

SCHEDULE 1

Article 7

TRANSFER OF PARTICULAR PROPERTIES

Paragraph (3) of article 10, and paragraph (6) in so far as it applies thereto, shall apply to any question whether any property is historic or ceremonial property

<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Property</i>	<i>(3)</i> <i>Transferee authority</i>
The council of the urban district of Gelligaer	Historic and ceremonial property, and in particular the insignia and plate, of the urban district	The Community Council of Gelligaer
The corporation of any borough for the whole of the area of which charter trustees are constituted	Historic and ceremonial property other than land and buildings, and in particular the charters, insignia and plate, of the borough	The charter trustees
The council of the rural district of Ceiriog	The water undertaking of the council other than any land, buildings or works in the area for water supply purposes of the Severn-Trent Water Authority	The Welsh National Water Development Authority
	Any land, buildings or works of the water undertaking in the area for water supply purposes of the Severn-Trent Water Authority	The Severn-Trent Water Authority
The county council of Anglesey, the corporation or council of any borough or the council of any urban district or rural district other than Ceiriog	Any water undertaking of the transferor authority, other than any land, buildings or works in England	The Welsh National Water Development Authority

SCHEDULE 2

Article 9

TRANSFER OF SPECIFIED CLASSES OF PROPERTY, ETC

1. In the following table—

- (a) “county matters” and “district matters”, in relation to any transferor authority, mean —
 - (i) in the case of property, property (not being excepted property) held for the purposes of functions not exercisable on and after 1st April 1974 by an authority of the relevant class in relation to the transferor authority but so exercisable by the authority specified in respect of the matters transferred in column (4) of the table in this Schedule;
 - (ii) in the case of liabilities, liabilities incurred in relation to such functions;

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(iii) in the case of contracts, deeds, bonds, agreements and other instruments, and notices, such instruments subsisting and notices given in relation to such functions;

(iv) in the case of actions and proceedings and causes of action or proceeding, such actions and proceedings pending or causes existing in relation to such functions;

but if specified as such matters in relation to any area include only such matters being local matters in respect of such area;

(b) “community matters”, in relation to any transferor authority, means —

(i) in the case of property—

(a) property held for the purposes of functions not exercisable on and after 1st April 1974 by county or district councils; and

(b) parish property within the meaning of the Local Government Act 1933, the proceeds of sale of such property and any securities in which such proceeds have been invested;

(ii) in the case of liabilities, liabilities incurred in relation to such functions or parish property;

(iii) in the case of contracts, deeds, bonds, agreements and other instruments, and notices, such instruments subsisting and notices given in relation to such functions or parish property;

(iv) in the case of actions and proceedings and causes of action or proceeding, such actions and proceedings pending or causes existing in relation to such functions or parish property;

but if specified as such matters in relation to any area includes only such matters being local matters in respect of such area;

(c) “police matters”, “port health matters” and “sewerage and sewage disposal matters” mean —

(i) in the case of property, property held for the purposes of the relevant functions;

(ii) in the case of liabilities, liabilities incurred in relation to such functions;

(iii) in the case of contracts, deeds, bonds, agreements and other instruments, and notices, such instruments subsisting and notices given in relation to such functions; and

(iv) in the case of actions and proceedings and causes of action or proceeding, such actions and proceedings pending or causes existing in relation to such functions,

but if specified as such matters in relation to any area include only such matters being local matters in respect of such area, and for the purposes of the foregoing definitions “the relevant functions” means —

(i) in the case of police matters, functions exercisable for police purposes, including the purposes of section 81 of the Road Traffic Regulation Act 1967;

(ii) in the case of port health matters, functions exercisable by the transferor authority as port health authority;

(iii) in the case of sewerage and sewage disposal matters, functions exercisable for the purposes of sewerage and sewage disposal;

(d) “local matters”, in relation to any area, means —

(i) in the case of property—

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(a) subject to the provision of paragraph 3, sited property situated in; and
(b) other property held exclusively in respect of,
the area;

(ii) in the case of liabilities, liabilities incurred exclusively in respect of the area;

(iii) in the case of contracts, deeds, bonds, agreements and other instruments, and notices, such instruments subsisting and notices given exclusively in respect of the area;

(iv) in the case of actions and proceedings and causes of action or proceeding, such actions and proceedings pending or causes existing exclusively in respect of the area.

2. In paragraph 1, “excepted property” means any property within article 20(1) which is not covered by the provision of article 20(2) and “exercisable” means exercisable otherwise than by virtue of section 101 or 110 of the Act.

(a) (a) In this Schedule “sited property” means —

(i) land;

(ii) buildings;

(iii) fittings, furniture, equipment and stores supplied in respect of a voluntary school or a controlled community home;

(iv) subject to the provision of article 6, lamps, lamp posts and other apparatus for public lighting.

(b) The transferor authority may determine that any sited property shall, by reason of the fact that it is used wholly or mainly for an area other than the one in which it is situated, constitute local matters in respect of such other area.

(c) If notice is given by any authority concerned that they are dissatisfied with any determination under sub-paragraph (b) or that a determination should have been made thereunder, the question of the area which is to be the relevant area in relation to any sited property in the application of this Schedule shall be determined by agreement between the authorities concerned or failing such agreement by the decision of a person agreed on by such authorities or in default of agreement appointed by the Secretary of State.

4. Article 12 has effect, within the meaning of items 2, 7, 8, 9, 11 and 12 in the table in this Schedule, in relation to any property, where before 1st April 1974, in respect of such property—

an agreement has been entered into under paragraph (3), (4) or (5) of that article;

a determination has been given under paragraph (7) of that article;

notice has been given under paragraph (3) of article 38

and in relation to any liabilities incurred, contracts, deeds, bonds, agreements and other instruments subsisting, notices given, actions and proceedings pending and causes of action or proceeding existing in relation to such property.

TABLE

(1) Item No.	(2) Transferor authority	(3) Matters transferred	(4) Transferee authority
1	The county council of any county	Property acquired by the county council in the	The water authority for sewerage and sewage

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<i>(1)</i> <i>Item No.</i>	<i>(2)</i> <i>Transferor authority</i>	<i>(3)</i> <i>Matters transferred</i>	<i>(4)</i> <i>Transferee authority</i>
		exercise of their functions under the Rural Water Supplies and Sewerage Act 1944 or in making contributions to a county district council in respect of works of water supply or sewerage or sewage disposal, in any area	disposal purposes for the area in which the area described in column (3) is situated
2	The county council of Brecon, Denbigh, Glamorgan, Merioneth or Monmouthshire	District matters in relation to any area of the county included in a new district	The council of the district in which the area is comprised
		Other local matters (not being police matters, matters as to which article 12 has effect or matters provided for in item 1) in relation to any area of the county included in a new county	The council of the county in which the area is comprised
3	The county council of Anglesey, Cardiganshire, Montgomeryshire or Radnorshire	District matters	The council of the district in which the area of the county is comprised
4	The county council of Caernarvon, Carmarthenshire, Flintshire or Pembroke	District matters in relation to any area of the county included in a new district	The council of the district in which the area is comprised
5	The county council of Brecon, Caernarvon, Carmarthenshire, Denbigh, Flintshire, Glamorgan, Merioneth, Monmouthshire or Pembroke	Land situated outside the county falling within the definition of district matters	The council of the district specified in respect of the county council in column (3) of Part I of Schedule 4
6	The corporation or council of the county borough of Cardiff, Merthyr Tydfil, Newport or Swansea	County matters	The council of the county in which the area of the county borough is comprised
7	The council of the urban district of Gelligaer	County matters Community matters in relation to any area of the urban district included in a community	The County Council of Mid Glamorgan The community council of the community

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<i>(1)</i> <i>Item No.</i>	<i>(2)</i> <i>Transferor authority</i>	<i>(3)</i> <i>Matters transferred</i>	<i>(4)</i> <i>Transferee authority</i>
		Other local matters (not being sewerage or sewage disposal matters or matters as to which article 12 has effect) in relation to any area of the urban district included in a new district	The council of the district in which the area is comprised
8	The council of the urban district of Bedwellty	County matters in relation to any area of the urban district included in a new county	The council of the county in which the area is comprised
		Other local matters (not being sewerage or sewage disposal matters or matters as to which article 12 has effect) in relation to any area of the urban district included in a new district	The council of the district in which the area is comprised
9	The council of the urban district of Caerphilly	Land situated outside the urban district falling within the definition of county matters	The County Council of Gwent
		County matters	The County Council of Mid Glamorgan
10	The corporation or council of any non-county borough or the council of any urban district not included in items 7, 8 and 9	Other local matters (not being sewerage or sewage disposal matters or matters as to which article 12 has effect) in relation to any area of the urban district included in a new district	The council of the district in which the area is comprised
		County matters	The council of the county in which the area of the borough or urban district is comprised
		Where a community council is established for the area of the borough or urban district under section 27(3) or (4) of the Act, community matters and the historic and ceremonial property, and in particular the charters, insignia and plate, of the borough or district	The community council

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<i>(1)</i> <i>Item No.</i>	<i>(2)</i> <i>Transferor authority</i>	<i>(3)</i> <i>Matters transferred</i>	<i>(4)</i> <i>Transferee authority</i>
11	The council of the rural district of Gwyrfai, Hawarden, Pontypool or Wrexham	County matters Other local matters (not being sewerage or sewage disposal matters or matters as to which article 12 has effect) in relation to any area of the rural district included in a new district	The council of the county in which the area of the rural district is comprised The council of the district in which the area is comprised
12	The council of the rural district of Aled, Cardiff, Cowbridge, Crickhowell, Hiraethog, Magor and St Mellons, Neath or Vaynor and Penderyn	County matters in relation to any area of the rural district included in a new county Other local matters (not being sewerage or sewage disposal matters or matters as to which article 12 has effect) in relation to any area of the rural district included in a new district Land situated outside the rural district falling within the definition of county matters	The council of the county in which the area is comprised The council of the district in which the area is comprised The council of the county comprising the district whose council is specified in respect of the council of the rural district in column (2) of Part II of Schedule 4
13	The council of any rural district not included in items 11 and 12	County matters	The council of the county in which the area of the rural district is comprised
14	The corporation or council of any borough or the council of any urban district or rural district	(a) Rights acquired or liabilities incurred in relation to the cost of construction in any area of any public sewer or sewage disposal works constructed under powers other than the Public Health Act 1936 or enactments replaced by that Act prior to its declaration as a public sewer or sewage disposal works	The authority exercising such powers in that area on and after 1st April 1974

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<i>(1)</i> Item No.	<i>(2)</i> Transferor authority	<i>(3)</i> Matters transferred	<i>(4)</i> Transferee authority
		(b) Subject to (a), where the area of the borough, urban district or rural district is comprised in the area for sewerage and sewage disposal purposes of one water authority, sewerage and sewage disposal matters	The water authority
		(c) Subject to (a), where the area of the borough, urban district or rural district is comprised in the area for sewerage and sewage disposal purposes of two or more water authorities, sewerage and sewage disposal matters being local matters in relation to any area of the borough, urban district or rural district comprised in the area of a water authority	The water authority
15	The urban district council of Chepstow	Port health matters in respect of the Gloucester (Chepstow Division) Port Health District	The District Council of Monmouth

SCHEDULE 3

Article 12

AGREEMENTS AS TO THE TRANSFER OF PROPERTY OTHER THAN LAND NOT TRANSFERRED BY ARTICLES 6 TO 11

PART I

<i>(1)</i>	<i>(2)</i>
The county council of Brecon, Caernarvon, Carmarthenshire, Denbigh, Flintshire, Glamorgan, Merioneth, Monmouthshire or Pembroke	The councils of the districts in which any areas of the county are comprised
The council of the urban district of Bedwellty or the rural district of Aled, Cardiff, Cowbridge, Crickhowell, Hiraethog, Magor and St Mellons, Neath or Vaynor and Penderyn	The councils of the counties in which any areas of the urban district or rural district are comprised

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(1)	(2)
The corporation or council of any borough, or the council of any urban district or rural district, which is comprised in the areas for sewerage and sewage disposal purposes of two or more water authorities	The water authorities

PART II

(1)	(2)
The county council of Brecon, Denbigh, Glamorgan, Merioneth or Monmouthshire	The councils of the counties in which any areas of the county are comprised
The council of the urban district of Bedwellty, Caerphilly or Gelligaer, or the rural district of Aled, Cardiff, Cowbridge, Crickhowell, Gwyrfai, Hawarden, Hiraethog, Magor and St Mellons, Neath, Pontypool, Vaynor and Penderyn or Wrexham	The councils of the districts in which any areas of the urban or rural district are comprised

SCHEDULE 4

Article 16

RESIDUAL TRANSFER OF PROPERTY, ETC

PART I

(1) <i>Transferor authority</i>	(2) <i>Transferee county council</i>	(3) <i>District specified for the purposes of item 5 of the table in Schedule 2</i>
The county council of Brecon	The County Council of Powys	Brecknock
The county council of Caernarvon	The County Council of Gwynedd	Arfon
The county council of Carmarthenshire	The County Council of Dyfed	Llanelli
The county council of Denbigh	The County Council of Clwyd	Wrexham Maelor
The county council of Flintshire	The County Council of Clwyd	Alyn and Deeside
The county council of Glamorgan	The County Council of Mid Glamorgan	Ogwr
The county council of Merioneth	The County Council of Gwynedd	Meirionnydd

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(1) <i>Transferor authority</i>	(2) <i>Transferee county council</i>	(3) <i>District specified for the purposes of item 5 of the table in Schedule 2</i>
The county council of Monmouthshire	The County Council of Gwent	Torfaen
The county council of Pembroke	The County Council of Dyfed	Preseli

PART II

(1) <i>Transferor authority</i>	(2) <i>Transferee authority</i>
The county council of Anglesey	The County Council of Gwynedd
The county council of Cardiganshire	The County Council of Dyfed
The county council of Montgomeryshire	The County Council of Powys
The county council of Radnorshire	The County Council of Powys
The corporation or council of the county borough of Cardiff, Merthyr Tydfil, Newport or Swansea	The council of the district in which the area of the county borough is comprised
The council of the urban district of Bedwellty	The District Council of Islwyn
The council of the urban district of Caerphilly	The District Council of Rhymney Valley
The council of the urban district of Gelligaer	The District Council of Rhymney Valley
The council of the rural district of Aled	The District Council of Colwyn
The council of the rural district of Cardiff	The District Council of Vale of Glamorgan
The council of the rural district of Cowbridge	The District Council of Vale of Glamorgan
The council of the rural district of Crickhowell	The District Council of Brecknock
The council of the rural district of Gwyrfai	The District Council of Arfon
The council of the rural district of Hawarden	The District Council of Alyn and Deeside
The council of the rural district of Hiraethog	The District Council of Colwyn
The council of the rural district of Magor and St Mellons	The District Council of Newport
The council of the rural district of Neath	The District Council of Neath
The council of the rural district of Pontypool	The District Council of Monmouth
The council of the rural district of Vaynor and Penderyn	The District Council of Brecknock
The council of the rural district of Wrexham	The District Council of Wrexham Maelor

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<i>(1)</i> <i>Transferor authority</i>	<i>(2)</i> <i>Transferee authority</i>
The corporation or council of any non-county borough or the council of any urban or rural district not included in the preceding items	The council of the district in which the area of the borough, urban district or rural district is comprised
Any separate parish council	The community council which replaces the parish council
In any group of parishes, the common parish council and the parish meeting and representative body of every parish in the group	The community council which replaces the parish council
The parish meeting and representative body of any parish not included in the last preceding item	The council of the district in which the area of the parish is comprised
Any burial board, joint burial board or joint committee which ceases to exist by virtue of section 214(1) of the Act	The authority or authorities exercising the functions specified in paragraph 1 of Schedule 26 to the Act in relation to the cemeteries and crematoria of the board or committee
Any joint board which ceases to exist by virtue of section 263(2)(b) of the Act	The authority in whom the functions of the board are vested by section 263(2)(a) of the Act
Any joint board which ceases to exist by virtue of section 263(3) of the Act	The local authority which becomes the port health authority for the district of the board under the said section 263(3)
The Dee and Clwyd, Glamorgan, Gwynedd, South West Wales, Usk or Wye River Authority	The Welsh National Water Development Authority
Any joint board who are statutory water undertakers other than a joint water board within the meaning of the Water Act 1973	The water authority within whose area for water supply purposes the limits of supply of the transferor authority are comprised
Any joint sewerage board or joint committee of sewerage authorities	The water authority within whose area for sewerage and sewage disposal purposes the area of the transferor authority is comprised
The local fisheries committee for the South Wales Sea Fisheries District	The committee as reconstituted