STATUTORY INSTRUMENTS

1984 No. 2049

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Delyn (Communities) Order 1984

Made - - - - - - -	21*st December* 1984
Coming into Operation—	
For the purposes described in article 2 - - - - -	14*th 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 Borough of Delyn:

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 Delyn (Communities) Order 1984.

2. 14th 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.

Interpretation

3. In this order—

"the appointed day" means 1st April 1985;

(**a**) 1972 c.70.

"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(**a**) as amended by the Local Government Area Changes (Amendment) Regulations 1978(**b**); and

"Schedule 1" and "Schedule 2" mean Schedule 1 and Schedule 2 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 Delyn (Communities) Order 1984". The sheets of the boundary map are respectively marked with the numbers 1 to 24.

(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.

Communities

5. In the Borough of Delyn as altered by the Glyndŵr (Communities) Order 1984(**c**) and the Alyn and Deeside (Communities) Order 1984(**d**)—

(1) the ten communities of Brynford, Caerwys, Cilcain, Holywell, Leeswood, Llanasa, Mold, Nannerch, Nercwys and Ysceifiog shall continue;

(2) the seven existing communities of Flint, Gwaenysgor, Halkyn, Mold Rural, Northop, Trelawnyd and Whitford shall be abolished;

(3) eleven new communities to be known as Bagillt, Flint, Gwernaffield, Gwernymynydd, Halkyn, Mostyn, Mynydd Isa, Northop, Northop Hall, Trelawnyd and Gwaenysgor, and Whitford shall be constituted;

(4) the communities named in paragraphs (1) and (3) shall, subject to the provision of paragraph (5), consist of the areas shown by the relevant continuous red lines or projections thereof on the boundary map; and

(5) any island, rock or sandbank forming part of an existing community in the Borough which is not expressly shown on the boundary map as part of a community named in paragraph (1) or (3) shall form, or continue to form, part of such a community (and of the ward thereof) nearest to which any part of such island, rock or sandbank lies.

(**a**) S.I. 1976/246.
(**b**) S.I. 1978/247.
(**c**) S.I. 1984/739.
(**d**) S.I. 1984/1782.

Community councils

6.—(1) The community council of any community named in paragraph (2) of article 5 shall be dissolved.

(2) The community wards of the communities of Cilcain, Flint, Holywell, Llanasa, Mold, Mold Rural, Northop and Whitford shall be abolished.

(3) There shall be a community council for each new community and for the Community of Nannerch.

(4) Subject to paragraph (6), the communities in respect of which new community wards are named in column (2) of Schedule 1 shall be divided into such wards, such wards consisting, subject to the provision of paragraph (5) of article 5, of the areas shown by the relevant continuous green lines or projections thereof on the boundary map.

(5) Subject to paragraph (6), the number of councillors for each community named in column (1) of Schedule 1 not divided into community wards, and for each new community ward, shall be that shown in respect thereof in column (3).

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

(a) the Community of Halkyn 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 1 shall be that number.

(7) The annual meetings of—

the new community councils; and

the community councils of Cilcain, Leeswood and Mold

for 1985 shall be held in April 1985. Such meetings of the new community councils shall be convened by the officer appointed by the Borough Council of Delyn for the purpose.

(8) As from the fourth day after the ordinary day of election of councillors in 1987 the numbers of councillors for the communities of Brynford, Caerwys and Ysceifiog shall be 10, 11 and 10 respectively.

(9) The number of councillors for the Community of Nercwys shall remain 9.

Petty sessional divisions

7.—(1) The Flint petty sessional division shall comprise the communities of Bagillt, Brynford, Caerwys, Flint, Holywell, Mostyn, Nannerch, Whitford and Ysceifiog as existing on and after the appointed day.

(2) The Mold petty sessional division shall comprise—

(a) in the Borough of Delyn, the communities of Cilcain, Gwernaffield, Gwernymynydd, Halkyn, Leeswood, Mold, Mynydd Isa, Nercwys, Northop and Northop Hall as so existing; and

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

(3) The Rhuddlan petty sessional division shall include the communities of Llanasa and Trelawnyd and Gwaenysgor as so existing.

Councillors

8.—(1) Regulation 8(1) (Councillors) of the Regulations shall not apply to any community or community ward in the Borough of Delyn.

(2) Any person in office at the appointed day as councillor for any community or community ward named in column (1) of Part I of Schedule 2 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 named or described in Part II of Schedule 2 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 communities and community wards named or described in Part III of Schedule 2;

(b) the election of two additional councillors for the Rhydymwyn ward of Cilcain; and

(c) the election of four additional councillors for the Mostyn ward of Mostyn,

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 Community of Halkyn 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.

Privileges and rights of the former borough of Flint

9. Any privileges or rights belonging immediately before 1st April 1974 to the burgesses of the former borough of Flint shall belong to the inhabitants of the new community of Flint.

Residuary successors

10. 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)
Town Council of Flint	The Community Council of Flint
Community council of Gwaenysgor or Trelawnyd	The Community Council of Trelawnyd and Gwaenysgor
Community Council of Halkyn	The Community Council of Halkyn
Community Council of Mold Rural	The Community Council of Mynydd Isa
Community Council of Northop	The Community Council of Northop
Community Council of Whitford	The Community Council of Whitford

Community books, etc.

11.—(1) The specified papers of a community named in column (1) of the following table shall be deposited in the custody of the new community council named in respect of such community in column (2).

TABLE

(1)	(2)
Gwaenysgor or Trelawnyd	The Community Council of Trelawnyd and Gwaenysgor
Halkyn	The Community Council of Halkyn

(2) 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 Borough Council of Delyn, be agreed between the community councils specified in respect of such community in column (2), or failing such approval and agreement, as may be directed by the said borough council.

TABLE

(1)	(2)
Flint	The community councils of Bagillt and Flint
Mold Rural	The community councils of Cilcain, Gwernaffield, Gwernymynydd, Halkyn, Mold, Mynydd Isa and Nercwys
Northop	The community councils of Halkyn, Northop and Northop Hall
Whitford	The community councils of Mostyn and Whitford

(3) 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

12. In the year beginning on the appointed day the Borough Council of Delyn may levy rates in each new community and in the Community of Nannerch and make payments to the new community council as if such council had issued a precept to the borough council requiring the payment of a sum not exceeding the product of a rate of 7p in the pound calculated on the total rateable value as set out in the valuation list on the appointed day.

Cemeteries

13.—(1) In relation to any relevant cemetery, in the period of 25 years beginning on the appointed day—

(a) any inhabitant of a specified area shall be entitled to the same rights of burial as the inhabitants of the relevant area;

(b) any provisions in relation to inhabitants in any table of fees in force in respect of the cemetery shall apply to the inhabitants of a specified area as they apply to the inhabitants of the relevant area;

(c) no differential charges shall be imposed on the inhabitants of a specified area.

(2) Subject to paragraph (1), and to paragraph (2) of regulation 35 of the Regulations where it applies in consequence of any order made under the powers recited in this order, any provisions in relation to inhabitants of any community abolished by article 5(2) in any table of fees in force in respect of any relevant cemetery shall apply to the inhabitants of the relevant area.

(3) In this article—

"relevant cemetery" means—

(a) the Mold Cemetery; or

(b) any cemetery to which the Local Authorities' Cemeteries Order

1977(a) applies maintained immediately before the appointed day by the council of a community abolished by article 5(2);

in the case of the Mold Cemetery—

"the relevant area" means the aggregate area of—

(i) the Town of Mold as altered; and

(ii) the parts of the new communities of Gwernaffield, Gwernymynydd and Mynydd Isa to which the provisions as to inhabitants in the table of fees in force immediately before the appointed day in respect of the cemetery apply; and

"specified area" means an area of the communities of Cilcain, Halkyn, Leeswood, Nercwys or Northop as existing on and after the appointed day to which the said provisions apply; and

in the case of any other cemetery—

"the relevant area" means the area transferred from the community described in *(b)* to the community in which the cemetery is situated; and

"specified area" means an area so transferred to any other community.

(4) Paragraphs (1) to (3) are supplementary to paragraphs (2) and (3) of regulation 35 of the Regulations.

Local Acts, orders and byelaws

14. 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)
Flint	Bagillt and Flint
Mold Rural	Gwernaffield, Gwernymynydd and Mynydd Isa
Halkyn, Mold Rural and Northop	Halkyn
Whitford	Mostyn and Whitford
Northop	Northop and Northop Hall
Gwaenysgor and Trelawnyd	Trelawnyd and Gwaenysgor

Property, liabilities, contracts, etc., notices and proceedings

15. The table in Part I of Schedule 6 to the Regulations shall be extended by the inclusion of the following entry—

(a) S.I. 1977/204.

"The community councils of Mold and Mold Rural	The Mold Cemetery	The Town Council of Mold and the new community council of Mynydd Isa".

SCHEDULE 1

Article 6

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			
Bagillt	Central	3	—
	East	4	—
	Merllyn	3	—
	West	4	—
Flint	Castle	4	—
	Coleshill	5	—
	Oakenholt	4	—
	Trelawny	5	—
Gwernaffield	Gwernaffield	6	—
	Pantymwyn	5	—
Gwernymynydd	—	11	—
* Halkyn	Halkyn	3	15
	Pentre Halkyn	4	
	Rhesycae	2	
	Rhosesmor	4	
Mostyn	Mostyn	9	—
	Rhewl-Mostyn	3	—
Mynydd Isa	East	5	—
	New Brighton	3	—
	South	2	—
	West	6	—
Northop	Northop	6	—
	Sychdyn	7	—
Northop Hall	—	11	—
Trelawnyd and Gwaenysgor	Gwaenysgor	3	—
	Trelawnyd	6	7
Whitford	Carmel	10	—
	Whitford	3	—
Other communities			
Cilcain	Cilcain	5	—
	Rhydymwyn	6	—
Holywell	East	6	5
	Greenfield	5	—
	West	6	5
Leeswood	Leeswood	11	—
	Pontblyddyn	2	—
Llanasa	Axton	4	—
	Ffynnongroyw	6	5
	Gronant	5	4
Mold	Bron Coed	3	—
	Central	3	—
	East	3	—
	North	3	—
	South	3	—
	West	3	—
Nannerch	—	8	—

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

SCHEDULE 2

Article 8

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	
Brynford	Brynford
Caerwys	Caerwys
Halkyn	Halkyn
Nercwys	Nercwys
Trelawnyd	Trelawnyd ward of Trelawnyd and Gwaenysgor
Ysceifiog	Ysceifiog
Community wards	
The Caerfallwch ward of Northop	Halkyn
Cilcain	*Cilcain*
Cilcain	Cilcain
Rhydymwyn	Rhydymwyn
Holywell	*Holywell*
East	East
Greenfield	Greenfield
West	West
Llanasa	*Llanasa*
Axton	Axton
Ffynnongroew	Ffynnongroyw
Gronant	Gronant
Mold	*Mold*
Broncoed	Bron Coed
East	East
Whitford	*Mostyn*
Mostyn	Mostyn
Rhewl Mostyn	Rhewl-Mostyn

PART II

Offices where councillors are to retire at the appointed day

Councillors of the communities of Gwaenysgor and Leeswood.

Councillors of all the wards of Flint and Mold Rural, the North, South and West wards of Mold, the Northop, Northop Hall and Sychdyn wards of Northop and the Whitford ward of Whitford.

PART III

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

Communities

Gwernymynydd, Nannerch and Northop Hall

New community wards

All the wards of Bagillt, Flint and Mynydd Isa.

Both wards of Gwernaffield.

Both wards of Leeswood.

The Central, North, South and West wards of Mold.

Both wards of Northop.

The Gwaenysgor ward of Trelawnyd and Gwaenysgor.

Both wards of Whitford.

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

Signed by authority of
the Secretary of State.
21st December 1984.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order continues ten communities and constitutes eleven new communities in the Borough of Delyn.

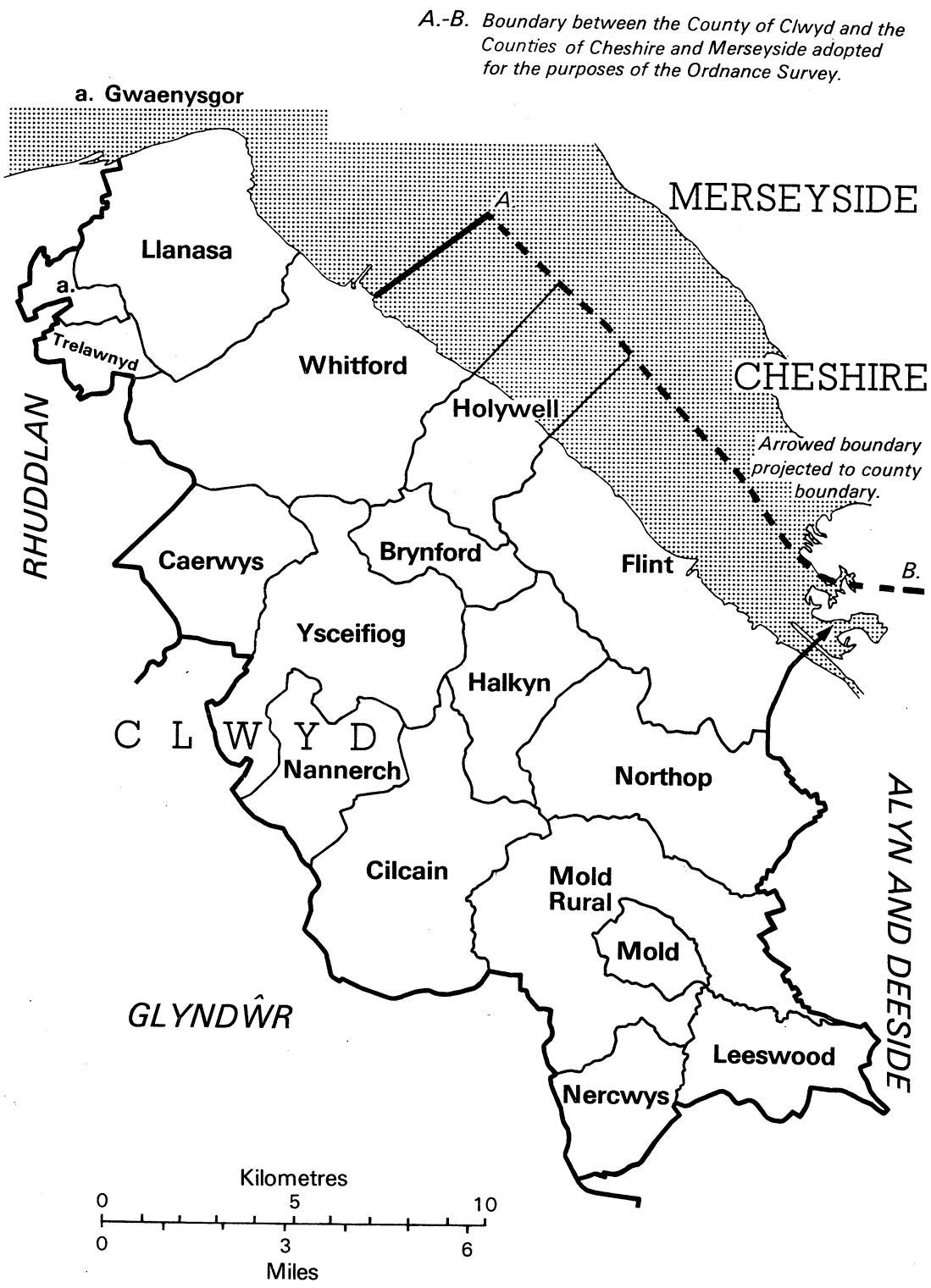
A community council is established for each new community and for the Community of Nannerch. Each of the other continued communities already has a community council.

The maps forming part of this note (pages 14 and 15) show *(a)* the existing communities, and *(b)* the continued and new communities. The map on page 15 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 Borough Council of Delyn. 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

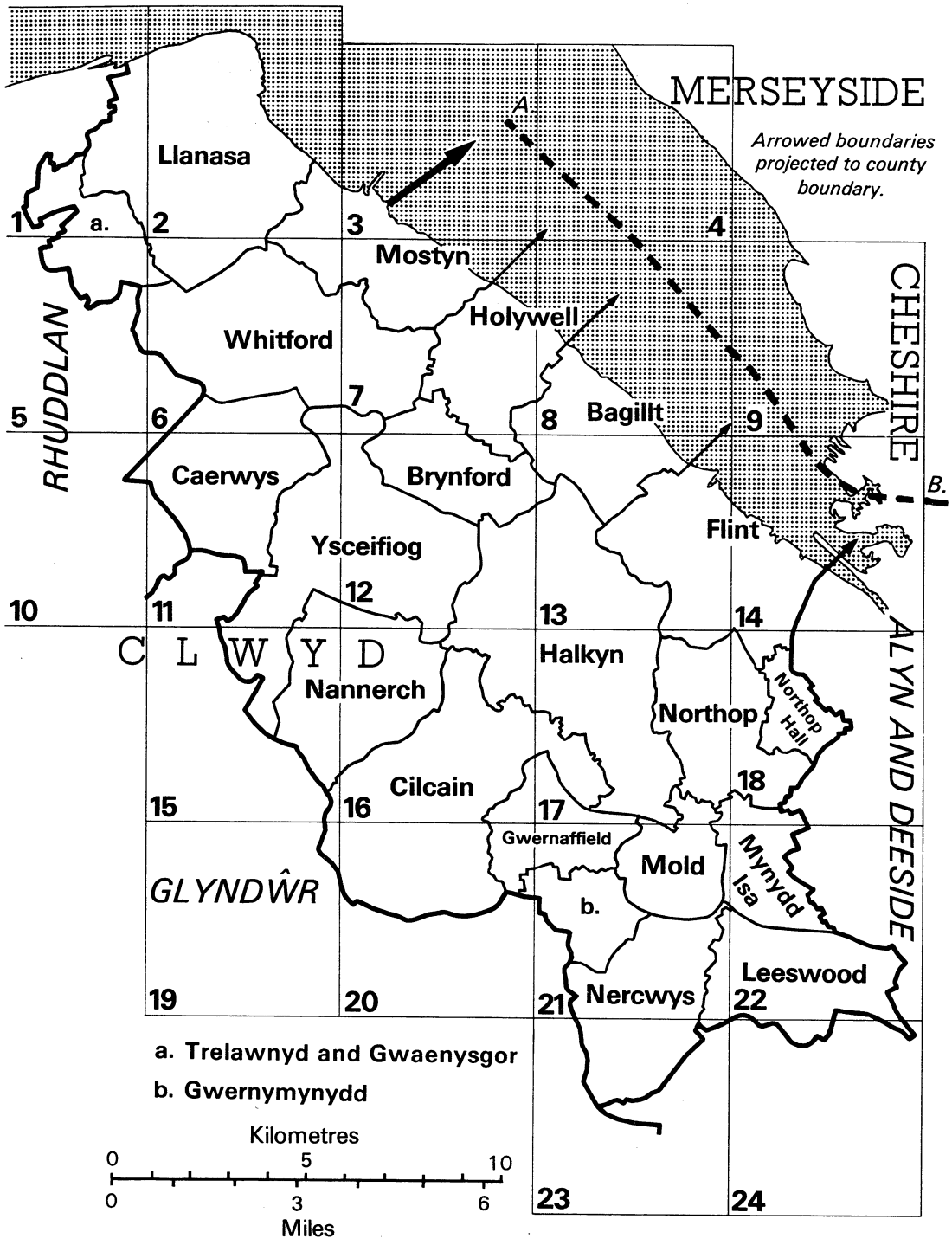


Cartographic Services, Welsh Office Based on the Ordnance Survey map W/LG/AA/OM/6/22

Communities as from 1st April 1985

The grid identifies the sheets of the boundary map

A.-B. Boundary between the County of Clwyd and the Counties of Cheshire and Merseyside adopted for the purposes of the Ordnance Survey.



Cartographic Services, Welsh Office Based on the Ordnance Survey map W/LG/AA/OM/6/22

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1984 No. 2049

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CHANGES IN LOCAL GOVERNMENT AREAS

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