STATUTORY INSTRUMENTS

1982 No. 98

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Vale of Glamorgan (Communities) Order 1982

Made - - - -	*29th January* 1982
Coming into Operation—	
For the purposes described in article 2 -	*3rd February* 1982
For all other purposes -	*1st April* 1982

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 Vale of Glamorgan:

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 Vale of Glamorgan (Communities) Order 1982.

2. 3rd February 1982 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 1982;

"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;

(a) 1972 c. 70.

"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", "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 Vale of Glamorgan (Communities) Order 1982". The sheets of the boundary map are respectively marked with the numbers 1 to 21 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) Those areas which are described in column (1) of Schedule 1 shall be transferred to the County of Mid Glamorgan and, in so far as boroughs, communities, electoral divisions of the said county, wards of boroughs or communities, petty sessional divisions and coroners' districts are specified in respect thereof in columns (2) to (8), be transferred to or form part of such areas.

(2) Those parts of the County of Mid Glamorgan, of the Boroughs of Ogwr and Taff-Ely and of the communities of Coychurch Lower, Llanilid, Llanilterne, Llantrisant and Wick which are shown coloured red and numbered B2 and B3 on sheet 4, B4 on sheets 1 and 5, B6 on sheets 7 and 8, B5 on sheets 3 and 7 and B1 on sheet 10 of the boundary map shall be transferred to the County of South Glamorgan and to the Borough of Vale of Glamorgan.

(3) That part of the City of Cardiff and of the Community of St. Fagans which is shown coloured red and numbered B7 on sheets 7 and 8 of the boundary map shall be transferred to the Borough of Vale of Glamorgan.

(4) The other boundaries of the Borough of Vale of Glamorgan with any other district, and where such boundaries are also boundaries of the County of South Glamorgan with the County of Mid Glamorgan those boundaries, shall be such boundaries as shown by the relevant continuous red lines on the boundary map, and any county or district boundary meeting a boundary displaced by this provision shall be continued to the new boundary hereby established in the shortest possible distance.

(5) (*a*) Sub-paragraphs (*b*) to (*e*) shall apply in any district other than the Borough of Vale of Glamorgan altered by paragraph (4).

(*b*) Any community or community ward boundary meeting a boundary displaced by paragraph (4) shall be continued to the new boundary thereby established in the shortest possible distance.

(*c*) Any area added to the district by paragraph (4) to which (*b*) does not apply shall form part of the community which it adjoins.

(*d*) Any area added to the district by paragraph (4) 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.

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

(*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 district, petty sessional division and coroner's district in which the community ward or the community, as the case may be, is situated.

(6) Any provision of paragraph (5) shall not have effect in relation to the communities of Cardiff and St. Fagans and the Cardiff petty sessional division if any order under the powers recited in this order is made relating to the City of Cardiff and coming into operation (otherwise than for the purposes first described in article 2) on the appointed day.

Communities

6. In the Borough of Vale of Glamorgan as altered—

(1) the six communities of Barry, Colwinston, Llantwit Major, Pendoylan, Peterston-super-Ely and Welsh St. Donats shall continue;

(2) the two communities of Llanmaes and St. Andrews Major shall continue but shall be renamed and are hereinafter referred to as Llan-maes and Dinas Powys respectively;

(3) the thirty-seven existing communities of Bonvilston, Cowbridge, Eglwysbrewis, Flemingston, Gileston, Lavernock, Leckwith, Llanblethian, Llancarfan, Llandow, Llanfair, Llanfythin, Llangan, Llanmihangel, Llansannor, Llantrithyd, Llysworney, Marcross, Michaelston-le-Pit, Monknash, Nash, Penarth, Penllyn, Penmark, Porthkerry, St. Athan, St. Brides-super-Ely, St. Donats, St. George, St. Hilary, St. Lythans, St. Mary Hill, St. Nicholas, Stembridge, Sully, Wenvoe and Ystradowen shall be abolished;

(4) sixteen new communities to be known as Cowbridge with Llanblethian, Llancarfan, Llandough, Llandow, Llanfair, Llangan, Michaelston, Penarth, Penllyn, Rhoose, St. Athan, St. Donats, St. Georges-super-Ely, St. Nicholas, Sully and Wenvoe shall be constituted;

(5) the communities named in paragraphs (1), (2) and (4) shall, subject to the provision of paragraph (6), consist of the areas shown by the relevant continuous red lines on the boundary map;

(6) 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 (4) shall form, or continue to form, part of such a community (and if that community is divided into wards of the ward) nearest to which any part of such island, rock or sandbank lies.

Electoral divisions and district wards

7. Where any boundary of the Borough of Vale of Glamorgan altered by article 5 is also the boundary of an electoral division of the County of South 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, and the common council of any communities, named in paragraph (3) of article 6 shall be dissolved.

(2) The community wards of the Town of Penarth shall be abolished.

(3) There shall be a community council for each new community and for each of the communities of Colwinston and Llan-maes.

(4) Where any boundary of the Town of Barry is the boundary of a ward of such town any alteration of the first-mentioned boundary shall extend to such ward. Subject as aforesaid the existing wards of the said town shall continue until the fourth day after the ordinary day of election of councillors in 1983.

(5) The new communities other than Llandough, and as from the fourth day after the ordinary day of election of councillors in 1983 the communities of Barry, Dinas Powys and Llantwit Major, shall be divided into the new community wards named in respect thereof in column (2) of Schedule 2, such wards consisting, subject to the provision of paragraph (6) of article 6, of the areas shown by the relevant continuous green lines on the boundary map.

(6) Subject to paragraph (7), the number of councillors for each community named in column (1) of Schedule 2 not divided into community wards, and for each new community ward, shall be that shown in respect thereof in column (3).

(7) Until the fourth day after the ordinary day of election of councillors in 1983 the number of councillors for any community or new community ward in respect of which a number is specified in column (4) of Schedule 2 shall be that number.

(8) The annual meetings of the new community councils for 1982 shall be held in April 1982 and shall be convened by the officer appointed by the Borough Council of Vale of Glamorgan for the purpose.

(9) As from the fourth day after the ordinary day of election of councillors in 1983 the number of councillors for the communities of Pendoylan, Peterston-super-Ely and Welsh St. Donats shall be 8 in each case.

Petty sessional division

9. The Vale of Glamorgan petty sessional division shall consist of the Borough of Vale of Glamorgan as altered.

Councillors

10.—(1) Regulation 8(1) (Councillors) of the Regulations shall not apply to any community or community ward in the Borough of Vale of Glamorgan other than the wards of the Town of Barry.

(2) Any person in office at the appointed day as councillor for any community named in column (1) of Part I of Schedule 3 shall represent the area specified in respect of such community in column (2) on the appropriate council until the fourth day after the ordinary day of election of councillors in 1983. 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 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 1983.

(3) Any casual vacancy which exists at the coming into operation of this order or occurs before the appointed day in any office named 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) Elections of councillors for the communities and community wards named in Part III of Schedule 3 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.

Privileges and rights of former boroughs

11. Any privileges or rights belonging immediately before 1st April 1974 to the burgesses of the former borough of Barry or Cowbridge shall belong to the inhabitants of the community of Barry or Cowbridge with Llanblethian as existing on and after the appointed day.

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 Bonvilston or St. Nicholas	Community Council of St. Nicholas
Community council of Cowbridge or Llanblethian	Community Council of Cowbridge with Llanblethian
Community council of Lavernock or Sully	Community Council of Sully
Leckwith and Michaelston-le-Pit Community Council	Community Council of Michaelston
Community Council of Llancarfan	Community Council of Llancarfan
Community Council of Llangan	Community Council of Llangan
Marcross, Monknash and St. Donats Community Council	Community Council of St. Donats
Town Council of Penarth	Community Council of Penarth
Community Council of Penllyn	Community Council of Penllyn
Community council of Penmark or Porthkerry	Community Council of Rhoose
Community Council of St. Athan	Community Council of St. Athan
Community Council of St. George	Community Council of St. Georges-super-Ely
Community Council of Wenvoe	Community Council of Wenvoe

Community books, etc.

13.—(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)
Bonvilston or St. Nicholas	The Community Council of St. Nicholas
Lavernock or Sully	The Community Council of Sully
Leckwith or Michaelston-le-Pit	The Community Council of Michaelston
Llanblethian	The Community Council of Cowbridge with Llanblethian
Llancarfan	The Community Council of Llancarfan
Llangan	The Community Council of Llangan
Monknash or St. Donats	The Community Council of St. Donats
Penarth	The Community Council of Penarth
Penllyn	The Community Council of Penllyn
Penmark or Porthkerry	The Community Council of Rhoose
St. Athan	The Community Council of St. Athan
St. George	The Community Council of St. Georges-super-Ely
Wenvoe	The Community Council of Wenvoe

(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 Vale of Glamorgan shall levy rates in each new community named in column (1) of the following table and make payments to the new community council as if the new community council had issued a precept to the borough council requiring the payment of a sum equal to the product of a rate of the amount in the pound, calculated on the total rateable value as set out in the valuation list on the appointed day, specified in respect of the community in column (2).

TABLE

(1)	(2)
Cowbridge with Llanblethian or Penarth	6p
Wenvoe	5p
Sully	3p
Llancarfan or St. Nicholas	2p
Rhoose or St. Athan	1½p
Colwinston, Llandough, Llandow, Llanfair, Llangan, Llan-maes, Michaelston, Penllyn, St. Donats or St. Georges-super-Ely	1p

Town and country planning

15.—(1) In this article—

"the development plan" means, in relation to any county, the development plan within the meaning of Schedule 5 to the Town and Country

Planning Act 1971(a) or, as the case may be, the old development plan within the meaning of paragraph 2 of Schedule 7 to that Act; and

"relevant area" means an area transferred by article 5 from one county to another.

(2) The development plan for the county to which any relevant area is transferred shall have effect as if the provisions of such plan for the county from which the area is transferred in relation to land in the area were contained therein.

(3) Any structure plan or local plan which has at the appointed day been prepared by any county council or district council for any area including any area transferred by article 5 from the county or the district, as the case may be, or any part thereof, shall cease to have effect in relation to the area so transferred or the part thereof.

Cemeteries

16.—(1) Any provisions in relation to inhabitants of the Town of Cowbridge in any table of fees in force in respect of Cowbridge Cemetery shall apply to the inhabitants of the new community of Cowbridge with Llanblethian.

(2) (*a*) In the application of paragraph (2) of regulation 35 (Cemeteries) of the Regulations to the Community of Llandough as a transferred area within the meaning of such paragraph, the expression "the cemetery area as altered" shall include the new community of Penarth.

(*b*) Subject to (*b*) of the said paragraph (2), any provisions in relation to inhabitants of the Town of Penarth in any table of fees in force in respect of the Penarth Cemetery shall apply to the inhabitants of the new community of Penarth.

(3) Any provisions in relation to inhabitants of the Community of Porthkerry in any table of fees in force in respect of Porthkerry Cemetery shall apply to the inhabitants of the new community of Rhoose.

(4)(*a*) In the application of paragraph (2) of regulation 35 (Cemeteries) of the Regulations to any area of the existing community of Wenvoe as a transferred area within the meaning of such paragraph, the expression "the cemetery area as altered" shall include the new community of Wenvoe.

(*b*) Subject to (*b*) of paragraph (2) aforesaid, any provisions in relation to inhabitants of the existing community of Wenvoe in any table of fees in force in respect of the cemetery known as Churchyard Extension, Wenvoe, shall apply to the inhabitants of the new community of Wenvoe.

(a) 1971 c. 78.

Local Acts, orders and byelaws

17. 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)
Cowbridge and Llanblethian	Cowbridge with Llanblethian
Llancarfan, Llanfythin and Llantrithyd	Llancarfan
Penarth	Llandough and Penarth
Llandow, Llanmihangel, Llysworney, Nash and Stembridge	Llandow
Llanfair and St. Hilary	Llanfair
Llangan and St. Mary Hill	Llangan
Leckwith and Michaelston-le-Pit	Michaelston
Llanblethian, Llansannor, Penllyn and Ystradowen	Penllyn
Penmark and Porthkerry	Rhoose
Eglwysbrewis, Flemingston, Gileston and St. Athan	St. Athan
Marcross, Monknash and St. Donats	St. Donats
St. Brides-super-Ely and St. George	St. Georges-super-Ely
Bonvilston and St. Nicholas	St. Nicholas
Lavernock and Sully	Sully
St. Lythans and Wenvoe	Wenvoe

SCHEDULE 1

Article 5(1)

TRANSFERS TO MID GLAMORGAN

(1) Description	(2) Borough	(3) Community	(4) Electoral divison	(5) Ward of borough	(6) Ward of community	(7) Petty sessional division	(8) Coroner's district
County of South Glamorgan Borough of Vale of Glamorgan							
The Community of St. Andrew's Minor other than the part which lies east of the new county and district boundary (shown hatched green on sheet 10 of the boundary map).	Ogwr	—	Penybont No. 2	No. 21	—	Newcastle and Ogmore	Southern
The part of the Community of Monknash shown hatched red and numbered A1 on sheet 10 of the boundary map.	Ogwr	Wick	Penybont No. 2	No. 21	—	Newcastle and Ogmore	Southern
The parts of the Community of Llangan shown hatched red and numbered A2, A3, A4, A5 and A6 on sheet 4 of the boundary map.	Ogwr	Coychurch Lower	Penybont No. 2	No. 22	—	Newcastle and Ogmore	Southern
The parts of the communities of St. Mary Hill and Llansannor shown hatched red and numbered A7 and A8 respectively on sheet 1 of the boundary map.	Taff-Ely	Llanilid	Cowbridge Rural	No. 15	—	Miskin	Southern

(1) Description	(2) Borough	(3) Community	(4) Electoral division	(5) Ward of borough	(6) Ward of community	(7) Petty sessional division	(8) Coroner's district
The parts of the communities of Llansannor and Ystradowen shown hatched red and numbered A9 and A10 respectively on sheets 1 and 6 of the boundary map.	Taff-Ely	Llanharry	Cowbridge Rural	No. 15	—	Miskin	Southern
The part of the Community of Pendoylan shown hatched red and numbered A11 on sheet 3 of the boundary map.	Taff-Ely	Llantrisant	Llantrisant and Llantwit Fardre No. 1	No. 13	Llantrisant Town	Miskin	Southern
The part of the Community of Peterston-super-Ely shown hatched red and numbered A12 on sheets 3 and 7 of the boundary map.	Taff-Ely	Pentyrch	Caerphilly No. 7	No. 9	Creigiau	Miskin	Northern

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 in 1983
New communities			
Cowbridge with Llanblethian	Aberthin	2	—
	Cowbridge	5	—
	Llanblethian East	4	—
	Llanblethian West	4	—
Llancarfan	Llancarfan	7	—
	Llantrithyd	3	—
Llandough	—	10	—
Llandow	Llandow	4	—
	Llanmihangel	2	—
	Llysworney	4	—
Llanfair	Llanfair	5	—
	St. Hilary	3	—
Llangan	Llangan	6	5
	St. Mary Hill	3	—
Michaelston	Leckwith	2	3
	Michaelston	5	4
Penarth	Cornerswell	4	—
	Plymouth	4	—
	St. Augustine's	5	—
	Stanwell	3	—
Penllyn	Llansannor	2	—
	Penllyn	4	5
	Ystradowen	5	—
Rhoose	Aberthaw	1	—
	Ceri	5	—
	Fonmon	3	—
	Fontygary	4	—
	Penmark	1	—
	Porthkerry	1	—
St. Athan	Flemingston	3	—
	Gileston	1	—
	St. Athan	8	11
St. Donats	Marcross	3	2
	Monknash	1	—
	St. Donats	4	2
St. Georges-super-Ely	St. Brides-super-Ely	2	—
	St. Georges-super-Ely	5	—

(1) Community	(2) Ward	(3) Number of community councillors	(4) Number of community councillors until fourth day after the ordinary day of election in 1983
St. Nicholas	Bonvilston	4	5
	St. Nicholas	6	5
Sully	Lavernock	1	—
	Sully	8	—
Wenvoe	St. Lythans	2	—
	Wenvoe	9	5
Other communities			
*Barry	Baruc	3	—
	Buttrills	3	—
	Cadoc	3	—
	Castleland	2	—
	Court	3	—
	Dyfan	2	—
	Gibbonsdown	3	—
	Illtyd	3	—
Colwinston	—	7	—
*Dinas Powys	Cross Common	4	9
	Eastbrook	4	
	Murch	4	
	Twyn	4	
Llan-maes	—	7	—
*Llantwit Major	Boverton	3	11
	North	5	
	South East	4	
	West	3	

**New wards as from the fourth day after the ordinary day of election of councillors in 1983.*

SCHEDULE 3 — Article 10

COMMUNITY COUNCILLORS

PART I

Councillors continued in Office

(1) Existing community	(2) Community or new community ward represented on and after appointed day
Bonvilston	Bonvilston ward of St. Nicholas
Leckwith	Leckwith ward of Michaelston
Llancarfan	Llancarfan ward of Llancarfan
Llangan	Llangan ward of Llangan
Llantwit Major, Pendoylan, Peterston-super-Ely or Welsh St. Donats	The community as continued
Marcross	Marcross ward of St. Donats
Michaelston-le-Pit	Michaelston ward of Michaelston
Monknash	Monknash ward of St. Donats
Penllyn	Penllyn ward of Penllyn
St. Andrews Major	Dinas Powys
St. Athan	St. Athan ward of St. Athan
St. Donats	St. Donats ward of St. Donats
St. George	St. Georges-super-Ely ward of St. Georges-super-Ely
St. Nicholas	St. Nicholas ward of St. Nicholas
Wenvoe	Wenvoe ward of Wenvoe

PART II

Offices where councillors are to retire at the appointed day

Councillors of the communities of Cowbridge, Lavernock, Llanblethian, Penarth, Penmark, Porthkerry and Sully.

PART III

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

Communities

Colwinston
Llan-maes
Llandough

New community wards

All the wards of Cowbridge with Llanblethian, Llandow, Llanfair, Penarth, Rhoose and Sully
The Llantrithyd ward of Llancarfan
The St. Mary Hill ward of Llangan
The Llansannor and Ystradowen wards of Penllyn
The Flemingston and Gileston wards of St. Athan
The St. Brides-super-Ely ward of St. Georges-super-Ely
The St. Lythans ward of Wenvoe

I. S. Dewar,
An Under Secretary in
the Welsh Office.

Signed by authority of
the Secretary of State.
29th January 1982.

EXPLANATORY NOTE

(This Note is not part of the Order.)

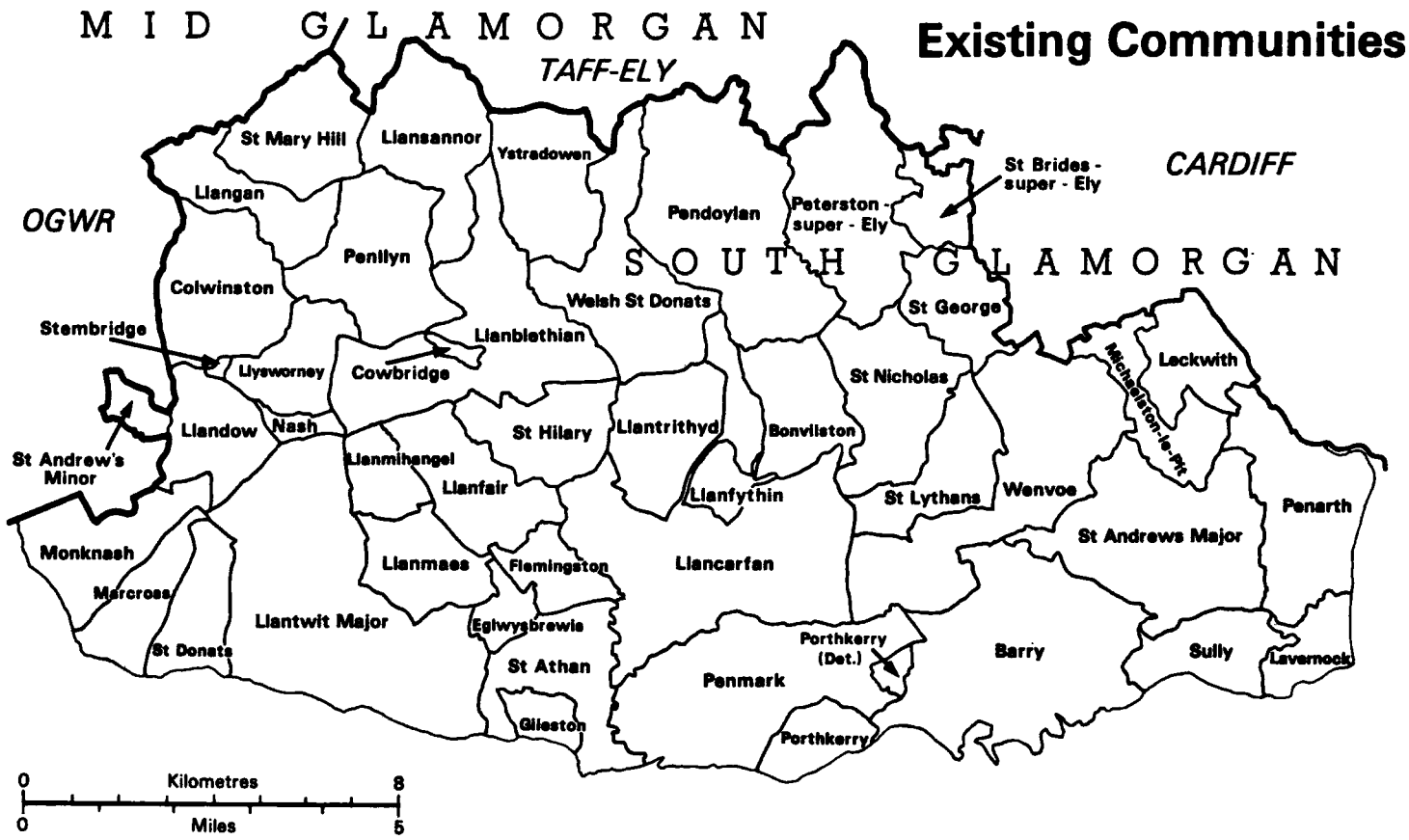
This order continues eight communities (two with a change of name) and constitutes sixteen new communities in the Borough of Vale of Glamorgan, transfers the Community of St. Andrew's Minor (other than a small part) to the Borough of Ogwr and makes other minor alterations in the boundary of the Borough of Vale of Glamorgan (and where that boundary is also the boundary of the County of South Glamorgan of that boundary).

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

The maps forming part of this note (pages 16 and 17) show (*a*) the existing communities and (*b*) the continued and new communities and the transferred areas referred to in article 5(1) to (3) of the order. The map on page 17 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 City Council of Cardiff, and of the Borough Councils of Ogwr, Taff-Ely and Vale of Glamorgan. 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.



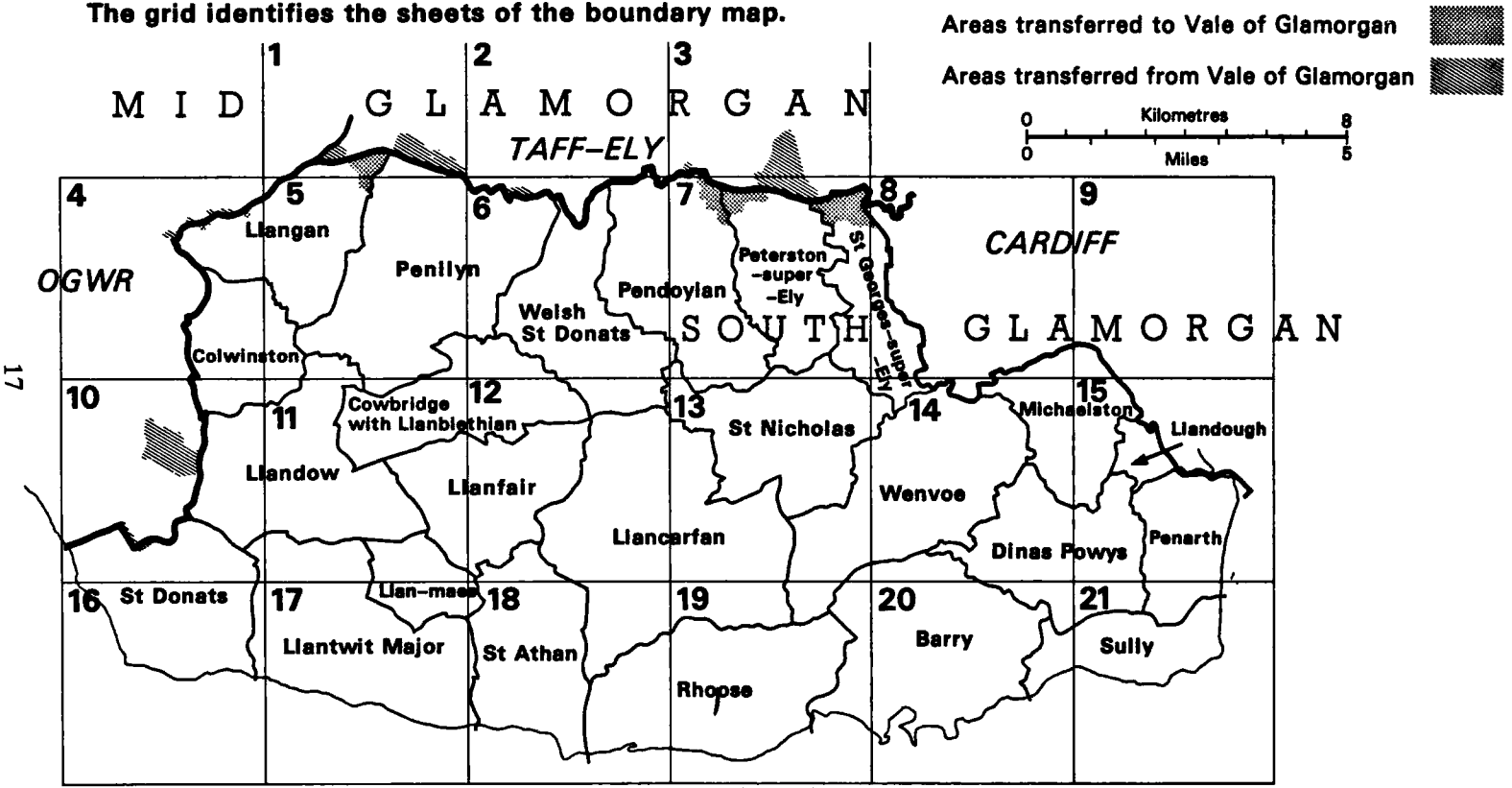
Cartographic Services, Welsh Office

Based on the Ordnance Survey map

WLG/AA/OM/8/7

Communities as from 1st April 1982

The grid identifies the sheets of the boundary map.



Cartographic Services, Welsh Office

Based on the Ordnance Survey map

W/LG/AA/OM/6/7