CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 2284 (Cy.173)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Trefniadau Amgen) (Cymru) 2001

NODYN ESBONIADOL

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

Mae Rhan II o Ddeddf Llywodraeth Leol 2000 (Deddf 2000) yn darparu i Gynulliad Cenedlaethol Cymru bennu pa awdurdodau lleol a gaiff weithredu "trefniadau amgen" (h.y. trefniadau ar gyfer cyflawni swyddogaethau'r awdurdod nad ydynt yn golygu creu a gweithredu gweithrediaeth i'r awdurdod) (adran 31(1)(b)) a pha ffurf y dylai'r trefniadau hynny ei chymryd (adran 32(1)).

Mae'r Rheoliadau hyn yn caniatáu i bob cyngor sir a phob cyngor bwrdeistref sirol yng Nghymru weithredu trefniadau amgen, ar yr amod bod y trefniadau hynny ar y ffurf y mae'r Rheoliadau hyn yn gofyn amdani.

Mae rheoliad 4 yn pennu'r pwyllgorau y mae'n rhaid eu sefydlu pan fydd awdurdod yn gweithredu trefniadau amgen, sef Bwrdd, prif bwyllgor craffu ac unrhyw bwyllgorau craffu eraill y penderfynir arnynt gan y cyngor (sef o leiaf dri a hyd at wyth yn ychwanegol at y prif bwyllgor craffu). Mae gan yr awdurdodau ddisgresiwn a ddylid sefydlu pwyllgor cynllunio, pwyllgor trwyddedu, pwyllgorau ardal a phwyllgorau archwilio.

O dan drefniadau amgen, mae pwyllgorau ac is-bwyllgorau yn dod o dan ofynion Rhan VA o Ddeddf Llywodraeth Leol 1972 (Deddf 1972) ac mae'n ofynnol cydymffurfio ag adran 15 o Ddeddf Llywodraeth Leol a Thai 1989 (dyletswydd i ddyrannu seddi i grwpiau gwleidyddol) (rheoliad 5). Hefyd, rhaid i'r awdurdodau ddyrannu cadeiryddiaethau pwyllgorau

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 2284 (W.173)

LOCAL GOVERNMENT, WALES

The Local Authorities (Alternative Arrangements) (Wales) Regulations 2001

EXPLANATORY NOTE

(This note does not form part of the Regulations)

Part II of the Local Government Act 2000 (the 2000 Act) provides for the National Assembly for Wales to specify which local authorities may operate "alternative arrangements" (i.e. arrangements for the discharge of the authority's functions which do not involve the creation and operation of an executive of the authority) (section 31(1)(b)) and what form those arrangements should take (section 32(1)).

These Regulations permit all county councils and county borough councils in Wales to operate alternative arrangements provided that those arrangements are in the form required by these Regulations.

Regulation 4 specifies the committees which must be established when an authority operates alternative arrangements. They are a Board, a principal scrutiny committee and such other scrutiny committees as the council may decide (subject to a minimum of three and a maximum of eight in addition to the principal scrutiny committee). Authorities have a discretion whether to establish planning, licensing, area and audit committees.

Under alternative arrangements committees and sub-committees are subject to the requirements of Part VA of the Local Government Act 1972 (the 1972 Act) and there is a requirement for compliance with section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) (regulation 5). In addition, authorities must allocate the chairpersonships

(cyn belled ag y bo'n ymarferol) i adlewyrchu'r grwpiau gwleidyddol mewn awdurdod lleol (rheoliad 5(3)).

Mae'r pwyllgorau a sefydlir at ddibenion trefniadau amgen (ac eithrio pwyllgorau ardal a sefydlir o dan reoliad 4) i gynnwys hyd at ddeg aelod neu ugain y cant o aelodau'r awdurdod (p'un bynnag yw'r mwyaf) (rheoliad 5(2)). Wrth gyfrifo'r ganran hon dylai'r rhifau gael eu talgrynnu i fyny os nad ydynt yn rhifau cyfan.

Rhaid i bwyllgorau cynllunio, trwyddedu neu ardal sy'n ymdrin â materion a bennir yn Rhan A o Atodlen 1 (cynllunio gwlad a thref a rheoli datblygu) gael o leiaf wyth aelod (rheoliad 5(4)).

Os cânt eu sefydlu, rhaid i bwyllgorau ardal gyda'i gilydd ymdrin â'r cyfan o ardal yr awdurdod lleol. Rhaid cael o leiaf dri ohonynt a bydd gan bob aelod o'r awdurdod hawl i eistedd ar un pwyllgor ardal (rheoliad 5(5)).

Caiff Bwrdd awdurdod lleol gynnwys cadeirydd pwyllgor cynllunio'r awdurdod (os oes pwyllgor o'r fath wedi'i sefydlu) a chadeiryddion unrhyw bwyllgorau ardal sydd gan yr awdurdod (os oes pwyllgorau o'r fath wedi'u sefydlu).

Pan fydd awdurdod lleol yn sefydlu pwyllgor archwilio caiff ddirprwyo i'r pwyllgor hwnnw ar yr amod nad oes unrhyw ddeddfiad arall yn ei wahardd. Ni all pwyllgorau archwilio gynnwys aelodau o'r Bwrdd ond fe gânt gynnwys aelodau nad ydynt yn aelodau o'r awdurdod. Nid oes gan y personau hynny hawl i bleidleisio. Rhaid i Gadeirydd pwyllgor archwilio berthyn i grwp gwleidyddol gwahanol i'r un y mae Cadeirydd y Bwrdd yn perthyn iddo (ac eithrio lle nad oes ond un grwp gwleidyddol) a rhaid iddo fod yn aelod o'r awdurdod. Caiff pwyllgorau archwilio benodi is-bwyllgorau.

Mae rheoliad 6 yn nodi'r gofynion mewn perthynas â phrif bwyllgorau craffu a phwyllgorau craffu eraill. Rhaid i brif bwyllgor craffu beidio â chynnwys aelodau o'r Bwrdd ac mae ei gadeirydd i ddod o grwp gwleidyddol sy'n wahanol i grwp cadeirydd y Bwrdd (rheoliad 6(1)). Caiff pwyllgorau craffu (heblaw prif bwyllgor craffu) gynnwys hyd at dri o aelodau'r Bwrdd ond rhaid i aelodau nad ydynt yn aelodau o'r Bwrdd ffurfio mwyafrif aelodaeth y pwyllgorau hyn. Ni chaiff aelodau'r Bwrdd gadeirio pwyllgorau craffu (rheoliad 6(2)).

Nodir y pwerau hynny sydd i'w dirprwyo i bwyllgorau craffu gan yr awdurdodau lleol yn rheoliad 6(3). Mae'r un pwerau i gael eu dirprwyo i brif bwyllgorau craffu ag i bwyllgorau craffu eraill ond cyfyngir arfer y pwerau hynny i swyddogaethau Bwrdd awdurdod (rheoliad 6(4)).

Rhaid i awdurdod lleol sy'n gweithredu trefniadau amgen ddarparu mecanwaith i alluogi prif bwyllgor craffu a phwyllgor craffu i gyfeirio penderfyniadau neu

of committees (so far as is practicable) to reflect the political groups in a local authority (regulation 5(3)).

Committees established for the purposes of alternative arrangements (except for area committees established under regulation 4) are to comprise a maximum of ten members or twenty per cent of the authority's members (whichever is greater) (regulation 5(2)). In calculating this percentage numbers are to be rounded up where there are not whole numbers.

Planning, licensing or area committees dealing with matters specified in Part A of Schedule 1 (town and country planning and development control) must have a minimum of eight members (regulation 5(4)).

Area committees, where established, must collectively cover the whole of a local authority's area. They must be at least three in number and each member of an authority shall be entitled to sit on one area committee (regulation 5(5)).

The Board of a local authority may include the chairperson of the authority's planning committee (where such a committee has been established) and the chairpersons of any area committees of the authority (where such committees have been established).

When a local authority establishes an audit committee it may delegate to that committee provided that such delegation is not prohibited by any other enactment. Audit committees cannot include Board members but may include members who are not members of the authority. Those persons are not entitled to vote. The Chairperson of an audit committee must be from a different political group to that of the Chairperson of the Board (except where there is only one political group) and must be a member of the authority. Audit committees may appoint sub-committees.

Regulation 6 sets out requirements in respect of principal scrutiny committees and other scrutiny committees. A principal scrutiny committee shall not include members of the Board and its chairperson is to come from a different political group to that of the chairperson of the Board (regulation 6(1)). Scrutiny committees (other than a principal scrutiny committee) may comprise up to three Board members but members who are non Board members must form the majority of the membership of these committees. Board members cannot chair scrutiny committees (regulation 6(2)).

Those powers to be delegated to scrutiny committees by local authorities are set out in regulation 6(3). Principal scrutiny committees are to be delegated the same powers as other Scrutiny committees but the exercise of those powers is limited to the functions of the Board of an authority (regulation 6(4)).

A local authority operating alternative arrangements must provide a mechanism to enable a principal scrutiny committee and a scrutiny committee to refer

benderfyniadau arfaethedig gan y Bwrdd (sy'n ymwneud â swyddogaethau'r prif bwyllgor craffu neu bwyllgor craffu) at y Cyngor llawn i'w hystyried (rheoliad 6(9)).

Caiff prif bwyllgorau craffu a phwyllgorau craffu gynnwys aelodau nad ydynt yn aelodau o'r awdurdod, ond ni all yr aelodau hyn gael hawliau pleidleisio (rheoliad 6(10)) ac nid oes ganddynt hawl i gadeirio pwyllgorau o'r fath.

Os nad yw swyddogaeth yr awdurdod lleol o gynnal adolygiadau'r gwerth gorau (adran 5 o Ddeddf Llywodraeth Leol 1999) yn gyfrifoldeb i'r Bwrdd, gall yr adolygiadau hynny gael eu cynnal gan brif bwyllgor craffu neu gan unrhyw bwyllgor craffu.

Mae rheoliad 6 hefyd yn nodi'r gofynion mewn perthynas â hawliau aelodau o brif bwyllgorau craffu a phwyllgorau craffu i godi materion sy'n berthnasol i swyddogaethau pwyllgorau o'r fath a'r hyn y gall y pwyllgorau hynny ei wneud yn nhermau presenoldeb aelodau nad ydynt yn aelodau o'r pwyllgor yn eu cyfarfodydd.

Mae rheoliad 7 yn pennu bod rhaid i awdurdod ddirprwyo i Fwrdd, o dan gyfyngiadau penodol.

Mae rheoliadau 8, 9, 10 ac 11, drwy gyfeirio at yr Atodlenni i'r Rheoliadau, yn nodi'r cyfyngiadau ar ba swyddogaethau a all gael eu harfer gan Fwrdd awdurdod lleol. Yn Atodlen 1 rhestrir y swyddogaethau hynny na all gael eu harfer gan y Bwrdd ac yn Atodlen 2 rhestrir y swyddogaethau hynny a all fod yn gyfrifoldeb i Fwrdd awdurdod os bydd yr awdurdod yn penderfynu felly. Mae Rheoliad 10, drwy gyfeirio at Atodlen 3, yn nodi'r camau na allant fod yn gyfrifoldeb i Fwrdd awdurdod yn unig. Yn ôl rheoliad 11, nid yw'r swyddogaethau hynny a restrir yn Atodlen 4, a fyddai'n gyfrifoldeb i Fwrdd heblaw am reoliad 11, i fod yn gyfrifoldeb i'r Bwrdd o dan yr amgylchiadau a nodir yng ngholofn (2) o'r Atodlen honno.

Caiff Bwrdd gyfarwyddo bod unrhyw benderfyniad sydd i'w wneud gan bwyllgor cynllunio, pwyllgor trwyddedu neu bwyllgor ardal mewn perthynas â chynllunio gwlad a thref a rheoli datblygu (rheoliad 12 a Rhan A o Atodlen 1) i gael ei gymryd gan yr awdurdod.

Mae rheoliad 13 yn caniatáu i awdurdod lleol, neu i Fwrdd yr awdurdod, wneud y trefniadau o dan adran 101(5) o Ddeddf 1972, yn ddarostyngedig i ddarpariaethau rheoliad 19 sy'n ei gwneud yn ofynnol i'r trefniadau hyn gael eu gwneud gyda Bwrdd awdurdod lleol arall neu awdurdod lleol arall. Mae'r rheoliad hefyd yn cynnwys darpariaethau penodol ynghylch cyflawni swyddogaethau gan gyd-bwyllgor o dan amgylchiadau o'r fath, gan gynnwys, yn rheoliad 19(8), yr angen i gydymffurfio â Rhan VA o Ddeddf 1972 (cyfle i fynd i gyfarfodydd ac i weld dogfennau), mewn perthynas â chyd-bwyllgorau.

decisions or proposed decisions of the Board (which relate to the functions of the principal scrutiny committee or scrutiny committee) to the full Council for consideration (regulation 6(9)).

Both principal scrutiny committees and scrutiny committees may comprise members who are not members of the authority but such members cannot have voting rights (regulation 6(10)) and are not entitled to chair such committees.

Where a local authority's function of conducting best value reviews (section 5 of the Local Government Act 1999) is not the responsibility of the Board those reviews may be carried out by a principal scrutiny committee or any scrutiny committee.

Regulation 6 also sets out requirements in respect of the rights of members of principal scrutiny committees and scrutiny committees to raise matters relevant to the functions of such committees and what those committees can do in terms of attendance of non-committee members at their meetings.

Regulation 7 specifies that there must be delegation by an authority to a Board, subject to certain limitations.

Regulations 8, 9,10 and 11, by reference to the Schedules to the Regulations, set out the limitations on what functions may be exercised by a Board of a local authority. Schedule 1 lists those functions which may not be exercised by the Board and Schedule 2 lists those functions which may be the responsibility of an authority's Board, if the authority so decides. Regulation 10, by reference to Schedule 3, sets out what actions may not be the sole responsibility of an authority's Board. By regulation 11 those functions listed in Schedule 4, which but for regulation 11 would be the responsibility of a Board, are not to be the Board's responsibility in the circumstances set out in column (2) of that Schedule.

A Board may direct that any decision to be made by a planning, licensing or area committee in relation to town and country planning and development control functions (regulation 12 and Part A of Schedule 1) shall be made by the authority.

Regulation 13 allows a local authority, or a Board of the authority, to make arrangements under section 101(5) of the 1972 Act, subject to the provisions of regulation 19 which require that such arrangements must be with the Board of another local authority or another local authority. The regulation also contains specific provisions relating to the discharge of functions by a joint committee in such circumstances including, at regulation 19(8), the need for there to be compliance, in respect of joint committees, with Part VA of the 1972 Act (access to meetings and documents).

Yn ychwanegol at gyflawni swyddogaethau drwy'r Bwrdd cyfan, caiff Bwrdd awdurdod lleol gyflawni ei swyddogaethau drwy un aelod o'r Bwrdd, drwy bwyllgor o'r Bwrdd neu drwy un o swyddogion yr awdurdod (rheoliad 13(b)).

Mae rheoliadau 15 ac 16 yn darparu i swyddogaethau awdurdod lleol gael eu cyflawni gan awdurdod lleol arall neu gan Fwrdd arall o dan amgylchiadau penodedig. Os oes trefniadau mewn grym, yn unol â rheoliadau 15 ac 16, i unrhyw un o swyddogaethau Bwrdd gael ei chyflawni gan Fwrdd awdurdod lleol arall, mae'r swyddogaethau sydd i fod yn destun y trefniant hwnnw i gael eu trin fel pe baent yn swyddogaethau i'r awdurdod arall at ddibenion Deddf 2000 (rheoliad 17).

Pan fydd awdurdod lleol yn arfer swyddogaethau o dan drefniant o dan reoliad 15 (lle mae'r swyddogaethau yn swyddogaethau i Fwrdd awdurdod arall) caiff yr awdurdod sy'n arfer y swyddogaethau gyflawni'r swyddogaethau hynny drwy bwyllgor, is-bwyllgor neu swyddog (rheoliad 18).

The Board of a local authority may, in addition to discharging functions via the whole Board, discharge its functions through a single member of the Board, a committee of the Board or an officer of the authority (regulation 13(b)).

Regulations 15 and 16 provide for the discharge of a local authority's functions by another local authority or Board in specified circumstances. Where, in accordance with regulations 15 and 16, arrangements are in force for the discharge of any functions of a Board by the Board of another local authority, the functions which are the subject of that arrangement are to be treated as being those of the other authority for the purposes of the 2000 Act (regulation 17).

When a local authority exercises functions under an arrangement under regulation 15 (where functions are those of the Board of another authority) the exercising authority may discharge such functions by a committee, sub-committee or officer (regulation 18).

2001 Rhif 2284 (Cy.173)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Trefniadau Amgen) (Cymru) 2001

Wedi'u gwneud	*21 Mehefin 2001*
Yn dod i rym	*28 Gorffennaf 2001*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 31(1) a 32(1) o Ddeddf Llywodraeth Leol 2000(**a**).

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Awdurdodau Lleol (Trefniadau Amgen) (Cymru) 2001 a deuant i rym ar 28 Gorffennaf 2001.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

Dehongli

2. Yn y Rheoliadau hyn -

ystyr "awdurdod lleol" (*"local authority"*) (ac eithrio lle mae'r cyd-destun yn mynnu fel arall) yw cyngor sir neu gyngor bwrdeistref sirol sy'n gweithredu trefniadau amgen;

ystyr "Bwrdd" (*"Board"*) yw pwyllgor awdurdod lleol a sefydlir o dan reoliad 4(1)(a) sydd wedi'i sefydlu i arfer y swyddogaethau a grybwyllir yn rheoliad 7 ac a adnabyddir fel Bwrdd y Cyngor neu unrhyw deitl arall y darperir ar ei gyfer yn rheolau sefydlog yr awdurdod lleol;

ystyr "corff perthnasol" (*"relevant body"*) at ddibenion rheoliadau 13 a 19 yw awdurdod lleol neu Fwrdd;

(a) 2000 p.22.

2001 No. 2284 (W.173)

LOCAL GOVERNMENT, WALES

The Local Authorities (Alternative Arrangements) (Wales) Regulations 2001

Made	*21st June 2001*
Coming into force	*28th July 2001*

The National Assembly for Wales makes the following Regulations in exercise of the powers given to it by sections 31(1) and 32(1) of the Local Government Act 2000(**a**).

Name, commencement and application

1.-(1) The name of these Regulations is the Local Authorities (Alternative Arrangements) (Wales) Regulations 2001 and they shall come into force on 28th July 2001.

(2) These Regulations apply to Wales only.

Interpretation

2. In these Regulations -

"the 1972 Act" (*"Deddf 1972"*) means the Local Government Act 1972(**b**);

"the 2000 Act"(*"Deddf 2000"*) means the Local Government Act 2000;

"alternative arrangements" (*"trefniadau amgen"*) means arrangements by a local authority with respect to discharge of their functions which are arrangements in accordance with regulation 4;

(a) 2000 c.22.

(b) 1972. C.70.

ystyr "Deddf 1972" (*"the 1972 Act"*) yw Deddf Llywodraeth Leol 1972(**a**);

ystyr "Deddf 2000" ("the 2000 Act") yw Deddf Llywodraeth Leol 2000;

ystyr "grwp gwleidyddol" (*"political group"*) yw grwp gwleidyddol yn unol â rheoliad 8 o Reoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) 1990(**b**);

ystyr "prif bwyllgor craffu" (*"principal scrutiny committee"*) yw pwyllgor neu is-bwyllgor i'r awdurdod a sefydlir o dan reoliad 4(1);

ystyr "pwyllgor archwilio" (*"audit committee"*) yw pwyllgor i awdurdod lleol a sefydlir o dan reoliad 4(2)(ch) sy'n cael ei sefydlu i arfer swyddogaethau yn unol â rheoliad 5(7) ac a adnabyddir fel y Pwyllgor archwilio neu unrhyw deitl arall y darperir ar ei gyfer yn rheolau sefydlog yr awdurdod lleol;

ystyr "pwyllgor ardal" (*"area committee"*) yw pwyllgor neu is-bwyllgor i awdurdod lleol -

(i) a sefydlir o dan reoliad 4(2)(c) gyda phwerau dirprwyedig i arfer rhai neu'r cyfan o'r swyddogaethau yn rhan A o Atodlen 1; a

(ii) sy'n bodloni'r amodau canlynol:

(a) bod y pwyllgor neu'r is-bwyllgor wedi'i sefydlu i gyflawni'r swyddogaethau hynny a gyfeirir atynt ym mharagraff (i) mewn perthynas â rhan o ardal yr awdurdod;

(b) bod aelodau'r pwyllgor neu'r is-bwyllgor sy'n aelodau'r o'r awdurdod wedi'u hethol dros adrannau neu wardiau etholiadol sydd yn gyfan gwbl neu'n rhannol o fewn y rhan honno; a

(c) nad yw poblogaeth y rhan honno, yn ôl amcangyfrif yr awdurdod, yn llai na phymtheg y cant o gyfanswm poblogaeth ardal yr awdurdod fel y mae wedi'i amcangyfrif felly.

ystyr "pwyllgor craffu" (*"scrutiny committee"*) yw pwyllgor neu is-bwyllgor i'r awdurdod a sefydlir o dan reoliad 4(1)(c).

ystyr "pwyllgor cynllunio" (*"planning committee"*) yw pwyllgor i'r awdurdod â chanddo bŵer dirprwyedig i arfer rhai neu'r cyfan o'r swyddogaethau hynny yn Atodlen 1, a adnabyddir fel y Pwyllgor Cynllunio neu unrhyw deitl arall y darperir ar ei gyfer yn rheolau sefydlog yr awdurdod lleol;

"area committee" (*"pwyllgor ardal"*) means a committee or sub-committee of a local authority -

(i) established under regulation 4(2)(c) with delegated powers to exercise some or all of the functions in part A of Schedule 1; and

(ii) which satisfies the following conditions:

(a) the committee or sub-committee is established to discharge those functions referred to in paragraph (4) in respect of part of the area of the authority;

(b) the members of the committee or sub-committee who are members of the authority are elected for electoral divisions or wards which fall wholly or partly within that part; and

(c) the population of that part, as estimated by the authority, is not less than fifteen percent of the total population of the area of the authority as so estimated;

"audit committee" (*"pwyllgor archwilio"*) means a committee of a local authority established under regulation 4(2)(d) which is established to exercise functions in accordance with regulation 5(7) and which is known as the audit committee or by such other title as the standing orders of the local authority may provide:

"Board" (*"Bwrdd"*) means the committee of a local authority established under regulation 4(1)(a) which is established to exercise the functions mentioned in regulation 7 and which is known as the Board of the Council or by such other title as the standing orders of the local authority may provide;

"licensing committee" (*"pwyllgor trwyddedu"*) means a committee of a local authority with delegated powers to exercise some or all of those functions listed in Schedule 1, which shall be known as the Licensing Committee or by such other title as the standing orders of the local authority may provide;

"local authority" (*"awdurdod lleol"*) means (save where the context otherwise requires) a county council or a county borough council which is operating alternative arrangements;

"planning committee" (*"pwyllgor cynllunio"*) means a committee of the authority with delegated power to exercise some or all of those functions in Schedule 1 which is known as the Planning Committee or by such other title as the standing orders of the local authority may provide;

"political group" (*"grwp gwleidyddol"*) means a political group in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990(**a**);

(a) 1972. p.70.

(b) O.S. 1990/1553.

(a) S.I. 1990/1553.

ystyr "pwyllgor trwyddedu" ("licensing committee") yw pwyllgor i awdurdod lleol a chanddo bwerau dirprwyedig i arfer rhai neu'r cyfan o'r swyddogaethau hynny a restrir yn Atodlen 1, a adnabyddir fel y Pwyllgor Trwyddedu neu unrhyw deitl arall y darperir ar ei gyfer yn rheolau sefydlog yr awdurdod lleol;

ystyr "trefniadau amgen" (*"alternative arrangements"*) yw trefniadau gan awdurdod lleol mewn perthynas â chyflawni eu swyddogaethau sy'n drefniadau yn unol â rheoliad 4.

Yr awdurdodau lleol a gaiff weithredu trefniadau amgen

3. Caiff pob awdurdod lleol weithredu trefniadau amgen.

Ffurf trefniadau amgen

4.-(1) Rhaid i awdurdod lleol sy'n gweithredu trefniadau amgen sefydlu -

(a) Bwrdd; a

(b) yn ddarostyngedig i reoliad 6, prif bwyllgor craffu; ac

(c) yn ddarostyngedig i reoliad 6 unrhyw bwyllgorau craffu ychwanegol (heb fod yn llai na thri nac yn fwy nag wyth o ran nifer) y gall rheolau sefydlog yr awdurdod lleol ddarparu ar eu cyfer.

(2) Fe gaiff awdurdod lleol sy'n gweithredu trefniadau amgen sefydlu -

(a) pwyllgor cynllunio;

(b) pwyllgor trwyddedu

(c) unrhyw bwyllgorau ardal y gall rheolau sefydlog yr awdurdod lleol ddarparu ar eu cyfer; ac

(ch) pwyllgor archwilio.

(3) Mae'r trefniadau a nodir yn y Rheoliadau hyn yn cael eu pennu fel y trefniadau amgen at ddibenion Rhan II o Ddeddf 2000.

Gofynion pwyllgorau ac is-bwyllgorau

5.-(1) Mae pob pwyllgor i awdurdod lleol a sefydlir o dan reoliad 4 a phob is-bwyllgor i bwyllgor o'r fath i gael ei drin -

(a) fel pwyllgor neu is-bwyllgor i brif gyngor at ddibenion Rhan VA o Ddeddf Llywodraeth Leol 1972 (cyfle i fynd i gyfarfodydd ac i weld dogfennau awdurdodau, pwyllgorau ac is-bwyllgorau penodol) a

(b) fel corff y mae adran 15 o Ddeddf Llywodraeth Leol a Thai 1980(**a**) (dyletswydd i ddyrannu seddau i grwpiau gwleidyddol) yn gymwys iddo.

"principal scrutiny committee" (*"prif bwyllgor craffu"*) means a committee or sub-committee of the authority established under regulation 4(1)(b);

"relevant body" (*"corff perthnasol"*) for the purposes of regulations 13 and 19, means a local authority or a Board;

"scrutiny committee" (*"pwyllgor craffu"*) means a committee or sub-committee of the authority established under regulation 4(1)(c).

Local authorities which may operate alternative arrangements

3. All local authorities may operate alternative arrangements.

Form of alternative arrangements

4.-(1) All local authority operating alternative arrangements must establish -

(a) a Board; and

(b) subject to regulation 6 a principal scrutiny committee; and

(c) subject to regulation 6 such additional scrutiny committees (being not less than three nor more than eight in number) for which the standing orders of the local authority may provide.

(2) A local authority operating alternative arrangements may establish -

(a) a planning committee;

(b) a licensing committee;

(c) area committees for which the standing orders of the local authority may provide; and

(d) an audit committee.

(3) The arrangements set out in these Regulations are specified as the alternative arrangements for the purposes of Part II of the 2000 Act.

Requirements for committees and sub-committees

5.-(1) Every committee of a local authority established under regulation 4 and every sub-committee of such a committee is to be treated -

(a) as a committee or sub-committee of a principal council for the purposes of Part VA of the Local Government Act 1972 (access to meetings and documents of certain authorities, committees and sub-committees) and

(b) as a body to which section 15 of the Local Government and Housing Act 1989 (**a**) (duty to allocate seats to political groups) applies.

(a) 1989 p.42. Diwygiwyd adran 18 gan adran 99(3) i (9) o Ddeddf Llywodraeth Leol 2000.

(a) 1989 c.42. Section 18 is amended by section 99(3) to (9) of the Local Government Act 2000.

(2) Rhaid i bwyllgor i awdurdod lleol a sefydlir o dan reoliad 4, ac eithrio pwyllgor ardal a sefydlir o dan reoliad 4(2)(c), gynnwys uchafswm o ddeg aelod neu ugain y cant o aelodau'r awdurdod, (wedi'i gyfrifo drwy dalgrynnu nifer yr aelodau i fyny i'r rhif cyfan agosaf pan nad yw nifer yr aelodau yn rhif cyfan wrth gyfrifo'r ganran) p'un bynnag yw'r mwyaf.

(3) Rhaid i awdurdod lleol sy'n gweithredu trefniadau amgen ddyrannu cadeiryddiaethau pwyllgorau a sefydlir o dan reoliad 4 er mwyn sicrhau, cyn belled ag y bo'n ymarferol, fod cydbwysedd y grwpiau gwleidyddol yn yr awdurdod lleol yn cael ei adlewyrchu gan y cadeiryddiaethau hynny.

(4) Rhaid i bwyllgor cynllunio, pwyllgor trwyddedu neu bwyllgor ardal a sefydlir o dan reoliad 4 neu is-bwyllgor i bwyllgor o'r fath sy'n gyfrifol am unrhyw un o'r swyddogaethau a restrir yn Rhan A o Atodlen 1 (swyddogaethau sy'n ymwneud â chynllunio gwlad a thref a rheoli datblygu) gael wyth aelod o leiaf.

(5) Pan fydd awdurdod lleol yn sefydlu pwyllgorau ardal -

(a) rhaid cael o leiaf dri phwyllgor o'r fath a rhaid iddynt ymdrin â'r cyfan o ardal yr awdurdod lleol; a

(b) bydd gan bob aelod o'r awdurdod lleol hawl i fod yn aelod o un pwyllgor ardal.

(6) Caiff y Bwrdd gynnwys cadeirydd pwyllgor cynllunio'r awdurdod lleol a chadeiryddion pwyllgorau ardal os oes pwyllgorau o'r fath wedi'u sefydlu yn unol â rheoliad (4)(2).

(7) I'r graddau y gellir dirprwyo pwerau awdurdod lleol ynghylch ei swyddogaethau archwilio o dan unrhyw ddeddfiad i bwyllgor neu is-bwyllgor, caiff awdurdod lleol ddirprwyo i bwyllgor archwilio.

(8) O ran pwyllgor archwilio a sefydlir o dan 4(2)(ch):

(a) rhaid iddo beidio â chynnwys unrhyw un o aelodau'r Bwrdd; a

(b) rhaid iddo beidio â chael cadeirydd sy'n aelod o'r un grwp gwleidyddol â Chadeirydd y Bwrdd (ac eithrio lle nad oes ond un grwp gwleidyddol); ac

(c) caiff benodi un neu fwy o is-bwyllgorau; ac

(ch) caiff drefnu i unrhyw is-bwyllgor o'r fath gyflawni unrhyw un o'i swyddogaethau.

(9) Ni chaiff is-bwyllgor i bwyllgor archwilio gyflawni unrhyw swyddogaethau heblaw'r rheiny a roddir iddo o dan baragraffau (7) ac (8).

(2) A committee of a local authority established under regulation 4, except an area committee established under regulation 4(2)(c), shall comprise a maximum of ten members or twenty per cent of the authority's members, (calculated by rounding up the number of members to the nearest whole number when in calculating the percentage the number of members is not a whole number) whichever is the greater number.

(3) A local authority operating alternative arrangements shall allocate the chairpersonships of committees established under regulation 4 so as to secure, as far as practicable, that the balance of the political groups in the local authority is reflected by those chairpersonships.

(4) A planning committee, licensing committee or area committee established under regulation 4 or a sub-committee of such a committee with responsibility for any of the functions listed in Part A of Schedule 1 (functions relating to town and country planning and development control) shall have a minimum of eight members.

(5) Where a local authority establishes area committees -

(a) there shall be at least three such committees and they shall cover the whole of the local authority's area; and

(b) each member of the local authority shall be entitled to be a member of one area committee.

(6) The Board may include the chairperson of the local authority's planning committee and the chairpersons of area committees where such committees have been established in accordance with regulation 4(2).

(7) To the extent that a local authority's powers in respect of its audit functions under any enactment may be delegated to a committee or sub-committee, a local authority may delegate to an audit committee.

(8) An audit committee established under 4(2)(d):

(a) shall not include any members of the Board; and

(b) shall not have a chairperson who is a member of the same political group as the Chairperson of the Board (except where there is only one political group); and

(c) may appoint one or more sub-committees; and

(d) may arrange for the discharge of any of its functions any such sub-committee.

(9) A sub-committee of an audit committee may not discharge any functions other than those conferred on it under paragraphs (7) and (8).

(10) Caiff pwyllgor archwilio neu unrhyw is-bwyllgor i bwyllgor o'r fath, gynnwys personau nad ydynt yn aelodau o'r awdurdod, ond ni fydd gan unrhyw bersonau o'r fath hawl i bleidleisio mewn unrhyw un o gyfarfodydd pwyllgor neu is-bwyllgor o'r fath ar unrhyw gwestiwn sy'n gofyn am benderfyniad yn y cyfarfod hwnnw ac ni fydd ganddynt hawl i fod yn gadeirydd pwyllgor neu is-bwyllgor o'r fath.

Prif bwyllgorau craffu a phwyllgorau craffu

6.-(1) Rhaid i brif bwyllgor craffu a sefydlir o dan reoliad 4(1)(b):

(a) beidio â chynnwys unrhyw un o aelodau'r Bwrdd; a

(b) peidio â chael cadeirydd sy'n aelod o'r un grwp gwleidyddol â chadeirydd y Bwrdd (ac eithrio pan nad oes ond un grwp gwleidyddol); a

(c) gael cadeirydd sydd yn aelod o'r awdurdod.

(2) Rhaid i bwyllgor craffu a sefydlir o dan reoliad 4(1)(c) -

(a) cynnwys ymhlith ei aelodaeth fwyafrif o aelodau'r awdurdod nad ydynt yn aelodau o'r Bwrdd ac fe gaiff gynnwys ymhlith ei aelodaeth hyd at dri aelod o'r Bwrdd ond ni fydd gan unrhyw aelod o'r Bwrdd hawl i fod yn gadeirydd ar bwyllgor craffu; a

(b) cael cadeirydd sydd yn aelod o'r awdurdod.

(3) Bydd gan Bwyllgor Craffu a sefydlir o dan reoliad 4(1)(c) bŵer dirprwyedig -

(a) i adolygu neu graffu ar benderfyniadau a wnaed, neu gamau a gymerwyd, mewn cysylltiad â chyflawni unrhyw un o swyddogaethau'r awdurdod;

(b) i gyflwyno adroddiadau neu argymhellion i'r awdurdod mewn cysylltiad â chyflawni unrhyw un o swyddogaethau'r awdurdod;

(c) i gyflwyno adroddiadau neu argymhellion i'r awdurdod neu i drigolion yr ardal honno;

(ch) i argymell, mewn achos lle mae penderfyniad wedi'i wneud ond heb ei weithredu, fod y penderfyniad yn cael ei ailystyried gan y pwyllgor, yr is-bwyllgor neu'r person a wnaeth y penderfyniad; a

(d) i drefnu bod ei swyddogaeth o dan baragraff (i) yn cael ei harfer gan yr awdurdod.

(4) Bydd gan brif bwyllgor craffu a sefydlir o dan reoliad 4(1)(c) y pwer dirprwyedig i ymgymryd â swyddogaethau pwyllgor archwilio yn unol â pharagraff (3) ond bydd y pwerau hynny'n arferadwy i'r graddau y maent yn ymwneud â swyddogaethau'r Bwrdd yn unig.

(10) An audit committee or any sub-committee of such a committee, may include persons who are not members of the authority, but any such persons shall not be entitled to vote at any meeting of such a committee or sub-committee on any question which falls to be decided at that meeting and shall not be entitled to be the chairperson of such a committee or sub-committee.

Principal scrutiny committees and scrutiny committees

6.-(1) A principal scrutiny committee established under regulation 4(1)(b) :

(a) shall not include any members of the Board; and

(b) shall not have a chairperson who is a member of the same political group as the chairperson of the Board (except where there is only one political group); and

(c) shall have a chairperson who is a member of the authority.

(2) A scrutiny committee established under regulation 4(1)(c) -

(a) must include among its membership a majority of members of the authority who are not Board members and may include among its membership up to three members of the Board but no Board member shall be entitled to be the chairperson of a scrutiny committee; and

(b) shall have a chairperson who is a member of the authority.

(3) A Scrutiny Committee established under regulation 4(1)(c) shall have delegated power to -

(a) review or scrutinise decisions made, or other action taken, in connection with the discharge of any function of the authority;

(b) make reports or recommendations to the authority in connection with the discharge of any function of the authority;

(c) make reports or recommendations to the authority or the inhabitants of that area;

(d) recommend, in the case of a decision which has been made but not implemented, that the decision be reconsidered by the committee, sub-committee or person who made it; and

(e) arrange for its function under sub-paragraph (a) to be exercised by the authority.

(4) A principal scrutiny committee established under regulation 4(1)(c) shall have the delegated power to undertake the functions of a scrutiny committee in accordance with paragraph (3) but those powers shall only be exercisable in so far as they relate to the functions of a Board.

(5) Yn ddarostyngedig i baragraff (6), ni chaiff pwyllgor craffu gyflawni unrhyw swyddogaeth heblaw yn unol â'r rheoliadau hyn.

(6) Os nad yw, neu i'r graddau nad yw, swyddogaeth awdurdod lleol o gynnal adolygiadau'r gwerth gorau o dan adran 5 o Ddeddf Llywodraeth Leol 1999(**a**) yn gyfrifoldeb i Fwrdd yr awdurdod, caiff yr awdurdod drefnu i'r prif bwyllgor craffu neu i unrhyw bwyllgor craffu gynnal adolygiad o'r fath.

(7) Caiff prif bwyllgor craffu a phwyllgor craffu -

(a) penodi un neu ragor o is-bwyllgorau, a

(b) trefnu i unrhyw is-bwyllgor o'r fath gyflawni unrhyw un o'i swyddogaethau.

(8) Ni chaiff is-bwyllgor i brif pwyllgor craffu neu bwyllgor craffu gyflawni unrhyw swyddogaethau heblaw'r rhai a roddir iddo o dan baragraff (6).

(9) Rhaid i drefniadau amgen gan awdurdod lleol gynnwys darpariaeth sydd -

(a) yn galluogi unrhyw aelod o brif bwyllgor craffu neu bwyllgor craffu i sicrhau bod unrhyw fater sy'n berthnasol i swyddogaethau'r pwyllgor yn cael ei gynnwys ar yr agenda ar gyfer cyfarfod o'r pwyllgor ac yn cael ei drafod yno;

(b) yn galluogi unrhyw aelod o is-bwyllgor i bwyllgor o'r fath i sicrhau bod unrhyw fater sy'n berthnasol i swyddogaethau'r is-bwyllgor yn cael ei gynnwys ar yr agenda ar gyfer cyfarfod o'r is-bwyllgor ac yn cael ei drafod yno; ac

(c) yn galluogi prif bwyllgor craffu neu bwyllgor craffu i gyfeirio unrhyw fater mewn cysylltiad â phenderfyniad neu benderfyniad arfaethedig gan y Bwrdd at yr awdurdod lleol ar yr amod fod y penderfyniad neu'r penderfyniad arfaethedig yn ymwneud â swyddogaethau'r pwyllgor hwnnw.

(10) Caiff prif bwyllgor craffu a phwyllgor craffu, neu unrhyw is-bwyllgor i bwyllgor o'r fath gynnwys personau nad ydynt yn aelodau o'r awdurdod, ond ni fydd gan unrhyw bersonau o'r fath hawl i bleidleisio mewn unrhyw gyfarfod o bwyllgor neu is-bwyllgor o'r fath ar unrhyw gwestiwn sydd i'w benderfynu yn y cyfarfod hwnnw.

(11) Mae is-adrannau (2) a (5) o adran 102 o Ddeddf 1972 i fod yn gymwys i brif pwyllgor craffu a phwyllgor craffu, neu i is-bwyllgor i bwyllgor o'r fath, fel y maent yn gymwys i bwyllgor a benodir o dan yr adran honno.

(5) Subject to paragraph (6) a scrutiny committee may not otherwise discharge any function other than in accordance with these regulations.

(6) If, or to the extent that, a local authority's function of conducting best value reviews under section 5 of the Local Government Act 1999 (**a**) is not the responsibility of the Board of the authority, the authority may arrange for the principal scrutiny committee or any scrutiny committee to conduct such a review.

(7) A principal scrutiny committee and a scrutiny committee may -

(a) appoint one or more sub-committees; and

(b) arrange for the discharge of any of its functions by any such sub-committee.

(8) A sub-committee of a principal scrutiny committee or a scrutiny committee may not discharge any functions other than those conferred on it under paragraph (6).

(9) Alternative arrangements by a local authority must include provision which enables -

(a) any member of a principal scrutiny committee or scrutiny committee to ensure that any matter which is relevant to the functions of the committee is included in the agenda for, and is discussed at, a meeting of the committee;

(b) any member of a sub-committee of such a committee to ensure that any matter which is relevant to the functions of the sub-committee is included in the agenda for, and is discussed at, a meeting of the sub-committee; and

(c) a principal scrutiny committee or scrutiny committee to refer any matter in connection with a decision or a proposed decision of the Board to the local authority provided that the decision or proposed decision relates to the functions of that committee.

(10) A principal scrutiny committee and a scrutiny committee, or any sub-committee of such a committee, may include persons who are not members of the authority, but any such persons shall not be entitled to vote at any meeting of such a committee or sub-committee on any question which falls to be decided at that meeting.

(11) Subsections (2) and (5) of section 102 of the 1972 Act are to apply to a principal scrutiny committee and a scrutiny committee, or a sub-committee of such a committee, as they apply to a committee appointed under that section.

(a) 1999 p.27.

(a) 1999 c.27.

(12) Caiff prif bwyllgor craffu a phwyllgor craffu, neu is-bwyllgor i bwyllgor o'r fath -

(a) ei gwneud yn ofynnol i aelodau o'r Bwrdd ac i swyddogion o'r awdurdod fod yn bresennol ger ei fron i ateb cwestiynau, a

(b) gwahodd personau eraill i fod yn bresennol yng nghyfarfodydd y pwyllgor neu'r is-bwyllgor.

(13) Bydd unrhyw aelod o'r Bwrdd neu unrhyw un o swyddogion yr awdurdod sydd wedi'i awdurdodi i fod yn bresennol i ateb cwestiynau yn unol â pharagraff (12) o dan ddyletswydd i wneud hynny ond ni fydd ar unrhyw aelod neu swyddog o'r fath rwymedigaeth i ateb unrhyw gwestiwn y byddai gan y person hwnnw hawl i wrthod ei ateb mewn achos, neu at ddibenion achos, mewn llys yng Nghymru neu Loegr.

Swyddogaethau sydd i fod yn gyfrifoldeb i'r Bwrdd

7. -(1) Rhaid i awdurdod lleol sy'n gweithredu trefniadau amgen ddirprwyo ei swyddogaethau i Fwrdd yn ddarostyngedig i'r cyfyngiadau yn rheoliadau 8, 9, 10 ac 11.

(2) Ni fydd dim yn y Rheoliadau hyn yn atal awdurdod lleol rhag arfer y swyddogaethau hynny sydd wedi'u dirprwyo i Fwrdd yn unol â pharagraff (1).

Swyddogaethau nad ydynt i fod yn gyfrifoldeb i'r Bwrdd

8.-(1) Nid yw'r swyddogaethau a bennir yng ngholofn (1) o Atodlen 1 i'r Rheoliadau hyn drwy gyfeirio at y deddfiadau a bennir mewn perthynas â'r swyddogaethau hynny yng ngholofn (2) o'r atodlen honno i fod yn gyfrifoldeb i Fwrdd awdurdod.

(2) Nid yw swyddogaethau -

(a) gosod unrhyw amod, terfyn neu gyfyngiad arall ar gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad a ganiateir -

(i) wrth arfer swyddogaeth a bennir yng ngholofn (1) o Atodlen 1; neu

(ii) heblaw gan Fwrdd yr awdurdod, wrth arfer unrhyw swyddogaeth o dan Ddeddf leol; a

(b) penderfynu ar unrhyw delerau eraill y mae unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad o'r fath yn ddarostyngedig iddynt, i fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(3) Nid yw swyddogaeth penderfynu a ddylid cymryd camau gorfodi, ac ym mha fodd y dylid eu gorfodi -

(a) yn erbyn unrhyw fethiant i gydymffurfio â chymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad a ganiateir wrth arfer swyddogaeth a bennir yng ngholofn (1) o Atodlen 1,

(12) A principal scrutiny committee and a scrutiny committee, or a sub-committee of such a committee, -

(a) may require members of the Board and officers of the authority, to attend before it to answer questions, and

(b) may invite other persons to attend meetings of the committee or sub-committee.

(13) Any member of the Board or officer of the authority who is authorised to attend to answer questions in accordance with paragraph (12) shall be under a duty to do so but any such member or officer shall not be obliged to answer any question which that person would be entitled to refuse to answer in or for the purposes of proceedings in a court in Wales or England.

Functions which are to be the responsibility of the Board

7.-(1) A local authority operating alternative arrangements shall delegate its functions to a Board subject to the limitations in regulations 8, 9, 10 and 11.

(2) Nothing in these Regulations shall prevent a local authority from exercising those functions delegated to a Board in accordance with paragraph (1).

Functions which are not to be the responsibility of the Board

8.-(1) The functions specified in column (1) of Schedule 1 to these Regulations by reference to the enactments specified in relation to those functions in column (2) of that schedule are not to be the responsibility of a Board of an authority.

(2) The functions of -

(a) imposing any condition, limitation or other restriction on an approval, consent, licence, permission or registration granted -

(i) in the exercise of a function specified in column (1) of Schedule 1; or

(ii) otherwise than by the Board of the authority, in the exercise of any function under a local Act; and

(b) determining any other terms to which any such approval, consent, licence, permission or registration is subject,are not to be the responsibility of the Board of the authority.

(3) The function of determining whether, and in what manner, to enforce -

(a) any failure to comply with an approval, consent, licence, permission or registration granted in the exercise of a function specified in column (1) of Schedule 1,

(b) yn erbyn unrhyw fethiant i gydymffurfio ag amod, cyfyngiad neu deler y mae unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad o'r fath yn ddarostyngedig iddynt, neu

(c) yn erbyn unrhyw doriad arall mewn perthynas â mater na fyddai'r swyddogaeth o benderfynu ar gais am gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad yn gyfrifoldeb i Fwrdd yr awdurdod mewn perthynas ag ef,

i fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(4) Nid yw swyddogaeth -

(a) diwygio, addasu neu amrywio unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad a ganiateir, nac unrhyw amod, terfyn, cyfyngiad neu deler y mae'n ddarostyngedig iddynt; neu

(b) diddymu unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestriad o'r fath, i fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(5) Nid yw swyddogaeth gwneud unrhyw gynllun a awdurdodir neu a fynnir gan reoliadau o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989 (cynlluniau ar gyfer lwfansau sylfaenol, lwfansau presenoldeb a lwfansau cyfrifoldeb arbennig i aelodau awdurdodau lleol), neu swyddogaeth diwygio, diddymu neu ddisodli unrhyw gynllun o'r fath, i fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(6) Nid yw swyddogaethau penderfynu -

(a) swm unrhyw lwfans sy'n daladwy -

(i) o dan is-adran (5) o adran 3 o Ddeddf 1972 (treuliau cadeirydd);

(ii) o dan is-adran (4) o adran 5 o'r Ddeddf honno (treuliau is-gadeirydd);

(iii) o dan is-adran (4) o adran 173 (lwfans colled ariannol) o'r Ddeddf honno(**a**);

(iv) o dan adran 175 o'r Ddeddf honno (lwfansau ar gyfer mynychu cynadleddau a chyfarfodydd);

(b) yn ôl pa gyfraddau y mae taliadau i gael eu gwneud o dan adran 174 o'r Ddeddf honno (lwfansau teithio a lwfansau cynhaliaeth);

(c) swm unrhyw lwfans sy'n daladwy yn unol â chynllun o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989, neu yn ôl pa gyfraddau y mae taliadau ar gyfer unrhyw lwfans o'r fath i gael eu gwneud;

(a) Diwygiwyd adran 173(4) gan Ddeddf Llywodraeth Lleol a Thai 1989 (p.42), Atodlen 11, paragraff 26. Gwnaed eithriad perthnasol gan erthygl 3(2) o Orchymyn Deddf Llywodraeth Leol a Thai 1989 (Cychwyn Rhif 11 ac Eithriadau) 1991 (OS 1991/344).

(b) any failure to comply with a condition, limitation or term to which any such approval, consent, licence, permission or registration is subject, or

(c) any other contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of the Board of the authority,

is not to be the responsibility of the Board of the authority.

(4) The function of -

(a) amending, modifying or varying any such approval, consent, licence, permission or registration granted or any condition, limitation, restriction or term to which it is subject; or

(b) revoking any such approval, consent, licence, permission or registration,is not to be the responsibility of the Board of the authority.

(5) The function of making any scheme authorised or required by regulations under section 18 of the Local Government and Housing Act 1989 (schemes for basic, attendance and special responsibility allowances for local authority members), or of amending, revoking or replacing any such scheme, is not to be the responsibility of the Board of the authority.

(6) The functions of determining -

(a) the amount of any allowance payable under -

(i) subsection (5) of section 3 of the 1972 Act (chairman's expenses);

(ii) subsection (4) of section 5 of that Act (vice-chairman's expenses);

(iii) subsection (4) of section 173 (financial loss allowance) of that Act (**a**);

(iv) section 175 of that Act (allowances for attending conferences and meetings);

(b) the rates at which payments are to be made under section 174 of that Act (travelling and subsistence allowances);

(c) the amount of any allowance payable pursuant to a scheme under section 18 of the Local Government and Housing Act 1989, or the rates at which payments by way of any such allowance are to be made;

(a) Section 173(4) was amended by the Local Government and Housing Act 1989 (c.42), Schedule 11, paragraph 26. A relevant saving was made by article 3(2) of the Local Government and Housing Act 1989 (Commencement No.11 and Savings) Order 1991 (SI. 1991/344).

(ch) a ddylid codi tâl am unrhyw gymeradwyaeth, cydsyniad, trwydded neu gofrestriad nad yw eu rhoi yn gyfrifoldeb i Fwrdd yr awdurdod; a

(d) pan gaiff tâl ei godi am unrhyw gymeradwyaeth, cydsyniad, trwydded neu gofrestriad o'r fath, swm y tâl;

i fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(7) Ni fydd adran 101 o Ddeddf 1972 (trefniadau ar gyfer cyflawni swyddogaethau gan awdurdodau lleol) yn gymwys mewn perthynas â chyflawni unrhyw swyddogaeth a grybwyllir ym mharagraff (5) neu (6)(a) i (c).

(8) Yn ddarostyngedig i unrhyw ddarpariaeth mewn rheoliadau a wneir o dan adran 20 o Ddeddf 2000 (gweithredu swyddogaethau ar y cyd), nid yw swyddogaeth -

(a) gwneud trefniadau ar gyfer cyflawni swyddogaethau gan bwyllgor neu swyddog o dan adran 101(5) o Ddeddf 1972, a

(b) gwneud penodiadau o dan adran 102 (penodi pwyllgorau) o Ddeddf 1972, i fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(9) Oni ddarperir fel arall gan y Rheoliadau hyn, nid yw swyddogaeth awdurdod lleol a all, yn rhinwedd unrhyw ddeddfiad (a basiwyd neu a wnaed cyn i'r Rheoliadau hyn gael eu gwneud) gael ei chyflawni gan awdurdod yn unig, i fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(10) Ym mharagraffau (1) a (9), mae "deddfiad" yn cynnwys deddfiad a gynhwysir mewn Deddf leol neu mewn is-ddeddfwriaeth..

Swyddogaethau a all fod yn gyfrifoldeb i Fwrdd awdurdod

9. Fe all y swyddogaethau a bennir yn Atodlen 2 fod yn gyfrifoldeb i Fwrdd yr awdurdod, ond nid oes angen iddynt fod felly.

Swyddogaethau nad ydynt i fod yn gyfrifoldeb i Fwrdd awdurdod yn unig

10.-(1) Mewn cysylltiad â chyflawni swyddogaeth -

(a) llunio neu baratoi cynllun neu strategaeth, o ddisgrifiad a bennir yn ngholofn (1) o Atodlen 3 i'r Rheoliadau hyn;

(b) llunio cynllun neu strategaeth ar gyfer rheoli benthyciadau neu wariant cyfalaf yr awdurdod; neu

(c) llunio neu baratoi unrhyw gynllun neu

(d) whether a charge should be made for any approval, consent, licence, permit or registration the issue of which is not the responsibility of the Board of the authority; and

(e) where a charge is made for any such approval, consent, licence, permit or registration, the amount of the charge;

are not to be the responsibility of the Board of the authority.

(7) Section 101 of the 1972 Act (arrangements for discharge of functions by local authorities) shall not apply with respect to the discharge of any function mentioned in paragraph (5) or (6)(a) to (c).

(8) Subject to any provision of regulations made under section 20 of the 2000 Act (joint exercise of functions), the function of -

(a) making arrangements for the discharge of functions by a committee or officer under section 101(5) of the 1972 Act, and

(b) making appointments under section 102 (appointment of committees) of the 1972 Act, is not to be the responsibility of the Board of the authority.

(9) Unless otherwise provided by these Regulations, a function of a local authority which, by virtue of any enactment (passed or made before the making of these Regulations) may be discharged only by an authority, is not to be the responsibility of the Board of the authority.

(10) In paragraphs (1) and (9), "enactment" includes an enactment contained in a local Act or comprised in subordinate legislation.

Functions which may be the responsibility of an authority's Board

9. The functions specified in Schedule 2, may, but need not be, the responsibility of the Board of the authority.

Functions which are not to be the sole responsibility of an authority's Board

10.-(1) In connection with the discharge of the function of -

(a) formulating or preparing a plan or strategy of a description specified in column (1) of Schedule 3 to these Regulations;

(b) formulating a plan or strategy for the control of the authority's borrowing or capital expenditure; or

(c) formulating or preparing any other plan or

strategaeth arall y mae eu mabwysiadu neu eu cymeradwyo, yn rhinwedd rheoliad 5(1), yn fater i'r awdurdod benderfynu arno,

nid yw'r camau a ddynodir gan baragraff (3) i fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(2) Ac eithrio fel y darperir ym mharagraff (1), rhaid i'r swyddogaethau a grybwyllir yn y paragraff hwnnw fod yn gyfrifoldeb i'r Bwrdd.

(3) Dyma'r camau a ddynodir -

(a) rhoi cyfarwyddiadau sy'n ei gwneud yn ofynnol i'r Bwrdd ailystyried unrhyw gynllun neu strategaeth ddrafft a gyflwynir gan y Bwrdd i'r awdurdod i gael eu hystyried;

(b) diwygio unrhyw gynllun neu strategaeth ddrafft a gyflwynir gan y Bwrdd i'r awdurdod i gael eu hystyried;

(c) cymeradwyo unrhyw gynllun neu strategaeth (boed ar ffurf drafft neu beidio) er mwyn eu cyflwyno i Gynulliad Cenedlaethol Cymru neu unrhyw un o Weinidogion y Goron, sef cynllun neu strategaeth y mae'n ofynnol i unrhyw ran ohonynt gael ei chyflwyno felly;

(ch) mabwysiadu'r cynllun neu'r strategaeth (gydag addasiadau neu hebddynt).

(4) O ran swyddogaeth diwygio, addasu, amrywio neu ddiddymu unrhyw gynllun neu strategaeth o ddisgrifiad y cyfeirir ato ym mharagraff (1), (boed wedi'u cymeradwyo neu wedi'u mabwysiadu, cyn neu ar ôl i'r Rheoliadau hyn ddod i rym) -

(a) rhaid iddi fod yn gyfrifoldeb i Fwrdd yr awdurdod i'r graddau y mae gwneud y diwygio, yr addasu, yr amrywio neu'r diddymu -

(i) yn ofynnol er mwyn rhoi eu heffaith i ofynion Cynulliad Cenedlaethol Cymru neu un o Weinidogion y Goron mewn perthynas â chynllun neu strategaeth a gyflwynir i gael eu cymeradwyo, neu ag unrhyw ran a gyflwynir felly; neu

(ii) wedi'u hawdurdodi gan ddyfarniad a wnaed gan yr awdurdod wrth wneud y trefniadau ar gyfer cymeradwyo neu fabwysiadu'r cynllun neu'r strategaeth, yn ôl fel y digwydd; ond

(b) rhaid iddi beidio â bod yn gyfrifoldeb i'r Bwrdd i unrhyw raddau eraill.

(5) Ac eithrio i'r graddau a grybwyllir ym mharagraff (6), rhaid i swyddogaeth gwneud cais -

(a) o dan is-adran (5) o adran 135 o Ddeddf Diwygio Lesddaliad, Tai a Datblygu Trefol

strategy whose adoption or approval is, by virtue of regulation 5(1), a matter for determination by the authority;

the actions designated by paragraph (3) shall not be the responsibility of the Board of the authority.

(2) Subject as provided in paragraph (1) the functions mentioned in that paragraph shall be the responsibility of the Board.

(3) The designated actions are -

(a) the giving of instructions requiring the Board to reconsider any draft plan or strategy submitted by the Board for the authority's consideration;

(b) the amendment of any draft plan or strategy submitted by the Board for the authority's consideration;

(c) the approval, for the purpose of its submission to the National Assembly for Wales or any Minister of the Crown for approval of any plan or strategy (whether or not in the form of a draft) of which any part is required to be so submitted;

(d) the adoption (with or without modification) of the plan or strategy.

(4) The function of amending, modifying, varying or revoking any plan or strategy of a description referred to in paragraph (1), (whether approved or adopted, before or after the coming into force of these Regulations) -

(a) shall be the responsibility of the Board of the authority to the extent that the making of the amendment, modification, variation or revocation -

(i) is required for giving effect to requirements of the National Assembly for Wales or a Minister of the Crown in relation to a plan or strategy submitted for approval or to any part so submitted; or

(ii) is authorised by a determination made by the authority when making the arrangements or approving or adopting the plan or strategy, as the case may be; but

(b) shall not be the responsibility of the Board to any other extent.

(5) Except to the extent mentioned in paragraph (6), the function of making an application -

(a) under subsection (5) of section 135 of the Leasehold Reform, Housing and Urban Development Act 1993 (programmes for

(a) 1993 p.28, y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(a) 1993 c.28, to which there are amendments not relevant to these Regulations.

1993 (rhaglenni ar gyfer gwaredu) (**a**); neu

(b) o dan adran 32 (pŵer i waredu tir a ddelir at ddibenion Rhan II) neu adran 43 (cydsyniad sy'n angenrheidiol ar gyfer rhai gwarediadau nad ydynt o fewn adran 32 o Ddeddf Tai 1985(**a**),

fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(6) Awdurdodi gwneud y cais yw'r graddau a grybwyllir yn y paragraff hwn.

(7) Rhaid i swyddogaeth gwneud cais o fath y cyfeirir ato ym mharagraff (5), i'r graddau a grybwyllir ym mharagraff (6), beidio â bod yn gyfrifoldeb i Fwrdd yr awdurdod.

(8) Ni fydd adran 101 o Ddeddf 1972 yn gymwys mewn perthynas â chyflawni -

(a) swyddogaeth a bennir ym mharagraff (1) i'r graddau nad yw'n gyfrifoldeb i Fwrdd yr awdurdod yn rhinwedd y paragraff hwnnw;

(b) y swyddogaethau a bennir ym mharagraffau (4) a (5) i'r graddau nad ydynt yn gyfrifoldeb i Fwrdd yr awdurdod.

(9) Mewn cysylltiad â chyflawni swyddogaeth -

(a) cyfrifo yn unol ag unrhyw un o adrannau 32 i 37, 43 i 51, 52I, 52J, 52T a 52U o Ddeddf Cyllid Llywodraeth Leol 1992(**b**) neu adran 61 o'r Ddeddf honno, naill ai drwy'r adran wreiddiol neu drwy gyfrwng adran amnewid; neu

(b) rhoi praesept o dan Bennod IV o'r Rhan honno,

rhaid i'r camau a ddynodir gan baragraff (11) ("camau paragraff (11)") fod yn gyfrifoldeb i Fwrdd yr awdurdod.

(10) Yn ddarostyngedig i ddarpariaeth paragraff (9), rhaid i'r swyddogaeth a grybwyllir yn y paragraff honno beidio â bod yn gyfrifoldeb i'r Bwrdd.

(11) Dyma'r camau a ddynodir -

(a) paratoi'r canlynol i'w cyflwyno i'r awdurdod i gael eu hystyried-

(i) amcangyfrifon o'r symiau sydd i'w hagregu wrth gyfrifo neu amcangyfrifon o symiau eraill sydd i'w defnyddio at ddibenion y cyfrifo;

(ii) y symiau y mae'n ofynnol eu datgan yn y praesept;

disposals) (**a**); or

(b) under section 32 (power to dispose of land held for the purposes of Part II or section 43 (consent required for certain disposals not within section 32) of the Housing Act 1985(**a**),

shall be the responsibility of the Board of the authority.

(6) The extent mentioned in this paragraph is the authorisation of the making of the application.

(7) The function of making such an application as is referred to in paragraph (5), to the extent mentioned in paragraph (6), shall not be the responsibility of the Board of the authority.

(8) Section 101 of the 1972 Act shall not apply with respect to the discharge -

(a) of a function specified in paragraph (1) to the extent that, by virtue of that paragraph, it is not the responsibility of the Board of the authority;

(b) of the functions specified in paragraphs (4) and (5) to the extent that they are not the responsibility of the Board of the authority.

(9) In connection with the discharge of the function of -

(a) making a calculation in accordance with any of sections 32 to 37, 43 to 51, 52I, 52J, 52T and 52U of the Local Government Finance Act 1992(**b**) or any or section 61 of that Act, whether originally or by way of substitute; or

(b) issuing a precept under Chapter IV of that Part,

the actions designated by paragraph (11) ("the paragraph (11) actions") shall be the responsibility of the Board of the authority.

(10) Subject as provided in paragraph (9), the function mentioned in that paragraph shall not be the responsibility of the Board.

(11) The designated actions are -

(a) the preparation, for submission to the authority for their consideration, of -

(i) estimates of the amounts to be aggregated in making the calculation or of other amounts to be used for the purposes of the calculation;

(ii) the amounts required to be stated in the precept;

(b) the reconsideration of those estimates and amounts in accordance with the authority's

(a) 1985 p.68. Gwnaed diwygiadau perthnasol, yn is-adran (3) o adran 32 ac is-adran (1)(a) o adran 43, gan baragraff 3(a), (d) ac (e) o'r Atodlen i O.S. 1997/74.

(b) 1992 p.14; mewnosodwyd adrannau 52I, 52J, 52T a 52U gan Ddeddf Llywodraeth Leol 1999 (p.27) Atodlen 1, paragraff 1.

(a) 1985 c.68. Relevant amendments, in subsection (3) of section 32 and subsection (1)(a) of section 43, were made by paragraph 3(a), (d) and (e) of the Schedule to SI 1997/74.

(b) 1992 c.14; sections 52I, 52J, 52T and 52U were inserted by the Local Government Act 1999 (c.27) Schedule 1, paragraph 1.

(b) ailystyried yr amcangyfrifon a'r symiau hynny yn unol â gofynion yr awdurdod;

(c) cyflwyno amcangyfrifon a symiau diwygiedig i'r awdurdod i gael eu hystyried.

Cyflawni swyddogaethau penodedig gan awdurdodau

11.-(1) Yn ddarostyngedig i baragraff (2), rhaid i swyddogaeth o unrhyw un o'r disgrifiadau a bennir yng ngholofn (1) o Atodlen 4 (a allai, heblaw am y paragraff hwn, fod yn gyfrifoldeb i Fwrdd yr awdurdod), beidio â bod yn gyfrifoldeb i'r Bwrdd o dan yr amgylchiadau a bennir yng ngholofn (2) mewn perthynas â'r swyddogaeth honno.

(2) Ni fydd paragraff (1) yn gymwys mewn perthynas â chyflawni swyddogaeth o'r disgrifiad a bennir ym mharagraff 3 o golofn (1) o Atodlen 4 -

(a) os yw'n rhesymol edrych ar yr amgylchiadau sy'n golygu bod angen gwneud y dyfarniad fel amgylchiadau brys; a

(b) os yw'r unigolyn neu'r corff y gwneir y dyfarniad ganddo wedi sicrhau datganiad mewn ysgrifen gan gadeirydd pwyllgor craffu perthnasol neu, os nad oes person o'r fath neu os yw cadeirydd pob pwyllgor craffu perthnasol yn methu gweithredu neu'n anfodlon gweithredu, gan gadeirydd yr awdurdod neu, yn absenoldeb y person hwnnw, gan yr is-gadeirydd, fod angen i'r dyfarniad gael ei wneud ar frys.

(3) Ym mharagraff (2) ystyr "pwyllgor craffu perthnasol" yw pwyllgor craffu i'r awdurdod y mae ei gylch gwaith yn cynnwys y pŵer i adolygu neu i graffu ar benderfyniadau neu gamau eraill a gymerwyd wrth gyflawni'r swyddogaeth y mae'r dyfarniad yn ymwneud â hi.

(4) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r dyfarniad gael ei wneud, rhaid i'r unigolyn neu'r corff y gwneir dyfarniad ganddo yn unol â pharagraff (2) gyflwyno adroddiad i'r awdurdod y mae'n rhaid iddo gynnwys manylion -

(a) y dyfarniad;

(b) yr argyfwng neu'r amgylchiadau eraill y cafodd ei wneud odanynt; ac

(c) y rhesymau dros y dyfarniad.

(5) Ni fydd adran 101 o Ddeddf 1972 yn gymwys mewn perthynas â chyflawni swyddogaeth y cyfeirir ati ym mharagraff (1) nad yw, yn rhinwedd y paragraff hwnnw, yn gyfrifoldeb i Fwrdd yr awdurdod.

requirements;

(c) the submission for the authority's consideration of revised estimates and amounts.

Discharge of specified functions by authorities

11.-(1) Subject to paragraph (2), a function of any of the descriptions specified in column (1) of Schedule 4 (which, but for this paragraph, might be the responsibility of the Board of the authority), shall not be the responsibility of the Board in the circumstances specified in column (2) in relation to that function.

(2) Paragraph (1) shall not apply in relation to the discharge of a function of the description specified in paragraph 3 of column (1) of Schedule 4 where -

(a) the circumstances which render necessary the making of the determination may reasonably be regarded as urgent; and

(b) the individual or body by whom the determination is to be made has obtained from the chairperson of a relevant scrutiny committee or, if there is no such person or the chairperson of every relevant scrutiny committee is unable or unwilling to act, from the chairperson of the authority or, in that person's absence, from the vice-chairperson, a statement in writing that the determination needs to be made as a matter of urgency.

(3) In paragraph (2) "relevant scrutiny committee" means a scrutiny committee of the authority whose terms of reference include the power to review or scrutinise decisions or other action taken in the discharge of the function to which the determination relates.

(4) The individual or body by whom a determination is made pursuant to paragraph (2) shall, as soon as reasonably practicable after the making of the determination, submit to the authority a report which shall include particulars of -

(a) the determination;

(b) the emergency or other circumstances in which it was made; and

(c) the reasons for the determination.

(5) Section 101 of the 1972 Act shall not apply with respect to the discharge of a function referred to in paragraph (1) which, by virtue of that paragraph, is not the responsibility of the Board of the authority.

Directions by the Board to planning and licensing committees

12. The Board may direct that any decision to be

Cyfarwyddiadau gan y Bwrdd i bwyllgorau cynllunio a phwyllgorau trwyddedu

12. Caiff y Bwrdd gyfarwyddo bod rhaid i unrhyw benderfyniad sydd i'w wneud gan bwyllgor cynllunio, pwyllgor trwyddedu neu bwyllgor ardal mewn perthynas â swyddogaeth o unrhyw un o'r disgrifiadau a bennir yng ngholofn (1) o ran A o Atodlen 1 (swyddogaethau sy'n ymwneud â chynllunio gwlad a thref a rheoli datblygu) gael ei benderfynu gan yr awdurdod lleol.

Pŵer i wneud trefniadau: yr awdurdod lleol a'r Bwrdd

13. Yn achos awdurdod lleol sy'n gweithredu trefniadau amgen -

(a) mae gan gorff perthnasol bŵer i wneud trefniadau o dan adran 101(5) o Ddeddf 1972 yn unol â rheoliad 19; a

(b) yn ddarostyngedig i baragraff (a) caiff y Bwrdd drefnu i unrhyw un o'i swyddogaethau gael ei chyflawni -

(i) gan y Bwrdd,

(ii) gan aelod o'r Bwrdd;

(iii) gan bwyllgor i'r Bwrdd;

(iv) gan un o swyddogion yr awdurdod.

Cyflawni swyddogaethau gan bwyllgorau ardal

14.-(1) Caiff corff perthnasol a chanddo bŵer i wneud trefniadau yn unol â rheoliad 13 drefnu i unrhyw swyddogaethau sy'n gyfrifoldeb i Fwrdd yr awdurdod lleol gael eu cyflawni gan bwyllgor ardal i'r awdurdod hwnnw.

(2) Os gall unrhyw swyddogaethau gael eu cyflawni gan bwyllgor ardal yn rhinwedd y rheoliad hwn, yna, oni bai bod y corff perthnasol yn cyfarwyddo fel arall, caiff y pwyllgor ardal drefnu i unrhyw un o'r swyddogaethau hynny gael ei chyflawni gan is-bwyllgor i'r pwyllgor hwnnw neu gan un o swyddogion yr awdurdod.

(3) Os gall unrhyw swyddogaethau gael eu cyflawni gan is-bwyllgor i bwyllgor ardal yn rhinwedd paragraff (2), yna, oni bai bod y pwyllgor ardal neu'r corff perthnasol yn cyfarwyddo fel arall, caiff yr is-bwyllgor drefnu i unrhyw un o'r swyddogaethau hynny gael ei chyflawni gan un o swyddogion yr awdurdod.

(4) Nid yw unrhyw drefniadau a wneir o dan y rheoliad hwn gan gorff perthnasol i unrhyw swyddogaethau gael eu cyflawni gan bwyllgor ardal i atal y corff perthnasol rhag arfer y swyddogaethau hynny.

(5) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl i drefniadau gael eu gwneud o dan y rheoliad hwn, rhaid i'r Bwrdd sicrhau bod copïau o ddogfen sy'n nodi darpariaethau'r trefniadau ar gael ym mhrif swyddfa'r awdurdod i gael eu harchwilio gan aelodau o'r cyhoedd made by a planning committee, a licensing committee or area committee in respect of a function of any of the descriptions specified in column (1) of part A of Schedule 1 (functions relating to town and country planning and development control) shall be determined by the local authority.

Power to make arrangements: the local authority and the Board

13. In the case of a local authority operating alternative arrangements -

(a) a relevant body has power to make arrangements under section 101(5) of the 1972 Act in accordance with regulation 19; and

(b) subject to paragraph (a) the Board may arrange for the discharge of any of its functions -

(i) by the Board,

(ii) by a member of the Board;

(iii) by a committee of the Board;

(iv) by an officer of the authority.

Discharge of functions by area committees

14.-(1) A relevant body with power to make arrangements in accordance with regulation 13 may arrange for the discharge of any functions which are the responsibility of the Board of the local authority by an area committee of that authority.

(2) Where by virtue of this regulation any functions may be discharged by an area committee, then, unless the relevant body directs otherwise, the area committee may arrange for the discharge of any of those functions by a sub-committee of that committee or by an officer of the authority.

(3) Where by virtue of paragraph (2) any functions may be discharged by a sub-committee of an area committee, then, unless the area committee or the relevant body directs otherwise, the sub-committee may arrange for the discharge of any of those functions by an officer of the authority.

(4) Any arrangements made under this regulation by a relevant body for the discharge of any functions by an area committee are not to prevent the relevant body from exercising those functions.

(5) As soon as reasonably practicable after making arrangements under this regulation the Board must secure that copies of a document setting out the provisions of the arrangements are available at the authority's principal office for inspection by members of the public at all reasonable hours.

(6) The Board shall, in preparing the document referred to in paragraph (5) above, have regard to any guidance issued by the National Assembly for Wales

ar bob adeg resymol.

(6) Wrth baratoi'r ddogfen y cyfeirir ati ym mharagraff (5) uchod, rhaid i'r Bwrdd roi sylw i unrhyw ganllawiau a gyhoeddir gan Gynulliad Cenedlaethol Cymru o dan adran 38 o Ddeddf 2000.

Cyflawni swyddogaethau gan awdurdod lleol arall

15.-(1) Caiff corff perthnasol a chanddo bŵer i wneud trefniadau yn unol â rheoliad 13 wneud trefniadau gydag awdurdod lleol arall yn unol â'r rheoliad hwn.

(2) Gall trefniadau o dan y rheoliad hwn ddarparu -

(a) i swyddogaeth sy'n gyfrifoldeb i Fwrdd un awdurdod lleol gael ei chyflawni naill ai gan awdurdod lleol arall neu gan Fwrdd yr awdurdod arall hwnnw os yw'r swyddogaeth honno yn swyddogaeth i'r awdurdod lleol arall hwnnw ond nad yw'n un sy'n gyfrifoldeb i Fwrdd yr awdurdod lleol arall hwnnw;

(b) i swyddogaeth sy'n gyfrifoldeb i Fwrdd un awdurdod lleol gael ei chyflawni gan Fwrdd awdurdod lleol arall os yw'r swyddogaeth yn swyddogaeth sy'n gyfrifoldeb i Fwrdd yr awdurdod lleol arall hwnnw;

(c) i swyddogaeth sy'n gyfrifoldeb i Fwrdd un awdurdod lleol gael ei chyflawni gan Fwrdd awdurdod lleol arall os nad yw'r swyddogaeth honno yn swyddogaeth i'r awdurdod lleol arall hwnnw a bod gan yr awdurdod arall hwnnw Fwrdd;

(ch) i swyddogaeth sy'n gyfrifoldeb i Fwrdd un awdurdod lleol gael ei chyflawni gan awdurdod lleol arall os yw'r swyddogaeth honno yn swyddogaeth i'r awdurdod lleol arall hwnnw ac nad oes gan yr awdurdod arall hwnnw Fwrdd.

(3) Nid yw unrhyw drefniadau a wneir o dan y rheoliad hwn i atal y corff perthnasol a wnaeth y trefniadau rhag arfer y swyddogaethau y maent yn ymwneud â hwy.

Trefniadau i swyddogaethau awdurdod lleol gael eu cyflawni gan Fwrdd awdurdod lleol arall

16.-(1) Caiff awdurdod lleol wneud trefniadau gydag awdurdod lleol arall i unrhyw un o swyddogaethau'r awdurdod cyntaf a grybwyllwyd nad ydynt yn gyfrifoldeb i Fwrdd yr awdurdod hwnnw gael ei chyflawni gan Fwrdd yr awdurdod lleol hwnnw -

(a) os nad yw'r swyddogaethau yn swyddogaethau i'r awdurdod lleol arall hwnnw; neu

(b) os yw'r swyddogaethau yn swyddogaethau i'r

under section 38 of the 2000 Act.

Discharge of functions by another local authority

15.-(1) A relevant body with power to make arrangements in accordance with regulation 13 may make arrangements with another local authority in accordance with this regulation.

(2) Arrangements under this regulation may provide -

(a) for a function which is the responsibility of the Board of one local authority to be discharged either by another local authority or by the Board of that other authority if that function is a function of that other local authority but is not one which is the responsibility of the Board of that other local authority;

(b) for a function which is the responsibility of the Board of one local authority to be discharged by the Board of another local authority if the function is a function which is the responsibility of the Board of that other local authority;

(c) for a function which is the responsibility of the Board of one local authority to be discharged by the Board of another local authority if that function is not a function of that other local authority and that other authority has a Board;

(d) for a function which is the responsibility of the Board of one local authority to be discharged by another local authority if that function is a function of that other local authority and that other authority does not have a Board.

(3) Any arrangements made under this regulation are not to prevent the relevant body that made the arrangements from exercising the functions to which they relate.

Arrangements for functions of a local authority to be discharged by the Board of another local authority

16.-(1) A local authority may make arrangements with another local authority for the discharge by the Board of that local authority of any functions of the first mentioned authority which are not the responsibility of the Board of that authority if -

(a) the functions are not functions of that other local authority; or

(b) the functions are functions of that other local authority and are the responsibility of the Board of that other authority.

(2) Any arrangements made under this regulation are not to prevent the authority that made the arrangements

awdurdod lleol arall hwnnw ac yn gyfrifoldeb i Fwrdd yr awdurdod arall hwnnw.

(2) Nid yw unrhyw drefniadau a wneir o dan y rheoliad hwn i atal yr awdurdod a wnaeth y trefniadau rhag arfer y swyddogaethau y maent yn ymwneud â hwy.

Y cyfrifoldeb dros swyddogaethau a ddirprwyir i awdurdod lleol arall

17. Os oes trefniadau mewn grym, yn rhinwedd rheoliad 15 neu 16 uchod, i unrhyw un o swyddogaethau awdurdod lleol gael ei chyflawni, neu i unrhyw swyddogaethau sy'n gyfrifoldeb i Fwrdd yr awdurdod hwnnw gael eu cyflawni, gan Fwrdd awdurdod lleol arall, trinnir y swyddogaethau hynny, at ddibenion adran 32 o Ddeddf 2000, fel swyddogaethau sy'n gyfrifoldeb i Fwrdd yr awdurdod lleol arall hwnnw.

Swyddogaethau a ddirpwyir i awdurdod lleol arall

18.-(1) Os oes trefniadau mewn grym, yn rhinwedd rheoliad 15 uchod, i unrhyw swyddogaethau sy'n gyfrifoldeb i Fwrdd awdurdod lleol gael eu cyflawni gan awdurdod lleol arall, yna, yn ddarostyngedig i delerau'r trefniadau, caiff yr awdurdod arall hwnnw drefnu i unrhyw un o'r swyddogaethau hynny gael ei chyflawni gan bwyllgor, is-bwyllgor neu swyddog iddynt.

(2) Os gall unrhyw swyddogaethau gael eu cyflawni, yn rhinwedd paragraff (1) uchod, gan bwyllgor i awdurdod lleol, yna, oni bai bod yr awdurdod hwnnw'n cyfarwyddo fel arall, caiff y pwyllgor drefnu i unrhyw un o'r swyddogaethau hynny gael ei chyflawni gan is-bwyllgor neu gan swyddog i'r awdurdod.

(3) Os gall unrhyw swyddogaethau, yn rhinwedd paragraff (1) neu (2) uchod, gael eu cyflawni gan is-bwyllgor i awdurdod lleol, yna, oni bai bod yr awdurdod hwnnw neu, yn ôl fel y digwydd, y pwyllgor hwnnw yn cyfarwyddo fel arall, caiff yr is-bwyllgor drefnu i unrhyw un o'r swyddogaethau hynny gael ei chyflawni gan swyddog i'r awdurdod.

Arfer swyddogaethau ar y cyd

19.-(1) Rhaid i drefniadau a wneir o dan adran 101(5) o Ddeddf 1972 gan gorff perthnasol gael eu gwneud yn unol â'r rheoliad hwn.

(2) Rhaid i'r trefniadau gael eu gwneud -

(a) os yw'r swyddogaethau y mae'r trefniadau yn ymwneud â hwy yn gyfrifoldeb i Fwrdd yr awdurdod lleol arall o dan sylw, gyda'r corff perthnasol sydd â'r pŵer i wneud y trefniadau hynny ar ran yr awdurdod hwnnw;

(b) mewn unrhyw achos arall, gyda'r awdurdod lleol arall.

from exercising the functions to which they relate.

Responsibility for functions delegated to another local authority

17. Where, by virtue of regulation 15 or 16 above arrangements are in force for the discharge of any functions of a local authority, or for the discharge of any functions which are the responsibility of the Board of that authority, by the Board of another local authority, those functions shall be treated, for the purposes of sections 32 of the 2000 Act, as functions which are the responsibility of the Board of that other local authority.

Functions delegated to another local authority

18.-(1) Where, by virtue of regulation 15 above, arrangements are in force for the discharge of any functions which are the responsibility of the Board of a local authority by another local authority, then, subject to the terms of the arrangements, that other authority may arrange for the discharge of any of those functions by a committee, sub-committee or officer of theirs.

(2) Where by virtue of paragraph (1) above any functions may be discharged by a committee of a local authority, then, unless that authority otherwise directs, the committee may arrange for the discharge of any of those functions by a sub-committee or an officer of the authority.

(3) Where by virtue of paragraph (1) or (2) above any functions may be discharged by a sub-committee of a local authority, then, unless that authority or, as the case may be, that committee otherwise directs, the sub-committee may arrange for the discharge of any of those functions by an officer of the authority.

Joint exercise of functions

19.-(1) Arrangements made under section 101(5) of the 1972 Act by a relevant body must be made in accordance with this regulation.

(2) The arrangements must be made -

(a) where the functions to which the arrangements relate are the responsibility of the Board of the other local authority concerned, with the relevant body which has power to make such arrangements on behalf of that authority;

(b) in any other case, with the other local authority.

(3) If the arrangements provide for the discharge of functions by a joint committee, appointments of the persons who are to represent each local authority on that committee must be made, and the number of such persons to be appointed must be determined, by the relevant body by which the arrangements are made on

(3) Os yw'r trefniadau yn darparu i swyddogaethau gael eu cyflawni gan gyd-bwyllgor, rhaid i benodiadau personau sydd i gynrychioli pob awdurdod lleol ar y pwyllgor hwnnw gael eu gwneud, a rhaid i nifer y personau hynny sydd i'w penodi gael ei benderfynu, gan y corff perthnasol y mae'r trefniadau yn cael eu gwneud ganddo ar ran yr awdurdod hwnnw.

(4) Yn ddarostyngedig i delerau'r trefniadau, ac oni bai bod y corff perthnasol mewn perthynas â'r awdurdod lleol y mae ei swyddogaethau yn destun y trefniadau yn cyfarwyddo fel arall, caiff cyd-bwyllgor a benodir yn unol â'r rheoliad hwn drefnu i unrhyw un o'i swyddogaethau gael ei chyflawni gan is-bwyllgor neu gan swyddog i un o'r awdurdodau o dan sylw, ac yn ddarostyngedig i delerau'r trefniadau, ac oni bai bod y cyd-bwyllgor neu'r corff perthnasol mewn perthynas â'r awdurdod lleol y mae ei swyddogaethau'n destun y trefniadau yn cyfarwyddo fel arall, caiff unrhyw is-bwyllgor o'r fath drefnu i unrhyw un o'i swyddogaethau gael ei chyflawni gan swyddog o'r fath.

(5) Nid yw unrhyw drefniadau a wneir yn unol â'r rheoliad hwn gan gorff perthnasol i unrhyw swyddogaethau gael eu cyflawni gan gyd-bwyllgor i atal y corff hwnnw rhag arfer y swyddogaethau hynny.

(6) Os oes trefniadau a wneir ar ran awdurdod lleol yn unol â'r rheoliad hwn gan gorff perthnasol yn darparu ar gyfer penodi personau nad ydynt yn aelodau o Fwrdd yr awdurdod hwnnw i gyd-bwyllgor, cyn gynted ag y bo'n rhesymol ymarferol ar ôl gwneud y trefniadau, rhaid i'r corff perthnasol sicrhau bod copïau o ddogfen sy'n nodi darpariaethau'r trefniadau ar gael ym mhrif swyddfa'r awdurdod i gael eu harchwilio gan aelodau o'r cyhoedd ar bob adeg rhesymol.

(7) Rhaid i gorff perthnasol sy'n paratoi'r ddogfen y cyfeirir ati ym mharagraff (6) uchod roi sylw i unrhyw ganllawiau a gyhoeddir gan Gynulliad Cenedlaethol Cymru o dan adran 38 o Ddeddf 2000.

(8) Bydd rhan VA o Ddeddf 1972 (cyfle i fynd i gyfarfodydd ac i weld dogfennau awdurdodau, pwyllgorau ac is-bwyllgorau penodol) yn gymwys i is-bwyllgor a sefydlir yn unol â'r rheoliad hwn.

Aelodau cyd-bwyllgorau

20.-(1) Yn ddarostyngedig i baragraffau (2) a (3) isod, rhaid i bob person a benodir i gyd-bwyllgor yn unol â rheoliad 19 uchod gan gorff perthnasol fod yn aelod o'r awdurdod lleol, ac ni fydd y gofynion ynghylch cydbwysedd gwleidyddol yn gymwys wrth benodi aelodau o'r fath.

(2) Os -

(a) oes gan y cyd-bwyllgor swyddogaethau mewn perthynas â rhan yn unig o ardal un o'r awdurdodau lleol o dan sylw;

behalf of that authority.

(4) A joint committee appointed in accordance with this regulation may, subject to the terms of the arrangements, and unless the relevant body in relation to the local authority whose functions are the subject of the arrangements directs otherwise, arrange for the discharge of any of its functions by a sub-committee or an officer of one of the authorities concerned, and any such sub-committee may, subject to the terms of the arrangements and, unless the joint committee or the relevant body in relation to the local authority whose functions are the subject of the arrangements directs otherwise, arrange for the discharge of any of its functions by such an officer.

(5) Any arrangements made in accordance with this regulation by a relevant body for the discharge of any functions by a joint committee are not to prevent that body from exercising those functions.

(6) Where arrangements made on behalf of a local authority in accordance with this regulation by a relevant body provide for the appointment to a joint committee of persons who are not members of the Board of that authority, the relevant body must, as soon as reasonably practicable after making the arrangements, secure that copies of a document setting out the provisions of the arrangements are available at the authority's principal office for inspection by members of the public at all reasonable hours.

(7) A relevant body preparing the document referred to in paragraph (6) above shall have regard to any guidance issued by the National Assembly for Wales under section 38 of the 2000 Act.

(8) Part VA of the 1972 Act (access to meetings and documents of certain authorities, committees and sub-committees) shall apply to a joint committee established in accordance with this regulation.

Members of joint committees

20.-(1) Subject to paragraphs (2) and (3) below, every person appointed to a joint committee in accordance with regulation 19 above by a relevant body must be a member of the local authority, and the political balance requirements shall not apply to the appointment of such members.

(2) Where -

(a) the joint committee has functions in respect of part only of the area of one of the local authorities concerned;

(b) those functions are the responsibility of the Board of that authority; and

(c) the population of that part, as estimated by the authority, does not exceed fifteen percent of the total population of the area of the authority

(b) yw'r swyddogaethau hynny yn gyfrifoldeb i Fwrdd yr awdurdod hwnnw; ac

(c) nad yw poblogaeth y rhan honno, yn ôl amcangyfrif yr awdurdod, yn fwy na phymtheg y cant o gyfanswm poblogaeth ardal yr awdurdod fel y mae wedi'i amcangyfrif felly,

caiff cynrychiolwyr yr awdurdod hwnnw ar y cyd-bwyllgor gynnwys unrhyw aelodau o'r awdurdod hwnnw sydd wedi'u hethol dros adrannau neu wardiau etholiadol sy'n gyfan gwbl neu'n rhannol o fewn y rhan honno o ardal yr awdurdod, ac ni fydd y gofynion ynghylch cydbwysedd gwleidyddol yn gymwys wrth benodi'r aelodau hynny.

(4) Os oes gan y cyd-bwyllgor swyddogaethau mewn perthynas â rhan o ardal un o'r awdurdodau lleol o dan sylw a bod cynrychiolwyr yr awdurdod hwnnw ar y pwyllgor hwnnw yn cael eu penodi gan yr awdurdod, ni fydd y gofynion ynghylch cydbwysedd gwleidyddol yn gymwys wrth benodi'r cynrychiolwyr hynny ond rhaid i'r cynrychiolwyr hynny fod yn aelodau o'r awdurdod lleol hwnnw sydd wedi'u hethol dros adrannau neu wardiau etholiadol sy'n gyfan gwbl neu'n rhannol o fewn y rhan honno o ardal yr awdurdod.

as so estimated,

the representatives of that authority on the joint committee may include any members of that authority who have been elected for electoral divisions or wards which are wholly or partly within that part of the authority's area, and the political balance requirements shall not apply to the appointment of those members.

(4) Where the joint committee has functions in respect of part of the area of one of the local authorities concerned and the representatives of that authority on that committee are appointed by the authority, the political balance requirements shall not apply to the appointment of those representatives but those representatives must be members of that local authority who have been elected for electoral divisions or wards which are wholly or partly within that part of the authority's area.

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

21 Mehefin 2001

Llywydd y Cynulliad Cenedlaethol

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

D. Elis -Thomas

21st June 2001

The Presiding Officer of the National Assembly

(a) 1998 p.38

(a) 1998 c.38

ATODLEN 1

Rheoliad 8

SWYDDOGAETHAU NAD YDYNT I FOD YN GYFRIFOLDEB I FWRDD AWDURDOD

(1) **Y Swyddogaeth**	(2) **Y Ddarpariaeth mewn Deddf neu Offeryn Statudol**
A. Swyddogaethau sy'n ymwneud â chynllunio gwlad a thref a rheoli datblygu	
1. Y pŵer i benderfynu ar gais am ganiatâd ganiatâd cynllunio.	Adrannau 70(1)(a) a (b) a 72 o Ddeddf Cynllunio Gwlad a Thref 1990 (p.8)(**a**).
2. Y pŵer i benderfynu ar geisiadau am ddatblygu tir heb gydymffurfio ag amodau a osodwyd o'r blaen.	Adran 73 o Ddeddf Cynllunio Gwlad a Thref 1990.
3. Y pŵer i roi caniatâd cynllunio ar gyfer datblygiad sydd eisoes wedi'i gyflawni.	Adran 73A o Ddeddf Cynllunio Gwlad a Thref 1990(**b**).
4. Y pŵer i wrthod penderfynu ar gais am ganiatâd cynllunio.	Adran 70A o Ddeddf Cynllunio Gwlad a Thref 1990(**c**).
5. Dyletswyddau sy'n ymwneud â gwneud penderfyniadau ar geisiadau cynllunio.	Adrannau 69, 76 a 92 o Ddeddf Cynllunio Gwlad a Thref 1990 ac Erthyglau 8, 10 i 13, 15 i 22, 25 a 26 o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Ddatblygu Gyffredinol) 1995 (O.S. 1995/419) a chyfarwyddiadau a wneir odanynt.
6. Y pŵer i benderfynu ar gais am ganiatâd cynllunio a wneir gan awdurdod lleol, ar ei ben ei hun neu ar y cyd â pherson arall.	Adran 316 o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Cyffredinol Cynllunio Gwlad a Thref 1992 (O.S. 1992/1492)(**ch**).
7. Y pŵer i wneud penderfyniadau, i roi cymeradwyaethau ac i gytuno ar faterion penodol eraill sy'n ymwneud ag arfer hawliau datblygu a ganiateir.	Rhannau 6, 7, 11, 17, 19, 20, 21 i 24, 30 a 31 o Atodlen 2 i Orchymyn Cynllunio Gwlad a Thref (Datblygu Cyffredinol a Ganiateir) 1995 (O.S. 1995/418).
8. Y pŵer i wneud cytundeb sy'n rheoleiddio datblygu tir neu ddefnyddio tir.	Adran 106 o Ddeddf Cynllunio Gwlad a Thref 1990.
9. Y pŵer i roi tystysgrif o ddefnydd neu ddatblygiad cyfreithlon presennol neu arfaethedig.	Adrannau 191(4) a 192(2) o Ddeddf Cynllunio Gwlad a Thref 1990(**d**).

(a) Adran 70(1)(a) a (b) o Ddeddf Cynllunio Gwlad a Thref 1990 (p.8).

(b) Mewnosodwyd adran 73A gan Ddeddf Cynllunio ac Iawndal 1991 (p.34), Atodlen 7, paragraff 8.

(c) Mewnosodwyd adran 70A gan Ddeddf Cynllunio ac Iawndal 1991, adran 17.

(ch) Amnewidiwyd adran 316 gan adran 20 o Ddeddf Cynllunio ac Iawndal 1991. Yr offerynnau diwygio perthnasol yw O.S. 1992/1982 a 1998/2800.

(d) Amnewidiwyd adrannau 191 a 192 gan adran 10 o Ddeddf Cynllunio ac Iawndal 1991.

10. Y pŵer i gyflwyno hysbysiad cwblhau.	Adran 94(2) o Ddeddf Cynllunio Gwlad a Thref 1990
11. Y pŵer i roi cydsyniad i arddangos hysbysebion.	Adran 220 o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Cynllunio Gwlad a Thref (Rheoli Hysbysebion) 1992(**a**).
12. Y pŵer i awdurdodi mynd ar dir.	Adran 196A o Ddeddf Cynllunio Gwlad a Thref 1990(**b**)
13. Y pŵer i'w gwneud yn ofynnol rhoi'r gorau i ddefnyddio tir.	Adran 102 o Ddeddf Cynllunio Gwlad a Thref 1990.
14. Y pŵer i gyflwyno hysbysiad torri rheolau cynllunio, hysbysiad torri amod neu hysbysiad stop.	Adrannau 171C, 187A a 183(1) o Ddeddf Cynllunio Gwlad a Thref 1990(**c**).
15. Y pŵer i roi hysbysiad gorfodi.	Adran 172 o Ddeddf Cynllunio Gwlad a Thref 1990(**ch**).
16. Y pŵer i wneud cais am waharddeb i atal torri rheol cynllunio.	Adran 187B o Ddeddf Cynllunio Gwlad a Thref 1990(**d**).
17. Y pŵer i benderfynu ar geisiadau am gydsyniad sylweddau peryglus, a phwerau cysylltiedig.	Adrannau 9(1) a 10 o Ddeddf Cynllunio (Sylweddau Peryglus) 1990 (p. 10).
18. Y ddyletswydd i benderfynu ar amodau y mae hen ganiatadau mwyngloddio, caniatadau cynllunio perthnasol sy'n ymwneud â safleoedd cwsg neu safleoedd gweithredol Rhan I neu II, neu ganiatadau mwynol sy'n ymwneud â safleoedd mwyngloddio, yn ôl fel y digwydd, i fod yn ddarostyngedig iddynt.	Paragraff 2(6)(a) o Atodlen 2 i Ddeddf Cynllunio ac Iawndal 1991, paragraff 9(6) o Atodlen 13 i Ddeddf yr Amgylchedd 1995 (p. 25) a pharagraff 6(5) o Atodlen 14 i'r Ddeddf honno.
19. Y pŵer i'w gwneud yn ofynnol bod tir yn cael ei gynnal yn iawn.	Adran 215(1) o Ddeddf Cynllunio Gwlad a Thref 1990.
20. Y pŵer i benderfynu ar gais am gydsyniad adeilad rhestredig, a phwerau cysylltiedig.	Adrannau 16(1) a (2), 17, 27(2) a 33(1) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 (p.9).
21. Y pŵer i benderfynu ar geisiadau am gydsyniad ardal gadwraeth.	Adran 16(1) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990, fel y'i cymhwysir gan adran 74(3) o'r Ddeddf honno(**dd**).

(a) O.S. 1992/666, y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(b) Mewnosodwyd adran 196A gan adran 11 o Ddeddf Cynllunio ac Iawndal 1991. I gael yr amgylchiadau y gall yr hawl gael ei harfer odanynt, gweler adrannau 196A i 196C o Ddeddf Cynllunio Gwlad a Thref 1990.

(c) Mewnosodwyd adrannau 171C a 187A gan adrannau 1 a 2 o Ddeddf Cynllunio ac Iawndal 1991. Amnewidiwyd is-adrannau (1) i (5A) o adran 183 gan adran 9 o Ddeddf Cynllunio Gwlad ac Iawndal 1991.

(ch) Amnewidiwyd adran 172 gan adran 5 o Ddeddf Cynllunio ac Iawndal 1991.

(d) Mewnosodwyd adran 187B gan adran 3 o Ddeddf Cynllunio ac Iawndal 1991.

(dd) Gweler hefyd Reoliadau Cynllunio Gwlad a Thref (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 (O.S. 1990/1519), y ceir diwygiadau iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn.

22. Dyletswyddau sy'n ymwneud â cheisiadau am gydsyniad adeilad rhestredig a chydsyniad ardal gadwraeth.	Adrannau 13(1) a 14(1) a (4) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth)1990 a rheoliadau 3 i 6 ac 13 o Reoliadau Cynllunio Gwlad a Thref (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 a pharagraff 127 o gylchlythyr y Swyddfa Gymreig 61/96 Cynllunio a'r Amgylchedd Hanesyddol; Adeiladau Hanesyddol ac Ardaloedd Cadwraeth.
23. Y pŵer i gyflwyno hysbysiad cadw adeilad, a phwerau cysylltiedig.	Adrannau 3(1) a 4(1) o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.
24. Y pŵer i roi hysbysiad gorfodi mewn perthynas â dymchwel adeilad sydd heb ei restru mewn ardal gadwraeth.	Adran 38 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.
25. Pwerau i gaffael adeilad rhestredig y mae angen ei drwsio a chyflwyno hysbysiad trwsio.	Adrannau 47 a 48 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.
26. Y pŵer i wneud cais am waharddeb mewn perthynas ag adeilad rhestredig.	Adran 44A o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990(**a**).
27. Y pŵer i wneud gwaith brys.	Adran 54 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990.
28. Pŵer yn gysylltiedig â gweithio mwynau.	Atodlen 9 i Ddeddf Cynllunio Gwlad a Thref 1990.
29. Pŵer yn gysylltiedig â llwybrau troed a llwybrau ceffylau.	Adran 257 o Ddeddf Cynllunio Gwlad a Thref 1990.
30. Pŵer ynghylch tystysgrifo datblygiadau amgen priodol.	Adran 17 o Ddeddf Iawndal Tir 1960 (p.33).
31. Y pŵer i gyflwyno gorchmynion prynu.	Adrannau 137-144 o Ddeddf Cynllunio Gwlad a Thref 1990.
32. Pwerau yn gysylltiedig â hysbysiadau malltod.	Adrannau 149-171 o Ddeddf Cynllunio Gwlad a Thref 1990.
33. Y pŵer i awdudrdodi codi camfeydd etc ar lwybrau troed a llwybrau ceffylau.	Adran 147 o Ddeddf Priffyrdd 1980 (p.66).

(a) Mewnosodwyd adran 44A gan Ddeddf Cynllunio ac Iawndal 1991 (p.34) Atodlen 3, paragraff 7.

B. Swyddogaethau trwyddedu a chofrestru (i'r graddau nad oes unrhyw baragraff arall yn yr Atodlen hon yn ymdrin â hwy)	
1. Y pŵer i roi trwyddedau sy'n awdurdodi defnyddio tir yn safle carafanau ("trwyddedau safle").	Adran 3(3) o Ddeddf Safleoedd Carafanau a Rheoli Datblygu 1960 (p. 62).
2. Y pŵer i drwyddedu defnyddio anheddau symudadwy a safleoedd gwersylla.	Adran 269(1) o Ddeddf Iechyd y Cyhoedd 1936 (p.49).
3. Y pŵer i drwyddedu cerbydau hacni a cherbydau hurio preifat.	(a) o ran cerbydau hacni, Deddf Cymalau Heddluoedd Tref 1847 (10 &11 Vict. p.89), fel y'i hestynnwyd gan adran 171 o Ddeddf Iechyd y Cyhoedd 1875 (38 & 39 Vict. p.55), ac adran 15 o Ddeddf Trafnidiaeth 1985 (p.67); ac adrannau 47, 57, 58, 60 a 79 o Ddeddf Llywodraeth Lleol (Darpariaethau Amrywiol) 1976 (p.57); (b) o ran cerbydau hurio preifat, adrannau 48,57,58,60. a 79 o Ddeddf Llywodraeth (Darpariaethau Amrywiol) 1976
4. Y pŵer i drwyddedu gyrrwyr cerbydau hacni a cherbydau hurio preifat.	Adrannau 51, 53, 54, 59, 61 a 79 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976
5. Y pŵer i drwyddedu gweithredwyr cerbydau hacni a cherbydau hurio preifat.	Adrannau 55 i 58, 62 a 79 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976.
6. Y pŵer i gofrestru hyrwyddwyr pyllau.	Atodlen 2 i Ddeddf Betio, Gamblo a Loterïau 1963 (p.2)(**a**).
7. Y pŵer i roi trwyddedau betio ar gyfer traciau.	Atodlen 3 i Ddeddf Betio, Gamblo a Loterïau 1963(**b**).
8. Y pŵer i drwyddedu cynlluniau betio ar gyfer traciau ar y cyd â'i gilydd.	Atodlen 5ZA i Ddeddf Betio, Gamblo a Loteriau 1963 (**c**).
9. Y pŵer i roi trwyddedau mewn perthynas â safleoedd sydd â pheiriannau chwarae.	Atodlen 9 i Ddeddf Gamblo 1968 (p. 65)(**ch**).
10. Y pŵer i gofrestru cymdeithasau sy'n dymuno hybu loterïau. **11**. Y pŵer i roi trwyddedau mewn perthynas â safleoedd lle darperir difyrion â gwobrau.	Atodlen 1 i Ddeddf Loterïau a Difyrion 1976 (p. 32)(**d**). Atodlen 3 i Ddeddf Betio, Gamblo a Loterïau 1976 (**dd**).

(a) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(b) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(c) Mewnosodwyd Atodlen 5ZA gan O.S. 1995/3231, erthygl 5(6).

(ch) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(d) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

(dd) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

12. Y pŵer i roi trwyddedau sinema a thrwyddedau clybiau sinema.	Adran 1 o Ddeddf Sinemâu 1985 (p. 13).
13. Y pŵer i roi trwyddedau theatr.	Adrannau 12 i 14 o Ddeddf Theatrau 1968 (p. 54)(**a**).
14. Y pŵer i roi trwyddedau adloniant.	Adran 12 o Ddeddf Plant a Phersonau Ifanc 1933 (p. 12), adran 79 o Ddeddf Trwyddedu 1964 (p. 26), adrannau 1 i 5 a 7 o Ddeddf Lleoedd Adloniant Preifat (Trwyddedu) 1967 (p. 19) a Rhannau I a II o'r Atodlen iddi, a Rhan I o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 (p. 30) ac Atodlenni 1 a 2 iddi.
15. Y pŵer i drwyddedu siopau rhyw a sinemâu rhyw.	Deddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982, adran 2 ac Atodlen 3.
16. Y pŵer i drwyddedu perfformiadau hypnotiaeth.	Deddf Hypnotiaeth 1952 (p.46).
17. Y pŵer i drwyddedu safleoedd ar gyfer Adrannau 13 i 17 o Ddeddf Llywodraeth electrolysis.	Adrannau 13 i 17 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982.
18. Y pŵer i drwyddedu cychod pleser a llongau pleser.	Adran 94 o Ddeddf Diwygio Deddfau Iechyd y Cyhoedd 1907 (p. 53)(**b**).
19. Y pŵer i drwyddedu masnachu mewn marchnadoedd ac ar y stryd.	Rhan III o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 ac Atodlen 4 iddi.
20. Y pŵer i drwyddedu caffis nos a siopau prydau parod.	Adran 2 o Ddeddf Tai Lluniaeth Hwyr y Nos 1969 (p. 53)(**c**).
21. Y ddyletswydd i gadw rhestr o bersonau sydd â'r hawl i werthu gwenwynau nad ydynt yn feddyginiaeth.	Adrannau 3(1)(b)(ii), 5, 6 ac 11 o Ddeddf Gwenwynau 1972 (p. 66)(**ch**).
22. Y pŵer i drwyddedu delwyr helgig a lladd a gwerthu helgig.	Adrannau 5, 6, 17, 18 a 21 i 23 o Ddeddf Hela 1831 (p. 32); adrannau 2 i 16 o Ddeddf Trwyddedu Helgig 1860 (p. 90), adran 4 o Ddeddf Tollau Cartref a Chyllid y Wlad 1883 (p. 10), adrannau 12(3) a 27 o Ddeddf Llywodraeth Lleol 1874 (p. 73), ac adran 213 o Ddeddf Llywodraeth Leol 1972 (p. 70).
23. Y pŵer i gofrestru a thrwyddedu safleoedd ar gyfer paratoi bwyd.	Adran 19 o Ddeddf Diogelwch Bwyd 1990 (p. 16).

(a) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1972, adran 204(6) a Deddf Llywodraeth Leol, Cynllunio a Thir 1980, adran 1(6), Atodlen 6 paragraff 11 ac Atodlen 34, Rhan VI.

(b) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, (p.7), Atodlen 6, paragraff 1, adran 18 o Ddeddf Llywodraeth Leol, (Darpariaethau Amrywiol) 1976 (p.57) ac adran 186 o Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980 (p.65). Amnewidiwyd adran 94(8) gan Orchymyn Dadreoleiddio (Deddf Diwygio Deddfau Iechyd y Cyhoedd) 1997 (O.S. 1997/1187).

(c) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1972, adran 204(9).

(ch) Diwygiwyd adran 5 gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, Atodlen 6, paragraff 13(1).

24. Y pŵer i drwyddedu iardiau sgrap.	Adran 1 o Ddeddf Delwyr Metel Sgrap 1964 (p.69).
25. Y pŵer i roi, diwygio neu amnewid tystysgrifau diogelwch (cyffredinol neu arbennig) ar gyfer meysydd chwaraeon.	Deddf Diogelwch Meysydd Chwaraeon 1975 (p. 52)(**a**).
26. Y pŵer i roi, dileu, diwygio neu amnewid tystysgrifau diogelwch ar gyfer eisteddleoedd rheoledig mewn meysydd chwaraeon.	Rhan III o Ddeddf Diogelwch Rhag Tân a Diogelwch Lleoedd Chwaraeon 1987 (p.27).
27. Y pŵer i roi trwyddedau tân.	Adran 5 o Ddeddf Rhagofalon Tân 1971 (p.40)
28. Y pŵer i drwyddedu safleoedd ar gyfer bridio cwn.	Adran 1 o Ddeddf Bridio Cwn 1973 (p. 60) ac adran 1 o Ddeddf Bridio a Gwerthu Cwn (Lles) 1999 (p. 11).
29. Y pŵer i drwyddedu siopau anifeiliaid anwes a sefydliadau eraill lle caiff anifeiliaid eu bridio neu eu cadw er mwyn cynnal busnes.	Adran 1 o Ddeddf Anifeiliaid Anwes 1951 (p. 35)(**b**); adran 1 o Ddeddf Sefydliadau Byrddio Anifeiliaid 1963(p. 43)(**c**); Deddf Sefydliadau Marchogaeth 1964 a 1970 (1964 p. 70 a 1970 c. 70)(**ch**); adran 1 o Ddeddf Bridio Cwn 1973 (p. 60)(**d**), ac adrannau 1 ac 8 o Ddeddf Bridio a Gwerthu Cwn (Lles) 1999.
30. Y pŵer i gofrestru hyfforddwyr ac arddangoswyr anifeiliaid.	Adran 1 o Ddeddf Anifeiliaid Perfformio (Rheoleiddio) 1925 (p.38)(**dd**).
31. Y pŵer i drwyddedu sŵau.	Adran 1 o Ddeddf Trwyddedu Sŵau 1981 (p.37)(**e**).
32. Y pŵer i drwyddedu anifeiliaid gwyllt	Adran 1 o Ddeddf Anifeiliaid Gwyllt Peryglus (p.38).
33. Y pŵer i drwyddedu iardiau naceriaid.	Adran 4 o Ddeddf Lladd-dai 1974. Gweler hefyd Orchymyn Sgil-gynhyrchion Anifeiliaid 1999 (O.S. 1999/646).
34. Y pŵer i drwyddedu cyflogi plant.	Rhan II o Ddeddf Plant a Phersonau Ifanc 1933 (p.33), is-ddeddfau a wneir o dan y Rhan honno, a Rhan II o Ddeddf Plant a Phersonau Ifanc 1963 (p.37).
35. Y pŵer i gymeradwyo safleoedd ar gyfer gweinyddu priodasau.	Rhan 46A o Ddeddf Priodasau 1949 (p. 76) a Rheoliadau Priodasau

(a) A ddiwygiwyd gan Ddeddf Diogelwch Tân a Diogelwch Lleoedd Chwaraeon 1987 (p.27). Gweler, yn benodol, Ran II o'r Ddeddf honno ac Atodlen 2 iddi.

(b) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, adran 42 ac Atodlen 8.

(c) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, Atodlen 6, paragraff 17 a chan Ddeddf Diogelu Anifeiliaid (Diwygio) 1988 (p.29), adran 3(2) a (3) a'r Atodlen.

(ch) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, adran 35(1) a (2) ac Atodlen 6, paragraff 18 a chan Ddeddf Diogelu Anifeiliaid (Diwygio) 1988, adran 3(2) a (3) a'r Atodlen.

(d) Diwygiwyd adran 1 gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, adran 1(6), Atodlen 6, Atodlen 34, paragraff 15 a chan Ddeddf Diogelu Anifeiliaid (Diwygio) 1988, adran 3(2) a (3) a'r Atodlen.

(dd) A ddiwygiwyd gan Ddeddf Llywodraeth Leol 1974, adrannau 35(1) a (2) a 42, Atodlen 6, paragraff 2(1) ac Atodlen 8.

(e) A ddiwygiwyd gan Ddeddf Llywodraeth Leol, Cynllunio a Thir 1980, Atodlen 6, paragraff 6, a chan adran 3 o Ddeddf Ddiogelu Anifeiliaid (Diwygio) 1988.

	(Safleoedd a Gymeradwywyd) 1995 (O.S. 1995/510)(**a**).
36. Y pŵer i gofrestru tir comin neu lawntiau trefi neu bentrefi, ac eithrio os yw'r pŵer yn arferadwy ar gyfer rhoi effaith i'r canlynol yn unig - (a) cyfnewid tiroedd y mae gorchymyn o dan adran 19(3) o Ddeddf Caffael Tir 1981 (p.67) neu baragraff 6(4) o Atodlen 3 iddi yn effeithio arnynt; neu (b) gorchymyn o adran adran 147 o Ddeddf Amgáu Tiroedd 1845 (p. 8 a 9 Vict. p.118).	Rheoliad 6 o Reoliadau Cofrestru Tiroedd Comin (Tiroedd Newydd) 1969 (O.S. 1969/1843).
37. Y pŵer i gofrestru amrywiadau ar hawliau comin.	Rheoliad 29 o Reoliadau Cofrestru Tiroedd Comin (Cyffredinol) 1966 (O.S. 1966/1471)(**b**).
38. Y pŵer i drwyddedu personau i gasglu ar gyfer achosion elusennol ac achosion eraill.	Adran 5 o Ddeddf yr Heddlu, Ffatrïoedd etc. (Darpariaethau Amrywiol) 1916 (p.31) ac adran 2 o Ddeddf Casglu o Dŷ i Dŷ 1939 (p. 44)(**c**).
39. Y pŵer i roi cydsyniad ar gyfer gweithredu uchelseinydd.	Atodlen 2 i Ddeddf Sŵn a Niwsans Statudol 1993 (p.40).
40. Y pŵer i roi trwydded ar gyfer gweithfeydd stryd.	Adran 50 o Ddeddf Ffyrdd Newydd a Gweithfeydd Stryd 1991 (p.22).
41. Y pŵer i drwyddedu asiantaethau ar gyfer cyflenwi nyrsys.	Adran 2 o Ddeddf Asiantaethau Nyrsys 1957 (p.16).
42. Y pŵer i roi trwyddedau ar gyfer symud moch.	Erthygl 12 o Orchymyn Moch (Cofnodion, Adnabod a Symud) 1995 (O.S. 1995/11).
43. Y pŵer i drwyddedu gwerthu moch.	Erthygl 13 o Orchymyn Moch (Cofnodion, Adnabod a Symud) 1995.
44. Y pŵer i drwyddedu canolfannau casglu ar gyfer symud moch.	Erthygl 14 o Orchymyn Moch (Cofnodion, Adnabod a Symud) 1995.
45. Y pŵer i roi trwydded i symud gwartheg o farchnad.	Erthygl 5(2) o Reoliadau Adnabod
46. Y pŵer i ganiatáu gosod sgip adeiladwr ar briffordd.	Adran 139 o Ddeddf Priffyrdd 1980.
47. Y pŵer i drwyddedu plannu, cadw a chynnal coed etc. ar ran o'r briffordd.	Adran 143 o Ddeddf Priffyrdd 1980.
48. Y pŵer i drwyddedu gweithfeydd mewn perthynas ag adeiladau etc. sy'n rhwystro'r	Adran 169 o Ddeddf Priffyrdd 1980.

(a) Mewnosodwyd adran 46A gan adran 1 o Ddeddf Priodasau 1994 (p.34).

(b) A ddiwygiwyd gan O.S. 1968/658.

(c) A ddiwygiwyd gan adran 22 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 (p.30).

brifforddd.	
49. Y pŵer i gydsynio i ollyngiadau neu gloddiadau mewn strydoedd.	Adran 171 o Ddeddf Priffyrdd 1980.
50. Y pŵer i hepgor y rhwymedigaeth i godi palis neu ffens.	Adran 172 o o Ddeddf Priffyrdd 1980.
51. Y pŵer i gyfyngu ar osod rheiliau, trawstiau etc. dros briffyrdd.	Adran 178 o o Ddeddf Priffyrdd 1980.
52. Y pŵer i gydsynio i adeiladu selerydd etc. o dan y stryd.	Adran 179 o Ddeddf Priffyrdd 1980(**a**).
53. Y pŵer i gydsynio i wneud agoriadau i selerydd etc. o dan strydoedd, a goleuadau ac awyryddion ar y pafn.	Adran 180 o Ddeddf Priffyrdd 1980.
54. Y pŵer i ganiatáu defnyddio rhannau o adeiladau ar gyfer storio selwloid.	Adran 1 o Ddeddf Ffilm Selwloid a Sinematograff 1922 (p.35).
55. Y pŵer i gymeradwyo safleoedd cynhyrchion cig.	Rheoliadau 4 a 5 o Reoliadau Cynhyrchion Cig (Hylendid) 1994 (O.S. 1994/3082)(**b**).
56. Y pŵer i gymeradwyo safleoedd i gynhyrchu briwgig neu baratoadau cig.	Rheoliad 4 o Reoliadau Briwgig a Pharatoadau Cig (Hylendid) 1995 (O.S. 1995/3205).
57. Y pŵer i gymeradwyo sefydliadau llaeth.	Rheoliadau 6 a 7 o Reoliadau Cynhyrchion Llaeth (Hylendid 1995 (O.S. 1995/1086)(**c**).
58. Y pŵer i gymeradwyo sefydliadau cynhyrchion wyau.	Rheoliad 5 o Reoliadau Cynhyrchion Wyau 1993 (O.S. 1993/1520).
59. Y pŵer i roi trwyddedau i siopau cigyddion manwerthol sy'n cyflawni gweithrediadau masnachol mewn perthynas â chig amrwd sydd heb ei lapio ac sy'n gwerthu neu'n cyflenwi cig amrwd a bwydydd sy'n barod i'w bwyta.	Rheoliadau Diogelwch Bwyd (Hylendid) Bwyd yn Gyffredinol) (Siopau Cigyddion) (Diwygio) (Cymru) 2000 (O.S. 2000/3341(**ch**).
60. Y pŵer i gymeradwyo safleoedd cynhyrchion pysgod.	Rheoliad 24 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998 (O.S. 1998/994).
61. Y pŵer i gymeradwyo canolfannau dosbarthu neu ganolfannau puro.	Rheoliad 11 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998.
62. Y pŵer i gofrestru llongau pysgota y mae perdys neu fwlysgiaid yn cael eu coginio arnynt.	Rheoliad 21 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998.

(a) A ddiwygiwyd gan adran 22 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1982 (p.30).

(b) A ddiwygiwyd gan reoliad 2 o Reoliadau Cynhyrchion Cig (Hylendid) (Diwygiadau) 1999 (O.S. 1999/683).

(c) A ddiwygiwyd gan O.S. 1996/699.

(ch) Mae'r rheoliadau hyn yn diwygio Rheoliadau Diogelwch Bwyd (Diogelwch Bwyd yn Gyffredinol) 1995 (O.S. 1995/1763).

63. Y pŵer i gymeradwyo llongau ffatri a sefydliadau cynhyrchion pysgodfeydd.	Rheoliad 24 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Byw) (Hylendid) 1998.
64. Y pŵer i gofrestru marchnadoedd ocsiwn a marchnadoedd cyfanwerthu.	Rheoliad 26 o Reoliadau Diogelwch Bwyd (Cynhyrchion Pysgodfeydd a Physgod Cregyn Bwyd (Hylendid) 1998.
65. Y ddyletswydd i gadw cofrestr o safleoedd busnesau bwyd.	Rheoliad 5 o Reoliadau Safleoedd Bwyd (Cofrestru) 1991 (O.S. 1991/2828).
66. Y pŵer i gofrestru safleoedd busnesau bwyd.	Adran 19 o Ddeddf Diogelwch Bwyd 1990 (p.16) a Rheoliad 9 o Reoliadau Safleoedd Bwyd (Cofrestru) 1991.
C. Swyddogaethau sy'n ymwneud ag iechyd a diogelwch yn y gwaith	
Swyddogaethau o dan unrhyw un o'r "darpariaethau statudol perthnasol" o fewn ystyr Rhan I (iechyd, diogelwch a lles mewn cysylltiad â gwaith, a rheoli sylweddau peryglus) o Ddeddf Iechyd a Diogewlch yn y Gwaith etc. 1974, i'r graddau y mae'r swyddogaethau hynny'n cael eu cyflawni heblaw yn rhinwedd swyddogaeth yr awdurdod fel cyflogwr.	Rhan I o Ddeddf Iechyd a Diogelwch yn y Gwaith etc. 1974 (p. 37)(**a**).
CH. Swyddogaethau sy'n ymwneud ag etholiadau	
1. Y ddyletswydd i benodi swyddog cofrestru etholiadol.	Adran 8(2) o Ddeddf Cynrychiolaeth y Bobl 1983 (p. 2)(**b**).
2. Y pŵer i ddyrannu swyddogion mewn perthynas ag angenrheidiau'r swyddog cofrestru.	Adran 52(4) o Ddeddf Cynrychiolaeth y Bobl 1983.
3. Y pŵer i ddileu cynghorau cymuned.	Adran 28 o Ddeddf Llywodraeth Leol 1972.
4. Y pŵer i wneud gorchmynion ar gyfer grwpio cymunedau	Adran 29 o Ddeddf Llywodraeth Leol 1972
5. Y pŵer i wneud gorchmynion i ddileu grwpiau a gwahanu cynghorau cymuned oddi wrth grwpiau.	Adran 29A o Ddeddf Llywodraeth Leol 1972.
6. Y ddyletswydd i benodi swyddog canlyniadau ar gyfer etholiadau llywodraeth leol.	Adran 35 o Ddeddf Cynrychiolaeth y Bobl 1983.
7. Y ddyletswydd i roi cymorth yn etholiadau'r Senedd Ewropeaidd.	Paragraff 4(3) a (4) o Atodlen 1 i Ddeddf Etholiadau Senedd Ewrop 1978 (p. 10)(**c**).

(a) I gael y diffiniad o "y darpariaethau statudol perthnasol" gweler adran 53(1) o Ddeddf Iechyd a Diogelwch yn y Gwaith etc 1974. Gweler hefyd y diffiniadau o "the existing statutory provisions" a "health and safety regulations" yn adran 53(1) ac, o ran "health and safety regulations", adran 15(1) o'r Ddeddf honno a amnewidiwyd gan Ddeddf Diogelu Cyflogaeth 1975 (p.71), Atodlen 15, paragraff 5.

(b) Amnewidiwyd is-adran (4) o adran 52 gan Ddeddf Cynrychiolaeth y Bobl 1985 (p.50), Atodlen 4.

(c) A ddeddfwyd yn wreiddiol fel Deddf Etholiadau Cynulliad Ewrop 1978 a'i hailenwi yn rhinwedd adran 3 o Ddeddf y Cymunedau Ewropeaidd (Diwygio) 1986 (p.58). Amnewidiwyd Atodlen 1 gan Ddeddf Etholiadau Senedd Ewrop 1999 (p.1), Atodlen 2.

8. Y ddyletswydd i rannu'r etholaeth yn rhanbarthau pleidleisio.	Adran 18 o Ddeddf Cynrychiolaeth y Bobl 1983.
9. Y pŵer i rannu adrannau etholiadol yn rhanbarthau pleidleisio mewn etholiadau llywodraeth leol.	Adran 31 o Ddeddf Cynrychiolaeth y Bobl 1983.
10. Pwerau mewn perthynas â chynnal etholiadau.	Adran 39(4) o Ddeddf Cynrychiolaeth y Bobl 1983
11. Y pŵer i dalu costau a dynnir yn briodol gan swyddogion cofrestru etholiadol.	Adran 54 o Ddeddf Cynrychiolaeth y Bobl 1983.
12. Y pŵer i lenwi lleoedd gwag os na cheir digon o enwebiadau.	Adran 21 o Ddeddf Cynrychiolaeth y Bobl 1985.
13. Y ddyletswydd i ddatgan bod yna le gwag mewn swydd mewn rhai achosion.	Adran 86 o Ddeddf Llywodraeth Leol 1972.
14. Y ddyletswydd i roi hysbysiad cyhoeddus o le gwag achlysurol.	Adran 87 o Ddeddf Llywodraeth Leol 1972.
15. Y pŵer i wneud penodiadau dros dro i gynghorau cymuned.	Adran 91 o Ddeddf Llywodraeth Leol 1972.
16. Y pŵer i benderfynu ffioedd ac amodau ar gyfer rhoi copïau o ddogfennau etholiadol neu ddarnau allan ohonynt.	Rheol 48(3) o Reolau Etholiadau Lleol (Prif Ardaloedd) 1986 (O.S. 1986/2214) a Rheol 48(3) o Reolau Etholiadau Lleol (Plwyfi a Chymunedau) 1986 (O.S. 1986/2215).
17. Y pŵer i gyflwyno cynigion i'r Ysgrifennydd Gwladol ar gyfer gorchymyn o dan adran 10 (cynlluniau peilot ar gyfer etholiadau lleol yng Nghymru a Lloegr) o Ddeddf Cynrychiolaeth y Bobl 2000.	Adran 10 o Ddeddf Cynrychiolaeth y Bobl 2000 (p. 2).
18. Swyddogaethau etholiadol amrywiol o dan Ran II, OS 1999/450.	Gorchymyn Cynulliad Cenedlaethol Cymru (Cynrychiolaeth y Bobl) 1999, OS 1999/450.
D. Swyddogaethau sy'n ymwneud ag enw a statws ardaloedd ac unigolion	
1. Y pŵer i newid enw sir, neu enw bwrdeistref sirol	Adran 74 o Ddeddf Llywodraeth Leol 1972.
2. Y pŵer i newid enw cymuned.	Adran 76 o Ddeddf Llywodraeth Leol 1972.
3. Y pŵer i roi teitl henadur mygedol neu i dderbyn rhywun yn henadur mygedol.	Adran 249 o Ddeddf Llywodraeth Leol 1972.
4. Y pŵer i ddeisebu o blaid siarter i roi statws bwrdeistref sirol.	Adran 245A o Ddeddf Llywodraeth Leol 1972.

DD. Y pŵer i wneud, diwygio, diddymu neu ail-ddeddfu is-ddeddfau	Unrhyw ddarpariaeth mewn unrhyw ddeddfiad (gan gynnwys Deddf leol), pryd bynnag y cafodd ei phasio, ac Adran 14 o Ddeddf Dehongli 1978 (p.30)(**a**).
E. Y pŵer i hybu neu i wrthwynebu Mesurau lleol neu bersonol.	Adran 239 o Ddeddf Llywodraeth Leol 1972.
F. Swyddogaethau sy'n ymwneud â phensiynau etc.	
1. Swyddogaeth sy'n ymwneud â phensiynau llywodraeth leol, etc.	Rheoliadau o dan adran 7, 12 neu 24 o Ddeddf Blwydd-dâl 1972 (p. 11)(**b**).
2. Swyddogaethau o dan Gynllun Pensiwn Dynion Tân sy'n ymwneud â phensiynau, etc, mewn perthynas â phersonau a gyflogir yn aelodau o frigadau tân a gynhelir yn unol ag adran 4 o Ddeddf y Gwasanaethau Tân 1947.	Adran 26 o Ddeddf y Gwasanaethau Tân 1947 (10 ac 11 Geo.6 p. 41)(**c**).
FF. Swyddogaethau amrywiol	
1. Y pŵer i greu llwybrau troed a llwybrau ceffylau.	Adrannau 25 a 26 o Ddeddf Priffyrdd 1980 (p. 66).
2. Y pŵer i gau llwybrau troed a llwybrau ceffylau.	Adran 118 o Ddeddf Priffyrdd 1980.
3. Y pŵer i wyro llwybrau troed a llwybrau ceffylau.	Adran 119 o Ddeddf Priffyrdd 1980.
4. Y ddyletswydd i ddatgan a diogelu hawliau i'r cyhoedd ddefnyddio a mwynhau priffyrdd.	Adran 130 o Ddeddf Priffyrdd 1980.
5. Pwerau sy'n ymwneud â symud pethau a ollyngwyd ar briffyrdd mewn modd sy'n eu gwneud yn niwsans.	Adran 149 o Ddeddf Priffyrdd 1980.
6. Y ddyletswydd i barhau i adolygu map a datganiad diffiniol.	Adran 53 o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981 (p. 69).
7. Y ddyletswydd i ailddosbarthu ffyrdd a ddefnyddir fel llwybrau cyhoeddus.	Adran 54 o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981

(a) Mae adran 14 o Ddeddf Dehongli 1978 yn cael ei chymhwyso at is-ddeddfau a wneir o dan Adran 235 o Ddeddf Llywodraeth Leol 1972 gan adran 22(1) o Ddeddf Dehongli 1978 a pharagraff 3 o Ran 1 o Atodlen 2 iddi.

(b) O ran adran 7 gweler hefyd adran 99 o Ddeddf Llywodraeth Leol 2000 (p.22). Diwygiwyd adran 12 o Ddeddf Blwydd-dâl 1972 gan adran 10 o Ddeddf Pensiynau (Darpariaethau Amrywiol) 1990 (p.7).

(c) Y ceir diwygiadau iddi nad ydynt yn berthnasol i'r Rheoliadau hyn.

8. Y ddyletswydd i gymeradwyo datganiad awdurdod o'i gyfrifon, ei incwm, a'i wariant a'i fantolen neu ei gofnod o dderbyniadau a thaliadau (yn ôl fel y digwydd).	Rheoliadau Cyfrifon ac Archwilio 1996 (O.S. 1996/590)(**a**).
9. Swyddogaethau sy'n ymwneud â physgodfeydd môr.	Adrannau 1, 2, 10 a 19 o Ddeddf Rheoleiddio Pysgodfeydd Môr 1966 (p. 38).
10. Pwerau sy'n ymwneud â chadw coed.	Adrannau 197 i 214D o Ddeddf Cynllunio Gwlad a Thref 1990 a Rheoliadau Coed 1999 (OS. 1999/1892).
11. Pwerau sy'n ymwneud â diogelu gwrychoedd pwysig.	Rheoliadau Gwrychoedd1997 (O.S. 1997/1160).
12. Y pŵer i wneud gorchymyn calchbalmant.	Adran 34(2) o Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981 (p. 69).
13. Y pŵer i wneud rheolau sefydlog.	Adran 106 o Ddeddf Llywodraeth Leol 1972(**b**) a pharagraff 42 i Atodlen 12 iddi.
14. Y pŵer i benodi staff.	Adran 112 o Ddeddf Llywodraeth Leol 1972.
15. Y pŵer i wneud rheolau sefydlog ynghylch contractau.	Adran 135 o Ddeddf Llywodraeth Leol 1972.
16. Y pŵer i ystyried adroddiadau anffafriol gan y Comisiynydd Lleol.	Adran 31A o Ddeddf Llywodraeth Leol 1974.

(a) A wnaed o dan adran 23 (rheoliadau ynghylch cyfrifon) o Ddeddf Cyllid Llyodraeth Leol 1982 (p.32) fel y'i diwygiwyd gan adran 27 o Ddeddf y Comisiwn Archwilio 1998 (p.18).

(b) Gweler hefyd adrannau 8 ac 20 o Ddeddf Llywodraeth Leol a Thai 1989.

SCHEDULE 1

Regulation 8

FUNCTIONS NOT TO BE THE RESPONSIBILITY OF AN AUTHORITY'S BOARD

(1) **Function**	(2) **Provision of Act or Statutory Instrument**
A. Functions relating to town and country planning and development control	
1. Power to determine application for planning permission.	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8)(**a**).
2. Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.
3. Power to grant planning permission for development already carried out.	Section 73A of the Town and Country Planning Act 1990(**b**).
4. Power to decline to determine application for planning permission.	Section 70A of the Town and Country Planning Act 1990(**c**).
5. Duties relating to the making of determinations of planning applications.	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made thereunder.
6. Power to determine application for planning permission made by a local authority, alone or jointly with another person.	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)(**d**).
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418).
8. Power to enter into agreement regulating development or use of land.	Section 106 of the Town and Country Planning Act 1990.

(a) Section 70(1)(a) and (b) of the Town and Country Planning Act 1990 (c.8).

(b) Section 73A was inserted by the Planning and Compensation Act 1991 (c.34), Schedule 7, paragraph 8.

(c) Section 70A was inserted by the Planning and Compensation Act 1991, section 17.

(d) Section 316 was substituted by section 20 of the Planning and Compensation Act 1991. Relevant amending instruments are S.I. 1992/1982 and 1998/2800.

9. Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990(**a**).
10. Power to serve a completion notice.	Section 94(2) of the Town and Country Planning Act 1990.
11. Power to grant consent for the display of advertisements.	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992(**b**).
12. Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990(**c**).
13. Power to require the discontinuance of a use of land.	Section 102 of the Town and Country Planning Act 1990.
14. Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990(**d**).
15. Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990(**e**).
16. Power to apply for an injunction restraining a breach of planning control	Section 187B of the Town and Country Planning Act 1990(**f**).
17. Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c. 10).
18. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c. 25) and paragraph 6(5) of Schedule 14 to that Act.
19. Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.
20. Power to determine application for listed building consent, and related powers.	Sections 16(1) and (2), 17, 27(2) and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)

(a) Sections 191 and 192 were substituted by section 10 of the Planning and Compensation Act 1991.

(b) S.I. 1992/666, to which there are amendments not relevant to these Regulations.

(c) Section 196A was inserted by section 11 of the Planning and Compensation Act 1991. For the circumstances in which the right may be exercised, see sections 196A to 196C of the Town and Country Planning Act 1990.

(d) Sections 171C and 187A were inserted by sections 1 and 2 of the Planning and Compensation Act 1991. Subsections (1) to (5A) of section 183 were substituted by section 9 of the Planning and Compensation Act 1991.

(e) Section 172 was substituted by section 5 of the Planning and Compensation Act 1991.

(f) Section 187B was inserted by section 3 of the Planning and Compensation Act 1991.

21. Power to determine applications for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as applied by section 74(3) of that Act(**a**).
22. Duties relating to applications for listed building consent and conservation area consent.	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990 and paragraph 127 Welsh Office circular 61/96 Planning and the Historic Environment; Historic Buildings and Conservation Areas.
23. Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
24. Power to issue enforcement notice in relation to demolition of unlisted building in conservation area.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
25. Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
26. Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990(**b**).
27. Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.
28. Power related to mineral working.	Schedule 9 of the Town and Country Planning Act 1990.
29. Power related to footpaths and bridleways.	Section 257 of the Town and Country Planning Act 1990.
30. Power as to certification of appropriate alternative development.	Section 17 of the Land Compensation Act 1961 (c.33).
31. Power to serve purchase orders.	Sections 137-144 of the Town and Country Planning Act 1990.
32. Powers related to blight notices.	Sections 149-171 of the Town and Country Planning Act 1990.
33. Power to authorise erection of stiles etc on footpaths or bridleways.	Section 147 of the Highways Act 1980 (c.66).

(a) See also the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990 (S.I. 1990/1519), to which there are amendments not relevant to these Regulations.

(b) Section 44A was inserted by the Planning and Compensation Act 1991 (c.34), Schedule 3, paragraph 7.

B. Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule)	
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c. 62).
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936 (c.49).
3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847 (10 & 11 Vict. c. 89), as extended by section 171 of the Public Health Act 1875 (38 & 39 Vict. c. 55), and section 15 of the Transport Act 1985 (c. 67); and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57); (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
4. Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
5. Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
6. Power to register pool promoters.	Schedule 2 to the Betting, Gaming and Lotteries Act 1963 (c. 2)(**a**).
7. Power to grant track betting licences.	Schedule 3 to the Betting, Gaming and Lotteries Act 1963(**b**).
8. Power to license inter-track betting schemes.	Schedule 5ZA to the Betting, Gaming and Lotteries Act 1963(**c**).
9. Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968 (c. 65)(**d**).
10. Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976 (c. 32)(**e**).
11. Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976(**f**).

(a) To which there are amendments not relevant to these Regulations.

(b) To which there are amendments not relevant to these Regulations.

(c) Schedule 5ZA was inserted by S.I. 1995/3231, article 5(6).

(d) To which there are amendments not relevant to these Regulations.

(e) To which there are amendments not relevant to these Regulations.

(f) To which there are amendments not relevant to these Regulations.

12. Power to issue cinema and cinema club licences.	Section 1 of the Cinema Act 1985 (c. 13).
13. Power to issue theatre licences.	Sections 12 to 14 of the Theatres Act 1968 (c. 54)(**a**).
14. Power to issue entertainments licences.	Section 12 of the Children and Young Persons Act 1933 (c. 12), section 79 of the Licensing Act 1964 (c. 26), sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act 1967 (c. 19) and Part I of, and Schedules 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30).
15. Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
16. Power to license performances of hypnotism.	The Hypnotism Act 1952 (c. 46).
17. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.
18. Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907 (c. 53)(**b**).
19. Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982.
20. Power to license night cafes and take-away food shops.	Section 2 of the Late Night Refreshment Houses Act 1969 (c. 53)(**c**).
21. Duty to keep list of persons entitled to sell non-medicinal poisons.	Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972 (c. 66)(**d**).
22. Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831 (c. 32); sections 2 to 16 of the Game Licensing Act 1860 (c. 90), section 4 of the Customs and Inland Revenue Act 1883 (c. 10), sections 12(3) and 27 of the Local Government Act 1874 (c. 73), and section 213 of the Local Government Act 1972 (c. 70).
23. Power of register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990 (c. 16).
24. Power to license scrap yards.	Section 1 of the Scrap Metal Dealers Act 1964 (c. 69).

(a) Amended by the Local Government Act 1972, section 204(6) and the Local Government, Planning and Land Act 1980, section 1(6), Schedule 6 paragraph 11 and Schedule 34, Pt VI.

(b) Amended by the Local Government Act 1974 (c.7), Schedule 6, paragraph 1, section 18 of the Local Government (Miscellaneous Provisions) Act 1976 (c.57) and section 186 of the Local Government, Planning and Land Act 1980 (c.65). Section 94(8) was substituted by the Deregulation (Public Health Acts Amendment Act) Order 1997 (S.I. 1997/1187).

(c) Amended by the Local Government Act 1972, section 204(9).

(d) Section 5 was amended by the Local Government, Planning and land Act 1980, Schedule 6, paragraph 13(1).

25. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975 (c. 52)(**a**).
26. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c.27).
27. Power to issue fire certificates.	Section 5 of the Fire Precautions Act 1971 (c. 40).
28. Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 (c. 60) and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11).
29. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951 (c.35) (**b**); section 1 of the Animal Boarding Establishments Act 1963(c. 43)(**c**); the Riding Establishments Acts 1964 and 1970 (1964 c. 70 and 1970 c. 70)(**d**); section 1 of the Breeding of Dogs Act 1973 (c. 60)(**e**), and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.
30. Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925 (c. 38)(**f**).
31. Power to license zoos.	Section 1 of the Zoo Licensing Act 1981 (c. 37)(**g**).
32. Power to license dangerous wild animals. animals.	Section 1 of the Dangerous Wild Animals Act 1976 (c. 38).
33. Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999 (S.I. 1999/646).
34. Power to license the employment of children.	Part II of the Children and Young Persons Act 1933 (c. 33), byelaws made under that Part, and Part II of the Children and Young Persons Act 1963 (c. 37).

(a) Amended by the Fire Safety and Safety of Places of Sport Act 1987 (c.27). See, in particular, Part II of, and Schedule 2 to, that Act.

(b) Amended by the Local Government Act 1974, section 42 and Schedule 8.

(c) Amended by the Local Government Act 1974, Schedule 6, paragraph 17 and by the Protection of Animals (Amendment) Act 1988 (c.29), section 3(2) and (3) and the Schedule.

(d) Amended by the Local Government Act 1974, section 35(1) and (2) and Schedule 6, paragraph 18 and by the Protection of Animals (Amendment) Act 1988, section 3(2) and (3) of the Schedule.

(e) Section 1 was amended by the Local Government, Planning and Land Act 1980, section 1(6), Schedule 6, Schedule 34, paragraph 15 and by the Protection of Animals (Amendment) Act 1988, section 3(2) and (3) and the Schedule.

(f) Amended by the Local Government Act 1974 sections 35(1) and (2) and 42, Schedule 6, paragraph 2(1) and Schedule 8.

(g) Amended by the Local Government, Planning and Land Act 1980, Schedule 6, paragraph 6, and by section 3 of the Protection of Animals (Amendment) Act 1988.

35. Power to approve premises for the solemnisation of marriages.	Section 46A of the Marriage Act 1949 (c. 76) and the Marriages (Approved Premises) Regulations 1995 (S. I. 1995/510)(**a**).
36. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to - (a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67) or (b) an order under section 147 of the Inclosure Act 1845 (c. 8 & 9 Vict. c. 118).	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843).
37. Power to register variation of rights of common.	Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471)(**b**).
38. Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 (c. 31) and section 2 of the House to House Collections Act 1939 (c. 44)(**c**).
39. Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993 (c. 40).
40. Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991 (c. 22).
41. Power to license agencies for the supply of nurses.	Section 2 of the Nurses Agencies Act 1957 (c. 16).
42. Power to issue licences for the movement of pigs.	Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11).
43. Power to license the sale of pigs.	Article 13 of the Pigs (Records, Identification and Movement) Order 1995.
44. Power to license collecting centres for the movement of pigs.	Article 14 of the Pigs (Records, Identification and Movement) Order 1995.
45. Power to issue a licence to move cattle from a market.	Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871).
46. Power to permit deposit of builder's skip on highway.	Section 139 of the Highways Act 1980.

(a) Section 46A was inserted by section 1 of the Marriage Act 1994 (c.34).

(b) Amended by S.I. 1968/658.

(c) Amended by section 22 of the local Government (Miscellaneous Provisions) Act 1982 (c.30).

47. Power to license planting, retention and maintenance of trees etc. in part of highway.	Section 142 of the Highways Act 1980.
48. Power to license works in relation to buildings etc. which obstruct the highway.	Section 169 of the Highways Act 1980.
49. Power to consent to temporary deposits or excavations in streets.	Section 171 of the Highways Act 1980.
50. Power to dispense with obligation to erect hoarding or fence.	Section 172 of the Highways Act 1980.
51. Power to restrict the placing of rails, beams etc. over highways.	Section 178 of the Highways Act 1980.
52. Power to consent to construction of cellars etc. under street.	Section 179 of the Highways Act 1980(**a**).
53. Power to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators.	Section 180 of the Highways Act 1980.
54. Power to sanction use of parts of buildings for storage of celluloid.	Section 1 of the Celluloid and Cinematograph Film Act 1922 (c. 35).
55. Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (S.I. 1994/3082)(**b**).
56. Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 (S.I. 1995/3205).
57. Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995 (S.I. 1995/1086)(**c**).
58. Power to approve egg product establishments.	Regulation 5 of the Egg Products Regulations 1993 (S.I. 1993/1520)
59. Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	The Food Safety (General Food Hygeine)(Butchers Shops)(Amendment)(Wales) Regulations 2000(S.I. 2000/3341)(**d**).
60. Power to approve fish products premises.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I. 1998/994).
61. Power to approve dispatch or purification centres.	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.

(a) Amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1982 (c.30).

(b) Amended by regulation 2 of the Meat Products (Hygiene) (Amendment) Regulations 1999 (S.I. 1999/683).

(c) Amended by S.I. 1996/1699.

(d) These Regulations amend the Food Safety (General Food Hygeine) Regulations 1995(S.I.1995/1763).

62. Power to register fishing vessels on board which shrimps or molluscs are cooked.	Regulation 21 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
63. Power to approve factory vessels and fishery product establishments.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
64. Power to register auction and wholesale markets.	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.
65. Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991 (S.I. 1991/2828).
66. Power to register food business premises.	Section 19 of the Food Safety Act 1990 (c.16) and Regulation 9 of the Food Premises (Registration) Regulations 1991.
C. Functions relating to health and safety at work	
Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.	Part I of the Health and Safety at Work etc. Act 1974 (c. 37)(**a**).
D. Functions relating to elections	
1. Duty to appoint an electoral registration officer.	Section 8(2) of the Representation of the People Act 1983 (c. 2)(**b**).
2. Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983.
3. Power to dissolve community councils	Section 28 of the Local Government Act 1972.
4. Power to make orders for grouping communities	Section 29 of the Local Government Act 1972.
5. Power to make orders for dissolving groups and separating community councils from groups.	Section 29A of the Local Government Act 1972.

(a) For the definition of "the relevant statutory provisions" see section 53(1) of the Health and Safety at Work etc. Act 1974. See also the definitions of "the existing statutory provisions" and "health and safety regulations" in section 53(1) and, as to "health and safety regulations", section 15(1) of that Act which was substituted by the Employment Protection Act 1975 (c.71), Schedule 15, paragraph 5.

(b) Subsection (4) of section 52 was substituted by the Representation of the People Act 1985 (c.50), Schedule 4.

6. Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.
7. Duty to provide assistance at European Parliamentary elections.	Paragraph 4(3) and (4) of Schedule 1 to the European Parliamentary Elections Act 1978 (c. 10)(**a**).
8. Duty to divide constituency into polling districts.	Section 18 of the Representation of the People Act 1983.
9. Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.
10. Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983
11. Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.
12. Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.
13. Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.
14. Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.
15. Power to make temporary appointments to community councils.	Section 91 of the Local Government Act 1972.
16. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents.	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 (S.I. 1986/2214) and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986 (S.I. 1986/2215).
17. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000 (c. 2).
18. Miscellaneous electoral functions under Part II, SI 1999/450	National Assembly for Wales (Representation of the People) Order 1999, SI 1999/450
E. Functions relating to name and status of areas and individuals	
1. Power to change the name of a county, or county borough	Section 74 of the Local Government Act 1972.
2. Power to change the name of a community.	Section 76 of the Local Government Act 1972.

(a) Originally enacted as the European Assembly Elections Act 1978 and renamed by virtue of section 3 of the European Communities (Amendment) Act 1986 (c.58). Schedule 1 was substituted by the European Parliamentary Elections Act 1999 (c.1), Schedule 2.

3. Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.
4. Power to petition for a charter to confer county borough status.	Section 245A of the Local Government Act 1972.
F. Power to make, amend, revoke or re-enact byelaws	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978 (c. 30)(**a**).
G. Power to promote or oppose local or personal Bills.	Section 239 of the Local Government Act 1972.
H. Functions relating to pensions etc.	
1. Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 (c. 11)(**b**).
2. Functions under the Fireman's Pension Scheme relating to pensions, etc. as respects persons employed as members of fire brigades maintained pursuant to section 4 of the Fire Services Act 1947.	Section 26 of the Fire Services Act 1947 (10 & 11 Geo.6 c. 41)(**c**).
I. **Miscellaneous functions**	
1. Power to create footpaths and bridleways.	Sections 25 and 26 of the Highways Act 1980 (c. 66).
2. Power to stop up footpaths and bridleways.	Section 118 of the Highways Act 1980.
3. Power to divert footpaths and bridleways.	Section 119 of the Highways Act 1980.
4. Duty to assert and protect the rights of the public to use and enjoyment of highways.	Section 130 of the Highways Act 1980.
5. Powers relating to the removal of things so deposited on highways as to be a nuisance.	Section 149 of the Highways Act 1980.
6. Duty to keep a definitive map and statement under review.	Section 53 of the Wildlife and Countryside Act 1981 (c. 69).

(a) Section 14 of the Interpretation Act 1978 is applied to byelaws made under section 235 of the Local Government Act 1972 by section 22(1) of, and paragraph 3 of Part I of Schedule 2 to, the Interpretation Act 1978.

(b) As to section 7 see also section 99 of the Local Government Act 2000 (c.22). Section 12 of the Superannuation Act 1972 is amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990 (c.7).

(c) To which there are amendments not relevant to these Regulations.

7. Duty to reclassify roads used as public paths.	Section 54 of the Wildlife and Countryside Act 1981.
8. Duty to approve authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be).	The Accounts and Audit Regulations 1996 (S.I. 1996/590)(**a**).
9. Functions relating to sea fisheries.	Sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966 (c. 38).
10. Powers relating to the preservation of trees.	Sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1999 (S.I. 1999/1892).
11. Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160).
12. Power to make limestone pavement order.	Section 34(2) of the Wildlife and Countryside Act 1981 (c. 69).
13. Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972(**b**).
14. Power to appoint staff.	Section 112 of the Local Government Act 1972.
15. Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.
16. Power to consider adverse reports from the Local Commissioner.	Section 31A of the Local Government Act 1974.

(a) Made under section 23 (regulations as to accounts) of the Local Government Finance Act 1982 (c.32) as amended by section 27 of the Audit Commission Act 1998 (c.18).

(b) See also sections 8 and 20 of the Local Government and Housing Act 1989.

ATODLEN 2

Rheoliad 9

SWYDDOGAETHAU A ALL FOD YN GYFRIFOLDEB I FWRDD AWDURDOD (OND NAD OES ANGEN IDDYNT FOD FELLY)

1. Unrhyw swyddogaeth a dan Ddeddf leol heblaw swyddogaeth a bennir neu y cyfeirir ati o'r cyfarwyddiadau yn Atodlen 1.

2. Dyfarnu ar apêl yn erbyn unrhyw benderfyniad a wnaed gan yr awdurdod neu ar ei ran.

3. Penodi byrddau adolygu o dan reoliadau o dan is-adran (4) o adran 34 (dyfarnu ar geisiadau ac adolygiadau) o Ddeddf Nawdd Cymdeithasol 1998(**a**).

4. Gwneud trefniadau yn unol ag is-adran (1) o adran 67 o Ddeddf Safonau a Fframwaith Ysgolion 1998 (apelau yn erbyn gwahardd disgyblion) ac Atodlen 18 iddi.

5. Gwneud trefniadau yn unol ag adran 94(1) a (4) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (apelau derbyn) ac Atodlen 24 iddi.

6. Gwneud trefniadau yn unol ag adran 95(2) o Ddeddf Safonau a Fframwaith Ysgolion 1998 (plant y mae adran 87 yn gymwys iddynt: apelau gan gyrff llywodraethu) ac Atodlen 25 iddi.

7. Gwneud trefniadau o dan adran 20 (cwestiynau ynghylch materion yr heddlu mewn cyfarfodydd cyngor) o Ddeddf yr Heddlu 1996(**b**) i ganiatáu gofyn cwestiynau ynghylch cyflawni swyddogaethau awdurdod heddlu.

8. Gwneud penodiadau o dan baragraffau 2 i 4 (penodi aelodau gan gynghorau perthnasol) o Atodlen 2 (awdurdodau heddlu a sefydlir o dan adran 3) i Ddeddf yr Heddlu 1996.

9. Cynnal adolygiadau'r gwerth gorau yn unol â darpariaethau unrhyw orchymyn sy'n dwyn effaith am y tro o dan adran 5 (adolygiadau'r gwerth gorau) o Ddeddf Llywodraeth Leol 1999(**c**).

10. Unrhyw swyddogaeth sy'n ymwneud â thir halogedig(**ch**).

11. Cyflawni unrhyw swyddogaeth sy'n ymwneud â rheoli llygredd neu reoli ansawdd aer(**d**).

12. Cyflwyno hysbysiad atal mewn perthynas â niwsans statudol(**dd**).

13. Pasio cynnig y dylai Atodlen 2 i Ddeddf Sŵn a Niwsans Statudol 1993 fod yn gymwys yn ardal yr awdurdod(**e**).

14. Archwilio ardal yr awdurdod i ddod o hyd i unrhyw niwsans statudol(**f**).

15. Ymchwilio i unrhyw gŵyn ynghylch bodolaeth niwsans statudol(**ff**).

16. Sicrhau gwybodaeth o dan adran 330 o Ddeddf Cynllunio Gwlad a Thref 1990(**g**) ynghylch buddiannau mewn tir.

(a) 1998 p.14. Mae adran 34(4) yn disodli adran 63(3) o Ddeddf Gweinyddu Nawdd Cymdeithasol 1992. Mae effaith Rheoliadau Budd-daliadau'r Dreth Gyngor 1992 (O.S. 1992/1814) a Rheoliadau Budd-daliadau Tai (Cyffredinol) 1987 (O.S. 1987/1971), y ceir diwygiadau iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn, yn parhau yn rhinwedd adran 17(2)(b) o Ddeddf Dehongli 1978 (p.30), er bod adran 63(3) o Ddeddf Gweinyddu Nawdd Cymdeithasol 1992 wedi'i diddymu.

(b)1996 p.16.

(c) 1999 p.27.

(ch) Rhan IIA o Ddeddf Diogelu'r Amgylchedd 1990 (p.43) ac is-ddeddfwriaeth o dan y Rhan honno.

(d) Gweler Deddf Atal a Rheoli Llygredd 1999 (p.24), Rhan IV o Ddeddf yr Amgylchedd 1995 (p.25), Rhan I o Ddeddf Diogelu'r Amgylchedd 1990 (p.43) a Deddf Aer Glân 1993 (p.11).

(dd) Adran 80(1) o Ddeddf Diogelu'r Amgylchedd 1990.

(e) Adran 8 o Ddeddf Sŵn a Niwsans Statudol 1993 (p.40).

(f) Adran 79 o Ddeddf Diogelu'r Amgylchedd 1990.

(ff)Adran 79 o Ddeddf Diogelu'r Amgylchedd 1990.

(g) 1990 p.8.

17. Sicrhau manylion personau sydd â buddiant mewn tir o dan adran 16 o Ddeddf Llywodraeth Leol (Darpariaethau Amrywiol) 1976(**a**).

18. Gwneud cytundebau ar gyfer gwneud gwaith priffyrdd(**b**).

19. Penodi unrhyw unigolyn -

(a) i unrhyw swydd heblaw swydd y mae'n cael ei gyflogi ynddi gan yr awdurdod;

(b) i unrhyw gorff heblaw -

(i) yr awdurdod;

(ii) cyd-bwyllgor o ddau neu ragor o awdurdodau; neu

(c) i unrhyw bwyllgor neu is-bwyllgor i gorff o'r fath,

a diddymu unrhyw benodiad o'r fath.

20. Y pŵer i wneud taliadau neu i roi budd-daliadau eraill men achosion camweinyddu etc.(**c**)

21. Cyflawni unrhyw swyddogaeth gan awdurdod sy'n gweithredu fel awdurdod harbwr.

(a) 1976 p.57.

(b) Adran 278 o Ddeddf Priffyrdd 1980 (p.66), a amnewidiwyd gan Ddeddf Ffyrdd Newydd a Gweithfeydd Stryd 1991 (p.22), adran 23.

(c) Adran 92 o Ddeddf Llywodraeth Leol 2000.

SCHEDULE 2

Regulation 9

FUNCTIONS WHICH MAY BE (BUT NEED NOT BE) THE RESPONSIBILITY OF AN AUTHORITY'S BOARD

1. Any function under a local Act other than a function specified or referred to in paragraphs A - I of Schedule 1.

2. The determination of an appeal against any decision made by or on behalf of the authority.

3. The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998(**a**).

4. The making of arrangements pursuant to subsection (1) of section 67 of, and Schedule 18 to, the School Standards and Framework Act 1998 (appeals against exclusion of pupils).

5. The making of arrangements pursuant to section 94(1) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals).

6. The making of arrangements pursuant to section 95(2) of, and Schedule 25 to, the School Standards and Framework Act 1998 (children to whom section 87 applies: appeals by governing bodies).

7. The making of arrangements under section 20 (questions on police matters at council meetings) of the Police Act 1996(**b**) for enabling questions to be put on the discharge of the functions of a police authority.

8. The making of appointments under paragraphs 2 to 4 (appointment of members by relevant councils) of Schedule 2 (police authorities established under section 3) to the Police Act 1996.

9. The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under section 5 (best value reviews) of the Local Government Act 1999(**c**).

10. Any function relating to contaminated land(**d**).

11. The discharge of any function relating to the control of pollution or the management of air quality(**e**).

12. The service of an abatement notice in respect of a statutory nuisance(**f**).

13. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area(**g**).

14. The inspection of the authority's area to detect any statutory nuisance(**h**).

15. The investigation of any complaint as to the existence of a statutory nuisance(**i**).

16. The obtaining of information under section 330 of the Town and Country Planning Act 1990(**j**) as to interests in land.

17. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976(**k**).

(a) 1998 c.14. Section 34(4) replaces section 63(3) of the Social Security Administration Act 1992. The Council Tax Benefit Regulations 1992 (S.I. 1992/1814) and the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), to which there are amendments not relevant to these Regulations, continue to have effect, by virtue of section 17(2)(b) of the Interpretation Act 1978 (c.30), notwithstanding the repeal of section 63(3) of the Social Security Administration Act 1992.

(b) 1996 c.16.

(c) 1999 c.27.

(d) Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that Part.

(e) See the Pollution Prevention and Control Act 1999 (c.24), Part IV of the Environment Act 1995 (c.25), Part I of the Environmental Protection Act 1990 (c.43) and the Clean Air Act 1993 (c.11).

(f) Section 80(1) of the Environmental Protection Act 1990.

(g) Section 8 of the Noise and Statutory Nuisance Act 1993 (c.40).

(h) Section 79 of the Environmental Protection Act 1990.

(i) Section 79 of the Environmental Protection Act 1990.

(j) 1990 c.8.

(k) 1976 c.57.

18. The making of agreements for the execution of highways works(**a**).

19. The appointment of any individual -

(a) to any office other than an office in which he is employed by the authority;

(b) to any body other than -

(i) the authority;

(ii) a joint committee of two or more authorities; or

(c) to any committee or sub-committee of such a body,

and the revocation of any such appointment.

20. Power to make payments or provide other benefits in cases of maladministration etc.(**b**)

21. The discharge of any function by an authority acting as a harbour authority.

(a) Section 278 of the Highways Act 1980 (c.66), substituted by the New Roads and Street Works Act 1991 (c.22), section 23.

(b) Section 92 of the Local Government Act 2000.

ATODLEN 3

Rheoliad 10(1)

SWYDDOGAETHAU NAD YDYNT I FOD YN GYFRIFOLDEB I FWRDD AWDURDOD YN UNIG

(1)	*(2)*
Cynlluniau a strategaethau	***Cyfeiriad***
Cynlluniau Cymorth Ymddygiad	Adran 527A o Ddeddf Addysg 1996
Cynllun Perfformiad y Gwerth Gorau	Adran 6(1) o Ddeddf Llywodraeth Leol 1999 (p.27)
Cynllun Gwasanaethau Plant	Paragraff 1A o Atodlen 2 i Ddeddf Plant 1989 (p.41)
Cynllun Gofal Cymunedol	Adran 46 o Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19).
Strategaeth Gymunedol	Adran 4 o Ddeddf Llywodraeth Leol 2000 (p.22).
Strategaeth i Ostwng Troseddau ac Anhrefn	Adrannau 5 a 6 o Ddeddf Troseddau ac Anhrefn 1998 (p.37)
Cynllun Datblygu'r Blynyddoedd Cynnar	Adran 120 o Ddeddf Safonau a Fframwaith Ysgolion 1998
Cynllun Strategol Addysg	Adran 6 o Ddeddf Safonau a Fframwaith Ysgolion 1998
Cynllun Gwasanaethau Gorfodi'r Gyfraith Bwyd	Adran 12 o Ddeddf Safonau Bwyd 1999 (p.28)
Cynllun Trafnidiaeth Lleol	Adran 92 o Ddeddf Trafnidiaeth 2000 (cyhyd ag y bydd wedi sicrhau'r Cydsyniad Brenhinol)
Cynllun Trefniadaeth Ysgolion	Adran 26 o Ddeddf Safonau a Fframwaith Ysgolion 1998
Cynlluniau ac addasiadau sydd gyda'i gilydd yn ffurfio'r Cynllun Datblygu	Adran 10A o Ddeddf Cynllunio Gwlad a Thref 1990
Cynllun Iaith Gymraeg	Adran 5 o Ddeddf yr Iaith Gymraeg 1993
Cynllun Cyfiawnder Ieuenctid	Adran 40 o Ddeddf Troseddau ac Anhrefn 1998 (p.37).

SCHEDULE 3

Regulation 10(1)

FUNCTIONS NOT TO BE THE SOLE RESPONSIBILITY OF AN AUTHORITY'S BOARD

(1)	*(2)*
Plans and strategies	***Reference***
Behaviour Support Plans	Section 527A of the Education Act 1996
Best Value Performance Plan	Section 6(1) of the Local Government Act 1999 (c.27)
Children's Services Plan	Paragraph 1A of Schedule 2 to the Children Act 1989 (c.41)
Community Care Plan	Section 46 of the National Health Service & Community Care Act 1990 (c.19)
Community Strategy	Section 4 of the Local Government Act 2000 (c.22)
Crime and Disorder Reduction Strategy	Sections 5 and 6 of the Crime and Disorder Act 1998 (c.37)
Early Years Development Plan	Section 120 of the School Standards and Framework Act 1998.
Education Strategic Plan	Section 6 of the School Standards and Framework Act 1998.
Food Law Enforcement Service Plan	Section 12 of the Food Standards Act 1999 (c.28)
Local Transport Plan	Section 92 of the Transport Act 2000
School Organisation Plan	Section 26 of the School Standards and Framework Act 1998
Plans and alterations which together comprise the Development Plan	Section 10A of the Town and Country Planning Act 1990
Welsh Language Scheme Youth Justice Plan	Section 5 of the Welsh Language Act 1993 Section 40 of the Crime and Disorder Act 1998 (c.37).

ATODLEN 4

Rheoliad 11

AMGYLCHIADAU NAD YW SWYDDOGAETHAU I FOD YN GYFRIFOLDEB I FWRDD AWDURDOD ODANYNT

(1)	*(2)*
Y Swyddogaeth	***Yr Amgylchiadau***
1. Mabwysiadu neu gymeradwyo cynllun neu strategaeth (boed statudol neu anstatudol), heblaw cynllun neu strategaeth i reoli benthyciadau neu wariant cyfalaf yr awdurdod neu gynllun neu strategaeth y cyfeirir atynt yn Atodlen 3.	Mae'r awdurdod yn dyfarnu y dylai'r penderfyniad a ddylai'r cynllun neu'r strategaeth gael eu mabwysiadu neu eu cymeradwyo gel ei gymryd ganddynt hwy.
2. Dyfarnu ar unrhyw fater wrth gyflawni swyddogaeth - (a) sy'n gyfrifoldeb i'r bwrdd; a (b) sy'n ymwneud â chyllideb yr awdurdod, neu eu benthyciadau neu eu gwariant cyfalaf.	Mae'r unigolyn neu'r corff y mae'r dyfarniad i gael ei wneud ganddo yn rhinwedd unrhyw un o adrannau 14 i 17 o Ddeddf Llywodraeth Leol 2000 neu ddarpariaeth a wneir o dan adran 18 neu 20 o'r Ddeddf honno - (a) o blaid dyfarnu ar y mater yn groes i'r canlynol neu heb fod yn gyfan gwbl unol â hwy - (i) cyllideb yr awdurdod; neu (ii) y cynllun neu'r strategaeth sydd am y tro wedi'u cymeradwyo neu wedi'u mabwysiadu gan yr awdurdod mewn perthynas â'u benthyciadau neu eu gwariant cyfalaf; a (b) heb ei awdurdodi o dan drefniadau amgen yr awdurdod, ei reoliadau ariannol, ei reolau sefydlog neu ei reolau neu ei weithdrefnau eraill i wneud dyfarniad yn y termau hynny.
3. Dyfarnu ar unrhyw fater wrth gyflawni swyddogaeth - (a) sy'n gyfrifoldeb i'r bwrdd; a (b) y mae cynllun neu strategaeth (boed statudol neu anstatudol) wedi'u mabwysiadu neu wedi'u cymeradwyo gan yr awdurdod mewn perthynas â hi.	Mae'r unigolyn neu'r corff y mae'r dyfarniad i gael ei wneud ganddo yn rhinwedd unrhyw un o adrannau 14 i 17 o Ddeddf Llywodraeth Leol 2000 neu ddarpariaeth a wneir o dan adran 18 neu 20 o'r Ddeddf honno o blaid dyfarfnu ar y mater mewn termau sy'n groes i'r cynllun neu, yn ôl fel y digwydd, i'r strategaeth a fabwysiadwyd neu a gymeradwywyd gan yr awdurdod.

SCHEDULE 4

Regulation 11

CIRCUMSTANCES IN WHICH FUNCTIONS ARE NOT TO BE THE RESPONSIBILITY OF AN AUTHORITY'S BOARD

(1)	*(2)*
Function	***Circumstances***
1. The adoption or approval of a plan or strategy (whether statutory or non-statutory), other than a plan or strategy for the control of the authority's borrowing or capital expenditure or referred to in Schedule 3.	The authority determines that the decision whether the plan or strategy should be adopted or approved should be taken by them.
2. The determination of any matter in the discharge of a function which - (a) is the responsibility of the board; and (b) is concerned with the authority's budget, or their borrowing or capital expenditure.	The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made - (a) is minded to determine the matter contrary to, or not wholly in accordance with - (i) the authority's budget; or (ii) the plan or strategy for the time being approved or adopted by the authority in relation to their borrowing or capital expenditure; and (b) is not authorised by the authority's alternative arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.
3. The determination of any matter in the discharge of a function - (a) which is the responsibility of the board; and (b) in relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the authority.	The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made, is minded to determine the matter in terms contrary to the plan or, as the case may be, the strategy adopted or approved by the authority.

CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 2284 (Cy.173)

LLYWODRAETH LEOL, CYMRU

Rheoliadau Awdurdodau Lleol (Trefniadau Amgen) (Cymru) 2001

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 2284 (W.173)

LOCAL GOVERNMENT, WALES

The Local Authorities (Alternative Arrangements) (Wales) Regulations 2001

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