

Rheoliadau drafft a osodwyd gerbron Senedd Cymru o dan adran 174 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021, i'w cymeradwyo drwy benderfyniad gan Senedd Cymru.

OFFERYNNAU STATUDOL
CYMRU DRAFFT

2021 Rhif (Cy.)

**LLYWODRAETH LEOL,
CYMRU**

**Rheoliadau Cyd-bwyllgorau
Corfforedig (Swyddogaethau
Trafnidiaeth) (Cymru) 2021**

NODYN ESBONIADOL

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

Mae Rhan 2 o Ddeddf Trafnidiaeth 2000 (p. 38) (“Deddf 2000”) yn gwneud darpariaeth am dtrafnidiaeth yng Nghymru. Yn benodol mae'n gwneud darpariaeth am Awdurdodau Trafnidiaeth Lleol yng Nghymru, sydd wedi eu diffinio at bwrpas Rhan 2 fel cynghorau sir neu gynghorau bwrdeistref sirol.

Mae adran 108 o Ddeddf 2000 yn ei gwneud yn ofynnol i Awdurdod Trafnidiaeth Lleol lunio cynllun trafndiaeth lleol sy'n hyrwyddo trafndiaeth ddiogel, integredig, effeithlon ac economaidd yn ei ardal.

Mae Rhan 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 (dsc 1) yn rhoi pŵer i Weinidogion Cymru i sefydlu cyd-bwyllgorau corfforedig. Mae cyd-bwyllgorau corfforedig yn gyrrff corfforedig sy'n cynnwys y cynghorau sir a'r cynghorau bwrdeistref sirol hynny yng Nghymru a bennir yn y Rheoliadau sy'n eu sefydlu. Caniateir iddynt arfer y swyddogaethau a bennir yn y Rheoliadau hynny, gan gynnwys (ymhlith pethau eraill) swyddogaethau penodedig cyngor sir neu gyngor bwrdeistref sirol o ran trafndiaeth.

Mae'r rheoliadau hyn yn addasu Deddf 2000 mewn achosion pan fo cyd-bwyllgor corfforedig wedi ei sefydlu drwy reoliadau a'r swyddogaeth o ddatblygu polisïau o dan adran 108 o Ddeddf 2000 wedi ei rhoi i'r cyd-bwyllgor corfforedig. Mae'r addasiadau'n ei gwneud yn ofynnol i'r cyd-bwyllgor corfforedig

ddatblygu polisïau trafndiaeth a sefydlu cynllun trafndiaeth rhanbarthol ar gyfer ei ardal. Fodd bynnag, rôl pob Awdurdod Trafndiaeth Lleol yn ardal y cyd-bwyllgor corfforedig yw rhoi'r polisïau ar waith.

Mae'r swyddogaethau o dan adran 108 wedi eu rhoi i 4 cyd-bwyllgor corfforedig a sefydlir o dan y Rheoliadau a ganlyn—

- (a) Rheoliadau Cyd-bwyllgor Corfforedig y Deddwyrain 2021 (O.S. 2021/xxxx) (Cy. xx);
- (b) Rheoliadau Cyd-bwyllgor Corfforedig y Derllewin 2021 (O.S. 2021/xxxx) (Cy. xx);
- (c) Rheoliadau Cyd-bwyllgor Corfforedig y Canolbarth 2021 (O.S. 2021/xxxx) (Cy. xx);
- (d) Rheoliadau Cyd-bwyllgor Corfforedig y Gogledd 2021 (O.S. 2021/xxxx) (Cy. xx).

Mae'r Rheoliadau hyn yn gysylltiedig â Rheoliadau sy'n sefydlu cyd-bwyllgorau corfforedig penodol o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021. Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau sy'n sefydlu cyd-bwyllgorau corfforedig a rheoliadau cysylltiedig. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol. Gellir cael copi oddi wrth: yr Is-adran Cyllid Strategol Llywodraeth Leol, Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Rheoliadau drafft a osodwyd gerbron Senedd Cymru o dan adran 174 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021, i'w cymeradwyo drwy benderfyniad gan Senedd Cymru.

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CYMRU DRAFFT

2021 Rhif (Cy.)

**LLYWODRAETH LEOL,
CYMRU**

**Rheoliadau Cyd-bwyllgorau
Corfforedig (Swyddogaethau
Trafnidiaeth) (Cymru) 2021**

Gwnaed

Yn dod i rym

28 Chwefror 2022

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adrannau 83(2), 84 a 174 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021(1), yn gwneud y Rheoliadau a ganlyn.

Gosodwyd drafft o'r offeryn hwn gerbron Senedd Cymru ac fe'i cymeradwywyd drwy benderfyniad ganddi yn unol ag adran 174(4) a (5)(k) ac (l) o'r Ddeddf honno.

Enwi a dod i rym

1. Enw'r Rheoliadau hyn yw Rheoliadau Cyd-bwyllgorau Corfforedig (Swyddogaethau Trafnidiaeth) (Cymru) 2021, a deuant i rym ar 28 Chwefror 2022.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr “cyd-bwyllgor corfforedig” (“*corporate joint committee*”) yw cyd-bwyllgor corfforedig a sefydlwyd drwy reoliadau a wnaed o dan Ran 5 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021;

(1) 2021 dsc 1.

ystyr “cyngor cyfansoddol” (“*constituent council*”) yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru, y mae Gweinidogion Cymru wedi sefydlu cyd-bwyllgor corfforedig mewn cysylltiad â'i ardal.

Addasu Deddf Trafnidiaeth 2000

3. Pan fo'r swyddogaeth o ddatblygu polisiau o dan adran 108(1)(a) a (2A)(a) o Ran 2 o Ddeddf Trafnidiaeth 2000 (“Deddf 2000”) mewn cysylltiad ag ardal awdurdod trafniadaeth lleol wedi ei rhoi i gyd-bwyllgor corfforedig, mae Deddf 2000 yn gymwys mewn perthynas ag—

- (a) cyd-bwyllgor corfforedig y rhoddir y swyddogaethau iddo, a
- (b) ei gynghorau cyfansoddol,

yn ddarostyngedig i'r addasiadau a nodir yn yr Atodlen.

Enw

Y Gweinidog Tai a Llywodraeth Leol, un o
Weinidogion Cymru
Dyddiad

YR ATODLEN

Addasu Deddf Trafnidiaeth 2000

1. I'r graddau y mae'n gymwys fel y crybwyllir yn rheoliad 3, mae Rhan 2 o Ddeddf 2000 i'w darllen fel pe bai wedi ei haddasu fel a ganlyn.

2. Mae adran 108 (cynlluniau trafndiaeth lleol) i'w darllen fel pe bai—

(a) y canlynol wedi ei roi yn lle is-adran (1)—

“(1) A corporate joint committee must develop policies, to be implemented under subsection (1A), for the promotion and encouragement of safe, integrated, efficient and economic transport to, from and within its area.”;

(b) y canlynol wedi ei fewnosod ar ôl is-adran (1)—

“(1A) Each local transport authority in Wales whose area falls within the area of a corporate joint committee must carry out their functions so as to implement the policies developed by the corporate joint committee under subsection (1).”;

(c) y canlynol wedi ei roi yn lle is-adran (2A)—

“(2A) A corporate joint committee must also develop policies for the implementation by the local transport authorities in its area of the Wales Transport Strategy.”;

(d) y canlynol wedi ei fewnosod ar ôl is-adran (2A)—

“(2B) Each local transport authority in Wales whose area falls within the area of a corporate joint committee must carry out their functions so as to implement the policies developed under subsection (2A).”;

(e) y canlynol wedi ei roi yn lle is-adran (3A)—

“(3A) A corporate joint committee must prepare a document to be known as the regional transport plan containing its policies under subsections (1) and (2A).”;

(f) y canlynol wedi ei roi yn lle is-adran (5)—

“(5) In this Part “regional transport policies”, in relation to a local transport authority, means policies developed under subsection (1) in so far as they relate to the authority's area.”;

(g) y canlynol wedi ei fewnosod ar ôl is-adran (5)—

“(6) In this Part—

- (a) “corporate joint committee” means a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021, and
- (b) a reference to an area of a corporate joint committee is a reference to the area comprising—
 - (i) the areas of the local transport authorities that made a joint committee application under section 72(1) of that Act for regulations to be made under that section establishing the corporate joint committee, or
 - (ii) the relevant areas (within the meaning given by section 74(1) of that Act) specified in the regulations establishing the corporate joint committee.”;
- (h) pennawd yr adran yw “Local and Regional Transport Plans”.

3. Mae’r canlynol fel pe bai wedi ei roi yn lle adran 109A—

“109A Approval of regional plan

(1) A corporate joint committee must submit its regional transport plan to the Welsh Ministers for their approval.

(2) If the Welsh Ministers refuse to approve the plan—

- (a) they must give the corporate joint committee a statement of their reasons for its refusal, and
- (b) the corporate joint committee must prepare another regional transport plan and submit the plan to the Welsh Ministers for their approval.

(3) If the Welsh Ministers approve a plan under this section, the plan has effect when the approval is given.

(4) The Welsh Ministers may approve a regional transport plan under this section if (but only if) they consider—

- (a) that the plan is consistent with the Wales Transport Strategy, and
- (b) that the policies contained in the plan are adequate for implementation in the corporate joint committee’s area of the Strategy.”

4. Mae’r canlynol fel pe bai wedi ei roi yn lle adran 109B—

“109B Further provision about the regional plan

(1) A corporate joint committee must keep its regional transport plan under review and alter it if it considers it appropriate to do so.

(2) A corporate joint committee must in particular review the plan as soon as practicable after the publication of the Wales Transport Strategy or any revision of it.

(3) A corporate joint committee must replace its regional transport plan not later than five years after the date on which the plan was approved under section 109A.

(4) Section 109A applies to a replacement plan as altered as it applies to a plan as originally prepared.

(5) A corporate joint committee shall be taken to have complied with subsection (3) if (but only if)—

- (a) it submits its replacement plan to the Welsh Ministers for their approval under section 109A before the end of the five year period mentioned in subsection (3), and
- (b) the Welsh Ministers approve the plan under section 109A (whether the approval is given before or after the end of that five year period).

(6) If a corporate joint committee fails to comply with subsection (3) because it fails to submit its replacement plan to the Welsh Ministers before the end of the five year period mentioned in that subsection, the corporate joint committee must replace its regional transport plan as soon as practicable after the expiry of the five year period.

(7) If a corporate joint committee fails to comply with subsection (3) because the Welsh Ministers refuse to approve a plan submitted to them under section 109A, it must replace its regional transport plan as soon as practicable after the refusal.

(8) As soon as practicable after its plan, or its plan as altered, has been approved under section 109A, a corporate joint committee must—

- (a) publish the plan or the plan as altered in such manner as it thinks fit, and
- (b) send a copy of it to such persons (if any) as may be specified in guidance under section 112(1).

(9) A corporate joint committee must also—

- (a) ensure that a copy of its regional transport plan is available for

- inspection (at all reasonable hours) at such places it thinks fit,
- (b) give notice, by such means as it thinks expedient for bringing it to the attention of the public, as to the places at which a copy of it may be inspected, and
 - (c) supply a copy of it (or any part of it) to any person on request, either free of charge or at a charge representing no more than the cost of providing the copy.”

5. Mae adran 109C i’w thrin fel pe bai wedi ei hepgor.

6. Mae’r canlynol fel pe bai wedi ei roi yn lle adran 112—

“112 Regional plan: supplementary

(1) In carrying out its functions under sections 108 to 109B, a corporate joint committee must have regard to any guidance issued by the Welsh Ministers concerning—

- (a) the content of regional transport plans,
- (b) the preparation of such plans,
- (c) the alteration and replacement of such plans, and
- (d) the publication and making available of such plans as originally made and as altered or replaced.

(2) Subsection (3) applies in relation to the development of policies under section 108(1) and the implementation under section 108(1A) of those policies.

(3) A corporate joint committee, or a local transport authority within the area of the corporate joint committee (as the case may be), must have regard to the transport needs of disabled persons (within the meaning of the Equality Act 2010) and of persons who are elderly or who have mobility problems.”

7. Mae adran 113A i’w thrin fel pe bai wedi ei hepgor.

8. Mae’r canlynol fel pe bai wedi ei roi yn lle adran 113B—

“113B Directions concerning regional plan

(1) The Welsh Ministers may give general or specific directions to a corporate joint committee as to the manner in which it is to carry out its functions under sections 108 to 109B.

(2) The Welsh Ministers may give general or specific directions to a local transport authority whose area falls within the area of a corporate joint committee as to the manner in which they are to carry out their functions under section 108.

(3) Directions given under subsection (1) may include in particular directions as to the timetable in accordance with which the regional transport plan or alterations to the plan must be prepared.

(4) Directions given under subsection (2) may include in particular directions as to—

- (a) the action required to be taken to implement the policies contained in the regional transport plan;
- (b) as to the steps required to be taken to remove the effects of action which is incompatible with those policies.

(5) Directions under this section—

- (a) must be in writing;
- (b) may be varied or revoked by further directions under this section.

(6) The Welsh Ministers must consult—

- (a) in relation to a direction under subsection (1), the corporate joint committee concerned,
- (b) in relation to a direction under subsection (2), the local transport authority concerned,

before giving, varying or revoking the direction.

(7) The Welsh Ministers may consult any other persons they consider appropriate in relation to giving, varying or revoking a direction under subsection (1) or (2).”