WELSH STATUTORY INSTRUMENTS

2002 No. 1129 (W.117)

LOCAL GOVERNMENT, WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Bridgend (Cynffig, Cornelly and Pyle Communities) (Electoral Changes) Order 2002

Made - - - -	*28th March 2002*
Coming into force	
for the purposes described in article 1(2)	*30th March 2002*
for all other purposes	*2nd May 2002*

Whereas the Bridgend County Borough Council, acting pursuant to section 55(2) of the Local Government Act 1972(**1**), has made recommendations to the Commission for proposals in relation to the community of Cynffig in that County Borough;

and whereas the Commission has seen fit, pursuant to sections 54(1) and 58(1) of that Act, to make proposals to the National Assembly for Wales;

and whereas the National Assembly for Wales has decided to give effect to those proposals without modification;

and whereas more than six weeks have elapsed since those proposals were made;

now the National Assembly for Wales makes the following Order in exercise of the powers given to the Secretary of State by sections 58(2) and 67(4) and (5) of the Local Government Act 1972 which are now vested in the National Assembly for Wales so far as exercisable in Wales(**2**):

Name and commencement

1.—(1) The name of this Order is the Bridgend (Cynffig, Cornelly and Pyle Communities) (Electoral Changes) Order 2002.

(2) This Order shall come into force on 30th March 2002 for the purposes set out in regulation 4(1) (coming into operation of Order) of the Regulations as modified by paragraph (4).

(3) For all other purposes this Order shall come into force on the appointed day.

(**1**) 1972 c. 70.
(**2**) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(4) In the said regulation 4(1), item (e) shall not apply to the constitution of any new community council.

Interpretation

2. In this Order—

"the appointed day" ("*y diwrnod penodedig*") means 2nd May 2002;

"the boundary map" ("*y map ffiniau*") means the map prepared by the National Assembly for Wales and marked "Map of the Bridgend (Cynffig, Cornelly and Pyle Communities) (Electoral Changes) Order 2002" and deposited in accordance with Regulation 5 of the Regulations;

"the Commission" ("*y Comisiwn*") means the Local Government Boundary Commission for Wales;

"existing" ("*sy'n bodoli eisoes*") in relation to the community of Cynffig means the community as it exists on the date of this Order.

"the Regulations" ("*y Rheoliadau*") means the Local Government Area Changes Regulations 1976(**3**) as amended; and

Changes in Community Areas

3.—(1) The existing community of Cynffig shall be abolished.

(2) There shall be a new community called Cornelly being the area shown on the boundary map.

(3) There shall be a new community called Pyle being the area shown on the boundary map.

(4) Where a boundary shown on the boundary map runs along a road, railway line, footway, waterway or similar geographical feature it shall be treated as running along the centre of that feature.

(5) The number of councillors for each of the new communities of Cornelly and Pyle shall be nine.

Elections for the new community councils of Cornelly and Pyle

4.—(1) Elections of councillors for the new community councils of Cornelly and Pyle shall be held simultaneously on the appointed day and the persons elected shall take office on 6th May 2002 and retire on the fourth day after the ordinary election of councillors in 2004.

(2) The annual meeting of the new community councils of Cornelly and Pyle shall be convened by the officer appointed by the County Borough Council of Bridgend for that purpose.

(3) Those councillors holding office for the community of Cynffig immediately before the appointed day shall retire on that day.

Expenses of the new community councils of Cornelly and Pyle

5.—(1) In this article—

"the 1992 Act" ("*Deddf 1992*") means the Local Government Finance Act 1992(**4**);

"the 1995 Regulations" ("*Rheoliadau 1995*") means the Local Authorities (Precepts) (Wales) Regulations 1995(**5**);

"the new communities" ("*y cymunedau newydd*") means the new community councils of Cornelly and Pyle;

(**3**) S.I. 1976/246 as amended by the Local Government Area Changes (Amendment) Regulations 1978 (S.I. 1978/247).
(**4**) 1992 c. 14.
(**5**) S.I. 1995/2562.

"the prospective billing authority" ("*yr awdurdod bilio arfaethedig*") means Bridgend County Borough Council;

"the relevant financial year" ("*y flwyddyn ariannol berthnasol*") means the financial year beginning on 1st April 2002.

(2) Section 41 of the 1992 Act (issue of precepts by local precepting authorities) shall have effect —

(a) in relation to the new communities, the prospective billing authority and the relevant financial year; and

(b) as respects the period beginning on 30th March 2002 and ending immediately before the day on which there is issued by the new communities precepts for the relevant financial year,

with the substitution for subsection (3) of the following subsection—

"(3) In making calculations in accordance with section 32 above (originally or by way of substitute) the billing authority shall take into account for the purposes of its estimate under section 32(2)(a) above an amount equal to that specified in article 5(6) of the Bridgend (Cynffig, Cornelly and Pyle Communities) (Electoral Changes) Order 2002.".

(3) In relation to the new communities, the prospective billing authority and the relevant financial year—

(a) section 32 of the 1992 Act (calculation of budget requirements by billing authorities) shall have effect with the omission of subsection (6);

(b) section 41(4) of the 1992 Act shall have effect with the substitution for the words "March in the financial year preceding that for which it is issued" of the words "October in the financial year for which it is issued"; and

(c) the reference in section 54(4) of the 1992 Act (power to designate authorities) to a precept anticipated by a billing authority in pursuance of regulations under section 41 of the 1992 Act shall be construed as a reference to the amount specified in paragraph (6) of this article.

(4) In relation to the amount taken into account for the purposes of section 32(2)(a) of the 1992 Act by virtue of paragraph (2) above, Chapter III of Part I of the 1992 Act (setting of council tax) shall have effect as if—

(a) the amount were an item mentioned in section 35(1) of the 1992 Act (special items) which related to the new communities; and

(b) the area of the prospective billing authority included the new communities.

(5) The new communities shall make the calculations required by section 50 of the 1992 Act (calculation of budget requirement by local precepting authorities) for the relevant financial year so as to secure that the amount calculated as their budget requirement for that year does not exceed the amount specified in paragraph (6) below.

(6) The amount specified in this paragraph in relation to each of the new communities is fifteen thousand pounds.

(7) In relation to the new communities, the prospective billing authority and the relevant financial year, the 1995 Regulations shall have effect as if—

(a) regulation 5 (information on schedules of payment); and

(b) in sub-paragraphs (1), (2) and (3) of paragraph 8 of Part II of the Schedule (rules for determination of schedules in instalments) in each case the second "or" and the words following to the end of each sub-paragraph,

were omitted.

Local Acts, orders and byelaws

6. The existing community of Cynffig is specified in relation to regulation 41(4) (Local Acts, Orders and Byelaws) of the Regulations and the new communities of Cornelly and Pyle are hereby specified in relation to the said existing community.

Property, liabilities, contracts, etc, notices and proceedings

7. All the property and liabilities of the Cynffig Community Council specified in Column (1) of the table in the Schedule to this Order shall on the appointed day vest in the council specified in Column (2).

Signed

E.Hart
The Minister for Finance, Local Goverment and Communities

28th March 2002