



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 1813 (Cy.198) (C.73)

2004 No. 1813 (W.198) (C.73)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**TOWN AND COUNTRY
PLANNING, WALES**

**Gorchymyn Deddf Cynllunio a
Phrynu Gorfodol 2004 (Cychwyn
Rhif 2) (Cymru)
2004**

**The Planning and Compulsory
Purchase Act 2004
(Commencement No. 2) (Wales)
Order 2004**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note does not form part of the Order)

Mae'r Gorchymyn hwn yn dod â rhai o ddarpariaethau Rhan 6 (Cymru) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 ("y Ddeddf") i rym ar y 1 Awst 2004, sef adrannau 62(4) a (5)(g), 63(3)(a) a (7), 75, 76(2) a (3), 77 a 78.

This Order brings certain provisions of Part 6 (Wales) of the Planning and Compulsory Purchase Act 2004 ("the Act") into force on the 1 August 2004, namely sections 62(4) and (5)(g), 63(3)(a) and (7), 75, 76(2) and (3), 77 and 78.

Mae Rhan 6 o'r Ddeddf (adrannau 60 i 78) yn sefydlu, yng Nghymru, system o gynlluniau datblygu lleol ("cynlluniau") yn lle'r cynlluniau datblygu unedol sy'n ofynnol o dan Bennod I o Ran II o Ddeddf Cynllunio Gwlad a Thref 1990. Effaith y Gorchymyn fydd galluogi Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol") i wneud rheoliadau ac i roi canllawiau i awdurdodau cynllunio lleol yng Nghymru wrth iddynt baratoi ar gyfer y system cynlluniau datblygu newydd, a ddaw i rym maes o law.

Part 6 of the Act (sections 60 to 78) establishes, in Wales, a system of local development plans ("plans") in place of the unitary development plans required under Chapter I of Part II of the Town and Country Planning Act 1990. The effect of the Order will be to enable the National Assembly for Wales ("the National Assembly") to make regulations and to give guidance to local planning authorities in Wales in preparation for the coming into force of the new system of development plans, which will take place at a later date.

Mae adran 62(4) yn rhoi pŵer i'r Cynulliad Cenedlaethol i ragnodi, drwy reoliadau, ffurf a chynnwys cynlluniau.

Section 62(4) empowers the National Assembly to prescribe, by regulations, the form and content of plans.

Mae adran 62(5)(g) yn rhoi pŵer i'r Cynulliad Cenedlaethol ragnodi, drwy reoliadau, materion ychwanegol i'r rhai a restrwyd yn is-adran (5), y bydd yn rhaid i awdurdodau cynllunio lleol dalu sylw iddynt wrth baratoi cynllun.

Section 62(5)(g) empowers the National Assembly to prescribe, by regulations, matters additional to those listed in subsection (5) to which local planning authorities must have regard when preparing a plan.

Mae adran 63 yn darparu ar gyfer cynlluniau cynnwys y gymuned, a fydd yn datgan polisi awdurdod ar gynnwys personau penodol wrth arfer

Section 63 provides for community involvement schemes, which will state the authority's policy for involving certain persons in the exercise of the

swyddogaethau'r awdurdod o dan Rhan 6. Mae adran 63(3)(a) yn rhoi pŵer i'r Cynulliad Cenedlaethol i ragnodi, drwy reoliadau, pwy y dylai'r personau hynny gynnwys.

Mae adran 63(7) yn rhoi pŵer i'r Cynulliad Cenedlaethol ragnodi, drwy reoliadau, nifer o faterion sy'n ymwneud â pharatoi cynlluniau.

Mae adran 75 yn ei gwneud yn ofynnol i awdurdodau, wrth arfer unrhyw swyddogaeth a roddir o dan neu yn rhinwedd Rhan 6, dalu sylw i unrhyw ganllawiau a ddyroddir gan y Cynulliad Cenedlaethol.

Mae adran 76(2) yn ei gwneud yn ofynnol bod adroddiadau monitro blynyddol a wneir gan awdurdodau o dan is-adran (1) yn cynnwys yr wybodaeth a ragnodir gan y Cynulliad Cenedlaethol drwy reoliadau.

Mae adran 76(3) yn ei gwneud yn ofynnol i adroddiadau monitro blynyddol gael eu gwneud ar yr amserau, i fod yn y ffurf ac i gynnwys yr wybodaeth a ragnodir gan y Cynulliad Cenedlaethol drwy reoliadau.

Mae adran 77 yn rhoi pŵer i'r Cynulliad Cenedlaethol, drwy reoliadau, wneud darpariaeth mewn perthynas ag arfer swyddogaethau o dan Ran 6 ac, yn arbennig, i wneud darpariaeth mewn perthynas â'r materion a restrir yn adran 77(2).

Mae adran 78 yn diffinio termau a ddefnyddir yn Rhan 6 o'r Ddeddf.

**NODYN AR ORCHMYNION CYCHWYN
CYNHARACH A WNAED GAN
GYNULLIAD CENEDLAETHOL CYMRU
MEWN PERTHYNAS Â RHAN 6 O'R
DDEDDF**

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

Daeth y ddarpariaeth ganlynol o Ran 6 o Ddeddf Cynllunio a Phrynu Gorfodol 2004 i rym ar y dyddiad a nodir isod yn sgil Gorchymyn Deddf Cynllunio a Phrynu Gorfodol 2004 (Cychwyn Rhif 1 a Darpariaeth Drosiannol) (Cymru) 2004 (O.S. 2004/1814 (Cy.199) (C.74)).

Darpariaeth	Dyddiad
Adran 60	14 Gorffennaf 2004

authority's functions under Part 6. Section 63(3)(a) empowers the National Assembly to prescribe, by regulations, who those persons are to include.

Section 63(7) of the Act empowers the National Assembly to prescribe, by regulations, various matters relating to the preparation of plans.

Section 75 requires authorities, when exercising any function conferred under or by virtue of Part 6, to have regard to any guidance issued by the National Assembly.

Section 76(2) requires annual monitoring reports made by authorities under subsection (1) to include such information as is prescribed by the National Assembly by regulations.

Section 76(3) requires annual monitoring reports to be made at such times, in such form and including such information as is prescribed by the National Assembly by regulations.

Section 77 empowers the National Assembly, by regulations, to make provision in relation to the exercise of functions under Part 6 and, in particular, to make provision in relation to the matters listed in section 77(2).

Section 78 defines terms used in Part 6 of the Act.

**NOTE ON EARLIER COMMENCEMENT
ORDERS MADE BY THE NATIONAL
ASSEMBLY FOR WALES IN RELATION
TO PART 6 OF THE ACT**

(This note is not part of the Order)

The following provision of Part 6 of the Planning and Compulsory Purchase Act 2004 came into force on the date indicated below by virtue of the Planning and Compulsory Purchase Act 2004 (Commencement No. 1 and Transitional Provision) (Wales) Order 2004 (S.I. 2004/1814 (W.199) (C.74)).

Provision	Date
Section 60	14 July 2004

2004 Rhif 1813 (Cy.198) (C.73)

**CYNLLUNIO GWLAD A
THREF, CYMRU**

**Gorchymyn Deddf Cynllunio a
Phrynu Gorfodol 2004 (Cychwyn
Rhif 2) (Cymru)
2004**

Wedi'i wneud

13 Gorffennaf 2004

Mae Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol"), drwy arfer y pwerau a roddwyd iddo gan adran 121(5) o Ddeddf Cynllunio a Phrynu Gorfodol 2004 ("y Ddeddf")(a), drwy hyn yn gwneud y Gorchymyn canlynol:

Enwi

1. Enw'r Gorchymyn hwn yw Gorchymyn Cynllunio a Phrynu Gorfodol 2004 (Cychwyn Rhif 2) (Cymru) 2004.

Diwrnod penodedig

2. Y diwrnod a benodwyd i'r darpariaethau canlynol ddod i rym, sef-

- (a) adran 62(4) a (5)(g) (ffurf a chynnwys cynlluniau);
- (b) adran 63(3)(a) a (7) (pŵer i ragnodi personau y dylid eu cynnwys mewn cynllun cynnwys y gymuned a gofynion paratoi cynlluniau);
- (c) adran 75 (canllawiau);
- (ch) adran 76(2) a (3), ond yn unig at bwrpas galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau yn rhagnodi'r materion y cyfeirir atynt yn yr is-adrannau hynny (adroddiadau monitro blynyddol);
- (d) adran 77 (pwerau gwneud rheoliadau); ac
- (dd) adran 78 (dehongli),
yw 1 Awst 2004.

2004 No. 1813 (W.198) (C.73)

**TOWN AND COUNTRY
PLANNING, WALES**

**The Planning and Compulsory
Purchase Act 2004
(Commencement No. 2) (Wales)
Order 2004**

Made

13 July 2004

The National Assembly for Wales ("the National Assembly"), in exercise of the powers conferred upon it by section 121(5) of the Planning and Compulsory Purchase Act 2004 ("the Act")(a), hereby makes the following Order:

Citation

1. This Order may be cited as the Planning and Compulsory Purchase Act 2004 (Commencement No. 2) (Wales) Order 2004.

Appointed day

2. The appointed day for the coming into force of the following provisions of the Act, namely-

- (a) section 62(4) and (5)(g) (form and content of plans);
- (b) section 63(3)(a) and (7) (power to prescribe persons to be included in a community involvement scheme and preparation requirements for plans);
- (c) section 75 (guidance);
- (d) section 76(2) and (3), but only for the purpose of empowering the National Assembly to make regulations prescribing the matters referred to in those subsections (annual monitoring reports);
- (e) section 77 (regulation-making powers); and
- (f) section 78 (interpretation),
is 1 August 2004.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

13 Gorffennaf 2004

13 July 2004

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

© Hawlfraint y Goron 2004

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2004

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£3.00

W102/7/04

ON

ISBN 0-11-090991-7



9 780110 909912