STATUTORY INSTRUMENTS

1984 No. 1782

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Alyn and Deeside (Communities) Order 1984

Made - - - - -	12*th November* 1984
Coming into Operation—	
For the purposes described in article 2 - - - - -	1*st January* 1985
For all other purposes - - - -	1*st April* 1985

Whereas the Local Government Boundary Commission for Wales, under paragraph 6 of Schedule 10 to the Local Government Act 1972(a), made proposals to the Secretary of State for Wales in relation to communities in the District of Alyn and Deeside:

Now, therefore, the Secretary of State for Wales, in exercise of his powers under paragraph 7 of the said Schedule and section 67(4) and (5) of the said Act as applied by paragraph 9 of the said Schedule, and of all other powers enabling him in that behalf, hereby makes the following order giving effect to the said proposals with modifications:—

Title and commencement

1. This order may be cited as the Alyn and Deeside (Communities) Order 1984.

2. 1st January 1985 is hereby specified as the day on which this order shall come into operation for any purposes set out in regulation 4(1) (Coming into operation of order) of the Regulations.

For all other purposes this order shall come into operation on the appointed day.

(a) 1972 c. 70.

Interpretation

3. In this order—

"the appointed day" means 1st April 1985;

"as altered" means as altered by the Glyndŵr (Communities) Order 1984(a) and this order;

"new community" means a community constituted by this order;

"new community council" means a community council established by this order;

"new community ward" means a community ward formed by this order;

"the Regulations" means the Local Government Area Changes Regulations 1976(b) as amended by the Local Government Area Changes (Amendment) Regulations 1978(c); and

"Schedule 1", "Schedule 2" and "Schedule 3" mean Schedule 1, Schedule 2 and Schedule 3 to this order.

The boundary map

4.—(1) In this order, "the boundary map" means the map issued by the Welsh Office and marked "Boundary map of the Alyn and Deeside (Communities) Order 1984". The sheets of the boundary map are respectively marked with the numbers 1 to 13 and are in this order referred to by such numbers.

(2) Regulation 5(3)*(a)*(ii) of the Regulations (which requires the supply of prints of maps referred to in orders to the Secretary of State for Social Services) shall not apply.

Changes in districts

5.—(1) Those areas which are described in column (1) of Schedule 1 shall be transferred to the Borough of Delyn and, in so far as communities, electoral divisions of the County of Clwyd, wards of the said borough or of communities and petty sessional divisions are specified in respect thereof in columns (2) to (6), be transferred to or form part of such areas.

(2) The following areas, namely—

in the Borough of Delyn, those parts of the communities of Leeswood, Mold Rural and Northop shown coloured red and respectively numbered B2 on sheet 10 and B3 and B4 on sheet 3 of the boundary map; and

in the Borough of Wrexham Maelor, that part of the Community of Brymbo shown coloured red and numbered B1 on sheets 10, 11 and 13 of the boundary map,

shall be transferred to the District of Alyn and Deeside.

(3) The other boundaries of the District of Alyn and Deeside with the

(a) S.I. 1984/739.
(b) S.I. 1976/246.
(c) S.I. 1978/247.

Boroughs of Delyn and Wrexham Maelor shall be such boundaries as shown by the relevant continuous red lines (and the projection of one such line) on the boundary map.

(4) *(a)* Sub-paragraphs *(b)* to *(e)* shall apply in the Borough of Delyn or Wrexham Maelor.

(b) Any community or community ward boundary meeting a boundary displaced by paragraph (3) shall be continued to the new boundary thereby established in the shortest possible distance.

(c) Any area added to the borough by paragraph (3) to which *(b)* does not apply shall form part of the community which it adjoins.

(d) Any area added to the borough by paragraph (3) to which *(b)* does not apply in its application to community ward boundaries shall form part of the community ward, if any, which it adjoins.

(e) Any alteration of a community ward, or of a community not divided into community wards, made by this paragraph shall extend to the electoral division of a county, ward of the borough, petty sessional division and coroner's district in which the community ward or the community, as the case may be, is situated.

(5) Any provision of paragraphs (1) and (4), and any other provision of this order in relation to petty sessional divisions, shall not have effect in relation to communities, community wards, petty sessional divisions and coroners' districts in the Borough of Delyn or Wrexham Maelor if any order under the powers recited in this order is made relating to such borough and coming into operation (otherwise than for the purposes first described in article 2) on the appointed day.

Communities

6. In the District of Alyn and Deeside as altered—

(1) the seven communities of Buckley, Connah's Quay, Higher Kinnerton, Hope, Llanfynydd, Sealand and Treuddyn shall continue;

(2) the Community of East Saltney shall continue but shall be renamed and is hereinafter referred to as Saltney;

(3) the two existing communities of Hawarden and West Saltney shall be abolished;

(4) five new communities to be known as Broughton, Hawarden, Penyffordd, Queensferry and Shotton shall be constituted; and

(5) the communities named in paragraphs (1), (2) and (4) shall consist of the areas shown by the relevant continuous red lines (and the projection of one such line) on the boundary map.

Electoral divisions and district wards

7. Where any boundary of the District of Alyn and Deeside altered by article 5 is also the boundary of an electoral division of the County of Clwyd or

of a ward of the said district, the alteration shall extend to such electoral division or ward.

Community councils

8.—(1) The community councils of Hawarden and West Saltney shall be dissolved.

(2) The community wards of the communities of Buckley, Connah's Quay, East Saltney, Hawarden, Hope, Sealand and West Saltney shall be abolished.

(3) There shall be a community council for each new community.

(4) Subject to paragraph (6), the communities in respect of which new community wards are named in column (2) of Schedule 2 shall be divided into such wards, such wards consisting of the areas shown by the relevant continuous green lines on the boundary map.

(5) Subject to paragraph (6), the number of councillors for the communities of Higher Kinnerton and Penyffordd, and for each new community ward, shall be that shown in respect thereof in column (3) of Schedule 2.

(6) Until the fourth day after the ordinary day of election of councillors in 1987—

(a) the communities of Buckley, Hope, Llanfynydd, Saltney and Sealand shall not be divided into wards;

(b) the number of councillors for each community or new community ward in respect of which a number is specified in column (4) of Schedule 2 shall be that number.

(7) The annual meetings of the new community councils and the Community Council of Higher Kinnerton for 1985 shall be held in April 1985. Such meetings of the new community councils shall be convened by such officer of the District Council of Alyn and Deeside or of the community councils of Hawarden and West Saltney as may be appointed by the said district council for the purpose.

(8) The number of councillors for the Community of Treuddyn shall remain 11.

Petty sessional divisions

9.—(1) The Hawarden petty sessional division shall comprise the communities of Broughton, Hawarden, Higher Kinnerton, Hope, Llanfynydd, Penyffordd, Queensferry, Saltney, Sealand, Shotton and Treuddyn as existing on and after the appointed day.

(2) The Mold petty sessional division shall comprise—

(a) in the District of Alyn and Deeside, the communities of Buckley and Connah's Quay as so existing; and

(b) in the Borough of Delyn—

(i) the communities of Halkyn and Mold; and

(ii) the communities of Cilcain, Leeswood, Mold Rural, Nercwys and Northop as existing as aforesaid.

Coroner's district

10. The East Clwyd coroner's district shall consist of—

(a) the districts of Alyn and Deeside and Delyn as altered; and

(b) the Borough of Rhuddlan.

Councillors

11.—(1) Regulation 8(1) (Councillors) of the Regulations shall not apply to any community or community ward in the District of Alyn and Deeside.

(2) Any person in office at the appointed day as councillor for any community or community ward named or described in column (1) of Part I of Schedule 3 shall represent the area specified in respect of such community or community ward in column (2) on the appropriate council until the fourth day after the ordinary day of election of councillors in 1987. Any casual vacancy which exists at the coming into operation of this order or occurs before the appointed day in the office of councillor for any such community or community ward shall (except where notice of the election has at the coming into operation of this order already been given) be deemed to have arisen in the representation of the area specified in the said column (2). Where notice of the election has at the coming into operation of this order already been given the person elected shall represent the area specified in the said column (2) on the appropriate council until the fourth day after the ordinary day of election of councillors in 1987.

(3) Any casual vacancy which exists at the coming into operation of this order or occurs before the appointed day in any office described in Part II of Schedule 3 shall (except where notice of the election has at the coming into operation of this order already been given) not be filled. Any person in office at the appointed day in any such office shall retire from office on that day.

(4) The following elections, namely—

(a) elections of councillors for the community and community wards named or described in Part III of Schedule 3; and

(b) the election of four additional councillors for the Community of Higher Kinnerton,

shall be held on such day prior to the appointed day as the returning officer shall appoint and the community council election rules for the time being in force shall apply to the elections with any necessary modifications. The persons elected shall come into office on the appointed day and shall retire on the fourth day after the ordinary day of election of councillors in 1987.

(5) Community councillors for the new wards of the communities of Buckley, Hope, Llanfynydd, Saltney and Sealand shall be elected at the ordinary elections of councillors in 1987. The persons elected shall come into office on the fourth day after the day of election and shall retire on the fourth day after the ordinary day of election of councillors in 1991.

Residuary successors

12. In relation to any authority named in column (1) of the following table, for the purposes of any provision of the Regulations which refers to the

residuary successor of a dissolved authority, the new community council specified in respect of the first-mentioned authority in column (2) is hereby specified as the residuary successor of such authority.

TABLE

(1)	(2)
Community Council of Hawarden	The Community Council of Hawarden
Community Council of West Saltney	The Community Council of Queensferry

Community books, etc.

13.—(1) The specified papers of a community named in column (1) of the following table shall be deposited in such custody as may, with the approval of the District Council of Alyn and Deeside, be agreed between the new community councils specified in respect of such community in column (2), or failing such approval and agreement, as may be directed by the said district council.

TABLE

(1)	(2)
Hawarden	The community councils of Broughton, Hawarden, Penyffordd and Shotton
West Saltney	The community councils of Queensferry and Shotton

(2) In this article, "specified papers", in relation to any community, means the public books, writings and papers of the community (including any photographic copies thereof) and all documents directed by law to be kept therewith.

Expenses of new community councils

14. In the year beginning on the appointed day the District Council of Alyn and Deeside shall levy rates in each new community and make payments to the new community council as if such council had issued a precept to the district council requiring the payment of a sum not exceeding the product of a rate of 6p in the pound calculated on the total rateable value as set out in the valuation list on the appointed day.

Town and country planning

15. The provisions applicable to any area transferred by article 5 of any local plan which has been adopted by the council of the district from which the area is transferred shall have effect as if they were a local plan adopted by the council of the district to which the area is transferred.

Local Acts, orders and byelaws

16. The existing communities named in any entry in column (1) of the

following table are hereby specified in relation to regulation 41(4) (Local Acts, orders and byelaws) of the Regulations and the new communities named in respect of such communities in column (2) are hereby specified in relation to such communities.

TABLE

(1)	(2)
Hawarden	Broughton and Hawarden
Hawarden, Higher Kinnerton and Hope	Penyffordd
East Saltney and West Saltney	Queensferry
Hawarden and West Saltney	Shotton

SCHEDULE 1 Article 5(1)

TRANSFERS TO DELYN

(1) Description	(2) Community	(3) Electoral division	(4) Ward of borough	(5) Ward of community	(6) Petty sessional division
District of Alyn and Deeside					
The part of the Community of Hope shown hatched red and numbered A1 on sheet 6 of the boundary map.	Leeswood	Holywell Rural No. 5	No. 21	—	Mold
The part of the Town of Buckley shown hatched red and numbered A2 on sheet 6 of the boundary map.	Mold Rural	Holywell Rural No. 3	No. 15	Argoed East (Mynydd Isa)	—
The part of the Community of Hawarden shown hatched red and numbered A3 on sheet 3 of the boundary map.	Northop	Holywell Rural No. 3	No. 24	Northop Hall	Mold
The parts of the Town of Connah's Quay shown hatched red and numbered A4, A5 and A6 on sheet 3 of the boundary map.	Northop	Holywell Rural No. 3	No. 24	Northop Hall	—

SCHEDULE 2

Article 8

COMMUNITIES: WARDS: COUNCILLORS

(1) Community	(2) Ward	(3) Number of community councillors	(4) Number of community councillors until fourth day after the ordinary day of election of councillors in 1987
New communities			
Broughton	East	2	—
	North	4	—
	South	8	—
Hawarden	Aston	5	—
	Ewloe	4	—
	Hawarden	3	—
	Mancot	5	—
Penyffordd	—	10	—
Queensferry	Pentre	2	—
	Queensferry	4	—
	Sandycroft	7	—
Shotton	East	4	—
	Higher	6	—
	West	4	—
Other communities			
*Buckley	Bistre East	5	18
	Bistre West	6	
	Buckley Mountain	2	
	Pentrobin	5	
Connah's Quay	Central	5	—
	Golftyn	5	—
	South	6	5
	Wepre	4	5
Higher Kinnerton	—	11	—
*Hope	Caergwrle	6	13
	Hope	8	
*Llanfynydd	Cefn-y-bedd	4	11
	Cymau	2	
	Ffrith	4	
	Pontybodkin	2	
*Saltney	Mold Junction	5	13
	Stonebridge	9	
*Sealand	East	4	12
	West	8	

*New wards as from the fourth day after the ordinary day of election of councillors in 1987.

SCHEDULE 3 — Article 11

COMMUNITY COUNCILLORS

PART I

Councillors continued in office

(1) Existing community or community ward	(2) Community or new community ward represented on and after appointed day
Communities	
Higher Kinnerton	Higher Kinnerton
Llanfynydd	Llanfynydd
Treuddyn	Treuddyn
Community wards	
All the wards of Buckley	Buckley
Both the wards of East Saltney	Saltney
Both the wards of Hope	Hope
Both the wards of Sealand	Sealand
Connah's Quay	*Connah's Quay*
Central	Central
Golftyn	Golftyn
South	South
Wepre	Wepre

PART II

Offices where councillors are to retire at the appointed day

Councillors of all the wards of Hawarden and West Saltney.

PART III

Community and new community wards where elections of all councillors are to be held before the appointed day

Community

Penyffordd

New community wards

All the wards of Broughton, Hawarden, Queensferry and Shotton.

Signed by authority of
the Secretary of State.
12th November 1984.

A. J. Beale,
An Under Secretary in
the Welsh Office.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order continues eight communities (one with a change of name) and constitutes five new communities in the District of Alyn and Deeside, making minor alterations in the boundary of the district with the Boroughs of Delyn and Wrexham Maelor.

Each of the continued or new communities will have a community council.

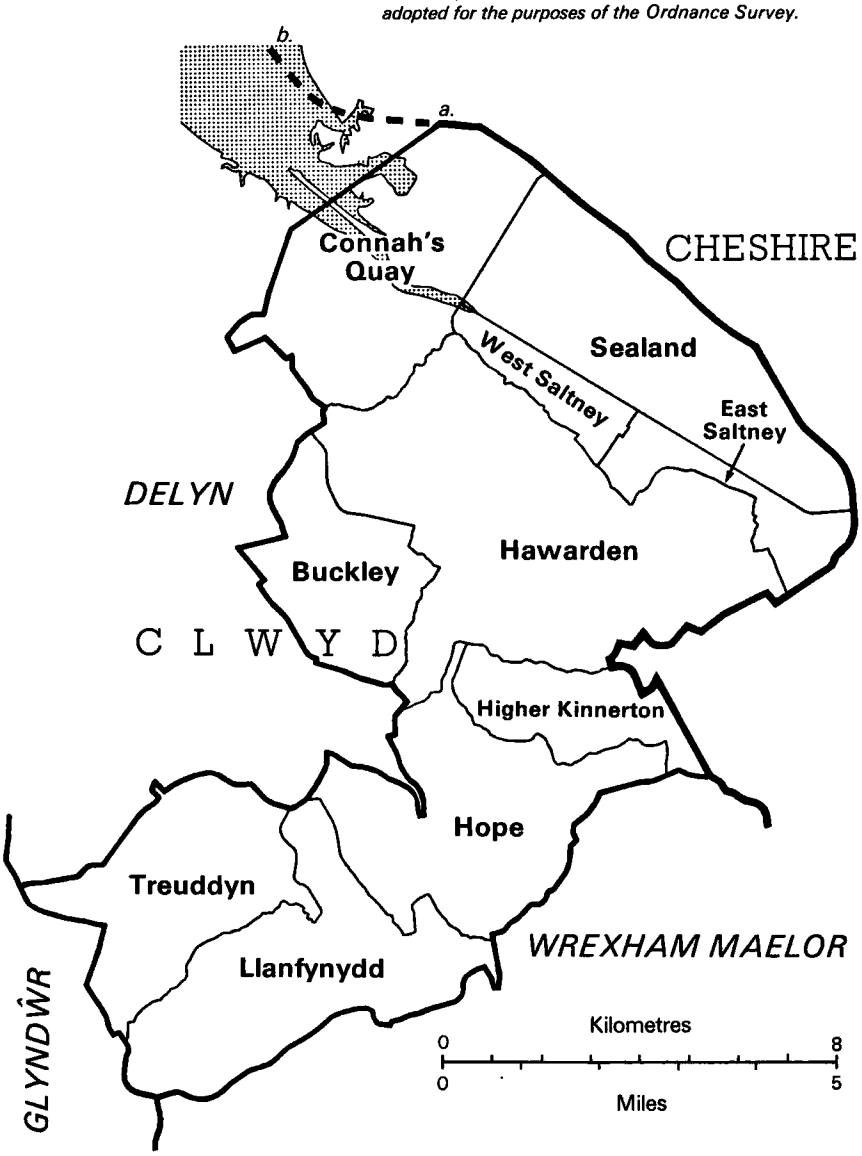
The maps forming part of this note (pages 12 and 13) show *(a)* the existing communities, and *(b)* the continued and new communities and the transferred areas referred to in article 5(1) and (2) of the order. The map on page 13 also incorporates a grid identifying the sheets of the boundary map referred to in article 4 of the order.

Prints of the boundary map referred to in article 4 of the order may be inspected at the offices of the district councils of Alyn and Deeside, Delyn and Wrexham Maelor. Prints may be purchased from the Welsh Office's Map Library.

Incidental, consequential, transitional and supplementary provision in consequence of orders of the nature of the present one is contained in the Regulations referred to in article 3 of the order.

Existing Communities

a.-b. Boundary between the Counties of Cheshire and Clwyd adopted for the purposes of the Ordnance Survey.

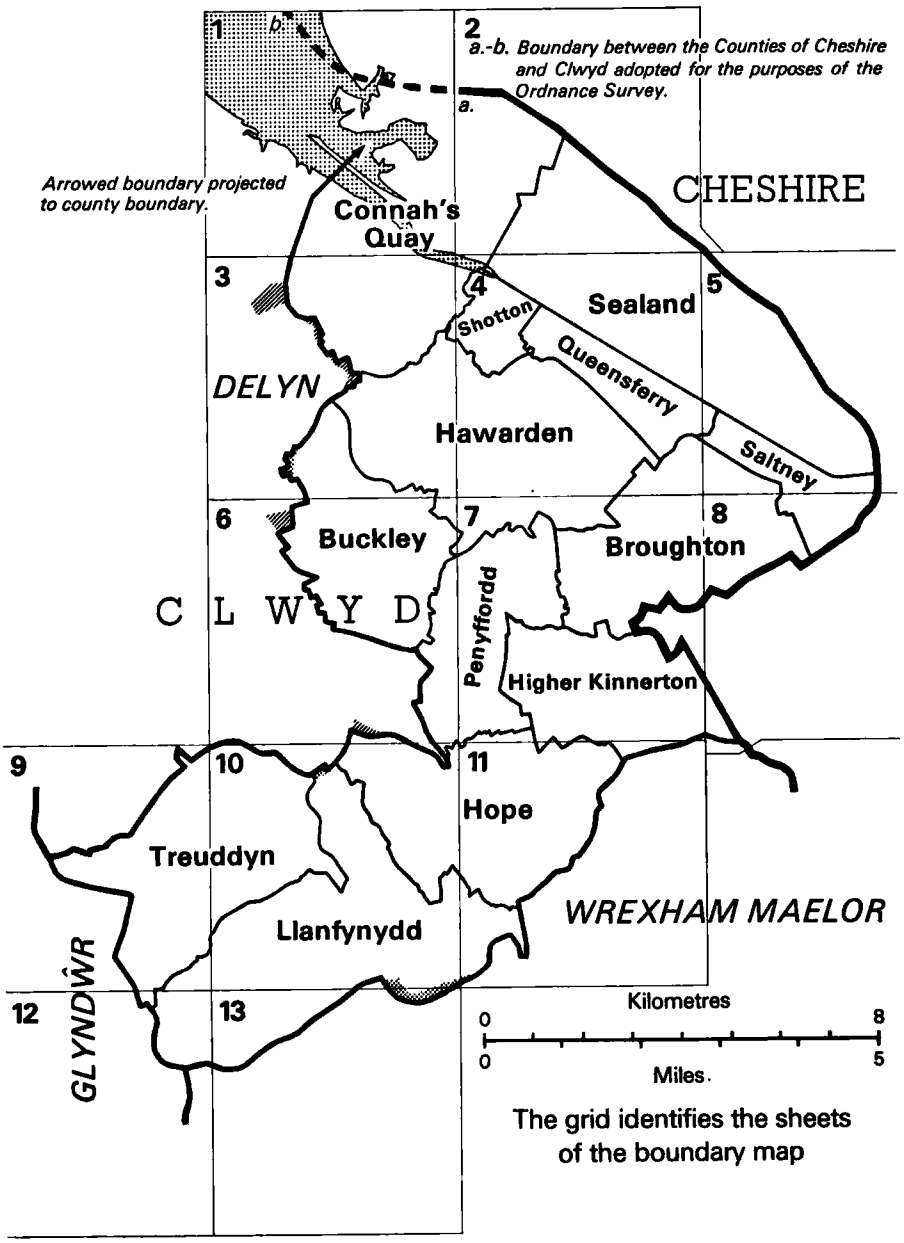


Cartographic Services Welsh Office Based on the Ordnance Survey map W/LG AA/OM/6 20

Communities as from 1st April 1985

Areas transferred to the District of Alyn and Deeside

Areas transferred from the District of Alyn and Deeside



The grid identifies the sheets of the boundary map

Cartographic Services Welsh Office

Based on the Ordnance Survey map

W/LG/AA/OM/6/20