
STATUTORY INSTRUMENTS

1982 No. 1751

LOCAL GOVERNMENT, ENGLAND AND WALES CHANGES IN LOCAL GOVERNMENT AREAS

The Neath (Communities) Order 1982

Made - - - - 3rd December 1982

Coming into Operation—

*For the purposes
described in*

article 2(1) - - - 1st January 1983

For all other

purposes - - - 1st April 1983

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 Neath:

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 Neath (Communities) Order 1982.

2.—(1) 1st January 1983 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 as modified by paragraph (2).

For all other purposes this order shall come into operation on the appointed day.

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

Interpretation

3. In this order—

(a) 1972 c. 70.

"the appointed day" means 1st April 1983;

"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(a) as amended by the Local Government Area Changes (Amendment) Regulations 1978(b); and

"the Schedule" means the Schedule 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 Neath (Communities) Order 1982". The sheets of the boundary map are respectively marked with the numbers 1 to 19 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 Borough of Neath which is shown hatched red and numbered A1 on sheets 7 and 8 of the boundary map shall be transferred to the Borough of Lliw Valley and to the Community of Cilybebyll, and shall form part of the Pontardawe No. 1 electoral division of the County of West Glamorgan, of the No. 4 ward of the Borough of Lliw Valley and of the Lliw Valley petty sessional division.

(2) That part of the County of West Glamorgan and of the Borough of Neath which is shown hatched red and numbered A2 on sheets 3 and 4 of the boundary map shall be transferred to the County of Powys, to the Borough of Brecknock and to the Community of Ystradgynlais Lower, and shall form part of the Ystradgynlais No. 3 electoral division of the County of Powys, of the No. 31 ward of the Borough of Brecknock, of the Ystradgynlais South community ward of the Community of Ystradgynlais Lower, of the Ystradgynlais petty sessional division and of the Powys No. 2 coroner's district.

(3) Those parts of the City of Swansea which are shown coloured red and numbered B1 on sheet 16 and B2 and B3 on sheet 12 of the boundary map shall be transferred to the Borough of Neath.

(4) That part of the County of Powys and of the Borough of Brecknock which is shown coloured red and numbered B4 on sheets 1, 2 and 4 of the boundary map shall be transferred to the County of West Glamorgan and to the Borough of Neath.

(a) S.I. 1976/246.

(b) S.I. 1978/247.

(5) The other boundaries of the Borough of Neath with the districts of Brecknock, Lliw Valley and Swansea, and where such boundaries are also boundaries of the County of West Glamorgan with the County of Powys 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.

(6) (a) Sub-paragraphs (b) to (e) shall apply in the district of Brecknock, Lliw Valley or Swansea.

(b) Any community or community ward boundary meeting a boundary displaced by paragraph (5) shall be continued to the new boundary thereby established in the shortest possible distance.

(c) Any area added to the district by paragraph (5) to which (b) does not apply shall form part of the community which it adjoins.

(d) Any area added to the district by paragraph (5) 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 district, petty sessional division and coroner's district in which the community ward or the community, as the case may be, is situated.

(7) Any provision of paragraph (6) shall not have effect in relation to the Community of Swansea, the Swansea petty sessional division and the Swansea and Gower coroner's district if any order under the powers recited in this order is made relating to the City of Swansea and coming into operation (otherwise than for the purposes first described in article 2(1)) on the appointed day.

Communities

6. In the Borough of Neath as altered—

(1) the four communities of Blaengwrach, Clyne, Coedffranc and Dyffryn Clydach shall continue;

(2) the ten existing communities of Baglan Higher, Blaenhonddan, Dylais Higher, Dylais Lower, Glynneath, Michaelston Higher, Neath, Neath Lower, Resolven and Tonna shall be abolished;

(3) ten new communities to be known as Blaenhonddan, Briton Ferry, Crynant, Glynneath, Neath, Onllwyn, Pelenna, Resolven, Seven Sisters and Tonna shall be constituted;

(4) the communities named in paragraphs (1) and (3) shall, subject to the provision of paragraph (5), consist of the areas shown by the relevant continuous red lines on the boundary map;

(5) 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 (3) shall form, or continue to form, part of such a community (and of the ward thereof) nearest to which any part of such island, rock or sandbank lies.

Electoral divisions and district wards

7.—(1) Subject to paragraph (2), where any boundary of the Borough of Neath 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.

(2) The area shown coloured red and numbered B4 on sheets 1, 2 and 4 of the boundary map shall form part of the Neath Rural No. 1 electoral division of the County of West Glamorgan and of the No. 11 ward of the Borough of Neath.

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 Blaenhonddan, Coedffranc, Dylais Higher, Dylais Lower and Neath shall be abolished.

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

(4) From the appointed day to 9th May 1983 any person in office immediately before the appointed day as councillor for a community or community ward described in column (1) of the following table shall be a councillor of the community specified in respect of such community or community ward in column (2).

TABLE

(1)	(2)
<i>Communities</i>	
Blaengwrach, Clyne or Dyffryn Clydach	The community as continued
Baglan Higher or Michaelston Higher	Pelenna
Glynneath	Glynneath
Neath Lower or Resolven	Resolven
Tonna	Tonna

<i>Community wards</i>	
Any ward of Blaenhonddan	Blaenhonddan
Aberdulais ward of Dylais Lower	
Any ward of Coedffranc	Coedffranc
Crynant ward of Dylais Higher	Crynant
Crynant ward of Dylais Lower	
Onllwyn ward of Dylais Higher	Onllwyn
Seven Sisters ward of Dylais Higher	Seven Sisters
Briton Ferry ward of Neath	Briton Ferry
Neath North or Neath South ward of Neath	Neath

(5) As from 9th May 1983—

(a) the communities in respect of which community wards are named in column (2) of the Schedule shall be divided into such wards, such wards consisting, subject to the provision of paragraph (5) of article 6, of the

areas shown by the relevant continuous green lines on the boundary map;

- (b) the number of councillors for each community named in column (1) of the Schedule not divided into community wards, and for each new community ward, shall be that shown in respect thereof in column (3).

(6) Community councillors for the new communities not divided into community wards, and for the new community wards, shall be elected on 5th May 1983. The persons elected shall come into office on 9th May 1983 and shall retire on the fourth day after the ordinary day of election of councillors in 1987.

(7) The annual meeting of each new community council for 1983 shall be convened by the officer appointed by the Borough Council of Neath for the purpose.

(8) The number of councillors for the communities of Blaengwrach and Dyffryn Clydach shall remain 10 and 13 respectively.

(9) Regulation 8(1) (Councillors) of the Regulations shall not apply to any community or community ward in the Borough of Neath.

Petty sessional division

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

Coroner's district

10. The West Glamorgan coroner's district shall consist of—

- (a) the Borough of Neath as altered;
- (b) the Borough of Afan; and
- (c) in the Borough of Lliw Valley, ward No. 4 as altered and the No. 5, 6, 7 and 8 wards.

Residuary successors

11. 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 Baglan Higher or Michaelston Higher	The Community Council of Pelenna
Community Council of Blaenhonddan	The Community Council of Blaenhonddan
Community Council of Dylais Higher	The Community Council of Seven Sisters
Community Council of Dylais Lower	The Community Council of Crynant
Town Council of Glynneath	The Community Council of Glynneath
Community Council of Neath	The Community Council of Neath
Community council of Neath Lower or Resolven	The Community Council of Resolven
Community Council of Tonna	The Community Council of Tonna

Community books, etc.

12.—(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)
Baglan Higher or Michaelston Higher	The Community Council of Pelenna
Blaenhonddan	The Community Council of Blaenhonddan
Resolven	The Community Council of Resolven

(2) 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 Neath, 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)
Dylais Higher	The community councils of Crynant, Onllwyn and Seven Sisters
Dylais Lower	The community councils of Blaenhonddan and Crynant
Glynneath	The community councils of Glynneath and Onllwyn
Neath	The community councils of Briton Ferry and Neath
Neath Lower	The community councils of Blaenhonddan and Resolven
Tonna	The community councils of Clyne, Neath, Pelenna and Tonna

(3) 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

13. In the year beginning on the appointed day the Borough Council of Neath 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)
Glynneath	6.5p
Blaenhonddan	4.3p
Pelenna	4p
Neath	3.75p
Briton Ferry, Onllwyn, Resolven, Seven Sisters or Tonna	3.5p
Crynant	2p

Land registration

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

- (a) be compulsory on sale in the areas transferred by article 5(4) and (5) to the County of West Glamorgan;
- (b) cease to be compulsory on sale in any area transferred by article 5(2) or (5) from the said county save in so far as section 20(1) of the Housing Act 1980(b) applies to any dwelling-house situated within such area.

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(c) 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

(a) 1925 c. 21; 1936 c. 26; 1966 c. 39; 1971 c. 54.

(b) 1980 c. 51.

(c) 1971 c. 78.

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) In relation to any relevant cemetery, in the period of 25 years beginning on the appointed day—

- (a) any inhabitant of a specified area shall be entitled to the same rights of burial as the inhabitants of the relevant area;
- (b) any provisions in relation to inhabitants in any table of fees in force in respect of the cemetery shall apply to the inhabitants of a specified area as they apply to the inhabitants of the relevant area;
- (c) no differential charges shall be imposed on the inhabitants of a specified area.

(2) Subject to paragraph (1), any provisions in relation to inhabitants of any community abolished by article 6(2) in force in respect of any relevant cemetery shall apply to the inhabitants of the relevant area.

(3) In this article:—

“relevant cemetery” means a cemetery to which the Local Authorities’ Cemeteries Order 1977(a) applies maintained immediately before the appointed day by the council of a community abolished by article 6(2), (or by the councils of two or more such communities);

“the relevant area” means the area transferred from such community (or communities) to the community in which the cemetery is situated; and

“specified area” means an area so transferred to any other community.

(4) Paragraphs (1) to (3) are supplementary to paragraphs (2) and (3) of regulation 35 of the Regulations.

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 community named in respect of such communities in column (2) is hereby specified in relation to such communities.

(a) S.I. 1977/204.

TABLE

(1)	(2)
Blaenhonddan, Dyffryn Clydach, Dylais Lower and Neath Lower Neath	Blaenhonddan Briton Ferry Crynant Glynneath Neath Onllwyn Pelenna
Dylais Higher and Dylais Lower Glynneath Neath and Tonna Dylais Higher and Glynneath Baglan Higher, Michaelston Higher and Tonna Neath Lower and Resolven Dylais Higher Clyne and Tonna	Resolven Seven Sisters Tonna

Property, liabilities, contracts, etc., notices and proceedings

18. The table in Part I of Schedule 6 to the Regulations shall be extended by the inclusion of the following entry—

"The community councils of Dylais Higher and Dylais Lower	The Maesyrendre Cemetery	The Community Council of Crynant"
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SCHEDULE

Article 8(5)

COMMUNITIES: WARDS: COUNCILLORS

(AS FROM 9TH MAY 1983)

(1) Community	(2) Ward	(3) Number of community councillors
<i>New Communities</i>		
Blaenhonddan	Aberdulais	2
	Bryn-côch North	5
	Bryn-côch South	6
	Cadoxton	3
	Cilfrew	2
Briton Ferry	Brynhyfryd	4
	Craig-y-darren	2
	Cwrt Sart	3
	Shelone Wood	3
Crynant	—	11
Glynneath	Central	4
	East	3
	West	4
	West Central	3
Neath	Castle	1
	Cefn Saeson	2
	Crynnallt	1
	Gnoll	1
	Llantwit	3
	Melyncrythan	3
	Mount Pleasant	4
	Penrhiwtyn	3
Onllwyn	—	10
Pelenna	Pont-rhyd-y-fen	6
	Tonmawr	5
Resolven	Abergarwed	2
	Resolven North	6
	Resolven South	3
Seven Sisters	—	12
Tonna	—	11
<i>Other communities</i>		
Clyne	—	8
Coedffranc	Central	4
	East Central	3
	North	5
	West	2
	West Central	3

Signed by authority of
the Secretary of State.
3rd December 1982.

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

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order continues 4 communities and constitutes 10 new communities in the Borough of Neath, making minor alterations in the boundary of the borough (and where that boundary is also the boundary of the County of West Glamorgan of that boundary).

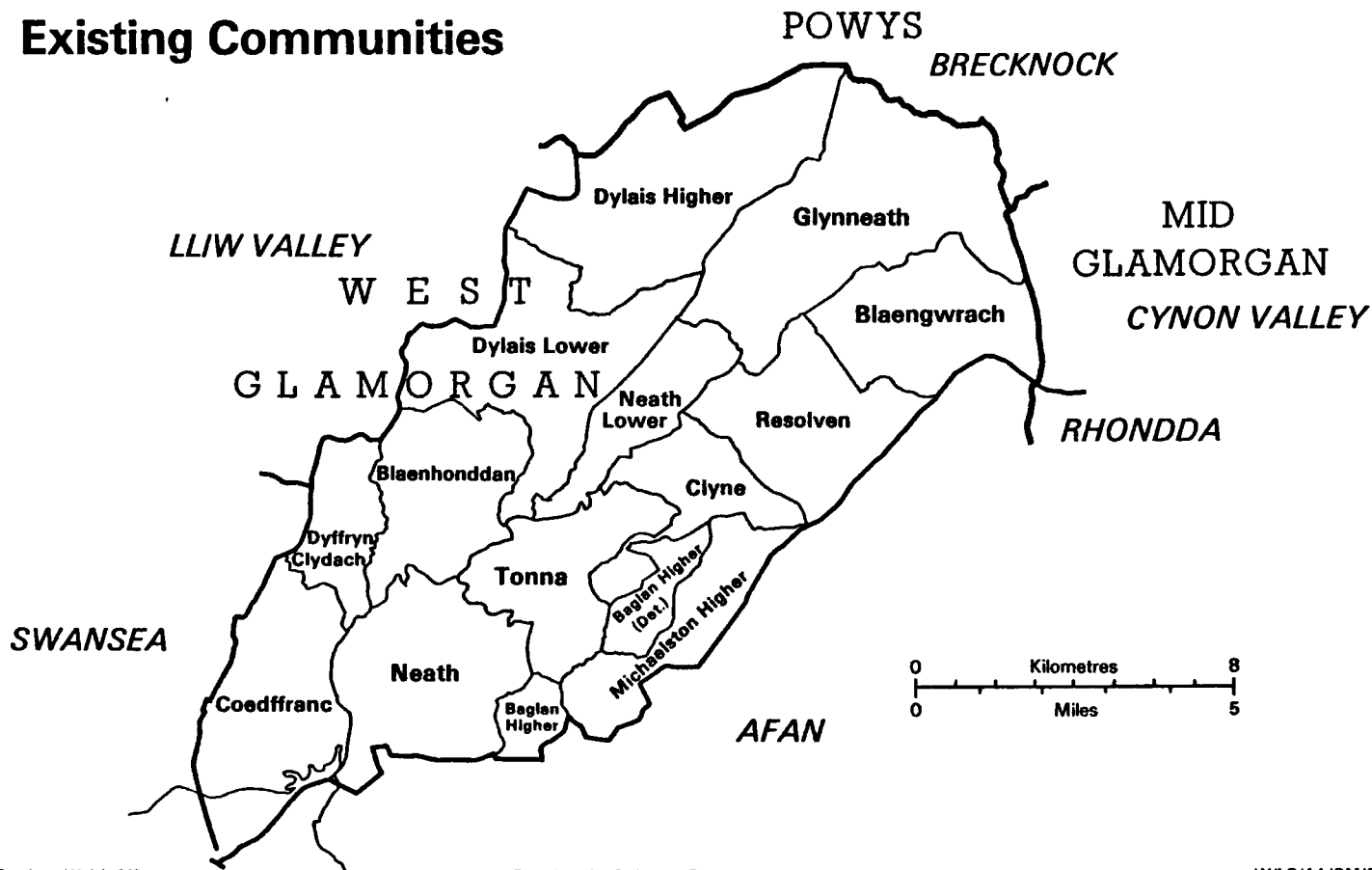
The order establishes community councils for each new community. Each of the continued communities has a community council.

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 areas referred to in article 5(1) to (4) 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 district councils of Brecknock, Lliw Valley, Neath and Swansea. 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.

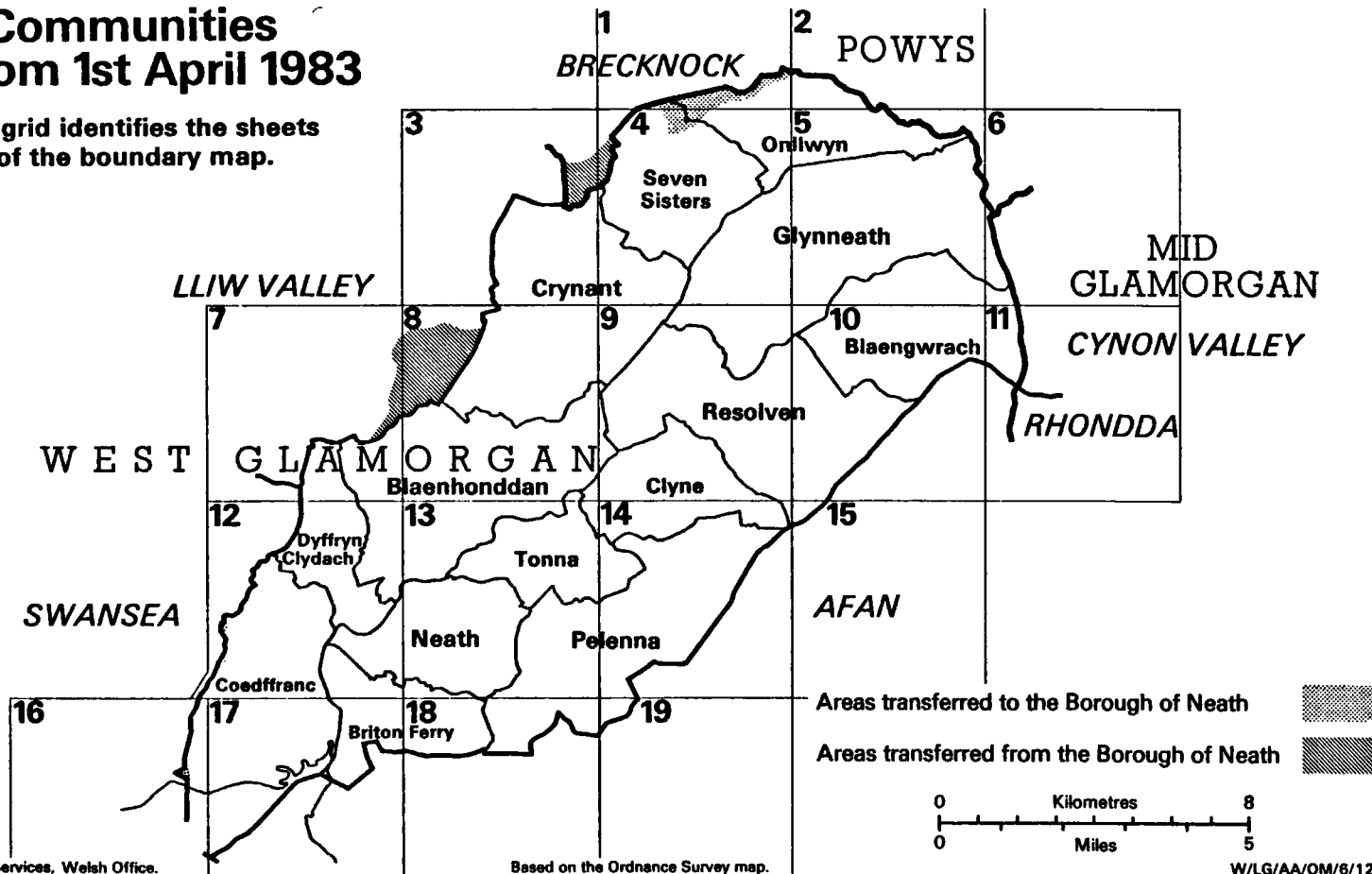
Existing Communities



Communities as from 1st April 1983

The grid identifies the sheets
of the boundary map.

13



Cartographic Services, Welsh Office.

Based on the Ordnance Survey map.

W/LG/AA/OM/6/12