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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2015 Rhif 539 (Cy. 46)**

**2015 No. 539 (W. 46)**

**ARDRETHU A PHRSIO,  
CYMRU**

**RATING AND VALUATION,  
WALES**

**Rheoliadau Ardrethu Annomestig  
(Dyfrffyrdd) (Cymru) 2015**

**The Non-Domestic Rating  
(Waterways) (Wales) Regulations  
2015**

**NODYN ESBONIADOL**

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

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn yn darparu bod eiddo penodol y mae Canal & River Trust yn ei feddiannu, neu os nad yw'n cael ei feddiannu, yn berchen arno, i'w drin fel hereditament unigol at ddibenion ardrethu annomestig. Mae hefyd yn darparu bod Canal & River Trust i'w drin fel meddiannwr yr hereditament a'i fod i'w drin fel hereditament sydd wedi ei leoli yn ardal Cyngor Bwrdeistref Sirol Wrecsam.

These Regulations provide that certain property occupied or, if unoccupied, owned by Canal & River Trust is to be treated as a single hereditament for the purposes of non-domestic rating. It also provides that Canal & River Trust is to be treated as the occupier of the hereditament and that it is to be treated as situated in the area of Wrexham County Borough Council.

Mae Canal & River Trust yn gwmni cyfyngedig drwy warant a ffurfiwyd ac a gofrestrwyd o dan Ddeddf Cwmnïau 2006 (p. 46). Trosglwyddwyd swyddogaethau statudol Bwrdd Dyfrffyrdd Prydain, a oedd yn arferadwy mewn perthynas â Chymru a Lloegr, i Canal & River Trust gan Orchymyn Bwrdd Dyfrffyrdd Prydain (Trosglwyddo Swyddogaethau) 2012 (O.S. 2012/1659). Trosglwyddwyd eiddo, hawliau a rhwymedigaethau penodol Bwrdd Dyfrffyrdd Prydain i Canal & River Trust gan Gynllun Trosglwyddo Bwrdd Dyfrffyrdd Prydain 2012 a wnaed o dan Ddeddf Cyrff Cyhoeddus 2011.

Canal & River Trust is a company limited by guarantee formed and registered under the Companies Act 2006 (c. 46). The statutory functions of the British Waterways Board, exercisable in relation to England and Wales, were transferred to Canal & River Trust by the British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659). Certain property, rights and liabilities of the British Waterways Board were transferred to Canal & River Trust by the British Waterways Board Transfer Scheme 2012 made under the Public Bodies Act 2011.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, paratowyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth yr Is-adran Cyllid Llywodraeth Leol a Pherfformiad Gwasanaethau Cyhoeddus, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Local Government Finance and Public Services Performance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

**2015 Rhif 539 (Cy. 46)**

**ARDRETHU A PHRISIO,  
CYMRU**

**Rheoliadau Ardrethu Annomestig  
(Dyfrffyrdd) (Cymru) 2015**

*Gwnaed* 4 Mawrth 2015  
*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 6 Mawrth 2015  
*Yn dod i rym* 1 Ebrill 2015

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 64(3), 65(4) a 143(1) a (2) o Ddeddf Cyllid Llywodraeth Leol 1988 (1) ac a freiniwyd bellach ynddynt hwy(2).

**Enwi, cychwyn a chymhwyso**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Ardrethu Annomestig (Dyfrffyrdd) (Cymru) 2015 a deuant i rym ar 1 Ebrill 2015.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

**Dehongli**

2. Yn y Rheoliadau hyn mae cyfeiriad at Canal & River Trust yn gyfeiriad at y cwmni sy'n gofrestredig o dan yr enw hwnnw ar yr adeg y mae'r Rheoliadau hyn yn dod i rym(3).

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- (1) 1988 p. 41. Diwygiwyd adran 143(2) gan adran 139 o Ddeddf Llywodraeth Leol a Thai 1989 (p. 42) a pharagraffau 72 a 79(3) o Atodlen 5 iddi.
- (2) Trosglwyddwyd pwerau'r Ysgrifennydd Gwladol, o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weiniogion Cymru o dan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi. Mae adran 146(3) o Ddeddf 1988 yn darparu bod "prescribed", yng nghyd-destun rheoliadau, yn golygu wedi ei ragnodi gan y rheoliadau.
- (3) Mae Canal & River Trust yn gwmni cyfyngedig drwy warant a luniwyd ac a gofrestrwyd o dan Ddeddf Cwmnïau 2006 (p. 46).

**2015 No. 539 (W. 46)**

**RATING AND VALUATION,  
WALES**

**The Non-Domestic Rating  
(Waterways) (Wales) Regulations  
2015**

*Made* 4 March 2015  
*Laid before the National Assembly for Wales*  
6 March 2015  
*Coming into force* 1 April 2015

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by sections 64(3), 65(4), and 143(1) and (2) of the Local Government Finance Act 1988(1) and now vested in them(2).

**Title, commencement and application**

1.—(1) The title of these Regulations is the Non-Domestic Rating (Waterways) (Wales) Regulations 2015 and they come into force on 1 April 2015.

(2) These Regulations apply in relation to Wales.

**Interpretation**

2. In these Regulations a reference to Canal & River Trust is a reference to the company registered by that name at the time of the coming into force of these Regulations(3).

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- (1) 1988 c. 41. Section 143(2) was amended by section 139 of, and paragraph 72 and 79(3) of Schedule 5 to, the Local Government and Housing Act 1989 (c.42).
- (2) The powers of the Secretary of State were transferred, in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers under section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32). Section 146(3) of the 1988 Act provides that "prescribed", in the context of regulations, means prescribed by the regulations.
- (3) Canal & River Trust is a company limited by guarantee formed and registered under the Companies Act 2006 (c. 46).

## Hereditamentau dyfrffyrdd

3.—(1) Yn yr achosion a ragnodir ym mharagraff (2) mae'r hereditamentau a fyddai'n fwy nag un hereditament heblaw am y Rheoliadau hyn, yn cael eu trin fel un hereditament.

(2) Yr achosion y mae paragraff (1) yn cyfeirio atynt yw hereditamentau y mae Canal & River Trust yn eu meddiannu, neu os nad ydynt yn cael eu meddiannu, yn berchen arnynt—

(a) sy'n—

- (i) dyfrffyrdd (gan gynnwys toriadau a chwlffertau, lociau, clwydi, llifddorau, pypmiau, falffiau rhyddhau llif, dyfrffyrdd bwydo, sianelau, coredau, pyllau ochr, ffosydd a draeniau);
- (ii) dyfrbontydd, basnau, pontydd, argloddiau, argaeau a thwnelau;
- (iii) goleudai, goleufeydd, bwiau, torddyfroedd, lifftiau cychod a strwythurau eraill sydd wedi eu dylunio i hwyluso mordwyaeth;
- (iv) dociau, ceiau, pierau, glanfeydd, pontynau, angorfeydd, llithrfeydd, tir ac adeiladau a ddefnyddir ar gyfer adeiladu a chynnal a chadw badau neu storio badau ar ddŵr, neu ar gyfer darparu, cynnal a chadw neu wasanaethu dyfrffyrdd mewndirol a chyfarpar neu beiriannau a ddefnyddir mewn cysylltiad â hynny;
- (v) pyllau clai, tipiau treillio neu dipiau gwaredu gwastraff eraill; neu
- (vi) tir, adeiladau neu strwythurau eraill neu rannau o adeiladau neu strwythurau a ddefnyddir i ddarparu neu wasanaethu cyfleusterau ar gyfer mordwyo ar ddyfrffyrdd mewndirol, mynediad y cyhoedd iddynt a'u mwynhad ohonynt, neu at ddibenion ategol; a

(b) nad ydynt yn hereditamentau a eithrir.

(3) Ym mharagraff (2) ystyr "hereditament a eithrir" yw unrhyw hereditament—

- (a) sy'n ymgymeriad doc neu harbwr, neu'n cynnwys ymgymeriad o'r fath, a gynhelir o dan awdurdod a roddir gan unrhyw ddeddfiad, neu oddi tani;
- (b) sy'n fangre a roddir ar osod yn y fath fodd fel ei bod yn bosibl ei hasesu ar wahân;
- (c) sy'n fangre a ddefnyddir yn gyfan gwbl neu'n bennaf fel mangre swyddfa, pan nad yw'r fangre honno wedi ei lleoli ar dir gweithredol Canal & River Trust; neu

## Waterways hereditaments

3.—(1) In the cases prescribed in paragraph (2) the hereditaments that apart from these Regulations would be more than one hereditament, are treated as one hereditament.

(2) The cases to which paragraph (1) refers are hereditaments occupied or, if unoccupied, owned, by Canal & River Trust that—

(a) comprise—

- (i) waterways (including cuts and culverts, locks, gates, sluices, pumps, flood let-off valves, feeders, conduits, weirs, side ponds, ditches and drains);
- (ii) aqueducts, basins, bridges, embankments, reservoirs and tunnels;
- (iii) lighthouses, beacons, buoys, breakwaters, boatlifts and other structures designed to aid navigation;
- (iv) docks, wharves, piers, jetties, pontoons, moorings, slipways, land and buildings used for the building, maintenance or floating storage of craft, or for the provision, maintenance or servicing of inland waterways and plant or machinery used in connection therewith;
- (v) clay pits, dredging or other waste disposal tips; or
- (vi) other land, buildings or structures or parts of buildings or structures used for the provision or servicing of facilities for traffic by, public access to, or enjoyment of, inland waterways, or for ancillary purposes; and

(b) are not excepted hereditaments.

(3) In paragraph (2) "excepted hereditament" means any hereditament—

- (a) consisting of or including a dock or harbour undertaking carried on under authority conferred by or under any enactment;
- (b) consisting of premises so let out as to be capable of separate assessment;
- (c) consisting of premises used wholly or mainly as office premises, where those premises are not situated on operational land of Canal & River Trust; or

(d) sy'n faes parcio a ddefnyddir yn gyfan gwbl neu'n bennaf mewn cysylltiad â mangre swyddfa, pan nad yw'r fangre honno wedi ei lleoli ar dir gweithredol Canal & River Trust.

(4) Mae'r hereditament a ddisgrifir ym mharagraff (1) yn cael ei drin fel hereditament—

- (a) a feddiennir gan Canal & River Trust; a
- (b) a leolir yn ardal Cyngor Bwrdeistref Sirol Wrecsam.

(d) consisting of a car park used wholly or mainly in connection with office premises, where those premises are not situated on operational land of Canal & River Trust.

(4) The hereditament described in paragraph (1) is treated—

- (a) as occupied by Canal & River Trust; and
- (b) as situated in the area of Wrexham County Borough Council.

*Leighton Andrews*

Y Gweinidog Gwasanaethau Cyhoeddus, un o Weinidogion Cymru

4 Mawrth 2015

Minister for Public Services, one of the Welsh Ministers

4 March 2015

