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Llywodraeth Cymru
Welsh Government

Our ref : MA-L/KS0329/15

All Assembly Members
National Assembly For Wales
Cardiff Bay
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25 January 2016

Dear colleague,

Historic Environment (Wales) Bill - Government Amendments

I am writing to inform you of the Government amendments which have been tabled today for Stage 3 of the Historic Environment (Wales) Bill. A table of proposed amendments is enclosed, which includes an explanation of their purpose and effect.

I trust you will find this information helpful.

*Yours sincerely,
Jane*

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Y Gweinidog Cyllid a Busnes y Llywodraeth
Minister for Finance and Government Business

HISTORIC ENVIRONMENT (WALES) BILL — STAGE 3 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Ken Skates AM, Deputy Minister for Culture, Sport and Tourism on 22 January 2016

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
17	Long title, page 1, line 3, after 'gardens', insert 'and a list of historic place names'.	Teitl hir, tudalen 1, llinell 3, ar ôl 'hanesyddol', mewnosoder 'a rhestr o enwau lleoedd hanesyddol'.	<p>The purpose of this amendment is to alter the long title of the Bill so that it reflects the content of the legislation in light of amendments introduced at Stage 2.</p> <p>The effect of this amendment is to include reference to the statutory list of historic place names, which was introduced by an amendment at Stage 2, in the Bill's long title.</p>
18	Long title, page 1, line 3, leave out 'require local planning authorities to establish historic environment records relating to their' and insert 'establish historic environment records for local authority'.	Teitl hir, tudalen 1, llinell 3, hepgorer 'i'w gwneud yn ofynnol i awdurdodau cynllunio lleol sefydlu cofnodion amgylchedd hanesyddol sy'n ymwneud â'u hardaloedd' a mewnosoder 'i sefydlu cofnodion amgylchedd hanesyddol ar gyfer ardaloedd awdurdod lleol'.	<p>The purpose of this amendment is to alter the long title of the Bill so that it reflects the content of the legislation in light of amendments proposed at Stage 3.</p> <p>The effect of this amendment is to remove reference to the role of local planning authorities in the establishment of historic environment records to reflect changes introduced by amendment 24 below, which places the duty to compile and keep up to date the historic environment records on the Welsh Ministers.</p>
19	Section 1, page 1, after line 20, insert— '() for the compilation of a list of historic place names in Wales (section 33),'.	Adran 1, tudalen 1, ar ôl llinell 21, mewnosoder— '() ar gyfer llunio rhestr o enwau lleoedd hanesyddol yng Nghymru (adran 33),'.	<p>The purpose of this amendment is to update the overview of the Bill so that it reflects the content of the legislation in light of amendments introduced at Stage 2.</p> <p>The effect of this amendment is to include reference to the statutory list of historic place names, which was introduced by an amendment at Stage 2, in the</p>

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20	Section 1, page 1, line 21, leave out ‘each local planning authority in Wales to prepare and publish a historic environment record relating to its area’ and insert ‘the compilation of a historic environment record for each local authority area in Wales’.	Adran 1, tudalen 1, llinell 22, hepgorer ‘i bob awdurdod cynllunio lleol yng Nghymru lunio a chyhoeddi cofnod amgylchedd hanesyddol sy’n ymwneud â’i ardal’ a mewnosoder ‘ar gyfer llunio cofnod amgylchedd hanesyddol ar gyfer pob ardal awdurdod lleol yng Nghymru’.	overview of Part 4. The purpose of this amendment is to update the overview of the Bill so that it reflects the content of the legislation in light of amendments proposed for Stage 3. The effect of this amendment is to remove reference to the role of local planning authorities in the establishment of historic environment records to reflect changes introduced by amendment 24 below, which places the duty to compile and keep up to date the historic environment records on the Welsh Ministers.
21	Section 4, page 7, after line 34, insert— () In section 51 of that Act (ecclesiastical property), in subsection (3), after “under section” insert “1AD,”.	Adran 4, tudalen 7, ar ôl llinell 35, mewnosoder— () Yn adran 51 o’r Ddeddf honno (eiddo eglwysig), yn is-adran (3), ar ôl “under section” mewnosoder “1AD,”.	The purpose of this amendment is to include new section 1AD of the 1979 Act (Compensation for loss or damage caused by interim protection) amongst the provisions to which section 51(3) of that Act applies. The effect of this amendment is to specify how any compensation for loss or damage caused by interim protection for a monument on land that is ecclesiastical property should be paid. This will preserve the policy intention that any compensation in respect of ecclesiastical property should be paid to the relevant Diocesan Board of Finance.
22	Section 13, page 20, after line 42, insert— (5) In section 51 of that Act (ecclesiastical property), in subsection (3), after “1AD,” (inserted by section 4) insert “9ZL,”.	Adran 13, tudalen 20, ar ôl llinell 42, mewnosoder— (5) Yn adran 51 o’r Ddeddf honno (eiddo eglwysig), yn is-adran (3), ar ôl “1AD,” (a fewnosodir gan adran 4) mewnosoder “9ZL,”.	The purpose of this amendment is to include new section 9ZL of the 1979 Act (Temporary stop notice: compensation) amongst the provisions to which section 51(3) of that Act applies. The effect of this amendment is to specify how any compensation arising from the service of a temporary stop notice on a scheduled monument on land that is ecclesiastical property should be paid. This will

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			preserve the policy intention that any compensation in respect of ecclesiastical property should be paid to the relevant Diocesan Board of Finance.
23	Section 26, page 33, line 36, leave out ‘after “sections 3,” insert ‘‘ and insert ‘for “sections 3,” substitute “sections 2B, 3,’.	Adran 26, tudalen 33, llinell 40, hepgorer ‘ar ôl “sections 3,” mewnosoder ‘‘ a mewnosoder ‘yn lle “sections 3,” rhodder “sections 2B, 3,’.	<p>The purpose of this amendment is to include new section 2B (Interim protection pending certain listing decisions) of the 1990 Act amongst those provisions that are excepted from application to scheduled monuments under section 61 of that Act.</p> <p>The effect of this amendment is to prevent the operation of interim protection on any building that is for the time being included in the schedule of monuments compiled and maintained under section 1 of the 1979 Act.</p>
24	<p>Page 44, line 8, leave out section 34 and insert—</p> <p>[] Historic environment records</p> <p>(1) The Welsh Ministers must compile and keep up to date a historic environment record for each local authority area in Wales.</p> <p>(2) A historic environment record is a record which provides—</p> <p>(a) details of every building in the authority’s area which is included in a list compiled or approved under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9),</p> <p>(b) details of every conservation area in the authority’s area which is designated under section 69 of that Act,</p> <p>(c) details of every monument in the</p>	<p>Tudalen 44, llinell 9, hepgorer adran 34 a mewnosoder—</p> <p>[] Cofnodion amgylchedd hanesyddol</p> <p>(1) Rhaid i Weinidogion Cymru lunio cofnod amgylchedd hanesyddol ar gyfer pob ardal awdurdod lleol yng Nghymru a’i gadw’n gyfredol.</p> <p>(2) Mae cofnod amgylchedd hanesyddol yn gofnod sy’n darparu—</p> <p>(a) manylion pob adeilad yn ardal yr awdurdod sydd wedi ei gynnwys mewn rhestr a lunnir neu a gymeradwyir o dan adran 1 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990 (p.9),</p> <p>(b) manylion pob ardal cadwraeth yn ardal yr awdurdod sydd wedi ei dynodi o dan adran 69 o’r Ddeddf honno,</p>	<p>The purpose of this amendment is to place a duty upon the Welsh Ministers to compile and keep up to date a historic environment record for each local authority in Wales.</p> <p>The effect of this amendment is to shift the duty for compiling and keeping up to date historic environment records from local planning authorities to the Welsh Ministers, who must make provision for a historic environment record for each local authority in Wales. With only minor alterations to accommodate the shift of duty, the amendment carries over earlier provisions of the Bill as amended at Stage 2 to specify the types of information that the historic environment records must provide and to permit the Welsh Ministers to vary the meaning of a historic environment record by regulations after appropriate consultation.</p>

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	<p>authority's area which is included in the Schedule compiled and maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979 (c.46),</p> <p>(d) details of each of the grounds in the authority's area which are included in the register of historic parks and gardens compiled and maintained under section 41A of that Act,</p> <p>(e) details of every conflict site in the authority's area which the Welsh Ministers consider to be of historic interest,</p> <p>(f) where a public authority (whether by itself or jointly with other persons) maintains a list of historic landscapes in Wales, details of every historic landscape in the local authority's area which is included in the list,</p> <p>(g) details of every world heritage site in the authority's area,</p> <p>(h) details of every other area or site or other place in the authority's area which the authority or the Welsh Ministers consider to be of local historic, archaeological or architectural interest,</p> <p>(i) information about the way in which the historic, archaeological or architectural development of the authority's area, or any part of it, has contributed to the</p>	<p>(c) manylion pob heneb yn ardal yr awdurdod sydd wedi ei chynnwys yn y Gofrestr a lunnir ac a gynhelir o dan adran 1 o Ddeddf Henebion Hynafol ac Ardaloedd Archaeolegol 1979 (p.46),</p> <p>(d) manylion pob un o'r tiroedd yn ardal yr awdurdod sydd wedi eu cynnwys yn y gofrestr o barciau a gerddi hanesyddol a lunnir ac a gynhelir o dan adran 41A o'r Ddeddf honno,</p> <p>(e) manylion pob safle gwrthdaro yn ardal yr awdurdod sydd o ddiddordeb hanesyddol ym marn Gweinidogion Cymru,</p> <p>(f) pan fo awdurdod cyhoeddus (pa un ai ar ei ben ei hun neu ar y cyd â phersonau eraill) yn cynnal rhestr o dirweddau hanesyddol yng Nghymru, fanylion pob tirwedd hanesyddol yn ardal yr awdurdod lleol sydd wedi ei chynnwys yn y rhestr,</p> <p>(g) manylion pob safle treftadaeth y byd yn ardal yr awdurdod,</p> <p>(h) manylion pob ardal neu safle arall neu fan arall yn ardal yr awdurdod sydd o ddiddordeb hanesyddol, archaeolegol neu bensaernïol lleol ym marn yr awdurdod neu Weinidogion Cymru,</p> <p>(i) gwybodaeth am y ffordd y mae datblygiad hanesyddol, archaeolegol neu bensaernïol ardal yr awdurdod,</p>	

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	<p>present character of the area or part and about how that character may be preserved,</p> <p>(j) details of relevant investigations carried out in the authority's area and of the findings of those investigations, and</p> <p>(k) a means of accessing details of every historic place name in the authority's area which is included in the list compiled and maintained under section 33.</p> <p>(3) In subsection (2)(e), "conflict site" means—</p> <p>(a) a battlefield or a site on which some other conflict involving military forces took place, or</p> <p>(b) a site on which significant activities relating to a battle or other such conflict as is mentioned in paragraph (a) occurred.</p> <p>(4) In subsection (2)(f), "public authority" means a person certain of whose functions are functions of a public nature.</p> <p>(5) In subsection (2)(g), "world heritage site" means a site or other place or other thing which is cultural heritage or natural heritage within the meaning of the World Heritage Convention and is included in the World Heritage List mentioned in Article 11 of that Convention.</p> <p>(6) In subsection (5), "the World Heritage Convention" means the Convention concerning</p>	<p>neu unrhyw ran ohoni, wedi cyfrannu at gymeriad presennol yr ardal neu'r rhan a sut y gellir diogelu'r cymeriad hwnnw,</p> <p>(j) manylion ymchwiliadau perthnasol a gynhelir yn ardal yr awdurdod a manylion canfyddiadau'r ymchwiliadau hynny, a</p> <p>(k) dull o gael mynediad i fanylion pob enw lle hanesyddol yn ardal yr awdurdod sydd wedi ei gynnwys yn y rhestr a lunnir ac a gynhelir o dan adran 33.</p> <p>(3) Yn is-adran (2)(e), ystyr "safle gwrthdaro" yw—</p> <p>(a) maes brwydr neu safle lle y digwyddodd rhyw wrthdaro arall a oedd yn cynnwys lluoedd arfog, neu</p> <p>(b) safle lle y digwyddodd gweithgareddau sylweddol a oedd yn ymwneud â brwydr neu unrhyw wrthdaro arall a grybwyllir ym mharagraff (a).</p> <p>(4) Yn is-adran (2)(f), ystyr "awdurdod cyhoeddus" yw person y mae rhai o'i swyddogaethau yn swyddogaethau o natur gyhoeddus.</p> <p>(5) Yn is-adran (2)(g), ystyr "safle treftadaeth y byd" yw safle neu fan arall neu beth arall sy'n dreftadaeth ddiwylliannol neu'n dreftadaeth naturiol o fewn yr ystyr a roddir i "cultural heritage" a "natural heritage" yng Nghonfensiwn Treftadaeth y Byd ac sydd wedi ei gynnwys yn Rhestr Treftadaeth y Byd a</p>	

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	<p>the Protection of the World Cultural and Natural Heritage adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organisation at Paris on 16 November 1972.</p> <p>(7) In subsection (2)(h), the reference to a local authority's area includes, in the case of an authority whose area includes part of the seashore, a reference to any part of the territorial sea that lies seawards from that part of the shore and forms part of Wales (within the meaning given by the Government of Wales Act 2006 (c.32)).</p> <p>(8) In subsection (2)(j), "relevant investigation", in relation to a local authority's area, means —</p> <ul style="list-style-type: none"> (a) an investigation by the authority or the Welsh Ministers for the purpose of obtaining information of historic, archaeological or architectural interest relating to the area, and (b) any other investigation for that purpose which the Welsh Ministers consider appropriate to include in the record. <p>(9) The Welsh Ministers may by regulations amend this section so as to vary the meaning of "historic environment record".</p> <p>(10) Before making regulations under subsection (9), the Welsh Ministers must consult—</p> <ul style="list-style-type: none"> (a) each local authority in Wales, and (b) such other persons as the Welsh Ministers consider appropriate. 	<p>grybwyllir yn Erthygl 11 o'r Confensiwn hwnnw.</p> <p>(6) Yn is-adran (5), ystyr "Confensiwn Treftadaeth y Byd" yw'r Confensiwn ynghylch Diogelu Treftadaeth Ddiwylliannol a Naturiol y Byd a fabwysiadwyd gan Gynhadledd Gyffredinol Sefydliad Addysg, Gwyddoniaeth a Diwylliant y Cenhedloedd Unedig ym Mharis ar 16 Tachwedd 1972.</p> <p>(7) Yn is-adran (2)(h), mae'r cyfeiriad at ardal awdurdod lleol yn cynnwys, yn achos awdurdod y mae ei ardal yn cynnwys rhan o lan y môr, gyfeiriad at unrhyw ran o'r môr tiriogaethol sy'n gorwedd tua'r môr o'r rhan honno o'r lan ac sy'n rhan o Gymru (o fewn yr ystyr a roddir i "Wales" gan Ddeddf Llywodraeth Cymru 2006 (p.32)).</p> <p>(8) Yn is-adran (2)(j), ystyr "ymchwiliad perthnasol", mewn perthynas ag ardal awdurdod lleol, yw—</p> <ul style="list-style-type: none"> (a) ymchwiliad gan yr awdurdod neu Weinidogion Cymru at ddiben cael gwybodaeth o ddiddordeb hanesyddol, archaeolegol neu bensaernïol sy'n ymwneud a'r ardal, a (b) unrhyw ymchwiliad arall at y diben hwnnw y mae Gweinidogion Cymru yn ystyried ei bod yn briodol ei gynnwys yn y cofnod. <p>(9) Caiff Gweinidogion Cymru drwy reoliadau ddiwygio'r adran hon er mwyn amrywio ystyr "cofnod amgylchedd hanesyddol".</p> <p>(10) Cyn gwneud rheoliadau o dan is-adran (9),</p>	

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	<p>(11) For the purposes of this section, an area or site or other place or other thing is to be regarded as being in a local authority's area if any part of it is in the area.</p> <p>(12) In this section and in section 37, "local authority" means a county council or a county borough council.'</p>	<p>rhaid i Weinidogion Cymru ymgynghori—</p> <p>(a) â phob awdurdod lleol yng Nghymru, a</p> <p>(b) ag unrhyw bersonau eraill sy'n briodol ym marn Gweinidogion Cymru.</p> <p>(11) At ddibenion yr adran hon, mae ardal neu safle neu fan arall neu beth arall i'w ystyried fel pe bai mewn ardal awdurdod lleol os yw unrhyw ran o'r ardal, y safle, y man arall neu'r peth arall yn yr ardal.</p> <p>(12) Yn yr adran hon ac yn adran 37, ystyr "awdurdod lleol" yw cyngor sir neu gyngor bwrdeistref sirol.'</p>	
25	<p>Section 35, page 45, line 40, leave out—</p> <p>'(1) A local planning authority—</p> <p>(a) must make its historic environment record available for public inspection in such manner as it considers appropriate;</p> <p>(b) must, where a person requests a copy of part of the authority's historic environment record or details accessed by means of the record and it appears to the authority that the request is reasonable, provide the person with a copy of that part of the record or those details;</p> <p>(c) must make available to a person wishing to inspect its historic environment record advice on or assistance with retrieving and</p>	<p>Adran 35, tudalen 45, llinell 41, hepgorer—</p> <p>'awdurdod cynllunio lleol—</p> <p>(a) rhoi ei gofnod amgylchedd hanesyddol ar gael er mwyn i'r cyhoedd edrych arno mewn unrhyw fodd sy'n briodol yn ei farn ef;</p> <p>(b) pan fo person yn gofyn am gopi o ran o gofnod amgylchedd hanesyddol yr awdurdod neu fanylion y ceir mynediad iddynt drwy'r cofnod ac y mae'n ymddangos i'r awdurdod fod y cais yn rhesymol, ddarparu copi o'r rhan honno o'r cofnod neu'r manylion hynny i'r person;</p> <p>(c) rhoi ar gael i berson sy'n dymuno edrych ar ei gofnod amgylchedd hanesyddol gyngor ar adalw a deall yr wybodaeth sydd wedi ei darparu yn y</p>	<p>The purpose of this amendment is to specify the Welsh Ministers' responsibilities for providing access to each historic environment record. These responsibilities are placed on the Welsh Ministers, rather than on local planning authorities, in consequence of the changes introduced by amendment 24.</p> <p>The effect of this amendment is to place a duty on the Welsh Ministers to make each historic environment record available for public inspection. It also requires the Welsh Ministers to provide advice and assistance on retrieving and understanding information from the historic environment record and to comply with reasonable requests for the provision of information contained in or accessed by means of a historic environment record. The amendment also permits the Welsh Ministers to make reasonable charges for certain services.</p>

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	<p>understanding information provided in the record or accessed by means of the record;</p> <p>(d) must, where a person requests the retrieval of information provided in the authority's historic environment record or accessed by means of the record and it appears to the authority that the request is reasonable, compile for the person a document containing the information.</p> <p>(2) In assessing for the purposes of subsection (1)(b) or (d) whether a request is reasonable, the matters which the authority may take into account include any previous such requests made by or on behalf of the person concerned.</p> <p>(3) A local planning authority'</p> <p>and insert—</p> <p>'() The Welsh Ministers—</p> <p>(a) must make each historic environment record available for public inspection in such manner as they consider appropriate;</p> <p>(b) must, where a person requests a copy of part of a historic environment record or details accessed by means of such a record, and it appears to the Welsh Ministers that the request is reasonable, provide the person with a copy of that part of the record or those details;</p> <p>(c) must make available to a person</p>	<p>cofnod neu y ceir mynediad iddi drwy'r cofnod neu gynhorthwy i wneud hynny;</p> <p>(d) pan fo person yn gofyn i wybodaeth sydd wedi ei darparu yng nghofnod amgylchedd hanesyddol yr awdurdod neu y ceir mynediad iddi drwy'r cofnod gael ei hadalw ac y mae'n ymddangos i'r awdurdod fod y cais yn rhesymol, lunio dogfen sy'n cynnwys yr wybodaeth i'r person.</p> <p>(2) Wrth asesu at ddibenion is-adran (1)(b) neu (d) a yw cais yn rhesymol, mae'r materion y caiff yr awdurdod eu hystyried yn cynnwys unrhyw geisiadau blaenorol o'r fath a wnaed gan y person o dan sylw neu ar ei ran.</p> <p>(3) Caiff awdurdod cynllunio lleol'</p> <p>a mewnosoder—</p> <p>'Weinidogion Cymru—</p> <p>(a) rhoi pob cofnod amgylchedd hanesyddol ar gael er mwyn i'r cyhoedd edrych arno mewn unrhyw fodd sy'n briodol yn eu barn hwy;</p> <p>(b) pan fo person yn gofyn am gopi o ran o gofnod amgylchedd hanesyddol neu fanylion y ceir mynediad iddynt drwy gofnod o'r fath, ac y mae'n ymddangos i Weinidogion Cymru fod y cais yn rhesymol, ddarparu copi o'r rhan honno o'r cofnod neu'r manylion hynny i'r person;</p> <p>(c) rhoi ar gael i berson sy'n dymuno</p>	

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	<p>wishing to inspect a historic environment record advice on or assistance with retrieving and understanding information provided in the record or accessed by means of the record;</p> <p>(d) must, where a person requests the retrieval of information provided in a historic environment record or accessed by means of such a record and it appears to the Welsh Ministers that the request is reasonable, compile for the person a document containing the information.</p> <p>() In assessing for the purposes of subsection (1)(b) or (d) whether a request is reasonable, the matters which the Welsh Ministers may take into account include any previous such requests made by or on behalf of the person concerned.</p> <p>() The Welsh Ministers’.</p>	<p>edrych ar gofnod amgylchedd hanesyddol gyngor ar adalw a deall yr wybodaeth sydd wedi ei darparu yn y cofnod neu y ceir mynediad iddi drwy'r cofnod neu gynhorthwy i wneud hynny;</p> <p>(d) pan fo person yn gofyn i wybodaeth sydd wedi ei darparu mewn cofnod amgylchedd hanesyddol neu y ceir mynediad iddi drwy gofnod o'r fath gael ei hadalw ac y mae'n ymddangos i Weinidogion Cymru fod y cais yn rhesymol, lunio dogfen sy'n cynnwys yr wybodaeth i'r person.</p> <p>() Wrth asesu at ddibenion is-adran (1)(b) neu (d) a yw cais yn rhesymol, mae'r materion y caiff Gweinidogion Cymru eu hystyried yn cynnwys unrhyw geisiadau blaenorol o'r fath a wnaed gan y person o dan sylw neu ar ei ran.</p> <p>() Caiff Gweinidogion Cymru’.</p>	
26	Section 35, page 46, line 18, after 'copy', insert 'or details'.	Adran 35, tudalen 46, llinell 18, ar ôl 'copi', mewnosoder 'neu fanylion'.	<p>The purpose of this amendment is to ensure that section 35(3)(a) of the Bill accurately refers to the types of information that a person may request from a historic environment record.</p> <p>The effect of this amendment is to permit the Welsh Ministers to make a charge for the provision of a copy of material contained in a historic environment record or details accessed by means of that record.</p>
27	Page 46, line 24, leave out section 36.	Tudalen 46, llinell 24, hepgorer adran 36.	The purpose of this amendment is to remove section 36, which will be rendered redundant by amendment

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			<p>24.</p> <p>The effect of this amendment is to delete the provisions for the discharge of a local planning authority's historic environment record functions.</p>
28	<p>Section 37, page 47, line 2, leave out—</p> <p>‘on—</p> <ul style="list-style-type: none"> (a) the discharge of the duty under section 34 (including its discharge under arrangements of the kind referred to in section 36); (b) the discharge of the duty under section 35(1); (c) the exercise of the power under section 35(3). <p>(2) A local planning authority must have regard to guidance issued under this section.</p> <p>(3) Before issuing guidance under this section, the Welsh Ministers must consult—</p> <ul style="list-style-type: none"> (a) each local planning authority in Wales,’ <p>and insert—</p> <p>‘to the bodies listed in subsection (<i>first subsection to be inserted by this amendment</i>) on—</p> <ul style="list-style-type: none"> () the manner in which the bodies may contribute to the compilation of historic environment records and assist in keeping them up to date, and () the use of historic environment records in the exercise of the bodies’ 	<p>Adran 37, tudalen 47, llinell 2, hepgorer—</p> <p>‘ar—</p> <ul style="list-style-type: none"> (a) cyflawni'r ddyletswydd o dan adran 34 (gan gynnwys ei chyflawni o dan drefniadau o'r mathau y cyfeirir atynt yn adran 36); (b) cyflawni'r ddyletswydd o dan adran 35(1); (c) arfer y pŵer o dan adran 35(3). <p>(2) Rhaid i awdurdod cynllunio lleol roi sylw i ganllawiau a ddyroddir o dan yr adran hon.</p> <p>(3) Cyn dyroddi canllawiau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori—</p> <ul style="list-style-type: none"> (a) â phob awdurdod cynllunio lleol yng Nghymru, <p>a mewnosoder—</p> <p>‘i'r cyrff a restrir yn is-adran (<i>yr is-adran gyntaf sydd i'w mewnosod gan y gwelliant hwn</i>) ar—</p> <ul style="list-style-type: none"> () y modd y caiff y cyrff gyfrannu at lunio cofnodion amgylchedd hanesyddol a chynorthwyo i'w cadw'n gyfredol, a () y defnydd o gofnodion amgylchedd hanesyddol wrth arfer swyddogaethau'r cyrff. <p>() Y cyrff yw—</p> <ul style="list-style-type: none"> (a) awdurdodau lleol yng Nghymru; 	<p>The purpose of this amendment is to specify the character of the guidance on historic environment records that the Welsh Ministers must issue and to identify the bodies which must have regard to that guidance.</p> <p>The effect of this amendment is to oblige local and National Park authorities in Wales and Natural Resources Wales to have regard to the guidance on historic environment records that the Welsh Ministers must issue. The Welsh Ministers must consult with those bodies before issuing the guidance, which will cover how those bodies may contribute to the records and assist in keeping them up to date and how they should use the records in exercising their functions.</p>

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	<p>functions.</p> <p>() The bodies are—</p> <p>(a) local authorities in Wales;</p> <p>(b) National Park authorities in Wales;</p> <p>(c) Natural Resources Wales.</p> <p>() The bodies listed in subsection (<i>first subsection to be inserted by this amendment</i>) must have regard to guidance issued under this section.</p> <p>() Before issuing guidance under this section, the Welsh Ministers must consult—</p> <p>(a) the bodies listed in subsection (<i>first subsection to be inserted by this amendment</i>),’.</p>	<p>(b) awdurdodau Parciau Cenedlaethol yng Nghymru;</p> <p>(c) Cyfoeth Naturiol Cymru.</p> <p>() Rhaid i'r cyrff a restrir yn is-adran (<i>yr is-adran gyntaf sydd i'w mewnosod gan y gwelliant hwn</i>) roi sylw i ganllawiau a ddyroddir o dan yr adran hon.</p> <p>() Cyn dyroddi canllawiau o dan yr adran hon, rhaid i Weinidogion Cymru ymgynghori—</p> <p>(a) â'r cyrff a restrir yn is-adran (<i>yr is-adran gyntaf sydd i'w mewnosod gan y gwelliant hwn</i>),’.</p>	
29	<p>Section 40, page 50, after line 4, insert—</p> <p>() In subsection (4) of that section, after “sections 8(5), 26C,” insert “55(5B),”.’.</p>	<p>Adran 40, tudalen 50, ar ôl llinell 4, mewnosoder—</p> <p>() Yn is-adran (4) o'r adran honno, ar ôl “sections 8(5), 26C,” mewnosoder “55(5B),”.’.</p>	<p>The purpose of this amendment is to update section 93(4) of the 1990 Act to incorporate reference to new section 55(5B), which provides for the application of interest at a rate to be set by order of the Welsh Ministers to the recoverable costs for urgent works.</p> <p>The effect of this amendment is to specify that the power to make an order under section 55(5B) is exercisable by statutory instrument.</p>
30	<p>Section 40, page 50, line 5, after ‘section’, insert—</p> <p>‘—</p> <p>(a) after “an order under section” insert “55(5B),” , and’.</p>	<p>Adran 40, tudalen 50, llinell 5, ar ôl ‘honno’, mewnosoder—</p> <p>‘—</p> <p>(a) ar ôl “an order under section” mewnosoder “55(5B),” , a’.</p>	<p>The purpose of this amendment is to update section 93(5) of the 1990 Act to incorporate reference to new section 55(5B), which provides for the application of interest at a rate to be set by order of the Welsh Ministers to the recoverable costs for urgent works.</p> <p>The effect of this amendment is specify that any statutory instrument containing an order made by the Welsh Ministers under section 55(5B) will be subject</p>

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			to negative procedure in the National Assembly for Wales.
31	Section 41, page 50, line 35, leave out 'and 29 to' and insert ', 29, 30(1) to (5), 31 and'.	Adran 41, tudalen 50, llinell 36, hepgorer 'a 29 i' a mewnosoder ', 29, 30(1) i (5), 31 a'.	<p>The purpose of this amendment is to prevent section 30(6) from coming into effect at the end of the period of two months from Royal Assent.</p> <p>The effect of this amendment is to require an order by the Welsh Ministers to commence the provisions relating to the recovery of costs for urgent works contained in section 30(6).</p>
32	Schedule 1, page 53, line 20, leave out '(6)(e), (f) or (g)' and insert '(7)'.	Atodlen 1, tudalen 53, llinell 20, hepgorer '(6)(e), (f) or (g)' a mewnosoder '(7)'.	<p>The purpose of this amendment is to update paragraph 2(1)(b) of new Schedule A2 to the 1979 Act to reference new section 1AE(7) correctly following amendments at Stage 2.</p> <p>The effect of this amendment is to establish that any person appointed by the Welsh Ministers to undertake a review of a decision to schedule a monument will, in relation to that review, have the same powers and duties arising from regulations made under 1AE(7) as the Welsh Ministers.</p>