
STATUTORY INSTRUMENTS

1982 No. 127

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The Cardiff (Communities) Order 1982

Made - - - - - 2nd February 1982

Coming into Operation—

*For the purposes
described in*

article 2 - - - - - 8th February 1982

For all other

purposes - - - - - 1st April 1982

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 City of Cardiff:

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 Cardiff (Communities) Order 1982.

2. 8th February 1982 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.

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

Interpretation

3. In this order—

“the appointed day” means 1st April 1982;

(a) 1972 c.70.

“as altered” means as altered by the Vale of Glamorgan (Communities) Order 1982 (a) and this order;

“new community” means a community constituted by this order;

“the new community council” means the community council of St. Mellons established by this order; and

“the Regulations” means the Local Government Area Changes Regulations 1976(b) as amended by the Local Government Area Changes (Amendment) Regulations 1978(c).

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 Cardiff (Communities) Order 1982”. The sheets of the boundary map are respectively marked with the numbers 1 to 14 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 County of South Glamorgan, of the City of Cardiff and of the Community of St. Mellons which is shown hatched red and numbered A3 on sheet 4 of the boundary map shall be transferred to the County of Gwent, to the Borough of Newport and to the Community of Michaelstone-y-Vedw, and shall form part of the Magor and St. Mellons No. 2 electoral division of the County of Gwent, of the No. 17 ward of the Borough of Newport, of the Newport petty sessional division and of the Newport coroner’s district.

(2) Those parts of the County of South Glamorgan, of the City of Cardiff and of the communities of Radyr and St. Fagans which are shown hatched red and numbered A2 and A1 respectively on sheet 2 of the boundary map shall be transferred to the County of Mid Glamorgan, to the Borough of Taff-Ely and to the Community of Pentyrch, and shall form part of the Caerphilly No. 7 electoral division of the County of Mid Glamorgan, of the No. 9 ward of the Borough of Taff-Ely, of the Pentyrch ward of the Community of Pentyrch, of the Miskin petty sessional division and of the Northern coroner’s district.

(3) Those parts of the County of Mid Glamorgan, of the Borough of Taff-Ely and of the communities of Llanilterne and Pentyrch which are shown coloured red and numbered B1 on sheets 2, 6 and 7 and B2 and B3 on sheet 2 of the boundary map shall be transferred to the County of South Glamorgan and to the City of Cardiff.

(4) The other boundaries of the City of Cardiff with the districts of Newport, Rhymney Valley and Taff-Ely, and of the County of South Glamorgan with the County of Gwent or Mid Glamorgan, 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.

(a) S.I. 1982/98.

(b) S.I. 1976/246.

(c) S.I. 1978/247.

(5) (a) Sub-paragraphs (b) to (e) shall apply in the district of Newport, Rhymney Valley or Taff-Ely.

(b) Any community or community ward boundary meeting a boundary displaced by paragraph (4) shall be continued to the new boundary thereby established in the shortest possible distance.

(c) Any area added to the district by paragraph (4) to which (b) does not apply shall form part of the community which it adjoins.

(d) Any area added to the district by paragraph (4) 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.

Communities

6. In the City of Cardiff as altered—

(1) the four communities of Lisvane, Radyr, St. Fagans and Tongwynlais shall continue;

(2) the three existing communities of Cardiff, Llanedeyrn and St. Mellons shall be abolished;

(3) twenty-six new communities to be known as Adamsdown, Butetown, Caerau, Canton, Castle, Cathays, Cyncoed, Ely, Fairwater, Gabalfa, Grangetown, Heath, Llandaff, Llandaff North, Llanishen, Llanrumney, Pentwyn, Plasnewydd, Rhiwbina, Riverside, Roath, Rumney, St. Mellons, Splott, Trowbridge and Whitchurch shall be constituted;

(4) the communities named in paragraphs (1) and (3) shall, subject to the provision of paragraphs (5) and (6), consist of the areas shown by the relevant continuous red lines on the boundary map;

(5) the attribution on sheet 14 of the boundary map of the island of Flat Holm in so far as it lies within the City of Cardiff to the Community of Butetown shall have effect; and

(6) any island, rock or sandbank forming part of an existing community in the City which is not expressly shown on the boundary map as part of a community named in paragraph (3) shall form part of such a community nearest to which any part of such island, rock or sandbank lies.

Electoral divisions and district wards

7. Where any boundary of the City of Cardiff altered by article 5 is also the boundary of an electoral division of the County of South Glamorgan or of a ward of the said city, the alteration shall extend to such electoral division or ward.

Community councils

8.—(1) The existing community councils of Llanedeyrn and St. Mellons shall be dissolved.

(2) There shall be a community council for the new community of St. Mellons. The community shall be divided into community wards named Llanedeyrn and St. Mellons, such wards consisting of the areas shown by the relevant continuous green lines on the boundary map. The numbers of councillors for the said wards shall be 2 and 9 respectively.

(3) Until 9th May 1983 the number of community councillors of the Community of Radyr shall remain 7. As from such day the community shall be divided into community wards named Morganstown, Radyr North and Radyr South, such wards consisting of the areas shown by the relevant continuous green lines on the boundary map. The numbers of councillors for the said wards shall be 4, 4 and 3 respectively.

(4) The annual meeting of the new community council for 1982 shall be held in April 1982 and shall be convened by the officer appointed by the City Council of Cardiff for the purpose.

(5) As from 9th May 1983 the numbers of councillors for the communities of Lisvane, St. Fagans and Tongwynlais shall be 10, 8 and 9 respectively.

Petty sessional division

9. The Cardiff petty sessional division shall consist of the City of Cardiff as altered.

Councillors

10.—(1) The provision made by this article is supplemental to that made by regulation 8(1) (Councillors) of the Regulations.

(2) Any casual vacancy which exists at the coming into operation of this order or occurs before the appointed day in the office of community councillor of the community of Llanedeyrn or St. Mellons shall (except where notice of the election has at the coming into operation of this order already been given) not be filled. Any person in office at the appointed day in any such office shall retire from office on that day.

(3) Elections of community councillors for the wards of the new community of St. Mellons shall be held on such day prior to the appointed day as the returning officer shall appoint and the community council election rules for the time being in force shall apply to the elections with any necessary modifications. The persons elected shall come into office on the appointed day and shall retire on the fourth day after the ordinary day of election of councillors in 1987.

(4) Community councillors for the wards of the Community of Radyr formed by article 8(3) 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.

Residuary successors

11. For the purposes of any provision of the Regulations which refers to the residuary successor of a dissolved authority, the new community council is hereby specified as the residuary successor of the existing community councils of Llanedeyrn and St. Mellons.

Community books, etc.

12.—(1) The specified papers of the existing communities of Llanedeyrn and St. Mellons shall be deposited in the custody of the new community council.

(2) 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 council

13. In the year beginning on the appointed day the City Council of Cardiff shall levy rates in the new community of St. Mellons and make payments to the new community council as if the new community council had issued a precept to the city council requiring the payment of a sum equal to the product of a rate of 2½p in the pound calculated on the total rateable value as set out in the valuation list on the appointed day.

Land registration

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

- (a) be compulsory on sale throughout the City of Cardiff as altered;
- (b) remain compulsory on sale in any area transferred by article 5(1), (2) or (4) to the borough of Newport or Taff-Ely; and
- (c) cease to be compulsory on sale in any area transferred by article 5(4) to the District of Rhymney Valley 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 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.

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

(b) 1980 c.51.

(c) 1971 c.78.

Cemeteries

16.—(1)(a) In the application of paragraph (2) of regulation 35 (Cemeteries) of the Regulations to any area of the existing community of Llandeyrn as a transferred area within the meaning of such paragraph, the expression “the cemetery area as altered” shall include the new community of St. Mellons.

(b) Subject to (b) of the said paragraph (2), any provisions in relation to inhabitants of the Community of Llandeyrn in any table of fees in force in respect of the St. Edeyrn’s Church Cemetery shall apply to the inhabitants of so much of the new community of St. Mellons as lies in the existing community of Llandeyrn.

(2) Nothing in this order shall extend the operation of article 26(2) (St. John’s churchyard burial ground and Pantmawr burial ground) of the Cardiff Order 1966 (a).

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

TABLE

(1)	(2)
Cardiff	Adamsdown, Butetown, Caerau, Canton, Castle, Cathays, Cyncoed, Ely, Fairwater, Gabalfa, Grangetown, Heath, Llandaff, Llandaff North, Llanishen, Llanrumney, Pentwyn, Plasnewydd, Rhiwbina, Riverside, Roath, Rumney, Splott, Trowbridge and Whitchurch
Llandeyrn and St. Mellons	St. Mellons

Signed by authority of
the Secretary of State.
2nd February 1982.

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

(a) S.I. 1966/1310.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order continues the communities of Lisvane, Radyr, St. Fagans and Tongwynlais and constitutes 26 new communities, one (St. Mellons) in the areas of the existing communities of Llanedeyrn and St. Mellons, and 25 in the area of the existing community of Cardiff, all in the City of Cardiff, making minor alterations in the boundary of the city and in the boundary of the County of South Glamorgan.

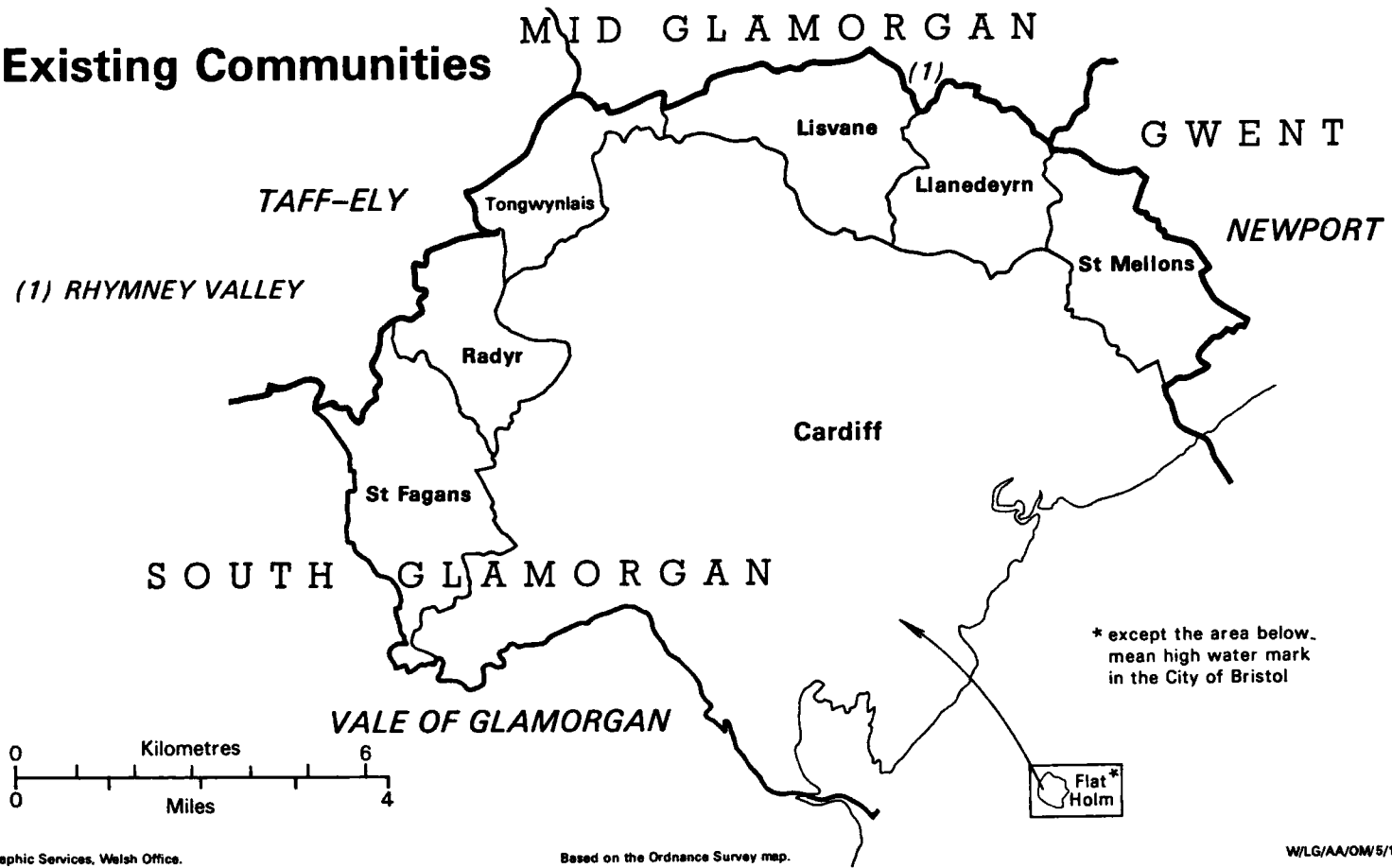
The four continued communities have community councils. The order establishes a community council for the new community of St. Mellons.

The maps forming part of this note (pages 8 and 9) show (a) the existing communities, and (b) the continued and new communities and the transferred areas referred to in article 5(1) to (3) of the order. The map on page 9 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 City Council of Cardiff and of the district councils of Newport, Rhymney Valley and Taff-Ely. 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 1982

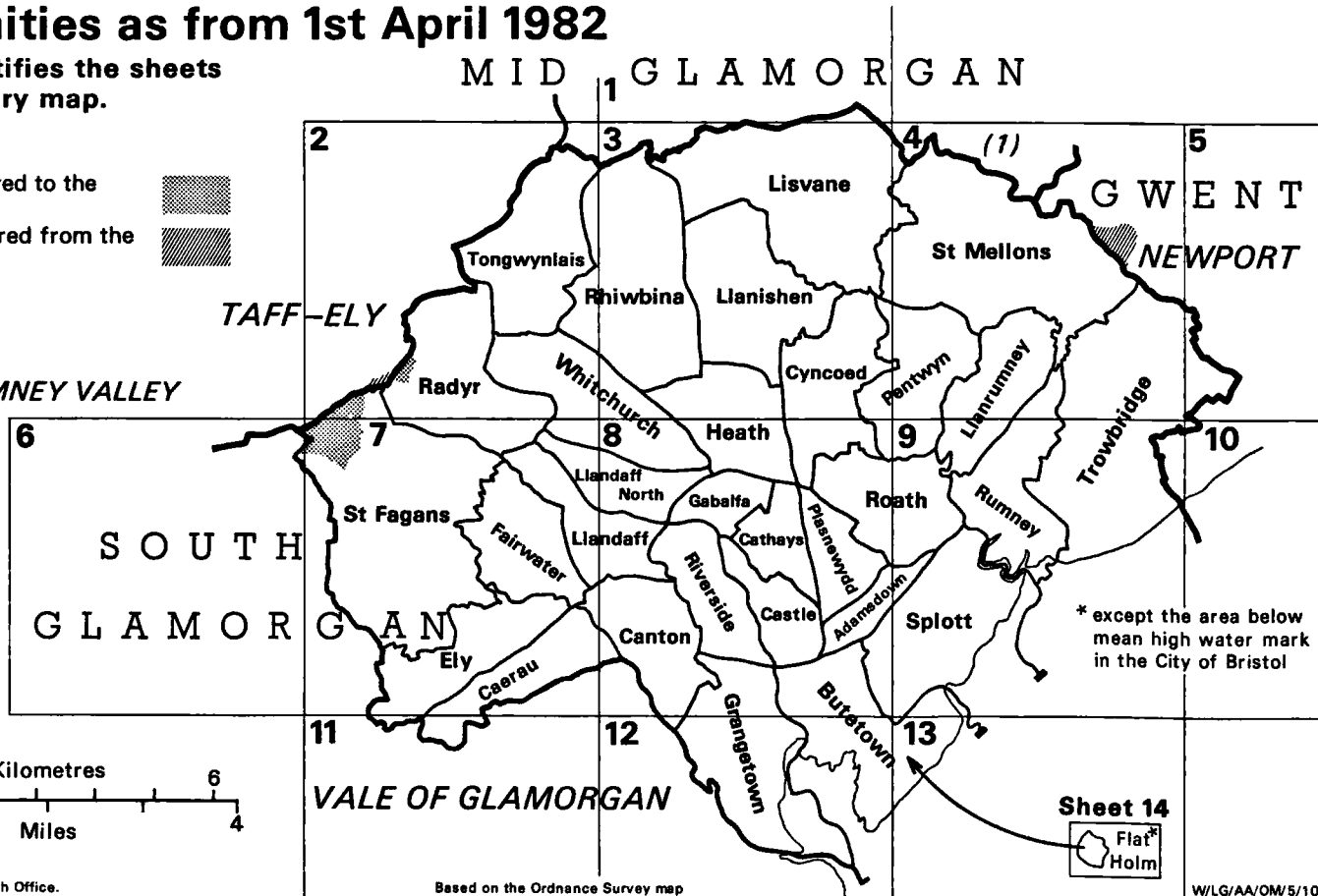
The grid identifies the sheets of the boundary map.

Areas transferred to the City of Cardiff
 Areas transferred from the City of Cardiff



(1) RHYMNEY VALLEY

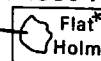
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Cartographic Services, Welsh Office.

Based on the Ordnance Survey map

Sheet 14



W/LG/AA/OM/5/10