynnwys y cyfiawnhad rhesymedig sy'n ofynnol gan baragraff (1)(c).

(3) Yn y rheoliad hwn, ystyr "CDS sydd wrthi'n ymddangos" yw dogfen a gynigir fel naill ai CDS neu ddiwygiad i CDS—

- (a) a roddir ar gael i'w harolygu ac sy'n cael ei chyhoeddi yn unol â rheoliad 18, 21 neu 23, a
- (b) nad yw wedi cael ei mabwysiadu gan yr CBC o dan adran 67(3) o Ddeddf 2004 nac wedi ei chymeradwyo gan Weinidogion Cymru o dan adran 65(9)(a) neu 71(4)(b) o'r Ddeddf honno.

**Map cynigion**

14.—(1) Rhaid i'r CDS gynnwys map o'r enw "map cynigion" o ardal yr CBC—

- (a) sydd—
  - (i) yn cael ei atgynhyrchu o fap a luniwyd gan yr Arolwg Ordnans, neu'n seiliedig ar fap o'r fath, neu
  - (ii) yn fap ar sail debyg gyda graddfa gofrestredig, a

**Form and content**

13.—(1) An SDP must contain—

- (a) a title which—
  - (i) gives the name of the area for which the SDP is prepared, and
  - (ii) specifies that it is an SDP;
- (b) a sub-title which specifies—
  - (i) the date of its adoption or approval and the expiry date of the period in relation to which it has effect, or
  - (ii) where it is an emerging SDP—
    - (aa) the period in relation to which it is proposed to have effect,
    - (bb) the stage reached, and
    - (cc) its date of publication;
- (c) a reasoned justification of the policies contained in it.

(2) Those parts of the SDP which comprise its policies as required by section 60M(2)(b) of the 2004 Act and those which comprise the reasoned justification required by paragraph (1)(c) must be readily distinguishable.

(3) In this regulation, an "emerging SDP" means a document proposed as either an SDP or a revision to an SDP which—

- (a) is made available for inspection and published pursuant to regulation 18, 21 or 23, and
- (b) has neither been adopted by the CJC under section 67(3) of the 2004 Act, nor approved by the Welsh Ministers under section 65(9)(a) or 71(4)(b) of that Act.

**Proposals map**

14.—(1) The SDP must contain a map to be known as "a proposals map" of the CJC's area which—

- (a) is—
  - (i) reproduced from, or based on, a map produced by Ordnance Survey, or
  - (ii) a map on a similar base with a registered scale, and



- (b) sy'n dangos—
- (i) polisiau sydd â goblygiadau gofodol ar gyfer datblygu tir yn yr ardal honno, a
  - (ii) llinellau a rhifau cyfeirnod y Grid Cenedlaethol.

(2) Caniateir i bolisiau ar gyfer unrhyw ran o ardal yr CBC gael eu darlunio ar fap ar wahân ar raddfa sy'n fwy nag ar gyfer map cynigion (“map mewnosod”).

(3) Pan fo map mewnosod wedi ei gynnwys mewn CDS, rhaid i'r ardal y mae'r map mewnosod yn ei chwmpasu gael ei dynodi ar y map cynigion a rhaid i'r polisiau ar gyfer yr ardal honno gael eu darlunio ar y map mewnosod hwnnw yn unig.

(4) Rhaid i deitl (ac unrhyw is-deitl) CDS gael ei nodi ar y map cynigion ac ar unrhyw fap mewnosod.

(5) Rhaid i'r map cynigion ac unrhyw fap mewnosod ddangos ar ba raddfa y mae wedi ei lunio a chynnwys esboniad o unrhyw symbol neu nodiant a ddefnyddir ar y map.

### **Materion ychwanegol y mae rhaid i'r CBC roi sylw iddynt**

**15.—**(1) Mae'r materion a ganlyn wedi eu rhagnodi at ddibenion adran 60M(6)(f) o Ddeddf 2004—

- (a) unrhyw bolisiau a ddatblygwyd o dan is-adran (1) neu (2A) o adran 108 o Ddeddf Trafnidiaeth 2000(1) (boed hynny o dan yr is-adrannau hynny fel y'u haddaswyd gan reoliadau a wnaed o dan Ran 5 o Ddeddf 2021 neu fel arall) sy'n effeithio ar unrhyw ran o ardal yr CBC;
- (b) amcanion atal damweiniau mawr a chyfyngu ar ganlyniadau damweiniau o'r fath ar gyfer iechyd pobl a'r amgylchedd;
- (c) yr angen, yn y tymor hir—
  - (i) i gadw pellteroedd diogelwch priodol rhwng sefydliadau ac ardaloedd preswyl, adeiladau ac ardaloedd a ddefnyddir gan y cyhoedd, ardaloedd hamdden a, chyn belled ag y bo'n bosibl, llwybrau trafndiaeth pwysig;

- (b) shows—
- (i) policies with a spatial implication for the development of land in that area, and
  - (ii) National Grid lines and reference numbers.

(2) Policies for any part of the CJC's area may be illustrated on a separate map at a scale larger than a proposals map (an “inset map”).

(3) Where an inset map is included in an SDP, the area covered by the inset map must be identified on the proposals map and the policies for that area must be illustrated on that inset map only.

(4) The title (and any sub-title) of an SDP must be set out on the proposals map and on any inset map.

(5) The proposals map and any inset map must show the scale to which it has been prepared and include an explanation of any symbol or notation used in the map.

### **Additional matters to which the CJC must have regard**

**15.—**(1) The following matters are prescribed for the purposes of section 60M(6)(f) of the 2004 Act—

- (a) any policies developed under subsection (1) or (2A) of section 108 of the Transport Act 2000(1) (whether under those subsections as modified by regulations made under Part 5 the 2021 Act or otherwise) which affect any part of the CJC's area;
- (b) the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment;
- (c) the need, in the long term—
  - (i) to maintain appropriate safety distances between establishments and residential areas, buildings and areas of public use, recreational areas, and, as far as possible, major transport routes;

(1) 2000 p. 38. Diwygiwyd adran 108(1) gan adran 8(1) a (2) o Ddeddf Trafnidiaeth Leol 2008 (p. 26). Mewnosodwyd adran 108(2A) gan adran 3 o Ddeddf Trafnidiaeth (Cymru) 2006 (p. 5), a pharagraff 2 o'r Atodlen iddi.

(1) 2000 c. 38. Section 108(1) was amended by section 8(1) and (2) of the Local Transport Act 2008 (c. 26). Section 108(2A) was inserted by section 3 of, and paragraph 2 of the Schedule to, the Transport (Wales) Act 2006 (c. 5).

- (ii) i warchod ardaloedd o sensitifrwydd neu ddi-ddordeb naturiol arbennig yng nghyffiniau sefydliadau, pan fo hynny'n briodol, drwy bellteroedd diogelwch priodol neu fesurau perthnasol eraill;
- (iii) yn achos sefydliadau sy'n bodoli eisoes, i hwyluso ac i annog gweithredwyr i gymryd yr holl gamau angenrheidiol i atal damweiniau mawr ac i gyfyngu ar eu canlyniadau ar gyfer iechyd pobl a'r amgylchedd;
- (d) y cynllun rheoli gwastraff cenedlaethol o fewn yr ystyr a roddir i "national waste management plan" yn rheoliad 3(1) o Reoliadau Gwastraff (Cymru a Lloegr) 2011(1) ac a luniwyd gan Weinidogion Cymru;
- (e) unrhyw gynllun morol a fabwysiadwyd ac a gyhoeddwyd gan Weinidogion Cymru at ddibenion adran 51(1) o Ddeddf y Môr a Mynediad i'r Arfordir 2009(2) sy'n effeithio ar unrhyw ran o ardal yr CBC.

(2) Mae i'r ymadroddion sydd ym mharagraff (1) ac yng Nghyfarwyddeb 2012/18/EU(3) yr un ystyr ag sydd i'r ymadroddion Saesneg cyfatebol yn y Gyfarwyddeb honno.

- (ii) to protect areas of particular natural sensitivity or interest in the vicinity of establishments, where appropriate, through appropriate safety distances or other relevant measures;
- (iii) in the case of existing establishments, to facilitate and encourage operators to take all necessary measures to prevent major accidents and to limit their consequences for human health and the environment;
- (d) the national waste management plan within the meaning of regulation 3(1) of the Waste (England and Wales) Regulations 2011(1) and prepared by the Welsh Ministers;
- (e) any marine plan adopted and published by the Welsh Ministers for the purposes of section 51(1) of the Marine and Coastal Access Act 2009(2) which affects any part of the CJC's area.

(2) Expressions which are both in paragraph (1) and in Directive 2012/18/EU(3) have the same meaning as in that Directive.

#### Pennod 4

#### Cyn adneuo

#### Cyfranogi cyn adneuo

**16.**—(1) Cyn bod yr CBC yn cydymffurfio â rheoliad 18, rhaid iddo—

- (a) ymgysylltu â'r cyrff a ganlyn er mwyn llunio strategaethau ac opsiynau eraill—
  - (i) pob un o'r cyrff ymgynghori penodol i'r graddau y mae'n ystyried bod pwnc yr CDS yn effeithio ar y cyrff hynny, a
  - (ii) y cyrff ymgynghori cyffredinol hynny y mae'n ystyried eu bod yn briodol;
- (b) gofyn am enwebiadau ar gyfer lleoliadau a safleoedd strategol y cynigir eu cynnwys yn yr CDS, gan ddatgan erbyn pa ddyddiad y mae rhaid i'r enwebiadau ddod i law'r CBC;

#### Chapter 4

#### Pre-deposit

#### Pre-deposit participation

**16.**—(1) Before it complies with regulation 18, the CJC must—

- (a) for the purpose of generating alternative strategies and options, engage—
  - (i) each of the specific consultation bodies to the extent it considers that the subject matter of the SDP affects those bodies, and
  - (ii) such of the general consultation bodies as it considers appropriate;
- (b) request nominations for strategic locations and sites proposed to be included in the SDP, stating the date by which nominations must be received by the CJC;

(1) O.S. 2011/988. Mae diwygiadau i reoliad 3(1) nad ydynt yn berthnasol i'r offeryn hwn.

(2) 2009 p. 23.

(3) Cyfarwyddeb 2012/18/EU Senedd Ewrop a'r Cyngor dyddiedig 4 Gorffennaf 2012 ar reoli peryglon damweiniau mawr sy'n ymwneud â sylweddau peryglus (OJ Rhif L 197, 24.7.2012, t. 1).

(1) S.I. 2011/988. There are amendments to regulation 3(1) not relevant to this instrument.

(2) 2009 c. 23.

(3) Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances (OJ No L 197, 24.7.2012, p. 1).

- (c) cyhoeddi'r cais am enwebiadau ar ei wefan a thrwy unrhyw ddulliau eraill y mae'n ystyried eu bod yn briodol;
- (d) llunio rhestr o'r holl leoliadau a'r holl safleoedd a enwebwyd (“cofrestr y lleoliadau a'r safleoedd strategol ymgeisiol”).

(2) Rhaid i'r CBC ystyried unrhyw leoliadau a safleoedd a enwebwyd yn y modd hwnnw cyn penderfynu ar gynnwys yr CDS sydd i'w adneuo o dan reoliad 21.

### Dogfennau cynigion cyn-adneuo

17. Rhaid i'r CBC lunio dogfennau o'r enw “dogfennau cynigion cyn-adneuo” sy'n cynnwys—

- (a) y strategaeth a ffeirir ganddo, yr opsiynau strategol a'r cynigion ar gyfer ei CDS,
- (b) disgrifiad o'u goblygiadau, gan gynnwys disgrifiad penodol o unrhyw ddulliau eraill a ystyriwyd a'u goblygiadau;
- (c) cofrestr y lleoliadau a'r safleoedd strategol ymgeisiol,
- (d) unrhyw adroddiad adolygu perthnasol, ac
- (e) unrhyw ddogfennau y mae'n ystyried eu bod yn berthnasol er mwyn ategu'r rhai y cyfeirir atynt ym mharagraffau (a) i (c).

### Ymgynghori â'r cyhoedd cyn adneuo

18.—(1) Rhaid i'r CBC lunio datganiad o'r enw “datganiad o faterion cyn-adneuo” sy'n cynnwys—

- (a) teitl yr CDS;
- (b) y cyfnod y caniateir i sylwadau ar y cynigion gael eu cyflwyno ynddo yn unol â rheoliad 19(1);
- (c) y cyfeiriad y mae rhaid anfon sylwadau iddo a, phan fo'n briodol, y person y mae rhaid eu hanfon ato;
- (d) datganiad y caniateir anfon, gydag unrhyw sylwadau, gais bod y person sy'n cyflwyno'r sylwadau yn cael ei hysbysu mewn cyfeiriad penodedig os digwydd unrhyw un neu ragor o'r digwyddiadau a ganlyn—
  - (i) bod yr CDS wedi ei gyflwyno i Weinidogion Cymru ar gyfer archwiliad annibynnol o dan adran 64(1) o Ddeddf 2004;
  - (ii) bod yr CDS wedi ei fabwysiadu o dan adran 67(3) o Ddeddf 2004;
  - (iii) bod yr CDS wedi ei gymeradwyo o dan adran 65(9)(a) neu 71(4)(b) o Ddeddf 2004.

- (c) publish the request for nominations on its website and by such other means as it considers appropriate;
- (d) prepare a list of all locations and sites nominated (a “candidate strategic locations and sites register”).

(2) The CJC must consider any locations and sites so nominated before determining the content of the SDP to be deposited under regulation 21.

### Pre-deposit proposals documents

17. The CJC must prepare documents to be known as “pre-deposit proposals documents” consisting of—

- (a) its preferred strategy, strategic options and proposals for its SDP,
- (b) a description of their implications, including an explicit description of any alternatives considered and their implications;
- (c) the candidate strategic locations and sites register,
- (d) any relevant review report, and
- (e) any documents which it considers relevant in support of those referred to in paragraphs (a) to (c).

### Pre-deposit public consultation

18.—(1) The CJC must prepare a statement to be known as a “statement of pre-deposit matters” containing—

- (a) the title of the SDP;
- (b) the period within which representations on the proposals may be made in accordance with regulation 19(1);
- (c) the address to which and, where appropriate, the person to whom, representations must be sent;
- (d) a statement that any representations may be accompanied by a request that the person making the representation be notified at a specified address if any of the following events occur—
  - (i) the SDP has been submitted to the Welsh Ministers for independent examination under section 64(1) of the 2004 Act;
  - (ii) the SDP has been adopted under section 67(3) of the 2004 Act;
  - (iii) the SDP has been approved under section 65(9)(a) or 71(4)(b) of the 2004 Act.

(2) Cyn i CBC adneuo ei CDS yn unol â rheoliad 21, rhaid iddo—

- (a) rhoi copïau o'r dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu yn ystod oriau swyddfa arferol—
  - (i) yn ei brif swyddfa,
  - (ii) ym mhrif swyddfa unrhyw ACLl yn ardal yr CBC, a
  - (iii) mewn unrhyw fannau eraill o fewn ei ardal y mae'r CBC yn ystyried eu bod yn briodol;
- (b) cyhoeddi ar ei wefan—
  - (i) y dogfennau cynigion cyn-adneuo,
  - (ii) y datganiad o faterion cyn-adneuo, a
  - (iii) datganiad bod y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu ac o'r manau lle gellir eu harolygu ac o'r amserau y gellir eu harolygu;
- (c) anfon at y cyrff hynny y cyfeirir atynt yn rheoliad 16(1)(a)—
  - (i) y dogfennau cynigion cyn-adneuo,
  - (ii) y dogfennau ategol hynny sy'n berthnasol i'r corff y mae'r dogfennau yn cael eu hanfon ato,
  - (iii) y datganiad o faterion cyn-adneuo, a
  - (iv) y datganiad y cyfeirir ato yn is-baragraff (b)(iii).

### Sylwadau ymgynghori â'r cyhoedd cyn adneuo

**19.—**(1) Caiff unrhyw berson gyflwyno sylwadau i'r CBC ynghylch ei ddogfennau cynigion cyn-adneuo o fewn y cyfnod o chwe wythnos sy'n dechrau â'r diwrnod y mae'r CBC yn cydymffurfio â rheoliad 18(2).

(2) Pan fo'r CBC yn cydymffurfio â'r gofynion yn rheoliad 18(2) ar ddiwrnodau gwahanol, cymerir bod y cyfnod y cyfeirir ato ym mharagraff (1) yn dechrau gyda'r diweddaraf o'r diwrnodau hynny.

(3) Rhaid i unrhyw sylwadau—

- (a) cael eu gwneud yn ysgrifenedig, a
- (b) cael eu hanfon i'r cyfeiriad ac at y person (os o gwbl) a bennir yn unol â rheoliad 18(1)(c).

(4) Rhaid i'r CBC ystyried unrhyw sylwadau a gyflwynir yn unol â'r rheoliad hwn cyn penderfynu ar gynnwys yr CDS sydd i'w adneuo o dan reoliad 21.

(2) Before a CJC deposits its SDP in accordance with regulation 21, it must—

- (a) make copies of the pre-deposit proposals documents and the statement of pre-deposit matters available for inspection during normal office hours at—
  - (i) its principal office,
  - (ii) the principal office of any LPA in the CJC's area, and
  - (iii) such other places within its area as the CJC considers appropriate;
- (b) publish on its website—
  - (i) the pre-deposit proposals documents,
  - (ii) the statement of pre-deposit matters, and
  - (iii) a statement that the pre-deposit proposals documents and statement of pre-deposit matters are available for inspection and the places and times at which they may be inspected;
- (c) send to those bodies referred to in regulation 16(1)(a)—
  - (i) the pre-deposit proposals documents,
  - (ii) such supporting documents as are relevant to the body to which the documents are being sent,
  - (iii) the statement of pre-deposit matters, and
  - (iv) the statement referred to in sub-paragraph (b)(iii).

### Pre-deposit public consultation representations

**19.—**(1) Any person may make representations to the CJC about its pre-deposit proposals documents within the period of six weeks beginning with the day on which the CJC complies with regulation 18(2).

(2) Where the CJC complies with the requirements in regulation 18(2) on different days, the period referred to in paragraph (1) is taken to begin with the later of those days.

(3) Any representations must be—

- (a) made in writing, and
- (b) sent to the address and the person (if any) specified in accordance with regulation 18(1)(c).

(4) The CJC must consider any representations made in accordance with this regulation before determining the content of the SDP to be deposited under regulation 21.

**Adroddiad ymgynghori cychwynnol, dogfennau cynigion yr CDS a datganiad o faterion adneuo**

**20.** Rhaid i'r CBC, cyn cymryd unrhyw gam arall y darperir ar ei gyfer yn y darpariaethau sy'n weddill o'r Rhan hon, lunio—

- (a) adroddiad o'r enw “adroddiad ymgynghori cychwynnol” sy'n nodi—
  - (i) y personau neu'r cyrff y mae'r CBC wedi ymgysylltu neu ymgynghori â hwy yn unol â rheoliadau 16 a 18,
  - (ii) crynodeb o'r prif faterion a godwyd, yr ymatebion a roddwyd a'r sylwadau a gyflwynwyd o ganlyniad i'r ymgysylltu neu'r ymgynghori hwnnw,
  - (iii) eglurhad o sut yr ymdriniwyd â'r materion, yr ymatebion a'r sylwadau hynny yn yr CDS ac i ba raddau yr ymdriniwyd â hwy,
  - (iv) cyfanswm y sylwadau a gyflwynwyd yn unol â rheoliad 18,
  - (v) disgrifiad o unrhyw wyro oddi wrth y cynllun cynnwys cymunedau,
- (b) dogfennau o'r enw “dogfennau cynigion yr CDS” sy'n cynnwys—
  - (i) yr CDS,
  - (ii) yr adroddiad arfarnu cynaliadwyedd,
  - (iii) yr adroddiad ymgynghori cychwynnol,
  - (iv) unrhyw adroddiad adolygu perthnasol,
  - (v) unrhyw gofrestr y lleoliadau a'r safleoedd strategol ymgeisiol,
  - (vi) unrhyw ddogfennau ategol y mae'r CBC yn ystyried eu bod yn berthnasol i'r gwaith o lunio'r CDS, ac
- (c) datganiad (“datganiad o faterion adneuo”) sy'n cynnwys—
  - (i) teitl yr CDS,
  - (ii) y cyfnod y mae rhaid cyflwyno sylwadau ynghylch yr CDS ynddo yn unol â rheoliad 22,
  - (iii) y cyfeiriad y mae rhaid cyflwyno'r sylwadau hynny iddo a, phan fo'n briodol, y person y mae rhaid eu cyflwyno iddo o dan reoliad 22(3)(b), a
  - (iv) datganiad y caniateir anfon, gydag unrhyw sylwadau o'r fath, gais bod y person sy'n cyflwyno'r sylwadau yn cael ei hysbysu mewn cyfeiriad penodedig os digwydd unrhyw un neu ragor o'r digwyddiadau a ganlyn—

**Initial consultation report, SDP proposals documents and statement of deposit matters**

**20.** The CJC must, before taking any other step provided for in the remaining provisions of this Part, prepare—

- (a) a report to be known as an “initial consultation report” setting out—
  - (i) the persons or bodies the CJC has engaged or consulted in accordance with regulations 16 and 18,
  - (ii) a summary of the main issues raised, responses given and representations made as a result of that engagement or consultation,
  - (iii) an explanation of how those issues, responses and representations have been addressed in the SDP and the extent to which they have been addressed,
  - (iv) the total number of representations made in accordance with regulation 19,
  - (v) a description of any deviation from the community involvement scheme,
- (b) documents to be known as “SDP proposals documents” which consist of—
  - (i) the SDP,
  - (ii) the sustainability appraisal report,
  - (iii) the initial consultation report,
  - (iv) any relevant review report,
  - (v) any candidate strategic locations and sites register,
  - (vi) any supporting documents which the CJC considers relevant to the preparation of the SDP, and
- (c) a statement (“statement of deposit matters”) containing—
  - (i) the title of the SDP,
  - (ii) the period within which representations about the SDP must be made in accordance with regulation 22,
  - (iii) the address to which, and where appropriate, the person to whom, such representations must be made under regulation 22(3)(b), and
  - (iv) a statement that any such representations may be accompanied by a request that the person making the representation be notified at a specified address if any of the following events occur—

- (aa) cyhoeddi argymhellion y person a benodwyd;
- (bb) mabwysiadu'r CDS o dan adran 67(3) o Ddeddf 2004;
- (cc) ei gymeradwyo o dan adran 65(9)(a) neu 71(4)(b) o'r Ddeddf honno.

- (aa) the publication of the recommendations of the appointed person;
- (bb) the adoption of the SDP under section 67(3) of the 2004 Act;
- (cc) its approval under section 65(9)(a) or 71(4)(b) of that Act.

### Adneuo cynigion

**21.** Cyn cyflwyno'r CDS i Weinidogion Cymru ar gyfer archwiliad annibynnol o dan adran 64(1) o Ddeddf 2004, rhaid i'r CBC—

- (a) adneuo copiâu o ddogfennau cynigion yr CDS a'r datganiad o faterion adneuo i'w harolygu yn ystod oriau swyddfa arferol yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a);
- (b) cyhoeddi ar ei wefan—
  - (i) dogfennau cynigion yr CDS,
  - (ii) y datganiad o faterion adneuo, a
  - (iii) datganiad bod dogfennau cynigion yr CDS a'r datganiad o faterion adneuo ar gael i'w harolygu ac o'r manau lle gellir eu harolygu ac o'r amserau y gellir eu harolygu;
- (c) anfon copiâu o'r canlynol at bob un o'r cyrff y cyfeirir atynt yn rheoliad 16(1)(a)—
  - (i) yr CDS,
  - (ii) yr adroddiad arfarnu cynaliadwyedd,
  - (iii) yr adroddiad ymgynghori cychwynnol,
  - (iv) rhestr o unrhyw ddogfennau ategol y mae'r CBC yn ystyried eu bod yn berthnasol i'r gwaith o lunio'r CDS,
  - (v) y datganiad o faterion adneuo, a
  - (vi) y datganiad y cyfeirir ato ym mharagraff (b)(iii).

### Sylwadau ar gynigion adneuo

**22.**—(1) Caiff unrhyw berson gyflwyno sylwadau ynghylch yr CDS o fewn y cyfnod o chwe wythnos sy'n dechrau â'r diwrnod y mae'r CBC yn cydymffurfio â rheoliad 21.

(2) Pan fo'r CBC yn cydymffurfio â'r gofynion yn rheoliad 21 ar ddiwrnodau gwahanol, cymerir bod y cyfnod y cyfeirir ato ym mharagraff (1) yn dechrau gyda'r diweddaraf o'r diwrnodau hynny.

(3) Rhaid i unrhyw sylwadau—

- (a) cael eu gwneud yn ysgrifenedig, a

### Deposit of proposals

**21.** Before submitting the SDP to the Welsh Ministers for independent examination under section 64(1) of the 2004 Act, the CJC must—

- (a) deposit copies of the SDP proposals documents and the statement of deposit matters for inspection during normal office hours at the places at which the pre-deposit proposals documents and the statement of pre-deposit matters were made available for inspection under regulation 18(2)(a);
- (b) publish on its website—
  - (i) the SDP proposals documents,
  - (ii) the statement of deposit matters, and
  - (iii) a statement that the SDP proposals documents and statement of deposit matters are available for inspection and the places and times at which they may be inspected;
- (c) send copies of the following to each of the bodies referred to in regulation 16(1)(a)—
  - (i) the SDP,
  - (ii) the sustainability appraisal report,
  - (iii) the initial consultation report,
  - (iv) a list of such supporting documents as the CJC considers relevant to the preparation of the SDP,
  - (v) the statement of deposit matters, and
  - (vi) the statement referred to in paragraph (b)(iii).

### Representations on deposit proposals

**22.**—(1) Any person may make representations about the SDP within the period of six weeks beginning with the day on which the CJC complies with regulation 21.

(2) Where the CJC complies with the requirements in regulation 21 on different days, the period referred to in paragraph (1) is taken to begin with the later of those days.

(3) Any representations must be—

- (a) made in writing, and

- (b) cael eu hanfon i'r cyfeiriad ac at y person (os o gwbl) a bennir yn y datganiad o faterion adneuo.

(4) Rhaid i'r CBC—

- (a) ystyried unrhyw sylwadau y mae'n eu cael yn unol â'r rheoliad hwn;
- (b) cyn gynted ag y bo'n rhesymol ymarferol—
  - (i) rhoi copi o'r sylwadau ar gael yn y mannau lle rhoddwyd, ac yn ystod yr amseroedd pan roddwyd, y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a), a
  - (ii) pan fo hynny'n ymarferol, cyhoeddi ar ei wefan fanylion y sylwadau ac ym mha fannau ac yn ystod pa amseroedd y gellir eu harolygu.

(5) Nid oes angen i'r CBC gydymffurfio â pharagraff (4)(b) mewn perthynas ag unrhyw sylw sy'n dod i law ar ôl i'r cyfnod y cyfeirir ato ym mharagraff (1) ddod i ben.

- (b) sent to the address and person (if any) specified in the statement of deposit matters.

(4) The CJC must—

- (a) consider any representations it receives in accordance with this regulation;
- (b) as soon as reasonably practicable—
  - (i) make a copy of the representations available at the places, and during the times, at which the pre-deposit proposals documents and the statement of pre-deposit matters were made available for inspection under regulation 18(2)(a), and
  - (ii) where practicable, publish on its website details of the representations and the places and times at which they may be inspected.

(5) The CJC need not comply with paragraph (4)(b) in relation to any representation received after the expiry of the period referred to in paragraph (1).

## Pennod 6

### Archwiliad annibynnol o'r CDS

#### Cyflwyno CDS i Weinidogion Cymru

23.—(1) Y dogfennau a ragnodir at ddibenion adran 64(3) o Ddeddf 2004 yw—

- (a) yr adroddiad arfarnu cynaliadwyedd,
- (b) y cynllun cynnwys cymunedau,
- (c) adroddiad ymgynghori sy'n nodi—
  - (i) pa bersonau neu ba gyrff y mae'r CBC wedi ymgysylltu neu ymgynghori â hwy yn unol â rheoliadau 16, 18 ac 21,
  - (ii) crynodeb o'r prif faterion a godwyd, yr ymatebion a roddwyd a'r sylwadau a gyflwynwyd o ganlyniad i'r ymgysylltu, yr ymgynghori neu'r hysbysu hwnnw,
  - (iii) eglurhad o sut yr ymdriniwyd â'r prif faterion a godwyd, yr ymatebion a roddwyd a'r sylwadau a gyflwynwyd o ganlyniad i ymgysylltu neu ymgynghori o dan reoliad 16 neu 18 yn yr CDS, ac i ba raddau yr ymdriniwyd â hwy,
  - (iv) argymhellion yr CBC ynghylch y modd y mae'n ystyried y dylid ymdrin, yn yr CDS, â'r prif faterion a godwyd yn y sylwadau a gyflwynwyd yn unol â rheoliad 22,
  - (v) cyfanswm y sylwadau a gyflwynwyd yn unol â rheoliadau 19 a 22, a

## Chapter 6

### Independent examination of SDP

#### Submission of SDP to the Welsh Ministers

23.—(1) The documents prescribed for the purposes of section 64(3) of the 2004 Act are—

- (a) the sustainability appraisal report,
- (b) the community involvement scheme,
- (c) a consultation report setting out—
  - (i) which persons or bodies the CJC has engaged or consulted in accordance with regulations 16, 18 and 21,
  - (ii) a summary of the main issues raised, responses given and representations made as a result of that engagement, consultation or notification,
  - (iii) an explanation of how the main issues raised, responses given and representations made as a result of engagement or consultation under regulation 16 or 18 have been addressed in the SDP, and the extent to which they have been addressed,
  - (iv) the CJC's recommendations as to how it considers the main issues raised in the representations made in accordance with regulation 22 should be addressed in the SDP,
  - (v) the total number of representations made in accordance with regulations 19 and 22, and

- (vi) disgrifiad o unrhyw wyro oddi wrth y cynllun cynnwys cymunedau,
- (d) unrhyw adroddiad adolygu perthnasol,
- (e) unrhyw gofrestr y lleoliadau a'r safleoedd strategol ymgeisiol,
- (f) copi o'r sylwadau a ddaeth i law yn unol â rheoliad 22, ac
- (g) unrhyw ddogfennau ategol y mae'r CBC yn ystyried eu bod yn berthnasol i'r gwaith o lunio'r CDS.

(2) Mae paragraff (3) yn gymwys at ddibenion paragraff (1)(a) i (c), (e) ac (g).

(3) Pam fo'r paragraff hwn yn gymwys—

- (a) rhaid anfon dau gopi o bob un o'r dogfennau o dan sylw at Weinidogion Cymru ar bapur, a
- (b) rhaid anfon un copi o bob un ohonynt at Weinidogion Cymru ar ffurf electronig ar yr amod, yn achos y dogfennau y cyfeirir atynt ym mharagraff (1)(g), ei bod yn ymarferol gwneud hynny.

(4) At ddibenion paragraff (1)(f), rhaid anfon copi o bob sylw at Weinidogion Cymru ar bapur.

(5) Rhaid i'r CBC—

- (a) cyhoeddi datganiad ar ei wefan ei fod wedi cyflwyno'r CDS i'w archwilio o dan adran 64(1) o Ddeddf 2004;
- (b) rhoi'r dogfennau y cyfeirir atynt ym mharagraff (1)(c) ac (1)(g) ar gael i'w harolygu yn ystod oriau swyddfa arferol yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a);
- (c) cyhoeddi ar ei wefan yr adroddiad ymgynghori ac, os yw'n rhesymol ymarferol, y dogfennau y cyfeirir atynt ym mharagraff (1)(g);
- (d) rhoi hysbysiad i unrhyw berson a ofynnodd am gael ei hysbysu pan fyddai'r CDS wedi ei gyflwyno i Weinidogion Cymru ar gyfer archwiliad annibynnol, i'r perwyl ei fod wedi ei gyflwyno yn y modd hwnnw.

### Archwiliad annibynnol

**24.**—(1) O leiaf chwe wythnos cyn dechrau cynnal y cyntaf o blith unrhyw wrandawiadau a gynhelir mewn perthynas â'r CDS o dan adran 64(6) o Ddeddf 2004, rhaid i'r CBC—

- (a) cyhoeddi'r materion y cyfeirir atynt ym mharagraff (2) ar ei wefan;

(vi) a description of any deviation from the community involvement scheme,

- (d) any relevant review report,
- (e) any candidate strategic locations and sites register,
- (f) a copy of the representations received in accordance with regulation 22, and
- (g) such supporting documents as the CJC considers relevant to the preparation of the SDP.

(2) Paragraph (3) applies for the purposes of paragraph (1)(a) to (c), (e) and (g).

(3) Where this paragraph applies—

- (a) two copies of each of the documents in question must be sent to the Welsh Ministers in paper form, and
- (b) one copy of each must be sent to the Welsh Ministers electronically, subject to that being practicable in the case of the documents referred to in paragraph (1)(g).

(4) For the purposes of paragraph (1)(f), a copy of each representation must be sent to the Welsh Ministers in paper form.

(5) The CJC must—

- (a) publish a statement on its website that it has submitted the SDP for examination under section 64(1) of the 2004 Act;
- (b) make the documents referred to in paragraph (1)(c) and (1)(g) available for inspection during normal office hours at the places at which the pre-deposit proposals documents and the statement of pre-deposit matters were made available for inspection under regulation 18(2)(a);
- (c) publish on its website the consultation report and if reasonably practicable the documents referred to in paragraph (1)(g);
- (d) give notice to any person who requested notification of the submission of the SDP to the Welsh Ministers for independent examination, to the effect that it has been so submitted.

### Independent examination

**24.**—(1) At least six weeks before the start of the first of any hearings held in relation to the SDP under section 64(6) of the 2004 Act, the CJC must—

- (a) publish the matters referred to in paragraph (2) on its website;



(b) hysbysu unrhyw berson sydd wedi cyflwyno sylw (ac nad yw wedi ei dynnu'n ôl) yn unol â rheoliad 22 am y materion hynny.

(2) Y materion y mae rhaid eu cyhoeddi yw—

(a) yr amser a'r man y mae'r gwrandawriad i'w gynnal, a

(b) enw'r person a benodwyd.

(3) Rhaid i'r person a benodwyd ystyried unrhyw sylwadau a gyflwynwyd yn unol â rheoliad 22 cyn gwneud argymhellion yn unol ag adran 64(7) o Ddeddf 2004.

### Cyhoeddi argymhellion y person a benodwyd

**25.**—(1) Rhaid i'r CBC gydymffurfio ag adran 64(8) o Ddeddf 2004—

(a) pan fo Gweinidogion Cymru yn rhoi cyfarwyddyd o dan adran 65(1) o Ddeddf 2004 ar ôl i'r person a benodwyd gydymffurfio ag adran 64(7) o'r Ddeddf honno, cyn gynted ag y bo'n rhesymol ymarferol ar ôl cael y cyfarwyddyd;

(b) fel arall, ar y diwrnod y mabwysiedir yr CDS o dan adran 67(3) o Ddeddf 2004 neu cyn hynny.

(2) Wrth gyhoeddi argymhellion y person a benodwyd a'r rhesymau yn unol ag adran 64(8) o Ddeddf 2004, rhaid i'r CBC—

(a) rhoi'r argymhellion a'r rhesymau dros yr argymhellion ar gael i'w harolygu yn ystod oriau swyddfa arferol yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a),

(b) cyhoeddi'r argymhellion a'r rhesymau ar ei wefan, ac

(c) rhoi hysbysiad i unrhyw berson a ofynnodd am gael ei hysbysu pan fyddai argymhellion y person a benodwyd wedi eu cyhoeddi, i'r perwyl eu bod wedi eu cyhoeddi yn y modd hwnnw.

## Pennod 7

Ymyrraeth gan Weinidogion Cymru

### Cyfarwyddyd sy'n atal mabwysiadu

**26.** Pan fo Gweinidogion Cymru yn rhoi cyfarwyddyd o dan adran 67(4) o Ddeddf 2004 sy'n cyfarwyddo'r CBC i beidio â mabwysiadu'r CDS, rhaid i'r CBC—

(b) notify any person who has made (and not withdrawn) a representation in accordance with regulation 22 of those matters.

(2) The matters that must be published are the—

(a) time and place at which the hearing is to be held, and

(b) name of the appointed person.

(3) The appointed person must consider any representation made in accordance with regulation 22 before making recommendations in accordance with section 64(7) of the 2004 Act.

### Publication of the recommendations of the appointed person

**25.**—(1) The time by which the CJC must comply with section 64(8) of the 2004 Act is—

(a) where the Welsh Ministers give a direction under section 65(1) of the 2004 Act after the appointed person has complied with section 64(7) of that Act, as soon as reasonably practicable after receipt of the direction;

(b) otherwise, on or before the day on which the SDP is adopted under section 67(3) of the 2004 Act.

(2) In publishing the appointed person's recommendations and the reasons in accordance with section 64(8) of the 2004 Act, the CJC must—

(a) make the recommendations and the reasons for the recommendations available for inspection during normal office hours at the places at which the pre-deposit proposals documents and statement of pre-deposit matters were made available for inspection under regulation 18(2)(a),

(b) publish the recommendations and reasons on its website, and

(c) give notice to any person who requested notification of the publication of the recommendations of the appointed person to the effect that they have been so published.

## Chapter 7

Intervention by the Welsh Ministers

### Direction preventing adoption

**26.** Where the Welsh Ministers give a direction under section 67(4) of the 2004 Act directing the CJC not to adopt the SDP, the CJC must—

- (a) rhoi'r cyfarwyddyd ar gael i'w arolygu yn ystod oriau swyddfa arferol yn y manau lle mae rhaid rhoi'r dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a), a
- (b) cyhoeddi'r cyfarwyddyd ar ei wefan.

### Cyfarwyddyd i addasu CDS

27. Pan fo Gweinidogion Cymru yn rhoi cyfarwyddyd o dan adran 65(1)(a) o Ddeddf 2004 sy'n cyfarwyddo'r CBC i addasu'r CDS, rhaid i'r CBC—

- (a) rhoi'r cyfarwyddyd ar gael i'w arolygu yn ystod oriau swyddfa arferol yn y manau lle mae rhaid rhoi'r dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a), a
- (b) cyhoeddi'r cyfarwyddyd ar ei wefan.

### Cyfarwyddydau adran 65(4) (galw i mewn): cymhwyso rheoliadau 29 i 32

28. Mae rheoliadau 29 i 32 yn gymwys pan fo Gweinidogion Cymru yn rhoi cyfarwyddyd o dan adran 65(4) o Ddeddf 2004.

### Cyfarwyddydau adran 65(4) (galw i mewn): cyfarwyddyd a roddir cyn i'r CBC gyflwyno ei CDS o dan adran 64(1) o Ddeddf 2004

29.—(1) Pan fo Gweinidogion Cymru yn rhoi cyfarwyddyd o dan adran 65(4) o Ddeddf 2004 sy'n cyfarwyddo bod yr CDS yn cael ei gyflwyno i'w gymeradwyo ganddynt cyn i'r CBC gyflwyno'r CDS o dan adran 64(1) o Ddeddf 2004—

- (a) rhaid i'r CBC—
  - (i) cydymffurfio ag adran 60M(7) o'r Ddeddf honno, os nad yw eisoes wedi gwneud hynny;
  - (ii) rhoi'r cyfarwyddyd ar gael i'w arolygu yn ystod oriau swyddfa arferol yn y manau lle mae'n ofynnol rhoi'r dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a);
  - (iii) cyhoeddi'r cyfarwyddyd ar ei wefan, a
- (b) mae rheoliadau 16 i 22 yn parhau i gael effaith fel pe na bai'r cyfarwyddyd wedi ei roi.

(2) Nid oes dim ym mharagraff (1)(b) yn ei gwneud yn ofynnol i'r CBC ailadrodd unrhyw gam a gymerwyd ganddo cyn iddo gael y cyfarwyddyd.

- (a) make the direction available for inspection during normal office hours at the places where the pre-deposit proposals documents and the statement of pre-deposit matters must be made available for inspection under regulation 18(2)(a), and
- (b) publish the direction on its website.

### Direction to modify an SDP

27. Where the Welsh Ministers give a direction under section 65(1)(a) of the 2004 Act directing the CJC to modify the SDP, the CJC must—

- (a) make the direction available for inspection during normal office hours at the places where the pre-deposit proposals documents and the statement of pre-deposit matters must be made available for inspection under regulation 18(2)(a), and
- (b) publish the direction on its website.

### Section 65(4) directions (call-in): application of regulations 29 to 32

28. Regulations 29 to 32 apply where the Welsh Ministers give a direction under section 65(4) of the 2004 Act.

### Section 65(4) directions (call-in): direction given before the CJC submits its SDP under section 64(1) of the 2004 Act

29.—(1) Where the Welsh Ministers give a direction under section 65(4) of the 2004 Act directing that the SDP be submitted for their approval before the CJC submits the SDP under section 64(1) of the 2004 Act—

- (a) the CJC must—
  - (i) comply with section 60M(7) of that Act, unless it has already done so;
  - (ii) make the direction available for inspection during normal office hours at the places where the pre-deposit proposals documents and the statement of pre-deposit matters are required to be made available for inspection under regulation 18(2)(a);
  - (iii) publish the direction on its website, and
- (b) regulations 16 to 22 continue to have effect as if the direction had not been given.

(2) Nothing in paragraph (1)(b) requires the CJC to repeat any step it had taken before it received the direction.

### **Cyhoeddi argymhellion y person a benodwyd (galw i mewn)**

**30.** Rhaid i'r CBC, cyn gynted ag y bo'n ymarferol ar ôl i Weinidogion Cymru gyhoeddi argymhellion a gyflwynwyd iddo yn unol ag adran 65(6) o Ddeddf 2004—

- (a) rhoi'r argymhellion a roddwyd gan y person a benodwyd, a'r rhesymau a roddwyd dros ei argymhellion, ar gael i'w harolygu yn ystod oriau swyddfa arferol yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a), a
- (b) cyhoeddi'r argymhellion a'r rhesymau hynny ar ei wefan.

### **Gwyo oddi wrth argymhellion y person a benodwyd a sylwadau ynghylch hynny (galw i mewn)**

**31.—(1)** Pan fo Gweinidogion Cymru yn bwriadu gwyo oddi wrth unrhyw argymhelliad a roddwyd gan y person a benodwyd, rhaid iddynt gyhoeddi cynigion gwyo.

(2) Rhaid i'r CBC, cyn gynted ag y bo'n rhesymol ymarferol ar ôl i Weinidogion Cymru gydymffurfio â pharagraff (1)—

- (a) rhoi copïau o'r cynigion gwyo a'r datganiad perthnasol ar gael i'w harolygu yn ystod oriau swyddfa arferol yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a);
  - (b) cyhoeddi ar ei wefan—
    - (i) y cynigion gwyo,
    - (ii) y datganiad perthnasol, a
    - (iii) datganiad bod y cynigion gwyo ar gael i'w harolygu ac o'r manau lle gellir eu harolygu ac o'r amserau y gellir eu harolygu;
  - (c) anfon at y cyrff y cyfeirir atynt ym mharagraff (4)—
    - (i) copïau o'r cynigion gwyo, a
    - (ii) hysbysiad am y datganiad perthnasol.
- (3) Yn y rheoliad hwn—
- (a) ystyr "cynigion gwyo" yw dogfennau sy'n pennu—
    - (i) ym mha fodd y mae Gweinidogion Cymru yn bwriadu gwyo oddi wrth unrhyw argymhellion a roddwyd gan y person a benodwyd, a
    - (ii) y rhesymau dros y cynigion hynny;

### **Publication of the recommendations of the appointed person (call-in)**

**30.** The CJC must as soon as practicable after the Welsh Ministers publish recommendations made to it in accordance with section 65(6) of the 2004 Act—

- (a) make the recommendations given by the appointed person, and the reasons given for their recommendations, available for inspection during normal office hours at the places where the pre-deposit proposals documents and statement of pre-deposit matters were made available for inspection under regulation 18(2)(a), and
- (b) publish those recommendations and reasons on its website.

### **Departure from recommendations of the appointed person and representations in that regard (call-in)**

**31.—(1)** Where the Welsh Ministers propose to depart from any recommendation given by the appointed person, they must publish departure proposals.

(2) The CJC must as soon as reasonably practicable after the Welsh Ministers comply with paragraph (1)—

- (a) make copies of the departure proposals and the relevant statement available for inspection during normal office hours at the places where the pre-deposit proposals documents and the statement of pre-deposit matters were made available for inspection under regulation 18(2)(a);
  - (b) publish on its website—
    - (i) the departure proposals,
    - (ii) the relevant statement, and
    - (iii) a statement that the departure proposals are available for inspection and the places and times at which they may be inspected;
  - (c) send to the bodies referred to in paragraph (4)—
    - (i) copies of the departure proposals(4), and
    - (ii) notification of the relevant statement.
- (3) In this regulation—
- (a) "departure proposals" means documents specifying—
    - (i) the manner in which the Welsh Ministers propose to depart from any recommendations given by the appointed person, and
    - (ii) the reasons for those proposals;

- (b) ystyr y “datganiad perthnasol” yw datganiad sy’n pennu—
- (i) y cyfnod y mae rhaid cyflwyno sylwadau ar y cynigion gwyro ynddo,
  - (ii) cyfeiriad Gweinidogion Cymru y mae rhaid anfon sylwadau iddo, a phan fo’n briodol, y person y mae rhaid eu hanfon ato (boed ar ffurf cyfathrebiad electronig neu fel arall), a
  - (iii) y caniateir anfon, gydag unrhyw sylwadau a gyflwynir yn y modd hwnnw, gais bod y person sy’n cyflwyno’r sylwadau yn cael ei hysbysu mewn cyfeiriad penodedig am benderfyniad Gweinidogion Cymru o dan adran 65(9)(a) o Ddeddf 2004.

(4) Y cyrff y cyfeirir atynt ym mharagraff (2)(c)(i) yw—

- (a) pob un o’r cyrff ymgynghori penodol, i’r graddau y mae’r cynigion gwyro yn effeithio ar y cyrff hynny neu y gallent effeithio arnynt, a
- (b) y cyrff ymgynghori cyffredinol hynny y mae Gweinidogion Cymru yn ystyried eu bod yn briodol.

(5) Caiff unrhyw berson gyflwyno sylwadau ar y cynigion gwyro drwy eu hanfon i’r cyfeiriad ac at y person (os o gwbl) a bennir yn unol â pharagraff (3)(b)(ii) o fewn y cyfnod o chwe wythnos sy’n dechrau â’r diwrnod y mae Gweinidogion Cymru yn cyhoeddi’r cynigion gwyro.

(6) Rhaid i Weinidogion Cymru ystyried unrhyw sylwadau o’r fath cyn gwneud penderfyniad o dan adran 65(9)(a) o Ddeddf 2004.

### **Penderfyniad Gweinidogion Cymru ar ôl cyfarwyddyd adran 65(4) (galw i mewn)**

**32.—**(1) Pan fo Gweinidogion Cymru yn gwrthod yr CDS, yn ei gymeradwyo neu’n ei gymeradwyo yn ddarostyngedig i addasiadau o dan adran 65(9)(a) o Ddeddf 2004 (yn ôl y digwydd), rhaid i’r CBC, cyn gynted ag y bo’n rhesymol ymarferol—

- (a) rhoi’r canlynol ar gael i’w harolygu yn ystod oriau swyddfa arferol yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a’r datganiad o faterion cyn-adneuo ar gael i’w harolygu o dan reoliad 18(2)(a)—
  - (i) yr CDS;
  - (ii) y rhesymau a roddwyd gan Weinidogion Cymru o dan adran 65(9)(b) o’r Ddeddf honno;
  - (iii) y datganiad penderfynu;

(b) the “relevant statement” means a statement specifying—

- (i) the period within which representations about the departure proposals must be made,
- (ii) the address of the Welsh Ministers to which, and where appropriate, the person to whom, representations (whether by electronic communication or otherwise) must be sent, and
- (iii) that any representations so made may be accompanied by a request that the person making the representation be notified at a specified address of the Welsh Ministers’ decision under section 65(9)(a) of the 2004 Act.

(4) The bodies referred to in paragraph (2)(c)(i) are—

- (a) each of the specific consultation bodies, to the extent that the departure proposals affect or could affect those bodies, and
- (b) such of the general consultation bodies as the Welsh Ministers consider appropriate.

(5) Any person may make representations on the departure proposals by sending them to the address and the person (if any) specified in accordance with paragraph (3)(b)(ii) within the period of six weeks beginning with the day on which the Welsh Ministers publish the departure proposals.

(6) The Welsh Ministers must consider any such representations before making a decision under section 65(9)(a) of the 2004 Act.

### **Welsh Ministers’ decision following section 65(4) direction (call-in)**

**32.—**(1) Where the Welsh Ministers reject the SDP, approve it or approve it subject to modifications under section 65(9)(a) of the 2004 Act (whichever the case may be), the CJC must as soon as reasonably practicable—

- (a) make the following available for inspection during normal office hours at the places where the pre-deposit proposals documents and the statement of pre-deposit matters were made available for inspection under regulation 18(2)(a)—
  - (i) the SDP;
  - (ii) the reasons given by the Welsh Ministers under section 65(9)(b) of that Act;
- (iii) the decision statement;

- (b) cyhoeddi'r datganiad penderfynu ar ei wefan;
- (c) anfon y datganiad penderfynu at unrhyw berson a wnaeth gais am gael ei hysbysu am y penderfyniad o dan adran 65(9)(a) o Ddeddf 2004.

(2) Yn y rheoliad hwn, ystyr “datganiad penderfynu” yw datganiad sy'n cynnwys—

- (a) penderfyniad Gweinidogion Cymru o dan adran 65(9)(a) o Ddeddf 2004, a
- (b) pan fo Gweinidogion Cymru yn cymeradwyo'r CDS, neu'n ei gymeradwyo yn ddarostyngedig i addasiadau, datganiad—
  - (i) o'r dyddiad y cymeradwywyd yr CDS yn y modd hwnnw;
  - (ii) y caiff person a dramgwyddir gan yr CDS a gymeradwywyd wneud cais i'r Uchel Lys o dan adran 113(3) o Ddeddf 2004;
  - (iii) o'r seiliau y caniateir eu defnyddio i wneud y cais hwnnw, ac o fewn pa amser y caniateir iddo gael ei wneud.

## Pennod 8

### Tynnu CDS yn ôl

#### Tynnu yn ôl

**33.** Pan dynnir CDS yn ôl o dan adran 66(1) neu 66A(2) o Ddeddf 2004(1) rhaid i'r CBC, cyn gynted ag y bo'n rhesymol ymarferol—

- (a) cyhoeddi datganiad o'r ffaith honno ar ei wefan;
- (b) hysbysu unrhyw gorff y gwnaeth ymgysylltu ag ef o dan reoliad 16(1)(a) am y ffaith honno;
- (c) symud ymaith unrhyw gopiâu, dogfennau, materion a datganiadau a roddwyd ar gael i'w harolygu neu a gyhoeddwyd o dan reoliad 18(2)(a), 18(2)(b), 21(a), 21(b) neu 22(4)(b) o'r manau lle roeddent ar gael i'w harolygu neu y'u cyhoeddwyd;
- (d) hysbysu unrhyw berson a gyflwynodd sylw (ac nad yw wedi ei dynnu'n ôl) yn unol â rheoliad 22(1), am y tynnu yn ôl.

#### Tynnu yn ôl pan na cheir cyfarwyddyd

**34.**—(1) Y camau sy'n ofynnol gan baragraff (1)(a), (b) ac (c) o reoliad 18 yw'r camau a bennir at ddibenion adran 66A(6)(b) o Ddeddf 2004.

- (b) publish the decision statement on its website;
- (c) send the decision statement to any person who requested to be notified of the decision under section 65(9)(a) of the 2004 Act.

(2) In this regulation, a “decision statement” is a statement which includes—

- (a) the Welsh Ministers' decision under section 65(9)(a) of the 2004 Act, and
- (b) where the Welsh Ministers approve the SDP, or approve it subject to modifications, a statement—
  - (i) of the date on which the SDP was so approved;
  - (ii) that a person aggrieved by the approved SDP may make an application to the High Court under section 113(3) of the 2004 Act;
  - (iii) of the grounds on, and the time within which, such an application may be made.

## Chapter 8

### Withdrawal of SDP

#### Withdrawal

**33.** Where an SDP is withdrawn under section 66(1) or 66A(2) of the 2004 Act(1), the CJC must as soon as reasonably practicable—

- (a) publish a statement of that fact on its website;
- (b) notify any body they engaged with under regulation 16(1)(a) of that fact;
- (c) remove any copies, documents, matters and statements made available for inspection or published under regulation 18(2)(a), 18(2)(b), 21(a), 21(b) or 22(4)(b) from the places that they were made available for inspection or published;
- (d) notify any person who made (and who has not withdrawn) a representation in accordance with regulation 22(1), of the withdrawal.

#### Withdrawal in absence of a direction

**34.**—(1) The steps required by paragraph (1)(a), (b) and (c) of regulation 18 are the steps specified for the purposes of section 66A(6)(b) of the 2004 Act.

(1) Amnewidiwyd adrannau 66 a 66A gan adran 13 o Ddeddf 2015.

(1) Sections 66 and 66A were substituted by section 13 of the 2015 Act.

(2) Pan fo'r CBC yn rhoi hysbysiad o dan adran 66A(5)(a) o Ddeddf 2004, rhaid iddo wneud hynny o fewn y cyfnod o saith niwrnod sy'n dechrau â'r diwrnod y mae'n cymeradwyo, drwy benderfyniad, tynnu'r CDS yn ôl.

(3) Rhaid i hysbysiad o'r fath gynnwys—

- (a) y rhesymau dros y tynnu yn ôl,
- (b) copi o'r adroddiad i'r CBC sy'n argymhell y tynnu yn ôl arfaethedig, ac
- (c) copi o benderfyniad yr CBC i dynnu yn ôl.

(4) Rhaid i'r CBC—

- (a) cyhoeddi'r hysbysiad ar ei wefan, a
- (b) rhoi copïau ar gael i'w harolygu yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a).

(5) Pan fônt yn rhoi cyfarwyddyd o dan adran 66A(7) o Ddeddf 2004, rhaid i Weinidogion Cymru—

- (a) pennu yn y cyfarwyddyd—
  - (i) pa wybodaeth bellach sy'n ofynnol o dan adran 66A(7)(a) o'r Ddeddf honno (os o gwbl),
  - (ii) yr estyniad i'r cyfnod hysbysu y cyfeirir ato yn adran 66A(5)(b) o'r Ddeddf honno (os o gwbl), a
- (b) cyhoeddi'r cyfarwyddyd ar eu gwefan a thrwy unrhyw ddulliau eraill y maent yn ystyried eu bod yn briodol.

(6) At ddibenion adran 66A(9) o Ddeddf 2004, y cyfnod hysbysu yw chwe wythnos.

(2) Where the CJC gives notice under section 66A(5)(a) of the 2004 Act, it must do so within the period of seven days beginning with the day on which it approves, by resolution, the withdrawal of the SDP.

(3) Such notice must include—

- (a) reasons for the withdrawal,
- (b) a copy of the report to the CJC which recommends the proposed withdrawal, and
- (c) a copy of the CJC's resolution to withdraw.

(4) The CJC must—

- (a) publish the notice on its website, and
- (b) make copies available for inspection at the places where the pre-deposit proposals documents and the statement of pre-deposit matters were made available for inspection under regulation 18(2)(a).

(5) Where giving a direction under section 66A(7) of the 2004 Act, the Welsh Ministers must—

- (a) specify in the direction—
  - (i) what further information is required under section 66A(7)(a) of that Act (if any),
  - (ii) the extension of the notice period referred to in section 66A(5)(b) of that Act (if any), and
- (b) publish the direction on their website and by such other means as they consider appropriate.

(6) For the purposes of section 66A(9) of the 2004 Act, the notice period is six weeks.

## Pennod 9

### Mabwysiadu a chymeradwyo CDS

#### Mabwysiadu

**35.**—(1) Yn ddarostyngedig i ddarpariaethau Rhan 6 o Ddeddf 2004, rhaid i'r CBC gynnal pleidlais ar y penderfyniad y cyfeirir ato yn adran 67(3) o'r Ddeddf honno o fewn y cyfnod o wyth wythnos sy'n dechrau â'r diwrnod y mae argymhellion y person a benodwyd a wnaed o dan adran 64(7)(a) o'r Ddeddf honno yn dod i law'r CBC.

(2) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r CBC fabwysiadu CDS, rhaid iddo—

- (a) rhoi'r canlynol ar gael i'w harolygu yn ystod oriau swyddfa arferol yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a)—

## Chapter 9

### Adoption and approval of SDP

#### Adoption

**35.**—(1) Subject to the provisions of Part 6 of the 2004 Act, the CJC must hold a vote on the resolution referred to in section 67(3) of that Act within the period of eight weeks beginning with the day on which the CJC receives the appointed person's recommendations made under section 64(7)(a) of that Act.

(2) As soon as reasonably practicable after the CJC adopts an SDP, it must—

- (a) make available for inspection during normal office hours at the places at which the pre-deposit proposals documents and the statement of pre-deposit matters were made available for inspection under regulation 18(2)(a)—

- (i) yr CDS,
- (ii) datganiad mabwysiadu, a
- (iii) yr adroddiad arfarnu cynaliadwyedd,
- (b) cyhoeddi'r canlynol ar ei wefan—
  - (i) yr CDS,
  - (ii) y datganiad mabwysiadu, a
  - (iii) yr adroddiad arfarnu cynaliadwyedd,
- (c) anfon y datganiad mabwysiadu at unrhyw berson sydd wedi gofyn am gael ei hysbysu ynghylch mabwysiadu'r CDS, a
- (d) anfon copi o'r CDS a'r datganiad mabwysiadu at Weinidogion Cymru.

(3) At ddibenion y rheoliad hwn, ystyr “datganiad mabwysiadu” yw datganiad sy'n cynnwys—

- (a) y dyddiad y mabwysiadwyd yr CDS;
- (b) y caiff person a dramgwyddir gan yr CDS wneud cais i'r Uchel Lys o dan adran 113(3) o Ddeddf 2004;
- (c) y seiliau y caniateir eu defnyddio i wneud y cais hwnnw, ac o fewn pa amser y caniateir iddo gael ei wneud.

### Cymeradwyo

**36.**—(1) Pan fo Gweinidogion Cymru yn cymeradwyo'r CDS o dan adran 65(9)(a) neu 71(4)(b) o Ddeddf 2004 rhaid i'r CBC, cyn gynted ag y bo'n rhesymol ymarferol—

- (a) rhoi'r canlynol ar gael i'w harolygu yn ystod oriau swyddfa arferol yn y manau lle rhoddwyd y dogfennau cynigion cyn-adneuo a'r datganiad o faterion cyn-adneuo ar gael i'w harolygu o dan reoliad 18(2)(a)—
  - (i) yr CDS,
  - (ii) datganiad cymeradwyaeth, a
  - (iii) yr adroddiad arfarnu cynaliadwyedd;
- (b) cyhoeddi'r canlynol ar ei wefan—
  - (i) yr CDS,
  - (ii) y datganiad cymeradwyaeth, a
  - (iii) yr adroddiad arfarnu cynaliadwyedd;
- (c) anfon y datganiad cymeradwyaeth at unrhyw berson sydd wedi gofyn am gael ei hysbysu ynghylch cymeradwyo'r CDS.

(2) At ddibenion y rheoliad hwn, ystyr “datganiad cymeradwyaeth” yw datganiad sy'n cynnwys—

- (a) y dyddiad y cymeradwywyd yr CDS;
- (b) y caiff person a dramgwyddir gan yr CDS wneud cais i'r Uchel Lys o dan adran 113(3) o Ddeddf 2004;

- (i) the SDP,
- (ii) an adoption statement, and
- (iii) the sustainability appraisal report,
- (b) publish the following on its website—
  - (i) the SDP,
  - (ii) the adoption statement, and
  - (iii) the sustainability appraisal report,
- (c) send the adoption statement to any person who has asked to be notified of the adoption of the SDP, and
- (d) send a copy of the SDP and the adoption statement to the Welsh Ministers.

(3) For the purposes of this regulation, “adoption statement” means a statement including—

- (a) the date on which the SDP was adopted;
- (b) that a person aggrieved by the SDP may make an application to the High Court under section 113(3) of the 2004 Act;
- (c) the grounds on, and the time within which, such an application may be made.

### Approval

**36.**—(1) Where the Welsh Ministers approve the SDP under section 65(9)(a) or 71(4)(b) of the 2004 Act, the CJC must as soon as reasonably practicable—

- (a) make available for inspection during normal office hours at the places at which the pre-deposit proposals documents and the statement of pre-deposit matters were made available for inspection under regulation 18(2)(a)—
  - (i) the SDP,
  - (ii) an approval statement, and
  - (iii) the sustainability appraisal report;
- (b) publish the following on its website—
  - (i) the SDP,
  - (ii) the approval statement, and
  - (iii) the sustainability appraisal report;
- (c) send the approval statement to any person who has asked to be notified of the approval of the SDP.

(2) For the purposes of this regulation, “approval statement” means a statement including—

- (a) the date on which the SDP was approved;
- (b) that a person aggrieved by the SDP may make an application to the High Court under section 113(3) of the 2004 Act;

- (c) y seiliau y caniateir eu defnyddio i wneud y cais hwnnw, ac o fewn pa amser y caniateir iddo gael ei wneud.

- (c) the grounds on, and the time within which, such an application may be made.

### Effaith mabwysiadu a chymeradwyo

**37.** Pan fo CDS yn cael ei fabwysiadu gan yr CBC o dan adran 67(3) o Ddeddf 2004 neu'n cael ei gymeradwyo gan Weinidogion Cymru o dan adran 65(9)(a) neu 71(4)(b) o'r Ddeddf honno, mae unrhyw CDS presennol yn cael ei ddisodli ac yn peidio â chael effaith.

### Effect of adoption and approval

**37.** Where an SDP is adopted by the CJC under section 67(3) of the 2004 Act or is approved by the Welsh Ministers under section 65(9)(a) or 71(4)(b) of that Act, any existing SDP is superseded and ceases to have effect.

## RHAN 3

### Dirymu CDS

#### Dirymu

**38.** Pan fo Gweinidogion Cymru yn dirymu CDS rhaid i'r CBC, o fewn y cyfnod o ddwy wythnos sy'n dechrau â'r diwrnod y'i dirymir—

- (a) cyhoeddi datganiad o'r ffaith honno ar ei wefan,
- (b) symud yr CDS ymaith o'r manau lle—
  - (i) y'i rhoddyd ar gael i'w arolygu o dan reoliad 32(1)(a) neu 36(1)(a);
  - (ii) y'i cyhoeddwyd o dan reoliad 35(2)(b) neu 36(1)(b), ac
- (c) cymryd unrhyw gamau eraill y mae'n ystyried eu bod yn angenrheidiol er mwyn tynnu sylw personau sy'n byw neu'n gweithio yn ei ardal at y ffaith bod yr CDS wedi ei ddirymu.

## RHAN 4

### Adolygu CDS

#### Adolygu

**39.**—(1) At ddibenion cynnal adolygiad o CDS yn unol ag adran 69(1)(b) o Ddeddf 2004(1), rhaid i'r CBC gychwyn adolygiad yn ddim hwyrach na'r cyfnod o bob chwe mlynedd sy'n dechrau â'r diweddaraf o'r canlynol—

- (a) y dyddiad y mabwysiadwyd yr CDS gyntaf o dan adran 67(3) o Ddeddf 2004 neu y cymeradwywyd yr CDS gyntaf o dan adran 65(9)(a) neu 71(4)(b) o'r Ddeddf honno, neu

## PART 3

### Revocation of SDP

#### Revocation

**38.** Where the Welsh Ministers revoke an SDP, the CJC must within the period of two weeks beginning with the day of its revocation—

- (a) publish a statement of that fact on its website,
- (b) remove the SDP from the places it was—
  - (i) made available for inspection under regulation 32(1)(a) or 36(1)(a);
  - (ii) published under regulation 35(2)(b) or 36(1)(b), and
- (c) take such other steps as it considers necessary to draw the revocation of the SDP to the attention of persons living or working in its area.

## PART 4

### Review of SDP

#### Review

**39.**—(1) For the purposes of carrying out a review of an SDP in accordance with section 69(1)(b) of the 2004 Act(1), the CJC must commence a review not later than the period of every six years beginning with the later of—

- (a) the date of first adoption of the SDP under section 67(3) of the 2004 Act or first approval of the SDP under section 65(9)(a) or 71(4)(b) of that Act, or

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(1) Diwygiwyd adran 69(1) gan adran 8(2) o Ddeddf 2015.

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(1) Section 69(1) was amended by section 8(2) of the 2015 Act.



- (b) y dyddiad y mabwysiadwyd neu y cymeradwywyd CDS ddiwethaf o dan yr adrannau hynny (yn ôl y digwydd) yn dilyn adolygiad o dan adran 69(1) o Ddeddf 2004.

(2) Rhaid i CBC—

- (a) cymeradwyo'r adroddiad adolygu drwy benderfyniad cyn ei gyflwyno i Weinidogion Cymru yn unol ag adran 69(2) o Ddeddf 2004, a
- (b) cyflwyno'r adroddiad o fewn y cyfnod o chwe mis sy'n dechrau â'r diwrnod y mae'n ofynnol i'r CBC gychwyn ei adolygiad o'r CDS o dan baragraff (1).

(3) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i adroddiad adolygu gael ei gymeradwyo, rhaid i'r CBC—

- (a) cyhoeddi'r adroddiad ar ei wefan, a
- (b) rhoi copïau ar gael i'w harolygu yn ei brif swyddfa.

## RHAN 5

### Adroddiad monitro blynyddol

#### Adroddiad monitro blynyddol

**40.**—(1) Rhaid i CBC gyhoeddi ei adroddiad monitro blynyddol ar ei wefan a'i gyflwyno i Weinidogion Cymru—

- (a) ar 31 Hydref neu cyn hynny ym mhob blwyddyn, neu
- (b) pan fo cyfnod o lai na 12 mis wedi mynd heibio ers i'r CDS gael ei fabwysiadu gan yr CBC o dan adran 67(3) o Ddeddf 2004 neu ei gymeradwyo gan Weinidogion Cymru o dan adran 65(9)(a) neu 71(4)(b) o'r Ddeddf honno, ar 31 Hydref yn y flwyddyn ar ôl iddo gael ei fabwysiadu neu ei gymeradwyo.

(2) Pan na fo polisi a bennwyd mewn CDS yn cael ei weithredu, rhaid i'r adroddiad monitro blynyddol—

- (a) nodi'r polisi hwnnw;
- (b) cynnwys datganiad—
  - (i) o'r rhesymau pam nad yw'r polisi yn cael ei weithredu,
  - (ii) o'r camau y mae'r CBC yn bwriadu eu cymryd i sicrhau y caiff y polisi ei weithredu (os o gwbl), a
  - (iii) ynghylch a yw'r CBC yn bwriadu llunio diwygiad o'r CDS at ddiben diwygio neu ddisodli'r polisi.

- (b) the date of last adoption or approval of an SDP under those sections (whichever the case) following a review under section 69(1) of the 2004 Act.

(2) A CJC must—

- (a) by resolution approve the review report before submitting it to the Welsh Ministers in accordance with section 69(2) of the 2004 Act, and
- (b) submit the report within the period of six months beginning with the day on which the CJC is required to commence its review of the SDP under paragraph (1).

(3) As soon as reasonably practicable after a review report has been approved, the CJC must—

- (a) publish the report on its website, and
- (b) make copies available for inspection at its principal office.

## PART 5

### Annual monitoring report

#### Annual monitoring report

**40.**—(1) A CJC must publish its annual monitoring report on its website and submit it to the Welsh Ministers—

- (a) on or before 31 October in each year, or
- (b) where a period of less than 12 months has elapsed since the SDP was adopted by the CJC under section 67(3) of the 2004 Act or approved by the Welsh Ministers under section 65(9)(a) or 71(4)(b) of that Act, on 31 October in the year after its adoption or approval.

(2) Where a policy specified in an SDP is not being implemented, the annual monitoring report must—

- (a) identify that policy;
- (b) include a statement of—
  - (i) the reasons why the policy is not being implemented,
  - (ii) the steps the CJC intends to take to secure that the policy is implemented (if any), and
- (iii) whether the CJC intends to prepare a revision of the SDP for the purpose of amending or replacing the policy.

## RHAN 6

### Gofynion o ran argaeledd dogfennau

#### **Cyfnod para'r gofyniad i sicrhau bod dogfennau ar gael i'w harolygu**

**41.**—(1) Nid yw'r rheoliad hwn yn gymwys i CDS a roddwyd ar gael i'w arolygu o dan reoliad 35(2)(a)(i) neu 36(1)(a).

(2) Caniateir i gopiâu, dogfennau, sylwadau, cyfarwyddydau, materion, hysbysiadau neu ddatganiadau gael eu symud ymaith o'r manau lle y'u rhoddir ar gael i'w harolygu neu y'u cyhoeddir ar wefan yr CBC o ddiwedd y cyfnod o chwe wythnos sy'n dechrau â'r diwrnod ar ôl i'r CDS gael ei fabwysiadu gan yr CBC o dan adran 67(3) o Ddeddf 2004 neu ei gymeradwyo gan Weinidogion Cymru o dan adran 65(9)(a) neu 71(4)(b) o'r Ddeddf honno.

## PART 6

### Requirements as to the availability of documents

#### **Duration of requirement to make documents available for inspection**

**41.**—(1) This regulation does not apply to an SDP made available for inspection under regulation 35(2)(a)(i) or 36(1)(a).

Copies, documents, representations, directions matters, notices or statements may be removed from the places they are made available for inspection or published on the CJC's website from the end of the period of six weeks which begins with the day after the SDP is adopted by the CJC under section 67(3) of the 2004 Act or approved by the Welsh Ministers under section 65(9)(a) or 71(4)(b) of that Act.

*Julie James*

Y Gweinidog Tai a Llywodraeth Leol, un o  
Weinidogion Cymru  
18 Mawrth 2021

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