

2016 No. 1151 (W. 276)

**LOCAL GOVERNMENT,
WALES**

**The Flintshire (Communities) Order
2016**

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 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.

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- (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 Section 53 and Schedule 8 were repealed by section 73(2) of and Schedule 2 to the Local Government (Democracy) (Wales) Act 2013 (anaw 4) ("the 2013 Act").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.

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⁾;

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

(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.

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.

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.

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.

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) 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) 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—

(1) S.I. 1998/3140.

“The Halkyn Mountain ward of the
Community of Halkyn”.

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

25 November 2016