



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2015 Rhif 1598 (Cy. 197)

2015 No. 1598 (W. 197)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

**Rheoliadau Cynllunio Gwlad a
Thref (Cynllun Datblygu Lleol)
(Cymru) (Diwygio) 2015**

**The Town and Country Planning
(Local Development Plan) (Wales)
(Amendment) Regulations 2015**

NODYN ESBONIADOL

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

Mae Rhan 6 o Ddeddf Cynllunio a Phrynu Gorfodol 2004 (p. 5) (“Y Ddeddf”) yn darparu ar gyfer system o gynlluniau datblygu lleol (“CDLI”) yng Nghymru.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Lleol) (Cymru) 2005 (O.S. 2005/2839) (“Rheoliadau 2005”) sydd yn gwneud darpariaeth mewn cysylltiad â gweithredu'r system honno.

Mae'r prif newidiadau a wneir gan y Rheoliadau hyn fel a ganlyn.

Mae rheoliad 2(2)(h)(i) yn mewnosod diffiniad o gofrestr safleoedd ymgeisiol ac mae rheoliad 2(2)(h)(iii) yn mewnosod diffiniad o adroddiad adolygu fel y gellir cynnwys y ddau yn y diffiniad o ddogfennau CDLI (fel y'i diwygiwyd gan reoliad 2(2)(d)). Mae'n ofynnol sicrhau bod y rhain ar gael o dan reoliad 17 a rheoliad 26B (adnewo cynigion).

Mae rheoliad 2(2)(g)(ii) yn diwygio'r diffiniad o “cyrff ymgynghori penodol” i ychwanegu Network Rail Infrastructure Limited at y rhestr o gyrff y mae'n rhaid ymgynghori â hwy o dan reoliadau 14 a 26A.

Effaith rheoliad 2(3) yw nad oes unrhyw ofyniad i ymgysylltu ag ymgynghoreion wrth baratoi cynllun cynnwys cymunedau nac amserlen pan fo'r dogfennau hynny'n ymwneud ag adolygu CDLI.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 6 of the Planning and Compulsory Purchase Act 2004 (c. 5) (“the Act”) provides for a system of local development plans (“LDPs”) in Wales.

These Regulations amend the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (S.I. 2005/2839) (“the 2005 Regulations”) which make provision in connection with the operation of that system.

The main changes made by these Regulations are as follows.

Regulation 0 inserts a definition of a candidate sites register and regulation 0 inserts a definition of a review report so that both can be included in the definition of LDP documents (as amended by regulation 2(2)(d)). These are required to be made available under regulation 17 and regulation 26B (deposit of proposals).

Regulation 2(2)(g)(ii) amends the definition of “specific consultation bodies” to add Network Rail Infrastructure Limited to the list of bodies who must be consulted under regulations 14 and 26A.

The effect of regulation 2(3) is that there is no requirement to engage consultees in the preparation of a community involvement scheme nor a timetable where those documents relate to a revision of an LDP.

Mae rheoliad 2(5)(c) yn mewnosod gofyniad i'r awdurdod cynllunio lleol ("ACLI") hysbysu rhai ymgynghoreion cyn gynted ag y bo'n rhesymol ymarferol ar ôl i adolygiad i gytundeb cyflawni gael ei gytuno neu pan y bernir iddo gael ei gytuno.

Mae rheoliad 2(5)(d) yn rhagnodi'r amgylchiadau pan nad oes angen i'r ACLI gydymffurfio â gofynion y cynllun cynnwys cymunedau.

Mae rheoliad 2(7) yn gwneud newidiadau i'r wybodaeth sy'n ofynnol yn isdeitl y CDLI.

Mae rheoliad 2(8) yn ychwanegu unrhyw gynllun morol a baratowyd gan Weinidogion Cymru at y rhestr o faterion y mae'n rhaid i'r ACLI eu hystyried wrth ddarparu CDLI. Mae hyn yn ychwanegol i'r materion a bennwyd eisoes yn adrannau 39 a 62(5) o'r Ddeddf ac yn rheoliad 13. Hepgorir y cyfeiriad at gynlluniau gwastraff rhanbarthol anarferedig yn y rheoliad hwnnw hefyd.

Mae rheoliad 2(9) a 2(22) yn darparu ar gyfer gweithdrefn newydd ffurf fer ar gyfer adolygu CDLI. Rhaid defnyddio'r weithdrefn newydd pan nad yw'r materion dan sylw yn ddigon arwyddocaol i warantu'r weithdrefn lawn sydd hefyd yn gymwys wrth baratoi CDLI cychwynnol neu CDLI yn lle cynllun arall. Mae'r weithdrefn ffurf fer yn y Rhan 4A newydd i Reoliadau 2005. Yn hytrach na gofyn i gyrff statudol gyfranogi cyn-adneuo, y mae gofyniad i'r ACLI hysbysu'r cyrff hynny ynglŷn â phwnc adolygiad arfaethedig a'r adroddiad adolygu sy'n ei ragflaenu ac i wahodd sylwadau ynglŷn â'r hyn y dylid ei gynnwys mewn adolygiad. Nid oes gofyniad yn y weithdrefn ffurf fer i'r ACLI gynnal ymgynghoriad cyhoeddus cyn-adneuo.

Mae rheoliad 2(10) yn ei gwneud yn ofynnol i ACLI alw am safleoedd ymgeisiol y gellir eu hystyried i'w cynnwys yn y CDLI. Mae'n rhaid i ACLI hefyd gadw cofrestr o safleoedd ymgeisiol i gofnodi'r enwebiadau sy'n dod i law.

Mae rheoliad 2(12) yn mewnosod gofyniad i'r ACLI baratoi adroddiad o'r hysbysiadau a wnaed a'r sylwadau a gyflwynwyd o dan reoliadau 14 i 16. Yr adroddiad a ddiffinnir fel yr "adroddiad ymgynghori cychwynnol" yw hwn.

Mae rheoliad 2(16) yn dileu'r gweithdrefnau yn rheoliadau 20 a 21 o Reoliadau 2005 sy'n ymwneud yn benodol ag ymdrin â sylwadau ynglŷn â dyrannu safleoedd, fel yr ymdrinnir â'r sylwadau hynny yn yr un ffordd ag unrhyw sylwadau eraill.

Mae rheoliad 2(19)(c) yn gwneud darpariaeth bod CDLI a fabwysiadir neu a gymeradwyir yn disodli'r CDLI presennol yn awtomatig.

Regulation 2(5)(c) inserts a requirement for the local planning authority ("LPA") to notify certain consultees as soon as reasonably practicable after a revision to a delivery agreement is agreed or deemed to be agreed.

Regulation 2(5)(d) prescribes the circumstances in which the LPA need not comply with the requirements of the community involvement scheme.

Regulation 2(7) makes changes to the information required in the sub-title of the LDP.

Regulation 2(8) adds any marine plan prepared by the Welsh Ministers to the list of matters to which the LPA must have regard in preparing an LDP. This is in addition to the matters already specified in sections 39 and 62(5) of the Act and in regulation 13. The reference to obsolete regional waste plans in that regulation is also omitted.

Regulation 2(9) and 2(22) provide for a new short form procedure for revisions to LDPs. The new procedure is for use where the issues involved are not of sufficient significance to warrant the full procedure which also applies when preparing an initial or replacement LDP. The short form procedure is in a new Part 4A to the 2005 Regulations. Instead of pre-deposit participation involving statutory bodies there is a requirement on the LPA to notify such bodies of the subject of a proposed revision and the review report preceding it and to invite representations about what a revision should include. There is no requirement in the short form procedure on the LPA to conduct pre-deposit public consultation.

Regulation 2(10) requires LPAs to make a call for candidate sites which can be considered for inclusion in the LDP. LPAs must also compile a candidate sites register to reflect nominations received.

Regulation 2(12) inserts a requirement on the LPA to prepare a report of the notifications made and representations made under regulations 14 to 16. This is the report defined as the "initial consultation report".

Regulation 2(16) removes the procedures in regulations 20 and 21 of the 2005 Regulations relating specifically to handling site allocation representations, so that such representations are handled in the same way as any other representations.

Regulation 2(19)(c) makes provision so that where an LDP is adopted or approved it automatically supersedes the existing LDP.

Mae rheoliad 2(20) yn mewnosod rheoliad newydd 25A yn Rheoliadau 2005 i alluogi'r ACLI i fabwysiadu CDLI diwygiedig naill ai â diwygiadau fel y'u paratowyd neu fel y'u haddaswyd, yn dibynnu ar argymhelliad y person a benodwyd i gynnal yr archwiliad annibynnol o'r adolygiadau arfaethedig.

Mae rheoliad 2(24) yn diwygio rheoliad 30 o Reoliadau 2005 i ddarparu bod ACLI yn gyfrifol am baratoi arfarniad o gynaliadwyedd y CDLI neu'r adolygiad ohono, os nad yw eisoes wedi gwneud hynny, os yw Gweinidogion Cymru'n rhoi cyfarwyddyd o dan adran 65(4) o'r Ddeddf.

Mae rheoliad 2(29) yn gwneud darpariaeth sy'n ei gwneud yn ofynnol i baratoi adroddiad adolygu cyn cynnal unrhyw adolygiad o CDLI. Caiff yr adroddiad hwnnw fod yr adroddiad adolygu llawn sy'n ofynnol o dan adran 69(2) o'r Ddeddf neu'n adroddiad o adolygiad dethol o ran (neu rannau) o'r CDLI. Gwneir mân ddiwygiadau a diwygiadau canlyniadol gan baragraffau eraill o reoliad 2, gan gynnwys hepgor pob gofyniad i roi cyhoeddusrwydd i faterion drwy hysbysebu mewn papur newydd lleol.

Mae rheoliad 3 yn gwneud darpariaeth drosiannol ac arbed.

Paratowyd Asesiad Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. Mae copïau ar gael gan Lywodraeth Cymru yn: Parc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru: www.cymru.gov.uk.

Regulation 2(20) inserts a new regulation 25A in the 2005 Regulations to enable the LPA to adopt a revised LDP either with revisions as prepared or as modified, depending on the recommendation of the person appointed to carry out the independent examination of the proposed revisions.

Regulation 2(24) amends regulation 30 of the 2005 Regulations so that if the Welsh Ministers give a direction under section 65(4) of the Act, it is the LPA's responsibility to prepare an appraisal of the sustainability of the LDP or revision if it has not already done so.

Regulation 2(29) makes provision requiring a review report to be prepared before any revision of an LDP. Such a report may be the full review report required under section 69(2) of the Act or a report of a selective review of part (or parts) of the LDP. Minor and consequential amendments are made by other paragraphs of regulation 2, including omitting all requirements to publicise matters by advertisement in a local newspaper.

Regulation 3 makes transitional and saving provision.

A regulatory impact assessment has been prepared in relation to these Regulations. Copies are available from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government's website at www.wales.gov.uk.

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**CYNLLUNIO GWLAD A
THREF, CYMRU**

**Rheoliadau Cynllunio Gwlad a
Thref (Cynllun Datblygu Lleol)
(Cymru) (Diwygio) 2015**

Gwnaed 3 Awst 2015

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 7 Awst 2015

Yn dod i rym 28 Awst 2015

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn, drwy arfer y pwerau a roddir gan adrannau 62, 63, 69, 77 a 122 o Ddeddf Cynllunio a Phrynu Gorfodol 2004(1).

Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Lleol) (Cymru) (Diwygio) 2015 a deuant i rym ar 28 Awst 2015.

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

(3) Yn y Rheoliadau hyn—

(a) ystyr “Rheoliadau 2005” (“the 2005 Regulations”) yw Rheoliadau Cynllunio Gwlad a Thref (Cynllun Datblygu Lleol) (Cymru) 2005(2); a

(b) mae unrhyw gyfeiriad at adran yn gyfeiriad at adran o Ddeddf Cynllunio a Phrynu Gorfodol 2004, oni nodir yn wahanol.

2015 No. 1598 (W. 197)

**TOWN AND COUNTRY
PLANNING, WALES**

**The Town and Country Planning
(Local Development Plan) (Wales)
(Amendment) Regulations 2015**

Made 3 August 2015

*Laid before the National Assembly for
Wales* 7 August 2015

Coming into force 28 August 2015

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 62, 63, 69, 77 and 122 of the Planning and Compulsory Purchase Act 2004(1).

**Title, commencement, application and
interpretation**

1.—(1) The title of these Regulations is the Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015 and they come into force on 28 August 2015.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations—

(a) the “2005 Regulations” (“*Rheoliadau 2005*”) means The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005(2); and

(b) any reference to a section is a reference to a section of the Planning and Compulsory Purchase Act 2004, unless otherwise stated.

(1) 2004 p.5; rhoddwyd adran 62(5)(d) yn lle paragraffau (d) ac (e) gan adran 51(2) o Fesur Llywodraeth Leol (Cymru) 2009, a pharagraffau 4 a 5 o Atodlen 2 i'r Mesur hwnnw; rhoddwyd adran 51(2) o Fesur Llywodraeth Leol (Cymru) 2009, a pharagraffau 4 a 6 o Atodlen 2 i'r Mesur hwnnw yn lle adran 62(7).

(2) O.S. 2005/2839 (Cy. 203), fel y'i diwygiwyd gan O.S. 2011/971 (Cy. 141) ac O.S. 2013/755 (Cy. 90).

(1) 2004 c.5; section 62(5)(d) was substituted for paragraphs (d) and (e) by section 51(2) of, and paragraphs 4 and 5 of Schedule 2 to the Local Government (Wales) Measure 2009; section 62(7) was substituted by section 51(2) of, and paragraphs 4 and 6 of Schedule 2 to the Local Government (Wales) Measure 2009.

(2) S.I. 2005/2839 (W. 203), as amended by S.I. 2011/971 (W. 141) and S.I. 2013/755 (W. 90).

Diwygio Rheoliadau 2005

2.—(1) Diwygir Rheoliadau 2005 fel a ganlyn.

(2) Yn rheoliad 2(1) (dehongli)—

- (a) hepgorer y diffiniad o “drwy hysbyseb leol” (“*by local advertisement*”);
- (b) yn y diffiniad o “materion adneuo” (“*deposit matters*”)—
 - (i) yn is-baragraff (b), yn lle “rheoliad 16(2)(a)”, rhodder “rheoliad 18 neu 26C”; a
 - (ii) yn is-baragraff (c), yn lle “rheoliad 18”, rhodder “rheoliad 18 neu 26C, yn ôl y digwydd”;
- (c) yn y diffiniad o “adroddiad ymgynghori cychwynnol” (“*initial consultation report*”), yn lle “16”, rhodder
“16A neu reoliad 26A(4), pa un bynnag sy’n ofynnol”;
- (d) yn y diffiniad o “dogfennau CDLI” (“*LDP documents*”), ar ôl paragraff (ch), mewnosoder—
 - “(d) unrhyw adroddiad adolygu perthnasol;
 - (dd) unrhyw gofrestr safleoedd ymgeisiol”;
- (e) yn y diffiniad o “dogfennau cynigion cyn-adneuo” (“*pre-deposit proposals documents*”), ar ôl “wedi’u hegluro”, mewnosoder “cofrestr y safleoedd ymgeisiol ac unrhyw adroddiad adolygu.”;
- (f) hepgorer y diffiniadau o “polisi dyrannu safle” (“*site allocation policy*”) a “sylw ar ddyraniad safle” (“*site allocation representation*”);
- (g) yn y diffiniad o “cyrff ymgynghori penodol” (“*specific consultation bodies*”)—
 - (i) yn lle “(i) i (viii)”, rhodder “(a) i (e)”; a
 - (ii) cyn paragraff (c) mewnosoder
“(b) Network Rail Infrastructure Limited.”;
- (h) yn y manau priodol yn nhrefn yr wyddor, rhodder—
 - “(i) ystyr “cofrestr y safleoedd ymgeisiol” (“*candidate sites register*”) yw’r rhestr o safleoedd a baratowyd yn unol â rheoliad 14(4) neu 26A(8).”
 - “(ii) ystyr “CDLI sydd wrthi’n ymddangos” (“*emerging LDP*”) yw—
 - (a) dogfen a gynigiwyd fel CDLI a roddwyd ar gael yn unol â rheoliadau 15, 17 neu 22(1);

Amendment of the 2005 Regulations

2.—(1) The 2005 Regulations are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) omit the definition of “by local advertisement” (“*drwy hysbyseb leol*”);
- (b) in the definition of “deposit matters” (“*materion adneuo*”)—
 - (i) in sub-paragraph (b), for “regulation 16(2)(a)”, substitute “regulation 18 or 26C”; and
 - (ii) in sub-paragraph (c), for “regulation 18”, substitute “regulation 18 or 26C, as the case may be”;
- (c) in the definition of “initial consultation report” (“*adroddiad ymgynghori cychwynnol*”), for “16”, substitute
“16A or regulation 26A(4), whichever is required”;
- (d) in the definition of “LDP documents” (“*dogfennau CDLI*”), after paragraph (d), insert—
 - “(e) any relevant review report;
 - (f) any candidate sites register”;
- (e) in the definition of “pre-deposit proposals documents” (“*dogfennau cynnigion cyn-adneuo*”), after “made explicit”, insert “the candidate sites register and any review report.”;
- (f) omit the definitions of “site allocation policy” (“*polisi dyrannu safle*”) and “site allocation representation” (“*sylw ar ddyraniad safle*”);
- (g) in the definition of “specific consultation bodies” (“*cyrff ymgynghori penodol*”)—
 - (i) for “(i) to (viii)”, substitute “(a) to (g)”; and
 - (ii) before paragraph (c) insert
“(b) Network Rail Infrastructure Limited.”;
- (h) at the appropriate places in alphabetical order insert—
 - “(i) candidate sites register” (“*cofrestr y safleoedd ymgeisiol*”) means the list of sites prepared in accordance with regulation 14(4) or 26A(8).”
 - “(ii) emerging LDP” (“*CDLI sydd wrthi’n ymddangos*”) means—
 - (a) a document proposed as an LDP, made available pursuant to regulations 15, 17 or 22(1);

- (b) dogfen a gynigiwyd fel adolygiad i CDLI a roddwyd ar gael yn unol â rheoliadau 15, 17, 22(1) neu 26B,

nad yw yn y naill achos a'r llall wedi ei fabwysiadu gan yr ACLI o dan adran 67, na'i gymeradwyo gan Weinidogion Cymru o dan adran 65 neu 71(4);”

“(iii) ystyr “adroddiad adolygu” (“review report”) yw adroddiad a baratowyd yn unol ag adran 69 neu reoliad 41(4).”

(3) Yn lle paragraff (1) o reoliad 3 (cwmpas y rheoliadau), rhodder—

“(1) Mae'r Rheoliadau hyn yn cael effaith mewn perthynas ag adolygu CDLI i'r graddau y maent yn gymwys i baratoi CDLI, ac eithrio—

- (a) rheoliadau 5 a 7 nad ydynt yn gymwys i adolygu CDLI;
- (b) pan fo ACLI yn mynd rhagddo yn unol â Rhan 4A, nid yw Rhan 4 yn gymwys heblaw i'r graddau a bennir yn Rhan 4A;
- (c) pan fo ACLI yn cynnig adolygu ei CDLI ac yn mynd ati yn unol â Rhan 4, nid yw Rhan 4A yn gymwys.”

(4) Yn rheoliad 5 (paratoi cynllun cynnwys cymunedau), yn lle “adran 63(3)(a)”, rhodder “adran 63(7)(a)”.

(5) Yn rheoliad 9 (cytundebau cyflawni)—

- (a) ym mharagraff (1), yn lle “ac, yn ychwanegol, rhaid iddo-” hyd at ddiwedd is-baragraff (b), rhodder “a rhaid iddo gael ei gymeradwyo trwy benderfyniad yr ACLI ac yna'i gyflwyno i Weinidogion Cymru ar gyfer eu cytundeb”;
- (b) yn lle paragraff (4), rhodder “Hyd nes y bydd Gweinidogion Cymru yn cytuno i'r cytundeb cyflawni, rhaid i'r ACLI beidio â chymryd unrhyw gamau o dan reoliad 15 na 26A”;
- (c) ar ôl paragraff 9(4), mewnosoder—

“(4A) Rhaid i'r ACLI hysbysu—

 - (a) y cyrff ymgynghori penodol; a
 - (b) y cyrff ymgynghori cyffredinol hynny a ystyrir yn briodol gan yr ACLI,

cyn gynted ag y bo'n rhesymol ymarferol wedi i adolygiad i gytundeb cyflawni gael ei gytuno neu y bernir iddo gael ei gytuno o dan baragraff (3).”; a

(d) ar ôl paragraff (5), mewnosoder—

“(6) Nid oes angen i'r ACLI gydymffurfio â gofyniad penodol ei gynllun cynnwys cymunedau os oes ganddo achos rhesymol i gredu nad yw'n debygol o ragfarnu cyfle

- (b) a document proposed as a revision of an LDP made available pursuant to regulations 15, 17, 22(1) or 26B,

in either case which has not been adopted either by the LPA under section 67, or approved by the Welsh Ministers under section 65 or 71(4);”

“(iii) “review report” (“*adroddiad adolygu*”) means a report prepared pursuant to section 69 or regulation 41(4).”

(3) For paragraph (1) of regulation 3 (scope of regulations), substitute—

“(1) These Regulations have effect in relation to the revision of an LDP as they apply to the preparation of an LDP, except—

- (a) regulations 5 and 7 which do not apply to the revision of an LDP;
- (b) where an LPA proceeds in accordance with Part 4A, Part 4 does not apply other than to the extent specified in Part 4A;
- (c) where an LPA proposes to revise its LDP and proceeds in accordance with Part 4, Part 4A does not apply.”

(4) In regulation 5 (community involvement scheme preparation), for “section 63(3)(a)”, substitute “section 63(7)(a)”.

(5) In regulation 9 (delivery agreement)—

- (a) in paragraph (1), for “must, in addition, be-” to the end of sub-paragraph (b), substitute “must be approved by resolution of the LPA and then submitted to the Welsh Ministers for their agreement.”;
- (b) for paragraph (4), substitute “Until such time as the Welsh Ministers agree the delivery agreement, the LPA must not take any steps under regulation 15 or 26A.”;
- (c) after paragraph 9(4), insert—

“(4A) The LPA must notify—

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

as soon as reasonably practicable after a revision to a delivery agreement is agreed or deemed to be agreed under paragraph (3).”; and

(d) after paragraph (5), insert—

“(6) The LPA does not need to comply with a particular requirement of its community involvement scheme if it has reasonable grounds to believe that it is not likely to

unrhyw berson i fod yn rhan o roi swyddogaethau'r ACLl ar waith o dan Ran 6 o'r Ddeddf os nad yw'n cydymffurfio â'r gofyniad hwnnw."

(6) Yn rheoliad 10 (argaeledd cytundebau cyflawni), ym mharagraff (2), yn lle "CDLl", rhodder "ACLl".

(7) Yn rheoliad 11 (ffurf a chynnwys cynllun datblygu lleol) ym mharagraff (b)—

(a) yn is-baragraff (i), hepgorer "a"; a

(b) yn lle is-baragraff (ii), rhodder—

"(ii) dyddiad y daw'r cyfnod y paratowyd y CDLl gan yr ACLl ar ei gyfer i ben; a

(iii) pan fo'n CDLl sydd wrthi'n ymddangos, y cam o'r broses a gyrhaeddwyd a dyddiad ei gyhoeddi."

(8) Yn rheoliad 13 (CDLl: materion ychwanegol y dylid rhoi sylw iddynt), yn lle paragraff (dd), rhodder "unrhyw gynllun morol a fabwysiadwyd ac a gyhoeddwyd gan Weinidogion Cymru o dan Ran 3 o Ddeddf y Môr a Mynediad i'r Arfordir 2009(1) sy'n effeithio ar unrhyw ran o ardal yr ACLl;"

(9) Cyn "RHAN 4 Y WEITHDREFN AR GYFER CYNLLUN DATBLYGU LLEOL", mewnosoder—

"**13A.** Pan fo ACLl yn cynnig adolygu ei CDLl a phan yr ymddengys iddo nad yw'r materion dan sylw yn ddigon arwyddocaol i gyfiawnhau ymgymryd â'r weithdrefn lawn ar gyfer paratoi fersiwn ddiwygiedig o CDLl fel a bennir yn rheoliadau 14 i 16, caiff fynd ati yn unol â Rhan 4A yn hytrach na Rhan 4."

(10) Yn rheoliad 14—

(a) ail-rifer y paragraff presennol yn is-baragraff (1); a

(b) ar ôl is-baragraff (1), mewnosoder—

"(2) Cyn bod ACLl yn cydymffurfio â rheoliad 15, rhaid iddo wneud cais am enwebiadau ar gyfer safleoedd y cynigir eu cynnwys yn y CDLl.

(3) Rhaid i'r ACLl—

(a) ddatgan y cais am enwebiadau ar ei wefan a thrwy gyfryw ddulliau eraill y mae'n eu hystyried yn briodol; a

(b) datgan yn ei gais y dyddiad erbyn pryd y mae'n rhaid i'r ACLl fod wedi cael y cyfryw enwebiadau.

prejudice any person's opportunity to be involved in the exercise of the LPA's functions under Part 6 of the Act if it does not comply with that requirement."

(6) In regulation 10 (availability of a delivery agreement), in paragraph (2), for "LDP", substitute "LPA".

(7) In regulation 11 (form and content of LDP), in paragraph (b)—

(a) in sub-paragraph (i), omit "and"; and

(b) for sub-paragraph (ii), substitute—

"(ii) the date of the expiry of the period in relation to which the LDP has been prepared by the LPA; and

(iii) where it is an emerging LDP, the stage reached and date of its publication."

(8) In regulation 13 (LDP: additional matters to which regard to be had), for paragraph (f), substitute "any marine plan adopted and published by the Welsh Ministers under Part 3 of the Marine and Coastal Access Act 2009(1) which affects any part of the LPA's area;"

(9) Before "PART 4 LDP PROCEDURE", insert—

"**13A.** Where an LPA proposes to revise its LDP and it appears to it that the issues involved are not of sufficient significance to justify undertaking the full procedure for preparing a revision to an LDP as set out in regulations 14 to 16, they may proceed in accordance with Part 4A instead of Part 4."

(10) In regulation 14—

(a) renumber the existing paragraph as sub-paragraph (1); and

(b) after sub-paragraph (1), insert—

"(2) Before an LPA complies with regulation 15, it must request nominations for sites proposed to be included in the LDP.

(3) The LPA must—

(a) publish the request for nominations on its website and by such other means as it considers appropriate; and

(b) state in its request the date by which such nominations must be received by the LPA.

(4) Rhaid i'r ACLI baratoi rhestr o'r holl safleoedd a enwebir.

(5) Rhaid i'r ACLI ystyried unrhyw safleoedd a enwebir cyn penderfynu ar gynnwys CDLI a adneuir yn unol â rheoliad 17."

(11) Yn rheoliad 15 (ymgyngori â'r cyhoedd cyn adneuo)—

- (a) hepgorer "ac" ar ôl paragraff (c)(iv); a
- (b) hepgorer paragraff (ch).

(12) Ar ôl rheoliad 16, mewnosoder—

"Adroddiad ymgyngori cychwynnol

16A. Rhaid i'r ACLI baratoi adroddiad y mae'n rhaid iddo ddatgan—

- (a) pa gyrff y mae wedi ymgysylltu neu ymgyngori â hwy neu wedi eu hysbysu yn unol â rheoliadau 14 a 15;
- (b) crynodeb o'r prif faterion a godwyd yn ystod yr ymgysylltiadau, ymgyngoriadau a hysbysiadau hynny, a'r ymatebion;
- (c) mewn perthynas â'r CDLI i'w adneuo yn unol â rheoliad 17—
 - (i) sut yr aethpwyd i'r afael â'r prif faterion hynny; a
 - (ii) i ba raddau yr aethpwyd i'r afael â'r ymatebion hynny;
- (d) cyfanswm y sylwadau a ddaeth i law yn unol â rheoliad 16; ac
- (e) unrhyw wyriad o'r cynllun cynnwys cymunedau."

(13) Yn rheoliad 17 (adneuo cynigion)—

- (a) ym mharagraff (a), yn lle "materion CDLI", rhodder "materion adneuo";
- (b) ym mharagraff (c)(vi), hepgorer "a"; ac
- (c) hepgorer paragraff (ch).

(14) Yn lle rheoliad 18 (sylwadau ar gynigion adneuo cynllun datblygu lleol), rhodder—

"Caiff person gyflwyno sylwadau am CDLI drwy eu hanfon i'r cyfeiriad ac at y person (os oes un) a bennir yn y materion adneuo, o fewn y cyfnod o 6 wythnos, gan ddechrau ar y diwrnod y bydd yr ACLI yn cydymffurfio â rheoliadau 17(a) ac (c)."

(15) Yn rheoliad 19 (ymdrin â sylwadau: adneuo), hepgorer paragraff (1).

(4) The LPA must prepare a list of all the sites nominated.

(5) The LPA must consider any sites nominated before determining the content of the LDP deposited in accordance with regulation 17."

(11) In regulation 15 (pre-deposit public consultation)—

- (a) omit "and" after paragraph (c)(iv), ; and
- (b) omit paragraph (d).

(12) After regulation 16, insert—

"Initial consultation report

16A. The LPA must prepare a report which must set out—

- (a) which bodies it has engaged, notified or consulted pursuant to regulations 14 and 15;
- (b) a summary of the main issues raised in, and responses from, those engagements, notifications and consultations;
- (c) in relation to the LDP to be deposited in accordance with regulation 17—
 - (i) how those main issues have been addressed; and
 - (ii) the extent to which those responses have been addressed;
- (d) the total number of representations received pursuant to regulation 16; and
- (e) any deviation from the community involvement scheme."

(13) In regulation 17 (deposit of proposals)—

- (a) in paragraph (a), for "LDP matters", substitute "deposit matters";
- (b) in paragraph (c)(vi), omit "and"; and
- (c) omit paragraph (d).

(14) For regulation 18 (representations on deposit proposals of LDPs), substitute—

"A person may make representations about an LDP by sending them to the address and person (if any) specified in the deposit matters, within the period of 6 weeks, starting on the day on which the LPA has complied with regulation 17(a) and (c)."

(15) In regulation 19 (handling of representations: deposit), omit paragraph (1).

(16) Hepgorer rheoliadau 20 (ymdrin â sylwadau: sylwadau ar ddyraniad safle) a 21 (sylwadau am sylw ar ddyraniad safle).

(17) Yn rheoliad 22 (cyflwyno cynllun datblygu lleol i'r Cynulliad Cenedlaethol)—

- (a) ym mharagraff (1), yn lle “rheoliadau 18 ac 21”, rhodder “rheoliad 18”;
- (b) yn is-baragraff (2)(c)(i) yn lle “rheoliadau 14, 15, 17 ac 20”, rhodder “rheoliadau 14, 15 a 17”;
- (c) ar ddechrau is-baragraff (2)(c)(iii), mewnosoder “mewn cysylltiad â'r prif faterion a godwyd o dan reoliad 16,”;
- (d) yn is-baragraff (2)(c)(iv), yn lle “rheoliadau 16, 18 ac 21”, rhodder “rheoliad 16 a 18”;
- (e) yn is-baragraffau (2)(c)(v) a (vi), yn lle “rheoliadau 18 a 21”, rhodder “rheoliad 18”;
- (f) ym mharagraff (2), ar ôl is-baragraff (c), mewnosoder—
 - “(ca) unrhyw adroddiad adolygu perthnasol;
 - (cb) unrhyw gofrestr safleoedd ymgeisiol”;
- (g) ym mharagraff (ch), yn lle “rheoliadau 18 a 21”, rhodder “rheoliad 18”;
- (h) hepgorer paragraff (5)(b).

(18) Yn rheoliad 23 (archwiliad annibynnol)—

- (a) ym mharagraff (1), yn lle “cyn dechrau cynnal archwiliad annibynnol o dan adran 64,”; rhodder “cyn dechrau'r gwrandawriad cyntaf o dan adran 64(6),”;
- (b) yn is-baragraff (1)(b), yn lle “neu 21 o'r materion hynny; ac”, rhodder “o'r materion hynny.”;
- (c) hepgorer is-baragraff (1)(c);
- (d) yn is-baragraff (2)(a), yn lle “archwiliad”, rhodder “gwrandawriad”; ac
- (e) ym mharagraff (3), yn lle “rheoliadau 18 ac 21”, rhodder “rheoliad 18”.

(19) Yn rheoliad 25 (mabwysiadu CDLI)—

- (a) ym mharagraff (2), yn lle “Pan fydd yr ACLI yn mabwysiadu CDLI, rhaid iddo yr un pryd,” rhodder “Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i ACLI fabwysiadu CDLI, rhaid iddo—”;
- (b) hepgorer is-baragraff (2)(c); ac
- (c) ar ôl paragraff (2), mewnosoder—

(16) Omit regulations 20 (handling of representations: site allocation representations) and 21 (representations on a site allocation representation).

(17) In regulation 22 (submission of LDP to the National Assembly)—

- (a) in paragraph (1), for “regulations 18 and 21”, substitute “regulation 18”;
- (b) in sub-paragraph (2)(c)(i) for “regulations 14, 15, 17 and 20”, substitute “regulations 14, 15 and 17”;
- (c) at the beginning of sub-paragraph (2)(c)(iii), insert “in respect of the main issues raised under regulation 16,”;
- (d) in sub-paragraph (2)(c)(iv), for “regulation 16, 18 and 21”, substitute “regulations 16 and 18”;
- (e) in sub-paragraphs (2)(c)(v) and (vi), for “regulations 18 and 21”, substitute “regulation 18”;
- (f) in paragraph (2), after sub-paragraph (c), insert—
 - “(ca) any relevant review report;
 - (cb) any candidate sites register”;
- (g) in paragraph (d), for “regulations 18 and 21”, substitute “regulation 18”; and
- (h) omit paragraph (5)(b).

(18) In regulation 23 (independent examination)—

- (a) in paragraph (1), for “before the opening of an independent examination under section 64,”; substitute “before the start of the first hearing under section 64(6),”;
- (b) in sub-paragraph (1)(b), for “or 21 of those matters; and”, substitute “of those matters.”;
- (c) omit sub-paragraph (1)(c);
- (d) in sub-paragraph (2)(a), for “examination”, substitute “hearing”; and
- (e) in paragraph (3), for “regulations 18 and 21”, substitute “regulation 18”.

(19) In regulation 25 (adoption of an LDP)—

- (a) in paragraph (2), for “When the LPA adopts an LDP, at the same time it must-,”; substitute “As soon as reasonably practicable after the LPA adopts an LDP, it must—”;
- (b) omit sub-paragraph (2)(c); and
- (c) after paragraph (2), insert—

“(3) Pan fydd CDLI yn cael ei fabwysiadu drwy benderfyniad gan yr ACLI neu yn cael ei gymeradwyo gan Weinidogion Cymru o dan adrannau 65 neu 71, mae’n disodli unrhyw CDLI presennol a fydd yn peidio â chael effaith.”

(20) Ar ôl rheoliad 25, mewnosoder—

“Mabwysiadu adolygiadau i gynllun datblygu lleol

25A.—(1) Caiff yr ACLI fabwysiadu CDLI wedi ei adolygu, ag adolygiadau fel y’i paratowyd yn wreiddiol, os yw’r person a benodir i gynnal yr archwiliad annibynnol o dan adran 64(4) yn argymhell hynny.

(2) Caiff yr ACLI fabwysiadu CDLI ag adolygiadau wedi’u haddasu os yw’r person a benodir i gynnal yr archwiliad annibynnol o dan adran 64(4) yn argymhell hynny.”

(21) Yn rheoliad 26 (tynnu cynllun datblygu lleol yn ôl)—

- (a) hepgorer paragraff (b);
- (b) ym mharagraff (ch), hepgorer “, ac 20(2)(a) a (b)”;
- (c) ym mharagraff (d), yn lle “rheoliad 18 neu 21”, rhodder “rheoliad 18”.

(22) Ar ôl diwedd Rhan 4, mewnosoder y rhan a ganlyn—

“RHAN 4A

Gweithdrefn ffurf fer ar gyfer adolygiadau nad ydynt yn ddigon arwyddocaol

Gofynion cyn-adneuo

26A.—(1) Cyn i’r ACLI gydymffurfio â rheoliad 26B (adneuo adolygiad arfaethedig), at ddiben pennu cwmpas yr adolygiad arfaethedig a chynhyrchu opsiynau eraill, rhaid iddo—

- (a) hysbysu pob un o’r cyrff neu bersonau a bennir ym mharagraff (2) o bwnc yr adolygiad y mae’r ACLI yn cynnig ei baratoi i’r CDLI ac o’r adroddiad adolygu; a
- (b) gwahodd pob un ohonynt i gyflwyno sylwadau i’r ACLI ynglŷn â’r hyn y dylid ei gynnwys mewn adolygiad.

(2) Y cyrff neu bersonau y cyfeirir atynt ym mharagraff (1) yw—

“(3) Where an LDP is adopted by resolution of the LPA or is approved by the Welsh Ministers under section 65 or 71, it supersedes any existing LDP which ceases to have effect.”

(20) After regulation 25, insert—

“Adoption of revisions to LDP

25A.—(1) The LPA may adopt a revised LDP, with revisions as originally prepared, if the person appointed to carry out the independent examination under section 64(4) so recommends.

(2) The LPA may adopt a revised LDP with modified revisions if the person appointed to carry out the independent examination under section 64(4) so recommends.”

(21) In regulation 26 (withdrawal of an LDP)—

- (a) omit paragraph (b);
- (b) in paragraph (d), omit “, and 20(2)(a) and (b)”;
- (c) in paragraph (e), for “regulation 18 or 21”, substitute “regulation 18”.

(22) After the end of Part 4, insert the following—

“PART 4A

Short form procedure for revisions not of sufficient significance

Pre-deposit requirements

26A.—(1) Before the LPA complies with regulation 26B (deposit of proposed revision), it must, for the purpose of determining the scope of the proposed revision and of generating alternative options—

- (a) notify each of the bodies or persons specified in paragraph (2) of the subject of the revision to the LDP which the LPA proposes to prepare and of the review report; and
- (b) invite each of them to make representations to the LPA about what a revision should include.

(2) The bodies or persons referred to in paragraph (1) are—

- (a) y cyrff ymgynghori penodol hynny yr ymddengys i'r ACLI bod ganddynt fuddiant yn yr adolygiad arfaethedig; a
 - (b) y cyrff ymgynghori cyffredinol hynny a ystyrir yn briodol gan yr ACLI.
- (3) Rhaid i ACLI ystyried unrhyw sylwadau a gyflwynir yn unol â pharagraff (1) cyn penderfynu'n derfynol ar gynnwys yr adolygiad arfaethedig sydd i'w ddarparu o dan reoliad 26B.
- (4) Rhaid i'r ACLI baratoi adroddiad o'r hyn y mae wedi'i wneud yn unol â pharagraff (1).
- (5) Mae rheoliad 16A yn gymwys i'r adroddiad hwnnw fel petai—
- (a) cyfeiriadau at reoliadau 14, 15 neu 16 yn cyfeirio at y rheoliad hwn; a
 - (b) cyfeiriadau at y CDLI a adneuwyd yn unol â rheoliad 17, yn cyfeirio at yr adolygiad arfaethedig a adneuwyd yn unol â rheoliad 26B.
- (6) Cyn i'r ACLI gydymffurfio â rheoliad 26B, os yw'r adolygiad arfaethedig yn cynnwys tir a nodwyd ar gyfer ei ddatblygu, rhaid gwneud cais am enwebiadau ar gyfer safleoedd arfaethedig i'w cynnwys yn y diwygiad arfaethedig.
- (7) Rhaid i'r ACLI—
- (a) gyhoeddi'r cais am enwebiadau ar ei wefan a thrwy gyfryw ddulliau eraill y mae'n eu hystyried yn briodol; a
 - (b) datgan yn ei gais erbyn pa ddyddiad y mae'n rhaid i'r enwebiadau ddod i law'r ACLI.
- (8) Rhaid i'r ACLI baratoi rhestr o'r holl safleoedd a enwebwyd.
- (9) Rhaid i'r ACLI ystyried unrhyw safleoedd a enwebir cyn penderfynu ar gynnwys y diwygiad a adneuwyd yn unol â rheoliad 26B.

Adneuo adolygiad arfaethedig

26B. Rhaid i'r ACLI—

- (a) rhoi copïau o ddogfennau'r CDLI, a datganiad o'r materion adneuo, ar gael i'w harchwilio yn ystod oriau swyddfa arferol yn—
 - (i) ei brif swyddfa; a
 - (ii) y lleoedd eraill hynny o fewn ei ardal a ystyrir yn briodol gan yr ACLI;
- (b) cyhoeddi ar ei wefan—
 - (i) dogfennau'r CDLI;

- (a) such of the specific consultation bodies as the LPA considers may have an interest in the proposed revision; and
 - (b) such of the general consultation bodies as the LPA considers appropriate.
- (3) An LPA must consider any representations made in accordance with paragraph (1) before finally determining the content of the proposed revision to be made available under regulation 26B.
- (4) The LPA must prepare a report of what it has done pursuant to paragraph (1).
- (5) Regulation 16A applies to that report as if—
- (a) references to regulations 14, 15 or 16 were to this regulation; and
 - (b) references to the LDP deposited in accordance with regulation 17, were to the proposed revision deposited in accordance with regulation 26B.
- (6) Before the LPA complies with regulation 26B, if the proposed revision includes land identified for development, it must request nominations for sites proposed to be included in the proposed revision.
- (7) The LPA must—
- (a) publish the request for nominations on its website and by such other means as it considers appropriate; and
 - (b) state in its request the date by which such nominations must be received by the LPA.
- (8) The LPA must prepare a list of all the sites nominated.
- (9) The LPA must consider any sites nominated before determining the content of the revision deposited in accordance with regulation 26B.

Deposit of proposed revision

26B. The LPA must—

- (a) make copies of the LDP documents, and a statement of the deposit matters, available for inspection during normal office hours at—
 - (i) its principal office; and
 - (ii) such other places within its area as the LPA considers appropriate;
- (b) publish on its website—
 - (i) the LDP documents;

- (ii) y materion adneuo; a
- (iii) datganiad o'r ffaith bod dogfennau'r CDLI ar gael i'w harchwilio ac o'r mannau lle y gellir eu harchwilio a'r amserau y gellir ei harchwilio; ac
- (c) anfon i bob un o'r cyrff a nodir o dan reoliad 26A(2) gopïau o—
 - (i) yr adolygiad i'r CDLI sydd wedi ei adneuo;
 - (ii) yr adroddiad arfarnu cynaliadwyedd;
 - (iii) yr adroddiad ymgynghori cychwynnol;
 - (iv) rhestr o'r dogfennau ategol hynny sydd ym marn yr ACLI yn berthnasol i'r gwaith o baratoi'r adolygiad o'r CDLI;
 - (v) hysbysiad o'r materion adneuo; a
 - (vi) y datganiad y cyfeiriwyd ato ym mharagraff (b)(iii).

Sylwadau ar gynigion sydd wedi eu hadneuo o adolygiadau i gynlluniau datblygu lleol

26C. Caiff person wneud sylwadau am adolygiad arfaethedig i CDLI drwy eu hanfon—

- (a) i'r cyfeiriad ac at y person (os oes un) a bennir yn y materion adneuo,
- (b) o fewn y cyfnod o 6 wythnos, gan ddechrau ar y diwrnod y cydymffurfiodd yr ACLI â rheoliadau 26B(a) ac (c).

Ymdrin â sylwadau: adneuo adolygiad

26D.—(1) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r ACLI dderbyn sylw ynglŷn ag adolygiad arfaethedig i CDLI o dan reoliad 26C, mae'n rhaid iddo—

- (a) rhoi copi o'r sylw ar gael yn y mannau lle y pennwyd bod y dogfennau CDLI ar gael o dan reoliad 26B(a);
- (b) pan fo'n ymarferol, cyhoeddi ar ei wefan fanylion yr holl sylwadau a gafwyd, ynghyd â datganiad bod y sylwadau ar gael i'w harchwilio yn y mannau y cyfeiriwyd atynt yn rheoliad 26B(a).

- (ii) the deposit matters; and
- (iii) a statement of the fact that the LDP documents are available for inspection and of the places and times at which they can be inspected; and
- (c) send to each of the bodies identified under regulation 26A(2), copies of—
 - (i) the deposit LDP revision;
 - (ii) the sustainability appraisal report;
 - (iii) the initial consultation report;
 - (iv) a list of such supporting documents as in the opinion of the LPA are relevant to the preparation of the LDP revision;
 - (v) notice of the deposit matters; and
 - (vi) the statement referred to in paragraph (b)(iii).

Representations on deposit proposals of revision to LDPs

26C. A person may make representations about a proposed revision to an LDP by sending them—

- (a) to the address and person (if any) specified in the deposit matters,
- (b) within the period of 6 weeks, starting on the day on which the LPA has complied with regulation 26B(a) and (c).

Handling of representations: deposit of revision

26D.—(1) As soon as reasonably practicable after the LPA has received a representation on a proposed revision to an LDP under regulation 26C, it must—

- (a) make a copy of the representation available at the places at which the LDP documents were made available under regulation 26B(a);
- (b) where practicable, publish on its website details of all representations received together with a statement that the representations are available for inspection at the places referred to in regulation 26B(a).

(2) Nid oes angen i ACLI gydymffurfio â pharagraff (1) os cyflwynir y sylw ar ôl y cyfnod a bennwyd yn rheoliad 26C.

Cymhwysio rheoliadau 22 i 26 (Cyflwyno, archwilio annibynnol, cyhoeddi argymhellion, mabwysiadu a thynnu yn ôl)

26E.—(1) Mae rheoliadau 22 i 26 yn gymwys i adolygiad sy'n mynd rhagddo yn unol â'r Rhan hon, yn yr un modd ag y byddent yn gymwys wrth baratoi CDLI, ond maent i gael eu darllen yn unol â'r darpariaethau canlynol.

(2) Mae cyfeiriadau—

- (a) at reoliadau 14, 15 neu 16 i gael eu darllen fel cyfeiriadau at reoliad 26A;
- (b) at reoliad 17 i gael eu darllen fel cyfeiriadau at reoliad 26B;
- (c) at reoliad 18 i gael eu darllen fel cyfeiriadau at reoliad 26C; a
- (d) at y CDLI i gael eu darllen fel cyfeiriadau at adolygiad y CDLI, ac eithrio yn rheoliad 25;
- (e) yn rheoliad 22(2)(c)(i), mae'r cyfeiriad at "wedi ymgynghori â hwy" i gael ei ddarllen fel "wedi eu hysbysu";
- (f) yn rheoliadau 22(5)(c), 24(2)(a) a 25(2)(a) at y manau lle y rhoddwyd y dogfennau cynigion cyn-adneuo ar gael o dan reoliad 15 i gael eu darllen fel cyfeiriadau at y manau lle y rhoddwyd dogfennau'r CDLI ar gael o dan reoliad 26B(a); ac
- (g) yn rheoliad 26 —
 - (i) at reoliad 15(c) i gael eu darllen fel cyfeiriad at reoliad 26A(1);
 - (ii) at reoliad 17(a) a (b) i gael eu darllen fel cyfeiriad at reoliad 26B(1)(a) a (b);
 - (iii) at reoliad 19(2)(a) a (b) i gael eu darllen fel cyfeiriadau at 26Ch(1)(a) a (b)."

(23) Yn—

- (a) rheoliad 28 (cyfarwyddyd i beidio â mabwysiadu cynllun datblygu lleol) ym mharagraff (2)(a);
- (b) rheoliad 29 (Cyfarwyddyd i addasu cynllun datblygu lleol) ym mharagraff (a);
- (c) rheoliad 31 (Newidiadau a gynigir gan y Cynulliad Cenedlaethol i gynllun datblygu lleol (galw i mewn)) ym mharagraff (2)(a); a

(2) An LPA need not comply with paragraph (1) if the representation is made after the period specified in regulation 26C.

Application of regulations 22 to 26 (Submission, independent examination, publication of recommendations, adoption and withdrawal)

26E.—(1) Regulations 22 to 26 apply to a revision which proceeds in accordance with this Part as they would to the preparation of an LDP, but read in accordance with the following provisions.

(2) References—

- (a) to regulations 14, 15 or 16 are to be read as references to regulation 26A;
- (b) to regulation 17, are to be read as references to regulation 26B;
- (c) to regulation 18 are to be read as references to regulation 26C; and
- (d) to the LDP are to be read as references to the LDP revision, except in regulation 25;
- (e) in regulation 22(2)(c)(i), the reference to "consulted" is to be read as a reference to "notified";
- (f) in regulations 22(5)(c), 24(2)(a) and 25(2)(a) to the places at which the pre-deposit proposals documents were made available under regulation 15 are to be read as references to the places at which the LDP documents were made available under regulation 26B(a); and
- (g) in regulation 26 to—
 - (i) regulation 15(c) are to be read as a reference to regulation 26A(1);
 - (ii) regulation 17(a) and (b) are to be read as a reference to regulation 26B(1)(a) and (b);
 - (iii) regulation 19(2)(a) and (b) are to be read as references to 26D(1)(a) and (b)."

(23) In—

- (a) regulation 28 (direction not to adopt an LDP) in paragraph (2)(a);
- (b) regulation 29 (direction to modify an LDP) in paragraph (a);
- (c) regulation 31 (changes proposed by the National Assembly to an LDP (call-in)) in paragraph (2)(a); and

- (d) rheoliad 33 (cyhoeddi argymhellion y person a benodwyd i gyflawni'r archwiliad annibynnol (galw i mewn)) ym mharagraff (a),
ar ôl “ar gael o dan reoliad 15” ym mhob man y mae'n ymddangos, mewnosoder “neu 26B yn ôl y digwydd”.
- (24) Yn rheoliad 30 (cyfarwyddiadau adran 65(4) (galw i mewn)) yn lle paragraffau (2) i (4), rhodder—
“(2) Os rhoddir y cyfarwyddyd cyn i'r ACLI gyflwyno'r CDLI o dan adran 64(1) rhaid i'r ACLI—
(a) cydymffurfio ag adran 62(6) os nad yw eisoes wedi gwneud hynny;
(b) sicrhau bod y cyfarwyddyd ar gael i'w archwilio yn ystod oriau swyddfa arferol yn y mannau lle y rhoddwyd y dogfennau cynigion cyn-adneuo ar gael o dan reoliad 15 neu lle y rhoddwyd dogfennau'r CDLI ar gael o dan reoliad 26B yn ôl y digwydd;
(c) cyhoeddi'r cyfarwyddyd ar ei wefan;
(ch) yn ddarostyngedig i unrhyw addasiadau angenrheidiol ac i baragraff (4), gydymffurfio â'r rheoliadau a enwyd ym mharagraff (3) fel pe bai'n paratoi CDLI.
(3) Y rheoliadau y cyfeiriwyd atynt ym mharagraff (2)(ch) yw rheoliadau 15 i 19, neu 26A i 26Ch, yn ôl y digwydd.
(4) Nid oes dim ym mharagraff (2)(ch) yn ei gwneud yn ofynnol i ACLI ailadrodd unrhyw gam a gymerwyd cyn cael y cyfarwyddyd.”
- (25) Yn rheoliad 31—
(a) ym mharagraff (2), yn syth ar ôl is-baragraff (b), mewnosoder “ac”;
(b) ym mharagraff (2)(c) hepgorer “a”; ac
(c) hepgorer is-baragraff (2)(ch).
- (26) Yn rheoliadau 33(a) a 34(a), yn lle “dogfennau cynigion cyn-adneuo”, rhodder “cynigion cyn-adneuo”.
- (27) Yn rheoliad 34—
(a) yn is-baragraff (a), ar ôl “ar gael o dan reoliad 15(a)”, mewnosoder “neu reoliad 26B yn ôl y digwydd”;
(b) yn syth ar ôl is-baragraff (b), mewnosoder “ac”; ac
(c) hepgorer is-baragraff (c).
- (28) Yn rheoliad 39(5)—
(a) hepgorer “ac,” ar ôl is-baragraff (c); a

- (d) regulation 33 (publication of the recommendations of the person appointed to carry out the independent examination (call-in)) in paragraph (a),
after “made available under regulation 15” in each place where it occurs, insert “or 26B as the case may be”.
- (24) In regulation 30 (section 65(4) directions (call-in)) for paragraphs (2) to (4), substitute—
“(2) If the direction is given before the LPA submits the LDP under section 64(1) the LPA must—
(a) comply with section 62(6) unless it has already done so;
(b) make the direction available for inspection during normal office hours at the places at which the pre-deposit proposals documents were made available under regulation 15 or the LDP documents were made available under regulation 26B as the case may be;
(c) publish the direction on its website;
(d) subject to any necessary modification and to paragraph (4), comply with the regulations cited in paragraph (3) as if it were preparing the LDP.
(3) The regulations referred to in paragraph (2)(d) are regulations 15 to 19, or 26A to 26D, as the case may be.
(4) Nothing in paragraph (2)(d) requires an LPA to repeat any step taken before receipt of the direction.”
- (25) In regulation 31—
(a) in paragraph (2), immediately after sub-paragraph (b), insert “and”;
(b) in paragraph (2)(c) omit “and”; and
(c) omit sub-paragraph (2)(d).
- (26) In regulations 33(a) and 34(a), for “pre-submission proposals documents”, substitute “pre-deposit proposals”.
- (27) In regulation 34—
(a) in sub-paragraph (a), after “made available under regulation 15(a)”, insert “or regulation 26B as the case may be”;
(b) immediately after sub-paragraph (b), insert “and”; and
(c) omit sub-paragraph (c).
- (28) In regulation 39(5)—
(a) omit “and,” after sub-paragraph (c); and

(b) hepgorer paragraff (ch).

(29) Yn lle rheoliad 41, rhodder y canlynol.

“(1) At ddibenion adran 69(1), rhaid i’r ACLI ddechrau adolygiad o’i CDLI ar gyfnodau o ddim hwy na phob pedair blynedd o’r diweddaraf o’r canlynol—

(a) dyddiad mabwysiadu’r CDLI cyntaf; neu

(b) dyddiad mabwysiadu’r CDLI diwethaf yn dilyn adolygiad o dan adran 69(1).

(2) Cyn iddo baratoi adolygiad o CDLI, rhaid i ACLI adolygu ei CDLI.

(3) At ddibenion paragraff (2), caiff y cyfryw adolygiad fod naill ai yn adolygiad o dan adran 69(1) neu yn adolygiad dethol.

(4) Rhaid i’r ACLI adrodd i Weinidogion Cymru am ganfyddiadau adolygiad dethol.

(5) Rhaid i ACLI gymeradwyo drwy benderfyniad adroddiad ar adolygiad a baratowyd yn unol ag adran 69(1) cyn iddo ei gyflwyno i Weinidogion Cymru yn unol ag adran 69(2).

(6) Rhaid i ACLI gymeradwyo drwy benderfyniad adroddiad ar adolygiad dethol a chyflwyno’r adroddiad wedi ei gymeradwyo i Weinidogion Cymru.

(7) Cyn gynted ag y bo’n rhesymol ymarferol ar ôl cymeradwyo adroddiad adolygu drwy benderfyniad yr ACLI yn unol â pharagraffau (5) neu (6), rhaid i’r ACLI—

(a) gyhoeddi’r adroddiad adolygu ar ei wefan; a

(b) rhoi copïau ar gael yn ei brif swyddfa ac mewn mannau eraill a ystyrir yn briodol gan yr ACLI.

(8) At ddibenion y rheoliad hwn, ystyr “adolygiad dethol” yw adolygiad o ran neu rannau o CDLI.”

Darpariaethau trosiannol ac arbedion

3.—(1) Os yw ACLI wedi cael sylw am ddyraniad safle o dan reoliad 18 o Reoliadau 2005 ond nad yw wedi cydymffurfio ag unrhyw ran o reoliad 20 o Reoliadau 2005 (ymdrin â sylwadau: sylwadau ar ddyraniad safle) cyn 28 Awst 2015, mae rheoliad 19(2) o Reoliadau 2005 yn gymwys i’r sylwadau hynny ar ddyraniad safle.

(b) omit paragraph (d).

(29) For regulation 41, substitute the following.

“(1) For the purposes of section 69(1), the LPA must commence a review of its LDP at intervals not longer than every four years from the later of—

(a) the date of the first adoption of the LDP; or

(b) the date of the last adoption of the LDP following a review under section 69(1).

(2) Before it prepares a revision of an LDP, an LPA must review its LDP.

(3) For the purposes of paragraph (2), such a review may be either a review under section 69(1) or a selective review.

(4) The LPA must report to the Welsh Ministers on the findings of a selective review.

(5) An LPA must approve by resolution a report of a review prepared in accordance with section 69(1) before it submits it to the Welsh Ministers in accordance with section 69(2).

(6) An LPA must approve by resolution a report of a selective review and submit the approved report to the Welsh Ministers.

(7) As soon as reasonably practicable after a review report has been approved by resolution of the LPA in accordance with paragraph (5) or (6), the LPA must—

(a) publish the review report on its website; and

(b) make copies available at its principal office and at other places that the LPA considers appropriate.

(8) For the purposes of this regulation “selective review” means a review of part or parts of an LDP.”

Transitional and saving provision

3.—(1) If an LPA has received a site allocation representation under regulation 18 of the 2005 Regulations but has not complied with any part of regulation 20 of the 2005 Regulations (handling of representations: site allocation representations) before 28 August 2015, regulation 19(2) of the 2005 Regulations applies to those site allocation representations.

(2) Os yw ACLl wedi cydymffurfio ag unrhyw ran o reoliad 20 o Reoliadau 2005 (ymdrin â sylwadau: sylwadau ar ddyraniad safle) cyn 28 Awst 2015, mewn perthynas â pharatoi neu adolygu CDLI, nid yw'r diwygiad a wnaed gan reoliad 2(16) (dileu cam sylwadau ar ddyraniad safle) yn gymwys i'r gwaith o baratoi'r CDLI hwnnw a rhaid i'r ACLl gydymffurfio â rheoliadau 20 ac 21 o Reoliadau 2005.

(3) Os yw ACLl wedi cydymffurfio â rheoliad 14 o Reoliadau 2005 (ymgyngori â'r cyhoedd cyn-adneuo) cyn 28 Awst 2015, mewn perthynas â pharatoi neu adolygu CDLI, caiff benderfynu mynd ati o dan Ran 4A o Reoliadau 2005 a chaiff hepgor y camau sy'n ofynnol yn ôl rheoliad 26A(1) a (2).

(4) Os yw ACLl yn penderfynu mynd ati yn unol â pharagraff (3)—

- (a) mae rheoliad 26A(3) yn gymwys fel pe bai'r cyfeiriad at sylwadau a gyflwynwyd yn unol â pharagraff 1, yn cyfeirio at sylwadau a gyflwynwyd mewn ymateb i gamau a gymerwyd o dan reoliad 14; a
- (b) mae rheoliad 26A(4) yn gymwys fel pe bai'r cyfeiriad at sylwadau a gyflwynwyd o dan reoliad 26A yn cyfeirio at sylwadau a gyflwynwyd mewn ymateb i gamau a gymerwyd o dan reoliad 14.

(5) Os bydd yr ACLl, cyn cychwyn y Rheoliadau hyn, wedi cyflwyno adroddiad adolygu i Weinidogion Cymru mewn cysylltiad ag adolygiad arfaethedig i'w CDLI—

- (a) ymdrinnir ag ef fel pe bai wedi cydymffurfio â gofynion rheoliad 41(5) a (6) o Reoliadau 2005; a
- (b) os nad yw eisoes wedi gwneud hynny, mae'n rhaid iddo gydymffurfio â rheoliad 41(7) cyn gynted ag y bo'n rhesymol ymarferol, fel pe bai'r adroddiad adolygu wedi ei gymeradwyo drwy benderfyniad yr ACLl yn unol â pharagraff (5) neu (6) o reoliad 41 o Reoliadau 2005.

(2) If an LPA has complied with any part of regulation 20 of the 2005 Regulations (handling of representations: site allocation representations) before 28 August 2015, in relation to the preparation or revision of an LDP, the amendment made by regulation 2(16) (removal of site allocation representations stage) does not apply to the preparation of that LDP and the LPA must comply with regulations 20 and 21 of the 2005 Regulations.

(3) If an LPA has complied with regulation 14 of the 2005 Regulations (pre-deposit public consultation) before 28 August 2015, in relation to the preparation or revision of an LDP, it may decide to proceed under Part 4A of the 2005 Regulations and it may omit the steps required by regulation 26A(1) and (2).

(4) If an LPA decides to proceed in accordance with paragraph (3)—

- (a) regulation 26A(3) applies as if the reference to representations made in accordance with paragraph 1 were to representations made in response to steps taken under regulation 14; and
- (b) regulation 26A(4) applies as if the reference to representations made under regulation 26A were to representations made in response to steps taken under regulation 14.

(5) If, before the commencement of these Regulations, the LPA has submitted a review report to the Welsh Ministers in connection with a proposed revision to its LDP—

- (a) it is treated as if it had complied with the requirements of regulation 41(5) and (6) of the 2005 Regulations; and
- (b) if it has not already done so, it must comply with regulation 41(7) as soon as reasonably practicable, as if the review report had been approved by resolution of the LPA in accordance with paragraph (5) or (6) of regulation 41 of the 2005 Regulations.

Carl Sargeant

Y Gweinidog Cyfoeth Naturiol, un o Weinidogion
Cymru
3 Awst 2015

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Minister for Natural Resources, one of the Welsh
Ministers
3 August 2015

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