STATUTORY INSTRUMENTS

1985 No. 1816

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Lliw Valley (Communities) Order 1985

Made - - - - -	21*st November* 1985
Coming into operation—	
For the purposes described in article 2 - - - -	1*st January* 1986
For all other purposes - -	1*st April* 1986

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 Lliw Valley:

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 Lliw Valley (Communities) Order 1985.

2. 1st January 1986 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 1986;

"as altered" means as altered by the Brecknock (Communities) Order 1985(**b**) 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(**c**) as amended by the Local Government Area Changes (Amendment) Regulations 1978(**d**); and

(**a**) 1972 c.70.
(**b**) S.I. 1985/1763.
(**c**) S.I. 1976/246.
(**d**) S.I. 1978/247.

"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 Lliw Valley (Communities) Order 1985". The sheets of the boundary map are respectively marked with the numbers 1 to 18 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 counties and districts

5.—(1) That part of the County of West Glamorgan, of the Borough of Lliw Valley and of the Community of Llanguicke which is shown hatched red on sheet 2 of the boundary map shall be transferred to the County of Dyfed, to the Borough of Dinefwr and to the Community of Cwmamman, and shall form part of the Cwmamman electoral division of the County of Dyfed, of the No. 7 ward of the Borough of Dinefwr, of the petty sessional division in which the Community of Cwmamman is comprised and of the Carmarthenshire coroner's district.

(2) The other boundaries of the Borough of Lliw Valley with the Boroughs of Dinefwr and Llanelli, such boundaries being also boundaries of the County of West Glamorgan with the County of Dyfed, shall be such boundaries as shown by the relevant continuous red lines on the boundary map, and any district boundary meeting a boundary displaced by this provision shall be continued to the new boundary hereby established in the shortest possible distance.

(3) *(a)* Sub-paragraphs *(b)* to *(e)* shall apply in the Borough of Dinefwr or Llanelli.

(b) Any community or community ward boundary meeting a boundary displaced by paragraph (2) shall be continued to the new boundary thereby established in the shortest possible distance.

(c) Any area added to the borough by paragraph (2) to which *(b)* does not apply shall form part of the community which it adjoins.

(d) Any area added to the borough by paragraph (2) 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.

(4) Any provision of paragraph (3) shall not have effect in relation to communities, community wards, petty sessional divisions and coroners' districts in the Borough of Llanelli 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 Borough of Lliw Valley as altered—

(1) the two communities of Cilybebyll and Mawr shall continue;

(2) the four existing communities of Llanguicke, Llwchwr, Rhyndwyclydach and Ynysymond shall be abolished;

(3) thirteen new communities to be known as Clydach, Cwmllynfell, Gorseinon, Gowerton, Grovesend, Gwaun-Cae-Gurwen, Llangyfelach, Llwchwr, Penllergaer, Pontardawe, Pontardulais, Pont-Lliw and Ystalyfera shall be constituted; and

(4) the communities named in paragraphs (1) and (3) shall consist of the areas shown by the relevant continuous red lines on the boundary map.

Electoral divisions and district wards

7. Where any boundary of the Borough of Lliw Valley altered by article 5 is also the boundary of an electoral division of the County of West Glamorgan or of a ward of the said borough, the alteration shall extend to such electoral division or ward.

Community councils

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

(2) The community wards of the communities of Llanguicke, Mawr and Rhyndwyclydach shall be abolished.

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

(4) The new communities other than Grovesend, Llangyfelach and Pont-Lliw, and as from the fourth day after the ordinary day of election of councillors in 1987 the communities of Cilybebyll and Mawr, shall be divided into the new community wards named in respect thereof in column (2) of Schedule 1, 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 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 the numbers of councillors for the communities of Cilybebyll and Mawr shall remain 13 and 11 respectively.

(7) The annual meetings of the new community councils for 1986 shall be held in April 1986 and shall be convened by the officer appointed by the Borough Council of Lliw Valley for the purpose.

Petty sessional division

9. The Lliw Valley petty sessional division shall consist of the Borough of Lliw Valley as altered.

Coroners' districts

10.—(1) The Swansea and Gower coroner's district shall consist of—

(a) in the Borough of Lliw Valley, the communities of Gorseinon,

Gowerton, Grovesend, Llangyfelach, Llwchwr, Penllergaer, Pontardulais and Pont-Lliw as existing on and after the appointed day; and

(b) the City of Swansea.

(2) The West Glamorgan coroner's district shall consist of—

(a) in the Borough of Lliw Valley, the communities of Cilybebyll, Clydach, Cwmllynfell, Gwaun-Cae-Gurwen, Mawr, Pontardawe and Ystalyfera as existing as aforesaid; and

(b) the Boroughs of Afan and Neath.

Councillors

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

(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 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) Elections of councillors for the communities and community wards named or described in Part III of Schedule 2 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 1991.

(5) Community councillors for the new wards of the communities of Cilybebyll and Mawr 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 Llanguicke	The Community Council of Pontardawe
Community Council of Rhyndwyclydach or Ynysymond	The Community Council of Clydach

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 Borough Council of Lliw Valley, 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)
Llanguicke	The community councils of Cwmllynfell, Gwaun-Cae-Gurwen, Pontardawe and Ystalyfera
Rhyndwyclydach	The community councils of Clydach, Mawr and Pontardawe
Ynysymond	The community councils of Cilybebyll and Clydach

(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 Borough Council of Lliw Valley may levy rates in each new community 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.

Family practitioner services

15. The provisions of Schedule 3 shall apply to any area transferred by article 5 (as read with articles 1(3) and 2(1) of and Part II of the Schedule to the Family Practitioner Committees (Establishment) Order 1984(**a**)) from the locality of one Family Practitioner Committee to the locality of another such Committee.

(**a**) S.I. 1984/1946.

Land registration

16. Registration of title to land under the Land Registration Acts 1925 to 1971 (**a**) shall—

(a) be compulsory on sale throughout the Boroughs of Llanelli and Lliw Valley as altered;

(b) cease to be compulsory on sale in any area transferred by article 5 to the Borough of Dinefwr save in so far as section 20(1) of the Housing Act 1980 (**b**) applies to any dwellinghouse situated within such area.

Town and country planning

17. The provisions applicable to any area transferred by article 5 from one county to another of—

(i) the structure plan;

(ii) the old development plan (within the meaning of paragraph 2 of Schedule 7 to the Town and Country Planning Act 1971 (**c**));

(iii) any local plan which has been adopted by the council of the county from which the area is transferred; and

(iv) 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) in the case of (i) or (ii), contained in similar plans made by the council of the county to which the area is transferred;

(b) in the case of (iii), a local plan adopted by the council of such county; and

(c) in the case of (iv), a local plan adopted by the council of the district to which the area is transferred.

Local Acts, orders and byelaws

18. 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)
Rhyndwyclydach and Ynysymond	Clydach
Llanguicke	Cwmllynfell, Gwaun-Cae-Gurwen and Ystalyfera
Llwchwr	Gorseinon, Gowerton, Grovesend, Llangyfelach, Llwchwr, Penllergaer, Pontardulais and Pont-Lliw
Llanguicke and Rhyndwyclydach	Pontardawe

(**a**) 1925 c.21; 1936 c.26; 1966 c.39; 1971 c.54.
(**b**) 1980 c.51.
(**c**) 1971 c.78.

SCHEDULE 1

Article 8

COMMUNITIES: WARDS: COUNCILLORS

(1) Community	(2) Ward	(3) Number of community councillors
New communities		
Clydach	Clydach	6
	Glais	1
	Graigfelen	4
	Vardre	5
Cwmllynfell	Cwmllynfell	8
	Penrhiw Fawr	3
Gorseinon	Gorseinon Central	4
	Gorseinon East	4
	Gorseinon West	3
	Penyrheol	5
Gowerton	Gowerton East	8
	Gowerton West	5
Grovesend	—	9
Gwaun-Cae-Gurwen	Cwmgors	4
	Gwaun-Cae-Gurwen	5
	Lower Brynamman	4
	Tai'r Gwaith	2
Llangyfelach	—	9
Llwchwr	Garden Village	3
	Kingsbridge	5
	Lower Loughor	4
	Upper Loughor	5
Penllergaer	East	5
	West	7
Pontardawe	Pontardawe	7
	Rhyd-y-fro	3
	Trebanos	6
Pontardulais	Dulais East	3
	Dulais West	4
	Goppa	2
	Pentrebach	2
	Tal-y-bont	5
Pont-Lliw	—	10
Ystalyfera	Godre'r graig	4
	Ystalyfera	11
Other communities		
*Cilybebyll	Allt-wen	7
	Gellinudd	2
	Rhos	6
*Mawr	Craig-cefn-parc	7
	Felindre	2
	Garnswllt	3

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

SCHEDULE 2 Article 11

COMMUNITY COUNCILLORS

PART I

Councillors continued in office

(1) Existing community or community ward	(2) Community represented on and after appointed day
Community	
Cilybebyll	Cilybebyll
Community wards	
All the wards of Mawr	Mawr

PART II

Offices where councillors are to retire at the appointed day

Community

Councillors of the community of Ynysymond.

Community wards

Councillors of all the wards of Llanguicke and Rhyndwyclydach.

PART III

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

Communities

Grovesend, Llangyfelach and Pont-Lliw.

Community wards

All the wards of Clydach, Cwmllynfell, Gorseinon, Gowerton, Gwaun-Cae-Gurwen, Llwchwr, Penllergaer, Pontardawe, Pontardulais and Ystalyfera.

SCHEDULE 3 Article 15

FAMILY PRACTITIONER SERVICES

1. In this Schedule "the transferred area" means the area transferred from the locality of one Family Practitioner Committee (hereinafter referred to as "the transferor Committee") to the locality of another such Committee (hereinafter referred to as "the transferee Committee"), and

"the transferor locality" means the locality of the transferor Committee; and

"the transferee locality" means the locality of the transferee Committee.

2. Subject to the following paragraphs—

(a) all arrangements for the provision of general medical services, general dental services, general ophthalmic services and pharmaceutical services made by the transferor Committee shall, so far as they relate to the transferred area, remain of full force and effect as if made by the transferee Committee;

(b) any decision given before the appointed day by the local medical committee, local dental committee, local optical committee or local pharmaceutical committee for the transferor locality shall, in so far as it relates to the transferred area, have effect as if it had been given by the corresponding committee for the transferee locality; and

(c) any reference in any instrument to the local medical committee, local dental committee, local optical committee or local pharmaceutical committee for the transferor locality shall, in so far as it relates to the transferred area, have effect as if it had been a reference to the corresponding committee for the transferee locality.

3. Any services provided as part of general medical services, general dental services, general ophthalmic services or pharmaceutical services which have been commenced in the transferred area but not completed before the appointed day, and any matters arising in consequence of such services completed before that day, may be continued with the substitution for the transferor Committee, as regards any responsibility for the administration (including payment) of those services, of the transferee Committee.

4. Any proceedings under Part II of the National Health Service (Service Committees and Tribunal) Regulations 1974(a) in relation to services provided before the appointed day in the transferred area may be instituted and carried on, or as the case may be, continued in all respects as if this order had not been made. Any direction for the withholding of remuneration following such proceedings may be given to such Family Practitioner Committee as the Secretary of State may think fit.

5. Any proceedings before the transferor Committee instituted before the appointed day for determining whether the replacement or repair of an appliance is necessitated—

(a) in the case of an optical appliance, by lack of care on the part of the person supplied; or

(b) in the case of a dental appliance, by an act or omission of the person supplied or (if it occurred when such person was under 16 years of age) of him or of the person having charge of him when it occurred;

shall where the practice premises given on the application for the replacement or repair of the appliance are situated in the transferred area be continued with the substitution for the transferor Committee of the transferee Committee.

6. Any medical practitioner who immediately before the appointed day is included in the medical list of the transferor Committee and who at that date—

(a) has a surgery in the transferred area, or

(b) has on his list any patient permanently residing in such area,

shall be entitled to be included in the medical list of the transferee Committee for the provision of services in those parts of the transferred area in which he was entitled to provide services immediately before the appointed day.

7. Any practitioner who immediately before the appointed day is providing services under section 35(1), 38 or 41 of the National Health Service Act 1977 (b)

(a) S.I. 1974/455; relevant amending instruments are S.I. 1982/288, 1985/39.

(b) 1977 c.49; section 35(1) was substituted by article 7(9) of S.I. 1985/39; section 38 was amended by the Health Services Act 1980 (c.53), Schedule 1, paragraph 51, by article 7(11) of S.I. 1985/39 and by the Health and Social Security Act 1984 (c.48), section 1(3), as from a day to be appointed; section 41 was amended by the Health Services Act 1980, section 20(1) and Schedule 1, paragraph 53 and by article 7(13) of S.I. 1985/39.

from premises within the transferred area shall be included in the dental, ophthalmic or pharmaceutical list, as appropriate, of the transferee Committee.

8. Anything duly done by, and any application duly made, or direction, authorisation or notice duly given to—

(a) the Secretary of State;

(b) the transferor Committee;

(c) the Welsh Health Common Services Authority;

(d) the Dental Estimates Board; or

(e) any other body dealing with family practitioner services,

in connection with the exercise, by such body, of any function exercisable by a Family Practitioner Committee, shall, in so far as it relates to the transferred area, be deemed to have been duly done by, or made or given to, the body exercising such function on the appointed day in place of the body by which such thing was done or to which such application was made, or such direction, authorisation or notice was given.

9. Any instrument made by any of the bodies specified in paragraph 8, in so far as it was made in the exercise of any function referred to in that paragraph, shall continue in force until it is varied or revoked by the body exercising such function in place of the body by which such instrument was made.

10. Any form supplied by any of the bodies specified in paragraph 8 in the exercise, by such body, of a function exercisable by a Family Practitioner Committee shall continue to be a valid form in connection with the exercise of any function until it is cancelled or withdrawn by the Secretary of State or by the body exercising the function in place of the body by which the form was supplied, and as if any reference contained in such a form to a body by which the function was exercisable before the appointed day was a reference to the body exercising that function on and after that day.

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

Signed by authority of
the Secretary of State.
21st November 1985.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order continues two communities and constitutes thirteen new communities in the Borough of Lliw Valley, also making minor alterations in the boundary of the borough and in the boundary of the County of West Glamorgan.

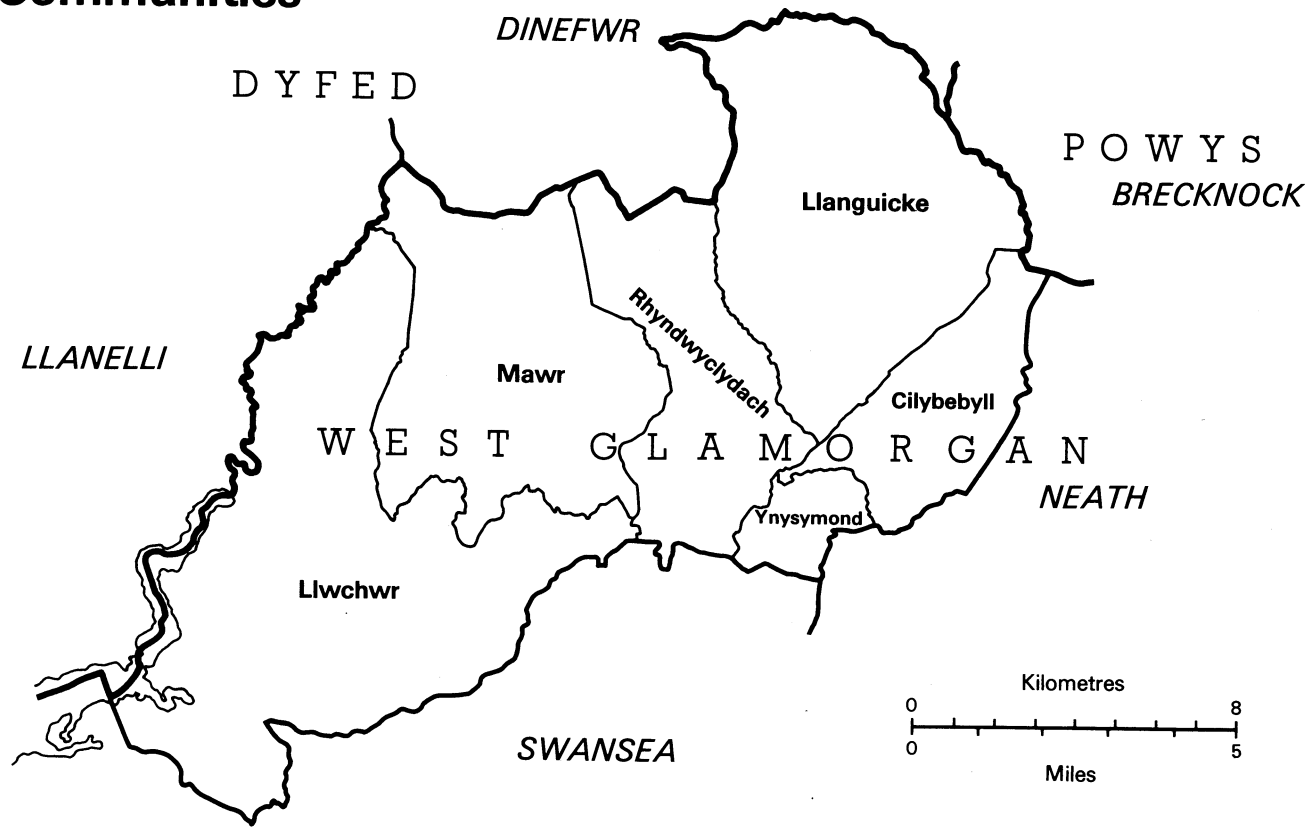
Each of the continued or new communities will have a community council.

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 area referred to in article 5(1) 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 borough councils of Dinefwr, Llanelli and Lliw Valley. 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



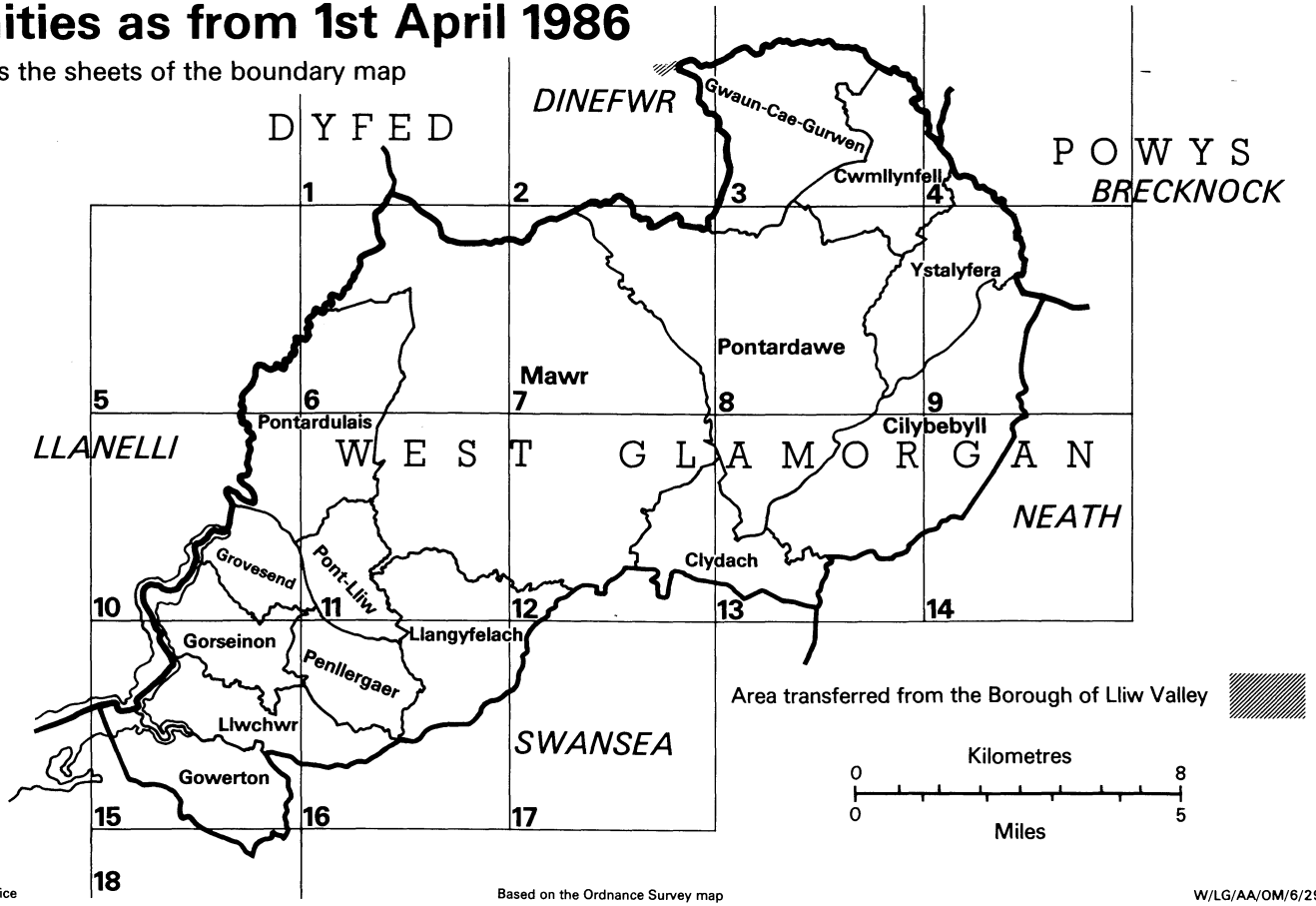
Cartographic Services, Welsh Office

Based on the Ordnance Survey map

W/LG/AA/OM/6/29

Communities as from 1st April 1986

The grid identifies the sheets of the boundary map



Cartographic Services, Welsh Office

Based on the Ordnance Survey map

W/LG/AA/OM/6/29

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CHANGES IN LOCAL GOVERNMENT AREAS

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