

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 24 Medi 2020
Tabled on 24 September 2020

Bil Llywodraeth Leol ac Etholiadau (Cymru) Local Government and Elections (Wales) Bill

Mark Isherwood	156
Section 1, page 1, leave out lines 13 to 17. Adran 1, tudalen 1, hepgorer llinellau 13 hyd at 17.	
Mark Isherwood	157
Section 2, page 2, leave out lines 5 to 6. Adran 2, tudalen 2, hepgorer llinellau 5 hyd at 6.	
Mark Isherwood	158
Section 2, page 2, leave out lines 18 to 20. Adran 2, tudalen 2, hepgorer llinellau 19 hyd at 21.	
Mark Isherwood	159
Section 4, page 3, after line 4, insert – ‘() The Welsh Ministers must – (a) develop a national framework to promote awareness of the extension of the right to vote in local government elections to 16 and 17 year olds, and (b) supplement the framework established under paragraph (<i>the first paragraph to be inserted by this amendment</i>) with political education resources.’.	
Adran 4, tudalen 3, ar ôl llinell 4, mewnosoder – ‘() Rhaid i Weinidogion Cymru –	



- (a) datblygu fframwaith cenedlaethol i hybu ymwybyddiaeth o estyn yr hawl i bleidleisio mewn etholiadau llywodraeth leol i bersonau 16 a 17 oed, a
- (b) ychwanegu at y fframwaith a sefydlir o dan paragraff (*y paragraff cyntaf sy'n cael ei fewnosod gan y gwelliant hwn*) gydag adnoddau addysg wleidyddol.'.

Mark Isherwood **160**

Page 3, line 20, leave out section 5.

Tudalen 3, llinell 20, hepgorer adran 5.

Mark Isherwood **161**

Page 3, line 32, leave out section 6.

Tudalen 3, llinell 33, hepgorer adran 6.

Mark Isherwood **162**

Page 5, line 3, leave out section 7.

Tudalen 5, llinell 3, hepgorer adran 7.

Mark Isherwood **163**

Page 5, line 23, leave out section 8.

Tudalen 5, llinell 23, hepgorer adran 8.

Mark Isherwood **164**

Page 6, line 2, leave out section 9.

Tudalen 6, llinell 2, hepgorer adran 9.

Mark Isherwood **165**

Page 6, line 23, leave out section 10.

Tudalen 6, llinell 24, hepgorer adran 10.

Mark Isherwood **166**

Page 6, line 33, leave out section 11.

Tudalen 6, llinell 34, hepgorer adran 11.



Mark Isherwood 167

Page 7, line 15, leave out section 12.

Tudalen 7, llinell 16, hepgorer adran 12.

Mark Isherwood 168

Section 13, page 7, leave out lines 31 to 34.

Adran 13, tudalen 7, hepgorer llinellau 32 hyd at 35.

Mark Isherwood 169

Section 13, page 8, after line 11, insert—

() Before making rules under this section the Welsh Ministers must involve—

- (a) such principal councils and community councils as they consider appropriate,
- (b) such persons representing principal councils and community councils as they consider appropriate,
- (c) representatives of persons resident in the local government areas to which the rules relate as they consider appropriate, and
- (d) such other persons as they consider appropriate.

() For the purposes of subsection (*the first subsection inserted by this amendment*), “involvement” requires the Welsh Ministers to work with and be open to influence from the persons listed in that subsection from an early stage and to support such persons to remain involved throughout all planning, implementation and evaluation processes in ways which are relevant, meaningful, accessible and inclusive.’.

Adran 13, tudalen 8, ar ôl llinell 11, mewnosoder—

() Before making rules under this section the Welsh Ministers must involve—

- (a) such principal councils and community councils as they consider appropriate,
- (b) such persons representing principal councils and community councils as they consider appropriate,
- (c) representatives of persons resident in the local government areas to which the rules relate as they consider appropriate, and
- (d) such other persons as they consider appropriate.



- () For the purposes of subsection (*the first subsection inserted by this amendment*), “involvement” requires the Welsh Ministers to work with and be open to influence from the persons listed in that subsection from an early stage and to support such persons to remain involved throughout all planning, implementation and evaluation processes in ways which are relevant, meaningful, accessible and inclusive.’.

Mark Isherwood **170**

Section 13, page 8, line 22, leave out subsection (5).

Adran 13, tudalen 8, llinell 23, hepgorer is-adran (5).

Mark Isherwood **171**

Section 22, page 12, leave out line 20.

Adran 22, tudalen 12, hepgorer llinell 20.

Mark Isherwood **172**

Section 22, page 12, after line 30, insert –

- ‘() Where a person is registered under this section, the registration officer must ensure that the person’s name and address are omitted from the edited register.
- () In subsection (*the first subsection inserted by this amendment*) above, “the edited register” has the same meaning as in section 93 of the Representation of the People (England and Wales) Regulations 2001.’.

Adran 22, tudalen 12, ar ôl llinell 30, mewnosoder –

- ‘() Where a person is registered under this section, the registration officer must ensure that the person’s name and address are omitted from the edited register.
- () In subsection (*the first subsection inserted by this amendment*) above, “the edited register” has the same meaning as in section 93 of the Representation of the People (England and Wales) Regulations 2001.’.

Mark Isherwood **173**

Page 14, line 11, leave out section 23.

Tudalen 14, llinell 12, hepgorer adran 23.



Mark Isherwood **174**

Section 23, page 14, after line 26, insert—

‘(c) has resided in the United Kingdom for a continuous period of not less than three years ending on the relevant day.’.

Adran 23, tudalen 14, ar ôl llinell 27, mewnosoder—

‘(c) has resided in the United Kingdom for a continuous period of not less than three years ending on the relevant day.’.

Mark Isherwood **175**

Page 17, after line 22, insert a new section—

[] Politically restricted posts

In section 2(3)(a) of the Local Government and Housing Act 1989, leave out the words “that executive who is also a member of”.’.

Tudalen 17, ar ôl llinell 22, mewnosoder adran newydd—

[] Swyddi dan gyfyngiadau gwleidyddol

Yn adran 2(3)(a) o Ddeddf Llywodraeth Leol a Thai 1989, hepgorer y geiriau “that executive who is also a member of”.’.

Mark Isherwood **176**

Page 20, after line 23, insert a new section—

[] Digital imprints on political advertisements

- (1) Section 110 of the 1983 Act (details to appear on election publications) is amended as follows.
- (2) In subsection (2)(a) leave out the words “or (6)” and insert “, (6) or (6A)”.
- (3) In subsection (3) leave out “(6)” and insert “(6A)”.
- (4) After subsection (6) insert—

“(6A) In relation to Wales, where the material is a digital advertisement published on a website or social media platform, the relevant details must appear in the advertisement.

(6B) Subsection (6A) above only applies in relation to the election of a candidate at a local government election.”’.

Tudalen 20, ar ôl llinell 23, mewnosoder adran newydd—



[] Argraffnodau digidol ar hysbysebion gwleidyddol

- (1) Mae adran 110 o Ddeddf 1983 (manyllion sydd i ymddangos ar hysbysebion gwleidyddol) wedi ei diwygio fel a ganlyn.
- (2) Yn is-adran (2)(a) hepgorer y geiriau “or (6)” a mewnosoder “, (6) or (6A)”.
- (3) Yn is-adran (3) hepgorer “(6)” a mewnosoder “(6A)”.
- (4) Ar ôl is-adran (6) mewnosoder –
 - “(6A) In relation to Wales, where the material is a digital advertisement published on a website or social media platform, the relevant details must appear in the advertisement.
 - (6B) Subsection (6A) above only applies in relation to the election of a candidate at a local government election.”.

Mark Isherwood

177

Section 37, page 24, line 23, leave out ‘(4)’ and insert ‘(the second subsection inserted by Amendment 178)’.

Adran 37, tudalen 24, llinell 26, hepgorer ‘(4)’ a mewnosoder ‘(yr ail is-adran sy’n cael ei mewnosod gan Welliant 178)’.

Mark Isherwood

178

Section 37, page 24, line 32, leave out subsections (4) to (5) and insert –

- ‘() The third condition is that the council prepares a strategy for its proper exercise of the general power of competence set out in Chapter 1 which –
 - (a) sets out how the council will determine whether a proposed exercise of the power under section 31 may be contrary to the limitations set out in sections 32 to 34 or any other pre-commencement or post-commencement limitation (as defined in section 32(4)),
 - (b) describes how it will identify duties that apply when exercising the power under section 31,
 - (c) explains how business plans will be developed for activities that are proposed to be undertaken under the power in Chapter 1,
 - (d) sets out how risks arising from the exercise of the power in Chapter 1 will be assessed, including in relation to commercial activities and joint ventures,
 - (e) provides for how professional advice regarding the exercise of the power in section 31 will be accessed and taken into account, and
 - (f) is published on its website.
- () The fourth condition is that the council has consulted with local people and any other persons it considers relevant regarding the strategy prepared in accordance with subsection (the first subsection to be inserted by this amendment).’.



Adran 37, tudalen 24, llinell 34, hepgorer is-adrannau (4) hyd at (5) a mewnosoder –

- (4) Y trydydd amod yw bod y cyngor yn llunio strategaeth ar gyfer arfer yn briodol y pŵer cymhwysedd cyffredinol a nodir ym Mhennod 1 sydd –
- (a) yn nodi sut y bydd y cyngor yn penderfynu a allai bwriad i arfer y pŵer o dan adran 31 fod yn groes i'r cyfyngiadau a nodir yn adrannau 32 i 34 neu unrhyw gyfyngiad cyn cychwyn neu gyfyngiad ar ôl cychwyn arall (fel y'u diffinnir yn adran 32(4)),
 - (b) yn disgrifio sut y bydd yn nodi dyletswyddau sy'n gymwys wrth arfer y pŵer o dan adran 31,
 - (c) yn egluro sut y caiff cynlluniau busnes eu datblygu ar gyfer gweithgareddau y bwriedir eu cynnal o dan y pŵer ym Mhennod 1,
 - (d) yn nodi sut y caiff y risgiau sy'n codi o arfer y pŵer ym Mhennod 1 eu hasesu, gan gynnwys mewn perthynas â gweithgareddau masnachol a mentrau ar y cyd,
 - (e) yn darparu ar gyfer sut y ceir mynediad at gyngor proffesiynol ynghylch arfer y pŵer yn adran 31 a sut y caiff y cyngor proffesiynol hwnnw ei gymryd i ystyriaeth, ac
 - (f) yn cael ei gyhoeddi ar ei wefan.
- (5) Y pedwerydd amod yw bod y cyngor wedi ymgynghori â phobl leol ac unrhyw bersonau eraill y mae'n ystyried eu bod yn berthnasol ynghylch y strategaeth a lunnir yn unol ag is-adran (*yr is-adran gyntaf sy'n cael ei mewnosod gan y gwelliant hwn*).

Mark Isherwood

179

Page 26, line 6, leave out section 41.

Tudalen 26, llinell 7, hepgorer adran 41.

Mark Isherwood

180

Section 46, page 28, line 5, leave out 'encourage local people to participate' and insert 'create relevant and meaningful opportunities for local people and local community based organisations to be involved'.

Adran 46, tudalen 28, llinell 5, hepgorer 'annog pobl leol i gyfranogi' a mewnosoder 'greu cyfleoedd perthnasol ac ystyrlon i bobl leol a sefydliadau lleol yn y gymuned gael eu cynnwys'.

Mark Isherwood

181

Section 46, page 28, after line 7, insert –

- () The Welsh Ministers must prepare and publish guidance setting out how principal councils can comply with the requirement in subsection (1) and principal councils must follow this guidance.'

Adran 46, tudalen 28, ar ôl llinell 7, mewnosoder –



- '() Rhaid i Weinidogion Cymru lunio a chyhoeddi canllawiau yn nodi sut y gall prif gynghorau gydymffurfio â'r gofynion yn is-adran (1) a rhaid i brif gynghorau ddilyn y canllawiau hyn.'

Mark Isherwood

182

Section 46, page 28, line 8, leave out 'encourage local people to participate' and insert 'create relevant and meaningful opportunities for local people and local community based organisations to be involved'.

Adran 46, tudalen 28, llinell 8, hepgorer 'annog pobl leol i gyfranogi' a mewnosoder 'greu cyfleoedd perthnasol ac ystyrlon i bobl leol a sefydliadau lleol yn y gymuned gael eu cynnwys'.

Mark Isherwood

183

Section 46, page 28, after line 10, insert—

- '() The Welsh Ministers must prepare and publish guidance setting out how principal councils can comply with the requirement in subsection (2) and principal councils must follow this guidance.'

Adran 46, tudalen 28, ar ôl llinell 10, mewnosoder—

- '() Rhaid i Weinidogion Cymru lunio a chyhoeddi canllawiau yn nodi sut y gall prif gynghorau gydymffurfio â'r gofynion yn is-adran (2) a rhaid i brif gynghorau ddilyn y canllawiau hyn.'

Mark Isherwood

184

Section 46, page 28, after line 10, insert—

- '() A principal council must collaborate with authorities connected to the council when creating relevant and meaningful opportunities for local people and local community based organisations to be involved in the making of decisions in accordance with subsection (2).
- () Collaboration in accordance with subsection (*the first subsection to be inserted by this amendment*) must include (but is not limited to)—
- (a) the principal council and the authorities connected to the council working together to prepare and publish a public involvement strategy under section 47, and
 - (b) the principal council engaging with authorities connected with the council to put in place robust arrangements to secure the creation of relevant and meaningful opportunities for local people and local community based organisations to be involved in the making of decisions to ensure the co-production of decisions and to—
 - (i) enable service providers and service users to share power and responsibility, and
 - (ii) to encourage asset based community development.



- () For the purposes of this Chapter,
- (a) “asset based community development” (“*datblygiad cymunedol sy’n seiliedig ar asedau*”) means empowering local communities by mobilising local people to utilise existing community strengths to develop more sustainable communities,
 - (b) “co-production” (“*cydgynhyrchu*”) means sharing power and responsibility and working together for mutual benefit in equal, reciprocal and caring relationships,
 - (c) “involve” and “involvement” (“*cynnwys*”) requires principal councils to work with and be open to influence from local people and local community based organisations from an early stage and to support such local people and local community based organisations to remain involved throughout all design, implementation and evaluation processes in ways which are relevant, meaningful, accessible and inclusive,
 - (d) “local community based organisation” (“*sefydliad lleol yn y gymuned*”) means a voluntary or not-for-profit organisation set up and run by people in a particular geographical area to promote the wellbeing and interests of local resident in a diverse number of ways, which seeks out and listens to the needs and views of local people, championing and advocating on their behalf and provides services and activities for the community, working closely in partnership with public, private and third sector organisations locally to promote asset based community development,
 - (e) “service provider” (“*darparwr gwasanaethau*”) means any person or body who designs, implements or delivers services of a public nature provided by a principal council or authorities connected with the council, and
 - (f) “service user” (“*defnyddiwr gwasanaethau*”) means any person or body who accesses or receives services of a public nature from a principal council or authorities connected with the council.’.

Adran 46, tudalen 28, ar ôl llinell 10, mewnosoder –

- ‘() Rhaid i brif gyngor gydweithio ag awdurdodau sy’n gysylltiedig â’r cyngor wrth greu cyfleoedd perthnasol ac ystyrlon i bobl leol a sefydliadau lleol yn y gymuned gael eu cynnwys pan wneir penderfyniadau yn unol ag is-adran (2).
- () Rhaid i gydweithio yn unol ag is-adran (*yr is-adran gyntaf sy’n cael ei mewnosod gan y gwelliant hwn*) gynnwys y canlynol (ond heb fod yn gyfyngedig iddynt) –
- (a) y prif gyngor a’r awdurdodau sy’n gysylltiedig â’r cyngor yn gweithio gyda’i gilydd i lunio a chyhoeddi strategaeth cynnwys y cyhoedd o dan adran 47, a
 - (b) y prif gyngor yn ymgysylltu â’r awdurdodau sy’n gysylltiedig â’r cyngor er mwyn rhoi trefniadau cadarn ar waith i sicrhau bod cyfleoedd perthnasol ac ystyrlon yn cael eu creu i bobl leol a sefydliadau lleol yn y gymuned gael eu cynnwys pan wneir penderfyniadau i sicrhau y caiff penderfyniadau eu cydgynhyrchu ac er mwyn –
 - (i) galluogi darparwyr gwasanaethau a defnyddwyr gwasanaethau i rannu pŵer a chyfrifoldeb, a
 - (ii) annog datblygiad cymunedol sy’n seiliedig ar asedau.



() At ddibenion y Bennod hon,

- (a) ystyr “cydgynhyrchu” (“*co-production*”) yw rhannu pŵer a chyfrifoldeb chydweithio er budd y naill a’r llall mewn perthynas gydradd, gytbwys a gofalgar,
- (b) mae “cynnwys” (“*involve*”/“*involvement*”) yn ei gwneud yn ofynnol i brif gynghorau weithio gyda phobl leol a sefydliadau lleol yn y gymuned ac i fod yn agored i ddylanwad ganddynt yn gynnar a chefnogi pobl leol a sefydliadau lleol yn y gymuned i gael eu cynnwys drwy’r prosesau dylunio, gweithredu a gwerthuso mewn ffyrdd sydd yn berthnasol, yn ystyrllon, yn hygyrch ac yn gynhwysol,
- (c) ystyr “darparwr gwasanaethau” (“*service provider*”) yw unrhyw berson neu gorff sy’n dylunio, yn gweithredu neu’n cyflenwi gwasanaethau o natur gyhoeddus a ddarperir gan brif gyngor neu gan awdurdodau sy’n gysylltiedig â’r cyngor,
- (d) ystyr “datblygiad cymunedol sy’n seiliedig ar asedau” (“*asset based community development*”) yw grymuso cymunedau lleol trwy gynnwys pobl leol i ddefnyddio cryfderau cymunedol sy’n bodoli eisoes i ddatblygu cymunedau sy’n fwy cynaliadwy,
- (e) ystyr “defnyddiwr gwasanaethau” (“*service user*”) yw unrhyw berson neu gorff sy’n cael mynediad at wasanaethau neu sy’n cael gwasanaethau o natur gyhoeddus gan brif gyngor neu gan awdurdodau sy’n gysylltiedig â’r cyngor, ac
- (f) ystyr “sefydliad lleol yn y gymuned” (“*local community based organisation*”) yw sefydliad gwirfoddol neu sefydliad di-elw sydd wedi ei sefydlu ac sy’n cael ei redeg gan bobl mewn ardal ddaearyddol i hybu llesiant a buddiannau preswylwyr lleol mewn nifer o ffyrdd amrywiol, sy’n mynd ati i ganfod safbwyntiau ac anghenion pobl leol ac yn gwrandao arnynt, sy’n hyrwyddo ac yn eirioli ar eu rhan ac sy’n darparu gwasanaethau a gweithgareddau ar gyfer y gymuned, gan weithio mewn perthynas agos â sefydliadau cyhoeddus, preifat a thrydydd sector yn lleol i hybu datblygiad cymunedol sy’n seiliedig ar asedau.’.

Mark Isherwood

185

Section 47, page 28, line 20, leave out ‘participation’ and insert ‘involvement’.

Adran 47, tudalen 28, llinell 21, hepgorer ‘cyfranogiad’ a mewnosoder ‘cynnwys’.

Mark Isherwood

186

Section 47, page 28, line 22, leave out ‘participation’ and insert ‘involvement’.

Adran 47, tudalen 28, llinell 23, hepgorer ‘cyfranogiad’ a mewnosoder ‘cynnwys’.

Mark Isherwood

187

Section 47, page 28, after line 32, insert –



- () how the principal council and authorities connected with the council collaborate in accordance with section 46(*the first subsection inserted by Amendment 184*) and 46(*the second subsection inserted by Amendment 184*);
- () ways to invite and listen to the views of local people and local community based organisations about the issues, priorities and outcomes that matter to them, to inform the work and strategic priorities of the principal council or authorities connected to the council, so that they reflect the voice of local people;
- () how the ways of engagement set out in paragraph (*the second paragraph inserted by this amendment*) will be representative of the local people and local community organisations, diverse and inclusive;
- () ways of enabling local people and local community based organisations to take part in meaningful, relevant and accessible ways in decision making with the principal council or with authorities connected with the council;
- () ways of promoting the use of participatory budgeting to involve local people and local community based organisations in the budget setting process;’.

Adran 47, tudalen 28, ar ôl llinell 34, mewnosoder –

- () sut y mae’r prif gyngor ac awdurdodau sy’n gysylltiedig â’r cyngor yn cydweithio yn unol ag adran 46(*yr is-adran gyntaf sy’n cael ei mewnosod gan Welliant 184*) a 46(*yr ail is-adran sy’n cael ei mewnosod gan Welliant 184*);
- () ffyrdd o wahodd a gwranddo ar safbwyntiau pobl leol a sefydliadau lleol yn y gymuned ynghylch y materion, y blaenoriaethau a’r canlyniadau sydd o bwys iddynt hwy, i lywio gwaith a blaenoriaethau strategol y prif gyngor neu awdurdodau sy’n gysylltiedig â’r cyngor, fel eu bod yn adlewyrchu llais pobl leol;
- () sut y bydd y ffyrdd o ymgysylltu a nodir ym mharagraff (*yr ail baragraff sy’n cael ei fewnosod gan y gwelliant hwn*) yn cynrychioli’r bobl leol a’r sefydliadau lleol cymunedol, amrywiol a chynhwysol;
- () ffyrdd o alluogi pobl leol a sefydliadau leol yn y gymuned i gymryd rhan mewn ffyrdd ystyrlon, perthnasol a hygyrch pan wneir penderfyniadau gyda’r prif gyngor neu gydag awdurdodau sy’n gysylltiedig â’r cyngor;
- () ffyrdd o hybu’r defnydd o gyllidebu cyfranogol i gynnwys pobl leol a sefydliadau lleol yn y gymuned yn y broses o bennu’r gyllideb;’.

Mark Isherwood

188

Section 47, page 29, line 2, leave out ‘social media’ and insert ‘current and emerging digital and media platforms’.

Adran 47, tudalen 29, llinell 2, hepgorer ‘defnyddio’r cyfryngau cymdeithasol’ a mewnosoder ‘defnyddio llwyfannau cyfredol a datblygol digidol ac ym maes y cyfryngau’.



- Mark Isherwood** 189
Section 47, page 29, line 4, leave out ‘participation’ and insert ‘involvement’.
Adran 47, tudalen 29, llinell 4, hepgorer ‘cyfranogiad’ a mewnosoder ‘cynnwys’.
- Mark Isherwood** 190
Section 48, page 29, line 7, leave out ‘participation’ and insert ‘involvement’.
Adran 48, tudalen 29, llinell 7, hepgorer ‘cyfranogiad’ a mewnosoder ‘cynnwys’.
- Mark Isherwood** 191
Section 48, page 29, line 9, leave out ‘consult’ and insert ‘involve’.
Adran 48, tudalen 29, llinell 9, hepgorer ‘ymgynggori ag’ a mewnosoder ‘gynnwys’.
- Mark Isherwood** 192
Section 48, page 29, line 10, after ‘people,’ insert –
‘() local community based organisations,’.
Adran 48, tudalen 29, llinell 10, ar ôl ‘leol,’ mewnosoder –
‘() sefydliadau leol yn y gymuned,’.
- Mark Isherwood** 193
Nid oes angen diwygio’r fersiwn Saesneg. There is no need to amend the English version.
Adran 48, tudalen 29, llinell 11, hepgorer ‘ymgynggori â hwy’ a mewnosoder ‘eu cynnwys’.
- Mark Isherwood** 194
Section 48, page 29, line 13, leave out ‘participation’ and insert ‘involvement’.
Adran 48, tudalen 29, llinell 13, hepgorer ‘cyfranogiad’ a mewnosoder ‘cynnwys’.
- Mark Isherwood** 195
Section 48, page 29, line 16, leave out ‘participation’ and insert ‘involvement’.
Adran 48, tudalen 29, llinell 17, hepgorer ‘cyfranogiad’ a mewnosoder ‘cynnwys’.



Mark Isherwood 196

Section 48, page 29, line 18, after 'people,', insert –

'() local community based organisations,'.

Adran 48, tudalen 29, llinell 19, ar ôl 'leol,', mewnosoder –

'() sefydliadau lleol yn y gymuned,'.

Mark Isherwood 197

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.

Adran 48, tudalen 29, llinell 20, hepgorer 'ymgyngori â hwy' a mewnosoder 'eu cynnwys'.

Mark Isherwood 198

Section 48, page 29, line 21, leave out 'participation' and insert 'involvement'.

Adran 48, tudalen 29, llinell 22, hepgorer 'cyfranogiad' a mewnosoder 'cynnwys'.

Mark Isherwood 199

Section 48, page 29, line 22, leave out 'participation' and insert 'involvement'.

Adran 48, tudalen 29, llinell 23, hepgorer 'cyfranogiad' a mewnosoder 'cynnwys'.

Mark Isherwood 200

Section 48, page 29, line 23, leave out 'consult' and insert 'involve'.

Adran 48, tudalen 29, llinell 24, hepgorer 'ymgyngori ag' a mewnosoder 'gynnwys'.

Mark Isherwood 201

Section 48, page 29, line 24, after 'people,', insert –

'() local community based organisations,'.

Adran 48, tudalen 29, llinell 25, ar ôl 'leol,', mewnosoder –

'() sefydliadau lleol yn y gymuned,'.

***Mark Isherwood** 202

Section 48, page 29, line 26, leave out 'participation' and insert 'involvement'.

Adran 48, tudalen 29, llinell 27, hepgorer 'cyfranogiad' a mewnosoder 'cynnwys'.



***Mark Isherwood** 203

Nid oes angen diwygio'r fersiwn Saesneg. There is no need to amend the English version.
Adran 48, tudalen 29, llinell 26, hepgorer 'ymgyngori â hwy' a mewnosoder 'eu cynnwys'.

Mark Isherwood 204

Section 49, page 30, after line 4, insert –

'() The petition scheme must include –

- (a) a requirement that any petition that receives 50 signatures or more must be considered by the committee of the council that deals most closely with the subject matter of the petition ('the recipient committee'), and
- (b) a statement to the effect that any petition that receives 1,000 signatures or more must be referred to a full meeting of the council for further consideration.'

Adran 49, tudalen 30, ar ôl llinell 4, mewnosoder –

'() Rhaid i'r cynllun deisebau gynnwys –

- (a) gofyniad bod yn rhaid i unrhyw ddeiseb sy'n cael 50 o lofnodion neu ragor gael ei hystyried gan y pwyllgor o'r cyngor sy'n ymdrin agosaf â phwnc y ddeiseb ('y pwyllgor derbyn'), a
- (b) datganiad i'r perwyl bod yn rhaid i unrhyw ddeiseb sy'n cael 1,000 o lofnodion neu ragor gael ei chyfeirio at gyfarfod llawn y cyngor i'w hystyried ymhellach.'

Mark Isherwood 205

Section 49, page 30, after line 8, insert –

'(5) A principal council must take all reasonable steps to promote the existence and operation of its petitions scheme to local people.'

Adran 49, tudalen 30, ar ôl llinell 8, mewnosoder –

'(5) Rhaid i brif gyngor gymryd pob cam rhesymol i hyrwyddo bodolaeth a gweithrediad ei gynllun deisebau i bobl leol.'

Mark Isherwood 206

Section 53, page 31, at the beginning of line 8, insert 'where reasonably practical,'.

Adran 53, tudalen 31, llinell 9, ar ôl 'electronig', mewnosoder 'pan fo hynny'n rhesymol ymarferol,'.



Mark Isherwood 207

Section 53, page 31, after line 18, insert –

- ‘() The Welsh Ministers must issue guidance to principal councils setting out –
- (a) which meetings are expected to be broadcast in accordance with subsection (1), and
 - (b) in what circumstances it may not be reasonably practicable for a meeting to be broadcast in accordance with subsection (1).’.

Adran 53, tudalen 31, ar ôl llinell 17, mewnosoder –

- ‘() Rhaid i Weinidogion Cymru ddyroddi canllawiau i brif gynghorau yn nodi –
- (a) pa gyfarfodydd y disgwylir iddynt gael eu darlledu yn unol ag is-adran (1), a
 - (b) ym mha amgylchiadau y gallai beidio â bod yn rhesymol ymarferol i gyfarfod gael ei ddarlledu yn unol ag is-adran (1).’.

Mark Isherwood 208

Section 53, page 31, line 25, after ‘that’, insert ‘, where reasonably practical,’.

Adran 53, tudalen 31, llinell 24, ar ôl ‘sichrau’, mewnosoder ‘, pan fo hynny’n rhesymol ymarferol,’.

Mark Isherwood 209

Section 54, page 32, after line 13, insert –

- ‘(c) after subsection (5) insert –
- “(5A) A local authority must prepare and publish on its website a procedure that it will follow to enable members in remote attendance to vote in the event that any of the facilities enabling remote attendance fail at a time when voting may be affected.
 - (5B) The procedure referred to at subsection (5A) must provide that where technical problems prevent any member from casting a vote the meeting at which they are seeking to cast a vote will be void unless –
 - (i) agreed otherwise by the member seeking to cast the vote, or
 - (ii) an alternative voting procedure has been agreed by a majority of the members present at the meeting.”’.

Adran 54, tudalen 32, ar ôl llinell 14, mewnosoder –

- ‘(c) ar ôl is-adran (5) mewnosoder –



- “(5A) A local authority must prepare and publish on its website a procedure that it will follow to enable members in remote attendance to vote in the event that any of the facilities enabling remote attendance fail at a time when voting may be affected.
- (5B) The procedure referred to at subsection (5A) must provide that where technical problems prevent any member from casting a vote the meeting at which they are seeking to cast a vote will be void unless –
- (i) agreed otherwise by the member seeking to cast the vote, or
 - (ii) an alternative voting procedure has been agreed by a majority of the members present at the meeting.”.

Mark Isherwood **210**

Section 60, page 34, line 34, leave out ‘managing the performance’ and insert ‘the performance management’.

Nid oes angen diwygio’r fersiwn Cymraeg. There is no need to amend the Welsh version.

Mark Isherwood **211**

Section 60, page 34, after line 35, insert –

‘() In subsection (1) “performance management” means carrying out activities and processes, including but not limited to annual appraisals, that focus on maintaining and improving the performance of the chief executive of the council in line with the objectives of the council.’.

Adran 60, tudalen 34, ar ôl llinell 35, mewnosoder –

‘() Yn is-adran (1) ystyr “rheoli perfformiad” yw cynnal gweithgareddau a phrosesau, gan gynnwys, ond heb fod yn gyfyngedig iddynt, werthusiadau blynyddol, sy’n canolbwyntio ar gynnal a gwella perfformiad prif weithredwr y cyngor yn unol ag amcanion y cyngor.’.

Mark Isherwood **212**

Section 60, page 35, after line 10, insert –

‘() The Welsh Ministers must prepare and publish guidance relating to the arrangements under subsection (1) which, in particular, sets out appropriate methods of complying with subsection (1) and principal councils must have regard to such guidance.’.

Adran 60, tudalen 35, ar ôl llinell 11, mewnosoder –

‘() Rhaid i Weinidogion Cymru lunio a chyhoeddi canllawiau mewn perthynas â’r trefniadau o dan is-adran (1) sydd, yn benodol, yn nodi dulliau priodol o gydymffurfio ag is-adran (1) a rhaid i brif gynghorau roi sylw i’r cyfryw ganllawiau.’.



Mark Isherwood

213

Page 50, after line 30, insert a new section –

[] Consultation requirements

- (1) Before exercising any of its functions, a corporate joint committee must create relevant and meaningful opportunities for local people and local community based organisations to be involved in the exercise of its functions.
- (2) For the purposes of this section –
 - (a) “asset based community development” (“*datblygiad cymunedol sy’n seiliedig ar asedau*”) means empowering local communities by mobilising local people to utilise existing community strengths to develop more sustainable communities,
 - (b) “involved” (“*cynnwys*”) requires a corporate joint committee to work with and be open to influence from local people and local community based organisations from an early stage and to support such local people and local community based organisations to remain involved throughout all design, implementation and evaluation processes in ways which are relevant, meaningful, accessible and inclusive, and
 - (c) “local community based organisation” (“*sefydliad lleol yn y gymuned*”) means a voluntary or not-for-profit organisation set up and run by people in a particular geographical area to promote the wellbeing and interests of local residents in a diverse number of ways, which seeks out and listens to the needs and views of local people, championing and advocating on their behalf and provides services and activities for the community, working closely in partnership with public, private and third sector organisations locally to promote asset based community development.’.

Tudalen 50, ar ôl llinell 31, mewnosoder adran newydd –

[] Gofynion yr ymgynghoriad

- (1) Cyn arfer unrhyw un o’i swyddogaethau, rhaid i gyd-bwyllgor corfforedig greu cyfleoedd perthnasol ac ystyrlon i bobl leol a sefydliadau lleol yn y gymuned gael eu cynnwys wrth arfer ei swyddogaethau.
- (2) At ddibenion yr adran hon –
 - (a) mae “cynnwys” (“*involved*”) yn ei gwneud yn ofynnol i brif gynghorau weithio gyda phobl leol a sefydliadau lleol yn y gymuned ac i fod yn agored i ddylanwad ganddynt yn gynnar ac i gefnogi pobl leol a sefydliadau lleol yn y gymuned i gael eu cynnwys drwy’r prosesau dylunio, gweithredu a gwerthuso mewn ffyrdd sydd yn berthnasol, yn ystyrlon, yn hygyrch ac yn gynhwysol,
 - (b) ystyr “datblygiad cymunedol sy’n seiliedig ar asedau” (“*asset based community development*”) yw grymuso cymunedau lleol trwy gynnull pobl leol i ddefnyddio cryfderau cymunedol sy’n bodoli eisoes er mwyn datblygu cymunedau sy’n fwy cynaliadwy, ac



- (c) ystyr “sefydliad lleol yn y gymuned” (“*local community based organisation*”) yw sefydliad gwirfoddol neu sefydliad di-elw sydd wedi ei sefydlu ac sy’n cael ei redeg gan bobl mewn ardal ddaearyddol i hybu llesiant a buddiannau preswylwyr lleol mewn nifer o ffyrdd amrywiol, sy’n mynd ati i ganfod safbwyntiau ac anghenion pobl leol ac yn gwranddo arnynt, sy’n hyrwyddo ac yn eirioli ar eu rhan ac sy’n darparu gwasanaethau a gweithgareddau ar gyfer y gymuned, gan weithio mewn perthynas agos â sefydliadau cyhoeddus, preifat a thrydydd sector yn lleol i hybu datblygiad cymunedol sy’n seiliedig ar asedau.’.

Mark Isherwood

214

Page 51, after line 3, insert a new section –

[] Corporate Joint Committees which includes an area designated as a National Park

A Corporate Joint Committee which includes an area designated as a National Park is not permitted to take any measures that override or impact on the statutory functions of the National Park Authority.’.

Tudalen 51, ar ôl llinell 3, mewnosoder adran newydd –

[] Cyd-bwyllgorau Corfforedig sy’n cynnwys ardal a ddynodwyd yn Barc Cenedlaethol

Ni chaniateir i Gyd-bwyllgor Corfforedig sy’n cynnwys ardal a ddynodwyd yn Barc Cenedlaethol gymryd unrhyw fesurau sy’n gwrthwneud swyddogaethau statudol yr Awdurdod Parc Cenedlaethol neu sy’n effeithio ar y swyddogaethau hynny.’.

Mark Isherwood

215

Section 93, page 54, after line 31, insert –

- ‘(3) Regulations made under subsection (1) in connection with appointment of members to a panel must make provision for a member of either a town or community council or both (where appropriate) to be appointed to the panel.’.

Adran 93, tudalen 54, ar ôl llinell 33, mewnosoder –

- ‘(3) Rhaid i reoliadau a wneir o dan is-adran (1) mewn cysylltiad â phenodi aelodau i banel wneud darpariaeth i aelod o gyngor tref neu gyngor cymuned neu’r ddau (pan fo’n briodol) gael ei benodi i’r panel.’.

Mark Isherwood

216

Page 70, line 21, leave out section 125.

Tudalen 70, llinell 24, hepgorer adran 125.



Mark Isherwood 217

Page 100, line 18, leave out section 162.

Tudalen 100, llinell 20, hepgorer adran 162.

Mark Isherwood 218

Page 103, after line 27, insert a new section –

[] Compensation for Principal Councils

The Welsh Ministers must reimburse principal councils for any costs they may incur that arise directly as a result of provisions contained within this Act.’

Tudalen 103, ar ôl llinell 26, mewnosoder adran newydd –

[] Iawndal i Brif Gyngorau

Rhaid i Weinidogion Cymru ad-dalu prif gyngorau am unrhyw gostau y gallent eu hysgwyddo sy’n codi’n uniongyrchol o ganlyniad i ddarpariaethau sydd wedi’u cynnwys yn y Ddeddf hon.’

Mark Isherwood 219

Section 171, page 108, line 21, leave out ‘sections 26 to’ and insert ‘section’.

Adran 171, tudalen 108, llinell 21, hepgorer ‘adrannau 26 i’ a mewnosoder ‘adran’.

Mark Isherwood 220

Section 171, page 109, leave out line 16.

Adran 171, tudalen 109, hepgorer llinell 17.

Mark Isherwood 221

Schedule 2, page 120, leave out lines 11 to 15.

Atodlen 2, tudalen 120, hepgorer llinellau 11 hyd at 15.

Mark Isherwood 222

Schedule 2, page 120, leave out –

‘(8) In section 46 (further provision as to local election voting) –



- (a) in subsection (1), after “area”, where it first occurs, insert “in England”;
 - (b) in subsection (2), after “election” insert “in England”;
 - (c) in the heading, after “voting” insert “in England”.
- (9) After section 46 insert –

“46A Further provision as to local election voting in Wales

- (1) Subsection (2) applies to a local government election for an electoral area in Wales where a simple majority system applies.
- (2) An elector or person acting as proxy for an elector –
 - (a) may not give more than one vote for any one candidate;
 - (b) may not give more votes in all than the total number of councillors to be elected for the electoral ward.
- (3) Subsection (4) applies to an election for an electoral ward of a county council or county borough council in Wales where a single transferable vote system applies.
- (4) An elector or a person acting as proxy for an elector may not give more than one vote (whether as first preference or any subsequent preference) for any one candidate.
- (5) No person is subject to an incapacity to vote at a local government election in Wales by reason of the fact that the person is, or is acting as, the returning officer at that election.”

Atodlen 2, tudalen 120, hepgorer –

- (8) Yn adran 46 (darpariaeth bellach o ran pleidleisio mewn etholiad lleol) –
- (a) yn is-adran (1), ar ôl “area”, yn y lle cyntaf y maé’n digwydd, mewnosoder “in England”;
 - (b) yn is-adran (2), ar ôl “election” mewnosoder “in England”;
 - (c) yn y pennawd, ar ôl “voting” mewnosoder “in England”.
- (9) Ar ôl adran 46 mewnosoder –

“46A Further provision as to local election voting in Wales

- (1) Subsection (2) applies to a local government election for an electoral area in Wales where a simple majority system applies.
- (2) An elector or person acting as proxy for an elector –
 - (a) may not give more than one vote for any one candidate;
 - (b) may not give more votes in all than the total number of councillors to be elected for the electoral ward.
- (3) Subsection (4) applies to an election for an electoral ward of a county council or county borough council in Wales where a single transferable vote system applies.



- (4) An elector or a person acting as proxy for an elector may not give more than one vote (whether as first preference or any subsequent preference) for any one candidate.
- (5) No person is subject to an incapacity to vote at a local government election in Wales by reason of the fact that the person is, or is acting as, the returning officer at that election.”

Mark Isherwood

223

Schedule 2, page 122, leave out lines 1 to 5.

Atodlen 2, tudalen 122, hepgorer llinellau 1 hyd at 5.

Mark Isherwood

224

Schedule 2, page 125, after line 15, insert –

‘(4) In regulation 93, for subsection (2) substitute –

“(2) The edited register shall omit the name and address of any elector whose details are included in the full register, if –

- (a) a request has been duly made to the registration officer in accordance with regulation 26 or regulation 93A by that elector for his name and address to be excluded from the edited register, or
- (b) that elector has been registered without an application under section 9ZA of the 1983 Act.”.

Atodlen 2, tudalen 125, ar ôl llinell 16, mewnosoder –

‘(4) Yn rheoliad 93, yn lle is-adran (2) rhodder –

“(2) The edited register shall omit the name and address of any elector whose details are included in the full register, if –

- (a) a request has been duly made to the registration officer in accordance with regulation 26 or regulation 93A by that elector for his name and address to be excluded from the edited register, or
- (b) that elector has been registered without an application under section 9ZA of the 1983 Act.”.

