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STATUTORY INSTRUMENTS

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**1996 No. 494**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

WALES

CHANGES IN LOCAL GOVERNMENT AREAS

**The Cardiff (St. Mellons Community) Order 1996**

*Made* - - - - - *26th February 1996*

*Coming into force*

*for the purposes described  
in article 1(2)*

*15th March 1996*

*for all other purposes*

*1st April 1996*

Whereas the Cardiff City Council, acting pursuant to section 55(2) of the Local Government Act 1972(1), has made recommendations to the Local Government Boundary Commission for Wales for proposals in relation to the community of St. Mellons in the City of Cardiff;

And whereas the said Commission has seen fit, pursuant to sections 54(1) and 58(1) of that Act, on the 22nd September 1995, to make the recommended proposals to the Secretary of State for Wales;

And whereas the Secretary of State for Wales has decided to give effect to those proposals without modification;

And whereas more than 6 weeks have elapsed since those proposals were made;

Now, therefore, the Secretary of State for Wales, in exercise of his powers under section 58(2) of that Act and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1.—(1) This Order may be cited as the Cardiff (St. Mellons Community) Order 1996.

(2) This Order shall come into force on 15th March 1996 for any purpose set out in regulation 4(1) (Coming into operation of order) of the 1976 Regulations.

(3) For all other purposes this Order shall come into force on the appointed day.

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(1) 1972 c. 70. Section 54(1) was amended by the Local Government (Wales) Act 1994 (c. 19.), Schedule 15, paragraph 7(1); sections 55(2) and 58(1) are subject to amendment on commencement of paragraphs 8(2) and 11(1) of that Schedule; the 1972 Act is subject to other amendments not directly relevant to this instrument.

## **Interpretation**

### **2. In this Order—**

“the appointed day” means 1st April 1996;

“the map” means the map issued by the Welsh Office and marked “Map referred to in the Cardiff (St. Mellons Community) Order 1996”;

“the 1976 Regulations” means the Local Government Area Changes Regulations 1976(2).

## **Changes in community areas**

**3.—(1)** The part of the community of St. Mellons which is shown cross-hatched in black on the map shall be separated from that community and shall constitute a new community to be known as Pontprennau.

(2) The remainder of the area of the community of St. Mellons, being the area hatched in black on the map, shall be known as Old St. Mellons.

## **Community Council**

**3.** As from the appointed day the number of councillors for the community of Old St. Mellons shall be 9 and the community shall not be divided into wards.

## **Councillors**

**4.—(1)** Any casual vacancy which exists on 15th March 1996 or occurs before the appointed day in the office of community councillor for the Llanedeyrn ward of the community of St. Mellons shall (except where notice of the election has at 15th March 1996 already been given) not be filled. Any person in office at the appointed day in such office shall retire from office on that day.

(2) Any person in office on the appointed day as a community councillor for the Old St. Mellons ward of the community formerly known as St. Mellons shall represent the community of Old St. Mellons and shall retire on the fourth day after the ordinary day of election of community councillors in 1999.

## **Cemetries**

### **5.—(1) In relation to the St Edeyrn’s Church Cemetery—**

(a) any inhabitants of the new community of Pontprennau ( “the Pontprennau inhabitants”) shall be entitled to the same rights of burial as the inhabitants of the community of Old St. Mellons ( “the Old St. Mellons inhabitants”);

(b) any provisions in relation to inhabitants in any table of fees in force in respect of the cemetery shall apply to the Pontprennau inhabitants as they apply to the Old St. Mellons inhabitants;

(c) no differential charges shall be imposed on the Pontprennau inhabitants.

(2) Subject to paragraph (1), any provisions in relation to the inhabitants of the existing community of St. Mellons in any table of fees in force in respect of the cemetery shall apply to the Old St. Mellons inhabitants.

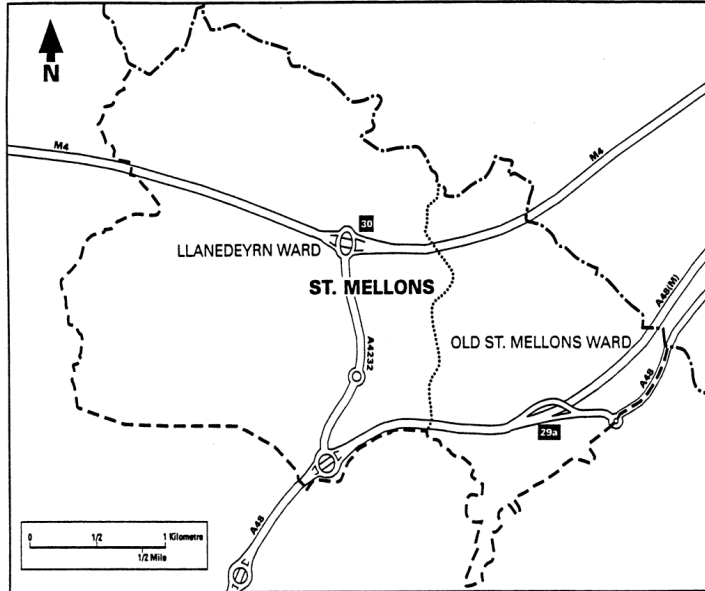
(3) Paragraphs (2) to (4) of regulation 35 of the 1976 Regulations shall not apply.

### **Local Acts, orders and byelaws**

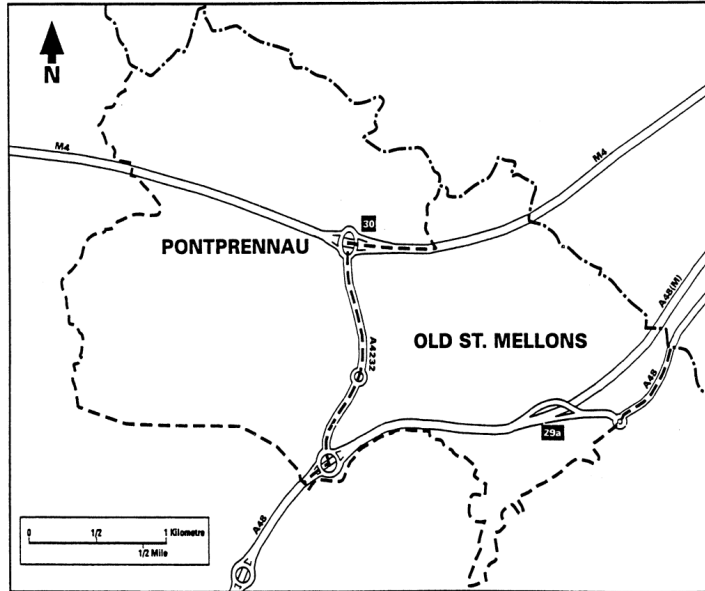
6. The existing community of St. Mellons is hereby specified in relation to regulation 41(4) (Local Acts, orders and byelaws) of the 1976 Regulations and the new community of Pontprennau and the community of Old St. Mellons are hereby specified in relation to the said existing community.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Existing Community of St. Mellons



Communities of Pontprenau and Old St. Mellons (As from April 1, 1996)



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Signed by the authority of the Secretary of State for Wales.

26th February 1996

*Gwilym Jones*  
Parliamentary Under-Secretary of State, Welsh  
Office

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## EXPLANATORY NOTE

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

This Order constitutes a new community, to be known as Pontprennau in the City of Cardiff (or the County of Cardiff, with effect from 1st April 1996, by virtue of the Local Government (Wales) Act 1994).

The new community is formed by the separation from the community of St. Mellons of part of its area. The remaining area continues as a community and is renamed Old St. Mellons.

The Pontprennau community does not have a community council. The community council for the Old St. Mellons community continues but with 9 councillors and without wards.

Supplementary provision is made in relation to councillors for the former Llanedeyrn ward of the St. Mellons community.

The map forming part of this note gives a general indication of the areas affected by the Order.

Prints of the boundary map referred to in article 2 of the Order are deposited and may be inspected during normal office hours at City Hall, Cathays Park, Cardiff; County Hall, Atlantic Wharf, Cardiff and the Welsh Office, Cathays Park, Cardiff.

The Local Government Area Changes Regulations 1976 referred to in article 2 of the Order contain further provisions about the effect and implementation of orders such as this one.