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WELSH STATUTORY INSTRUMENTS

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**2008 No. 1721 (W.167)**

**THE NATIONAL HEALTH SERVICE, WALES**

**The North East Wales National Health Service Trust (Transfer of Staff, Property, Rights and Liabilities) Order 2008**

*Made* - - - - 31 January 2008

*Coming into force* - - 1 July 2008

The Welsh Ministers in exercise of powers conferred by section 203(9) and (10) and paragraph 29 of Schedule 3 to the National Health Service (Wales) Act 2006(1); after completion of statutory consultation as prescribed under paragraph 29(4) of that Act(2), hereby make this Order.

**Title, Commencement and Interpretation**

1.—(1) The title of this Order is the North East Wales National Health Service Trust (Transfer of Staff, Property, Rights and Liabilities) Order 2008 and it comes into force on 1 July 2008.

(2) In this Order, unless the context otherwise requires:

“the new trust” (“*yr ymddiriedolaeth newydd*”) means the North Wales National Health Service Trust established on 25 June 2008.

“the old trust” (“*yr hen ymddiriedolaeth*”) means North East Wales National Health Service Trust established on 4 January 1999

“the transfer date” (“*y dyddiad trosglwyddo*”) means the 1 July 2008;

**Transfer of employees to the transferee**

2.—(1) Subject to paragraph (3), any person who immediately before the transfer date, was employed by the old trust shall have their contract of employment transferred to the new trust on the transfer date and that contract will have effect as if originally made between the person so employed and the new trust.

(2) Without prejudice to paragraph (1) above —

(a) all the rights, powers, duties and liabilities under or in connection with a contract to which that paragraph applies will, by virtue of this article, be transferred to the new trust on the transfer date;

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(1) 2006 c. 42.

(2) National Health Service Trusts (Consultation on Establishment and Dissolution) Regulations 1996, S.I. 1996/563, which continues to have effect by virtue of paragraph 1(2) of Schedule 2 to the National Health Service (Consequential Provisions) Act 2006 c. 43.

(b) anything done before that date by, or in relation to, the old trust in respect of that contract or that employee, will be deemed from the transfer date to have been done by, or in relation to, the new trust.

(3) Paragraphs (1) and (2) are without prejudice to any right of any employee to terminate his or her contract of employment if a substantial change is made to his or her detriment in his or her working conditions, but no such right shall arise by reason only of the change in employer effected by this article.

#### **Transfer of property, rights and liabilities**

3. On the transfer date all the property, rights and liabilities of the old trust, not referred to in article 2 above, shall be transferred to the new trust, including without limitation—

- (a) the duty to prepare the outstanding accounts of the old trust and to perform all statutory duties relating to those accounts;
- (b) the trust property of the old trust listed in Schedule 1;
- (c) the charities of the old trust listed in Schedule 2.

#### **Transfer of functions of the old trust to the new trust**

4. With effect from the transfer date, all the functions of the old trust are transferred to the new trust.

30 June 2008

*Edwina Hart*  
Minister for Health and Social Services, one of  
the Welsh Ministers

## SCHEDULE 1

Article 3(b)

<i>Property</i>	<i>Tenure</i>	<i>Title number where applicable</i>
<b>North East Wales National Health Service Trust</b>		
Maelor Hospital, Croesnewydd Road, Wrexham, LL13 7TD	Freehold	WA870737 CYM42719 CYM237895 CYM338301 CYM402467
ALAC, Croesnewydd Road, Wrexham, LL13 7TD	Leasehold	WA577800
Wrexham Medical Institute, Wrexham Technology Park, Croesnewydd Road, Wrexham, LL13 7TD	Leasehold	WA735281
<b>Community Hospitals</b>		
Chirk Community Hospital, Off John's Street, Chirk, LL14 5LN	Freehold	WA690433
Deeside Community Hospital, Plough Lane, Aston, Deeside, CH5 1XS	Freehold	WA665892 WA665897 WA665896 WA8800203
Flint Community Hospital, Cornist Road, Flint, CH6 5HG	Freehold	WA703713
Mold Community Hospital, Ash Grove, Mold, CH7 1XG	Freehold	WA690437
Holywell Community Hospital, Halkyn Road, Holywell, CH8 7TZ	Freehold	WA703333
Penley Rehab Hospital, Whitchurch Road, Penley, LL13 0LH	Freehold	CYM128343
Coed Celyn, and Swn Y Coed, Grove Road, Wrexham, LL11 1DY	Freehold	WA784910

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<i>Property</i>	<i>Tenure</i>	<i>Title number where applicable</i>
Holywell Cottage Hospital, Pen-y-Maes, Holywell, CH8 7UH	Freehold	WA690436
<b>Health Clinics/Centres</b>		
Cefn Mawr Clinic, Well Street, Cefn Mawr, Ruabon, LL14 3AE	Freehold	WA693355
Rhosllannerchrugog Health Centre, Beech Ave, Rhosllannerchrugog, LL14 1AA	Freehold	WA701596
Ruabon Clinic, High Street, Ruabon, LL14 6NH	Freehold	WA690464
Brymbo Health Centre, Offa Street, Brymbo, LL11 5AG	Freehold	WA690452
Bryn Teg Clinic, Darby Road, Southsea, Wrexham, LL11 6RN	Freehold	WA690453
Coedpoeth Clinic, Smithy Road, Coedpoeth, Wrexham, LL11 3NS	Freehold	WA704909
Gresford Health Clinic, Poplar Ave, Gresford, LL12 8EP	Freehold	WA690474
Grove Road Clinic, Wrexham, LL11 1DY	Freehold	WA784910
Llay Health Centre, School Lane, LL12 0TR	Freehold	WA703720
Prince Charles Road, Wrexham, Prince Charles Road, Caia Park, Wrexham, LL13 8TH	Freehold	WA690471
Rhostyllen Clinic, James Street, Rhostyllen, LL14 4AW	Freehold	WA690462
Rossett Clinic, The Green, Rossett, LL12 0EA	Freehold	WA610333
Broughton Clinic, Broughton Hall Rd, Broughton, CH4 0QQ	Freehold	WA703724
Buckley Health Centre, Padeswood Road, Buckley, CH7 2JL	Freehold	WA690473 WA765301
Caergwrle Clinic, Ty Cerrig, Caergwrle, LL12 9EY	Freehold	WA693356

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<i>Property</i>	<i>Tenure</i>	<i>Title number where applicable</i>
Connahs Quay Clinic, Civic Centre, Wepre Drive, Connahs Quay, CH5 4HA	Freehold	CYM199578
Pen y Ffordd Clinic, Melwood Close, Penyffordd, CH4 0NB	Freehold	WA788256
Saltney Clinic, St David's Terrace, Saltney Ferry, Nr Chester, CH4 0AF	Freehold	WA690467
Sealand Clinic, 8 Cedar Ave, Sealand, CH5 1SE	Freehold	WA690469
Catherine Gladstone House, Hawarden Way, Mancot, CH5 2EP	Freehold	WA693350
Flint Clinic, Borough Grove, Flint, CH6 7DR	Freehold	WA690454
Greenfield Clinic, School Lane, Greenfield, Holywell, CH8 7HR	Freehold	WA690456
Holywell Clinic, Park Lane, Holywell, CH8 7UR	Freehold	WA690458
Mold Clinic, King Street, Mold, CH7 1LB	Freehold	WA690460
Plas Madoc Clinic, 51/52 Bodlyn, Plas Madoc Estate, Acrefair, Wrexham LL14 3HE	Leasehold	
Chirk Clinic, Station Avenue, Chirk, LL14 5LS	Leasehold	
Glyn Ceiriog Clinic, New Road, Glyn Ceiriog, LL20 7HH	Leasehold	WA884305
Overton Health Centre, High Street, Overton, LL13 0ED	Leasehold	
Hightown Wrexham Health Centre, Hightown, Wrexham, LL12 0TR	Leasehold	CYM26758
Ewloe Clinic, Woodside Close, Ewloe, CH5 3RP	Leasehold	WA559996
Leeswood Clinic, Queen Street, Leeswood CH7 4RG	Leasehold	CYM26748
Mynydd Isa Clinic, Mercia Drive, Mynydd Isa, CH7 6UH	Leasehold	CYM26760

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<i>Property</i>	<i>Tenure</i>	<i>Title number where applicable</i>
Pen Y Maes Health Centre, Beech Street, Summerhill, LL11 4UF	Leasehold	
Queensferry Clinic, Queensferry Campus, Chester Road, Queensferry, CH5 1SE	Leasehold	
<b>Mental Health Units</b>		
16—18 Grosvenor Road, Wrexham, LL11 1DU	Freehold	WA703732
		WA708392
Deeside Counselling Centre, Rowleys Drive, Shotton, CH5 1PP	Freehold	WA690470
The Elms, Rhosddu Road, Wrexham, LL11 1BT	Freehold	WA783179
Ty Celyn Flint, Acorn Industrial Estate, Flint, CH6 5YN	Leasehold	
Evolution Building, Ewloe, 1 <sup>st</sup> Floor Suite, 1 Evolution, Lakeside Business Park, St David's Park, Ewloe, CH5 3XP	Leasehold	
C.D.S.7 Brighton Road, Rhyl, LL18 3EY	Leasehold	
<b>Land</b>		
Nightingale House Land, Chester Road, Wrexham, LL11 2SJ	Freehold	WA7884910
Plas Madoc Land, Park Road, Rhosymedre, Nr Wrexham	Freehold	WA593623
<b>Other</b>		
Villa Romano, Grove Road, Wrexham LL11 1DY	Leasehold	
HSDU, Unit A, Wrexham Technology Park, Croesnewydd Road, Wrexham, LL13 7TD	Leasehold	
Clwydian House, Block B, Clwydian House, Wrexham Technology Park, Croesnewydd Road, Wrexham LL13 7TD	Leasehold	

SCHEDULE 2

Article 3(c)

The North East Wales National Health Service Trust Charitable Fund (including all subsidiary charities) — Charity Number 1051063

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**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order provides for the transfer of staff from North East Wales National Health Service Trust to the North Wales National Health Service Trust from the 1 July 2008.

This Order also provides for the transfer of all property, rights and liabilities of the North East Wales National Health Service Trust to be transferred to the North Wales National Health Service Trust on 1 July 2008.