OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2016 Rhif 1151 (Cy. 276)

2016 No. 1151 (W. 276)

LLYWODRAETH LEOL, CYMRU

LOCAL GOVERNMENT, WALES

Gorchymyn Sir y Fflint (Cymunedau) 2016

The Flintshire (Communities) Order 2016

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn, a wnaed yn unol ag adran 58(2) o Ddeddf Llywodraeth Leol 1972, yn rhoi effaith i gynigion Comisiwn Ffiniau a Democratiaeth Leol Cymru ("y Comisiwn"), a hynny wedi eu haddasu. Ym mis Hydref 2015, cyflwynodd y Comisiwn adroddiad ar adolygiad a gynhaliwyd gan Gyngor Sir y Fflint o'r ffiniau cymunedol ar gyfer Sir y Fflint. Yn yr adroddiad, argymhellwyd newidiadau i nifer o ffiniau presennol.

Effaith y Gorchymyn hwn yw bod newidiadau i nifer o ardaloedd cymunedol a rhai newidiadau canlyniadol i drefniadau etholiadol cymunedol. Mae newidiadau wedi eu gwneud i ffiniau Brychdyn a Bretton, Helygain, Kinnerton Uchaf, yr Hob, Coed-llai, yr Wyddgrug a Phen-y-ffordd. Mae newidiadau etholiadol canlyniadol wedi eu gwneud i'r adrannau etholiadol o fewn cymunedau Brychdyn a Bretton a Helygain.

Mae printiau o'r mapiau ffiniau A i G y mae'r Gorchymyn hwn yn ymwneud â hwy wedi eu hadneuo a gellir edrych arnynt yn ystod oriau swyddfa arferol yn swyddfeydd Cyngor Sir y Fflint, ac yn swyddfeydd Llywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ (yr Is-adran Democratiaeth Llywodraeth Leol).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made in accordance with section 58(2) of the Local Government Act 1972, gives effect, with modification, to proposals of the Local Democracy and Boundary Commission for Wales ("the Commission"). The Commission reported in October 2015 on a review conducted by Flintshire County Council of the community boundaries for the County of Flintshire. The report recommended changes to a number of existing boundaries.

The effect of this Order is that there are changes to a number of community areas and some consequential changes in community electoral arrangements. Changes are made to the boundaries of Broughton and Bretton, Halkyn, Higher Kinnerton, Hope, Leeswood, Mold and Pen-y-Ffordd. Consequential electoral changes are made to the electoral divisions within the communities of Broughton and Bretton and Halkyn.

Prints of the boundary maps A to G to which this Order relates are deposited and may be inspected during normal office hours at the offices of Flintshire County Council, and at the offices of the Welsh Government at Cathays Park, Cardiff, CF10 3NQ (Local Government Democracy Division).

2016 Rhif 1151 (Cy. 276)

LLYWODRAETH LEOL, CYMRU

Gorchymyn Sir y Fflint (Cymunedau) 2016

Gwnaed *25 Tachwedd 2016*

Yn dod i rym yn unol ag erthygl 1(2) a (3)

Cyflwynodd Comisiwn Ffiniau a Democratiaeth Leol Cymru(**1**) i Weinidogion Cymru, yn unol ag adrannau 54(1) a 58(1) o Ddeddf Llywodraeth Leol 1972(**2**), adroddiad dyddiedig 6 Hydref 2015 ar ei adolygiad o'r trefniadau cymunedol yn Sir y Fflint, a'i gynigion ar gyfer eu newid.

Mae Gweinidogion Cymru wedi cytuno i roi effaith i gynigion y Comisiwn wedi eu haddasu.

(**1**) Enw blaenorol Comisiwn Ffiniau a Democratiaeth Leol Cymru ("y Comisiwn") oedd y Comisiwn Ffiniau Llywodraeth Leol i Gymru. Sefydlwyd y Comisiwn Ffiniau Llywodraeth Leol i Gymru gan adran 53 o Ddeddf Llywodraeth Leol 1972 (p. 70) ("Deddf 1972") ac Atodlen 8 iddi. Diddymwyd adran 53 ac Atodlen 8 gan adran 73(2) o Ddeddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013 (dccc 4) ("Deddf 2013") ac Atodlen 2 iddi. O dan Ddeddf 2013, parhaodd y Comisiwn Ffiniau Llywodraeth Leol i Gymru mewn bodolaeth ond fe'i hailenwyd yn Gomisiwn Ffiniau a Democratiaeth Leol Cymru (gweler adran 2). Gweler troednodyn (2) isod am ddarpariaethau arbed a wnaed yn Neddf 2013 sy'n gymwys i Ran 4 o Ddeddf 1972.

(**2**) 1972 p. 70. Diddymwyd adrannau 53 i 61 o Ddeddf 1972 gan adran 73 o Ddeddf 2013 ac Atodlen 2 iddi ond yn unol ag adran 74(1) a (2) o Ddeddf 2013 maent yn parhau mewn effaith at ddiben cwblhau adolygiadau a oedd yn cael eu cynnal pan ddaeth Rhan 3 o Ddeddf 2013 i rym ar 30 Medi 2013 ac at ddiben y cynigion a gyflwynwyd i Weinidogion Cymru cyn yr adeg honno. Diwygiwyd adran 74(2) o Ddeddf 2013 gan adran 43 o Ddeddf Llywodraeth Leol (Cymru) 2015 (dccc 6) er mwyn caniatáu i adolygiadau a gwblhawyd cyn 30 Medi 2013 gael eu gweithredu o dan Ddeddf 1972.

2016 No. 1151 (W. 276)

LOCAL GOVERNMENT, WALES

The Flintshire (Communities) Order 2016

Made *25 November 2016*

Coming into force in accordance with article 1(2) and (3)

The Local Democracy and Boundary Commission for Wales(**1**) has, in accordance with sections 54(1) and 58(1) of the Local Government Act 1972(**2**), submitted to the Welsh Ministers a report dated 6 October 2015 on its review of, and proposals for change in, the community arrangements in the County of Flintshire.

The Welsh Ministers have agreed to give effect to the Commission's proposals with modification.

(**1**) The Local Democracy and Boundary Commission for Wales ("the Commission") was previously called the Local Government Boundary Commission for Wales. The Local Government Boundary Commission for Wales was established by section 53 of and Schedule 8 to the Local Government Act 1972 (c. 70) ("the 1972 Act"). Section 53 and Schedule 8 were repealed by section 73(2) of and Schedule 2 to the Local Government (Democracy) (Wales) Act 2013 (anaw 4) ("the 2013 Act"). Under the 2013 Act, the Local Government Boundary Commission for Wales continued in existence but was renamed the Local Democracy and Boundary Commission for Wales (see section 2). See footnote (2) below for savings provisions made in the 2013 Act that apply to Part 4 of the 1972 Act.

(**2**) 1972 c. 70. Sections 53 to 61 of the 1972 Act have been repealed by section 73 of and Schedule 2 to the 2013 Act but, pursuant to section 74(1) and (2) of the 2013 Act continue in effect for the purpose of completing reviews which were being conducted when Part 3 of the 2013 Act came into force on 30 September 2013 and for the purpose of proposals submitted to the Welsh Ministers before that time. Section 74(2) of the 2013 Act was amended by section 43 of the Local Government (Wales) Act 2015 (anaw 6) to allow reviews completed before 30 September 2013 to be implemented under the 1972 Act.

Mae mwy na chwe wythnos wedi mynd heibio ers i'r cynigion hyn gael eu cyflwyno i Weinidogion Cymru(**1**).

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 58(2) a 266(2) o Ddeddf Llywodraeth Leol 1972 ac sydd wedi eu breinio bellach ynddynt hwy i'r graddau y maent yn arferadwy o ran Cymru(**2**).

Enwi a chychwyn

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Sir y Fflint (Cymunedau) 2016.

(2) At unrhyw ddiben a nodir yn rheoliad 4(1) o'r Rheoliadau, daw'r Gorchymyn hwn i rym ar 1 Rhagfyr 2016.

(3) At bob diben arall, daw'r Gorchymyn hwn i rym ar y diwrnod arferol ar gyfer ethol cynghorwyr yn 2017(**3**).

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "newydd" ("*new*"), mewn perthynas ag ardal llywodraeth leol, yw'r ardal honno fel y'i sefydlir gan y Gorchymyn hwn;

ystyr "presennol" ("*existing*"), mewn perthynas ag ardal llywodraeth leol, yw'r ardal honno fel y mae'n bodoli yn union cyn y diwrnod arferol ar gyfer ethol cynghorwyr yn 2017;

ystyr "y Rheoliadau" ("*the Regulations*") yw Rheoliadau Newidiadau i Ardaloedd Llywodraeth Leol 1976(**4**);

More than six weeks have elapsed since these proposals were submitted to the Welsh Ministers(**1**).

The Welsh Ministers make the following Order in exercise of the powers conferred on the Secretary of State by sections 58(2) and 266(2) of the Local Government Act 1972 and now vested in them so far as exercisable in relation to Wales(**2**).

Title and commencement

1.—(1) The title of this Order is the Flintshire (Communities) Order 2016.

(2) For any purpose set out in regulation 4(1) of the Regulations, this Order comes into force on 1 December 2016.

(3) For all other purposes this Order comes into force on the ordinary day of election of councillors in 2017(**3**).

Interpretation

2. In this Order—

"existing" ("*presennol*") in relation to a local government area, means that area as it exists immediately before the ordinary day of election of councillors in 2017;

"new" ("*newydd*"), in relation to a local government area, means that area as established by this Order;

"the Regulations" ("*y Rheoliadau*") means the Local Government Area Changes Regulations 1976(**4**);

(**1**) Mae adran 58(2) o Ddeddf 1972 yn darparu na chaniateir gwneud gorchymyn sy'n rhoi effaith i unrhyw gynigion a wneir i Weinidogion Cymru gan y Comisiwn tan fod chwe wythnos wedi mynd heibio ers y diwrnod y cyflwynwyd y cynigion hynny i Weinidogion Cymru.

(**2**) Trosglwyddwyd pwerau'r Ysgrifennydd Gwladol i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac maent wedi eu breinio bellach yng Ngweinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30(1) o Atodlen 11 iddi.

(**3**) Diwygiwyd Deddf 1972 gan Orchymyn Etholiadau Awdurdodau Lleol (Cymru) 2014 (O.S. 2014/3033 (Cy. 302)) drwy symud y diwrnod arferol ar gyfer ethol cynghorwyr yn ôl un flwyddyn o 2016 i 2017.

(**4**) O.S. 1976/246.

(**1**) Section 58(2) of the 1972 Act provides that an order giving effect to any proposals made to the Welsh Ministers by the Commission must not be made until the expiry of six weeks from the day on which those proposals were submitted to the Welsh Ministers.

(**2**) The powers of the Secretary of State were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and are now vested in the Welsh Ministers by virtue of section 162 of, and paragraph 30(1) of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**3**) The Local Authority Elections (Wales) Order 2014 (S.I. 2014/3033 (W. 302)) amended the 1972 Act by moving the ordinary day of election of councillors by one year from 2016 to 2017.

(**4**) S.I. 1976/246.

mae unrhyw gyfeiriad at fap yn golygu un o'r 7 map a farciwyd "Map Gorchymyn Sir y Fflint (Cymunedau) 2016" a adneuwyd yn unol â rheoliad 5 o'r Rheoliadau ac a labelwyd "A" i "G", ac mae cyfeiriad at fap â llythyren yn gyfeiriad at fap sy'n dwyn y llythyren honno; a

pan ddangosir bod ffin ar fap yn rhedeg ar hyd ffordd, rheilffordd, troetffordd, cwrs dŵr neu nodwedd ddaearyddol debyg, mae i'w thrin fel un sy'n rhedeg ar hyd llinell ganol y nodwedd.

any reference to a map means one of the 7 maps marked "Map of the Flintshire (Communities) Order 2016" deposited in accordance with regulation 5 of the Regulations and labelled "A" to "G", and a reference to a lettered map is a reference to the map that bears that letter; and

where a boundary is shown on a map as running along a road, railway line, footway, watercourse or similar geographical feature, it is to be treated as running along the centre line of the feature.

Newidiadau i ardaloedd llywodraeth leol

3. Mae newidiadau wedi eu gwneud yn ardal llywodraeth leol Sir y Fflint yn unol â'r darpariaethau a ganlyn yn y Gorchymyn hwn.

Local government area changes

3. Changes are made in the local government area of the County of Flintshire in accordance with the following provisions of this Order.

Yr Wyddgrug a Helygain - newid i ardaloedd cymunedol a newid canlyniadol i adrannau etholiadol

4.—(1) Mae'r rhan o gymuned Helygain a ddangosir â chroeslinellau ar Fap A—

(a) wedi ei throsglwyddo i gymuned yr Wyddgrug;

(b) yn ffurfio rhan o ward Dwyrain yr Wyddgrug yng nghymuned yr Wyddgrug; ac

(c) yn ffurfio rhan o adran etholiadol Dwyrain yr Wyddgrug.

(2) Yng nghymuned Helygain a ddangosir ar Fap B—

(a) mae wardiau cymunedol presennol Helygain, Rhes-y-cae a Rhosesmor wedi eu huno i ffurfio ward gymunedol newydd Mynydd Helygain a ddangosir â llinellau rhwyllog ar Fap B;

(b) mae ward gymunedol newydd Mynydd Helygain o fewn adran etholiadol Helygain;

(c) nifer y cynghorwyr sydd i'w hethol ar gyfer ward newydd Mynydd Helygain yw 8; a

(d) nifer y cynghorwyr sydd i'w hethol ar gyfer ward Pentre Helygain yw 5.

Mold and Halkyn – change to community areas and consequential change to electoral divisions

4.—(1) The part of the community of Halkyn shown hatched on Map A—

(a) is transferred to the community of Mold;

(b) forms part of the Mold East ward of the community of Mold; and

(c) forms part of the electoral division of Mold East.

(2) In the community of Halkyn shown on Map B—

(a) the existing community wards of Halkyn, Rhesycae and Rhosesmor are amalgamated to form the new community ward of Halkyn Mountain which is shown cross-hatched on Map B;

(b) the new community ward of Halkyn Mountain is within the electoral division of Halkyn;

(c) the number of councillors to be elected for the new Halkyn Mountain ward is 8; and

(d) the number of councillors to be elected for the Pentre Halkyn ward is 5.

Brychdyn a Bretton a Phen-y-ffordd – newid i ardaloedd cymunedol a newid canlyniadol i adrannau etholiadol

5.—(1) Mae'r rhan o gymuned Pen-y-ffordd a ddangosir â chroeslinellau ar Fap C wedi ei throsglwyddo i gymuned Brychdyn a Bretton.

(2) Yn y rhan o gymuned Brychdyn a Bretton a ddangosir â chroeslinellau ar Fap D—

Broughton and Bretton and Pen-y-Ffordd – change to community areas and consequential change to electoral divisions

5.—(1) The part of the community of Pen-y-Ffordd shown hatched on Map C is transferred to the community of Broughton and Bretton.

(2) In the part of the community of Broughton and Bretton shown hatched on Map D—

(a) mae wardiau cymunedol presennol Dwyrain Brychdyn a Bretton a Gogledd Brychdyn a Bretton wedi eu huno i ffurfio ward gymunedol newydd Gogledd-ddwyrain Brychdyn a Bretton;

(b) mae ward gymunedol newydd Gogledd-ddwyrain Brychdyn a Bretton o fewn adran etholiadol Gogledd-ddwyrain Brychdyn; ac

(c) nifer y cynghorwyr sydd i'w hethol ar gyfer ward newydd Gogledd-ddwyrain Brychdyn yw 5.

(3) Yn y rhan o gymuned Brychdyn a Bretton a ddangosir â llinellau rhwyllog ar Fap D—

(a) mae hyn yn cynnwys ward De Brychdyn a Bretton;

(b) mae'n ffurfio rhan o adran etholiadol De Brychdyn; ac

(c) nifer y cynghorwyr sydd i'w hethol ar gyfer ward De Brychdyn a Bretton yw 9.

Pen-y-ffordd a Kinnerton Uchaf – newid i ardaloedd cymunedol a newid canlyniadol i adrannau etholiadol

6. Mae'r rhan o gymuned Kinnerton Uchaf a ddangosir â chroeslinellau ar Fap E—

(a) wedi ei throsglwyddo i gymuned Pen-y-ffordd; a

(b) yn ffurfio rhan o adran etholiadol Pen-y-ffordd.

Pen-y-ffordd a'r Hob – newid i ardaloedd cymunedol a newidiadau canlyniadol i adrannau etholiadol

7. Mae'r rhan o gymuned yr Hob a ddangosir â chroeslinellau ar Fap F—

(a) wedi ei throsglwyddo i gymuned Pen-y-ffordd; a

(b) yn ffurfio rhan o adran etholiadol Pen-y-ffordd.

Pen-y-ffordd a Choed-llai – newid i ardaloedd cymunedol a newidiadau canlyniadol i adrannau etholiadol

8.—(1) Mae'r rhan o gymuned Coed-llai a ddangosir â chroeslinellau ar Fap G—

(a) wedi ei throsglwyddo i gymuned Pen-y-ffordd; a

(b) yn ffurfio rhan o adran etholiadol Pen-y-ffordd.

(a) the existing community wards of Broughton and Bretton East and Broughton and Bretton North are amalgamated to form the new community ward of Broughton and Bretton North East;

(b) the new community ward of Broughton and Bretton North East is within the electoral division of Broughton North East; and

(c) the number of councillors to be elected for the new Broughton North East ward is 5.

(3) For the part of the community of Broughton and Bretton shown cross-hatched on Map D—

(a) this comprises the Broughton and Bretton South ward;

(b) it forms part of the electoral division of Broughton South; and

(c) the number of councillors to be elected for the Broughton and Bretton South ward is 9.

Pen-y-Ffordd and Higher Kinnerton - change to community areas and consequential change to electoral divisions

6. The part of the community of Higher Kinnerton shown hatched on Map E—

(a) is transferred to the community of Pen-y-Ffordd; and

(b) forms part of the electoral division of Pen-y-Ffordd.

Pen-y-Ffordd and Hope - change to community areas and consequential changes to electoral divisions

7. The part of the community of Hope shown hatched on Map F—

(a) is transferred to the community of Pen-y-Ffordd; and

(b) forms part of the electoral division of Pen-y-Ffordd.

Pen-y-Ffordd and Leeswood – change to community areas and consequential changes to electoral divisions

8.—(1) The part of the community of Leeswood shown hatched on Map G—

(a) is transferred to the community of Pen-y-Ffordd; and

(b) forms part of the electoral division of Pen-y-Ffordd.

(2) Yng nghymuned Pen-y-ffordd nifer y cynghorwyr sydd i'w hethol yw 13.

Diwygiadau Canlyniadol

9.—(1) Mae Gorchymyn Sir y Fflint (Trefniadau Etholiadol) 1998(**1**) wedi ei ddiwygio fel a ganlyn.

(2) Yng ngholofn (2) o'r Tabl yn yr Atodlen, yn lle'r eitem yn y golofn gyferbyn ag Enw Adran Etholiadol Newydd Helygain rhodder—

"The Halkyn Mountain ward of the Community of Halkyn".

(2) In the community of Pen-y-Ffordd the number of councillors to be elected is 13.

Consequential Amendments

9.—(1) The County of Flintshire (Electoral Arrangements) Order 1998(**1**) is amended as follows.

(2) In column (2) of the Table in the Schedule, for the entry in the column opposite the Name of the New Electoral Division of Halkyn substitute—

"The Halkyn Mountain ward of the Community of Halkyn".

Mark Drakeford

Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol, un o Weinidogion Cymru

25 Tachwedd 2016

Cabinet Secretary for Finance and Local Government, one of the Welsh Ministers

25 November 2016

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(**1**) O.S. 1998/3140.

(**1**) S.I. 1998/3140.

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LLYWODRAETH LEOL, CYMRU

Gorchymyn Sir y Fflint (Cymunedau) 2016

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