
STATUTORY INSTRUMENTS

1999 No. 1289

LOCAL GOVERNMENT, ENGLAND AND WALES

WALES

CHANGES IN LOCAL GOVERNMENT AREAS

**The Pembrokeshire (Llangwm and
Hook Community) Order 1999**

Made - - - - - *3rd March 1999*

Coming into force

*For the purposes described
in article 2* *5th March 1999*

For all other purposes *1st April 1999*

Whereas the County Council of Pembrokeshire, 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 Llangwm and Hook in the County;

and whereas the said Commission has seen fit, pursuant to sections 54(1) and 58(1) of that Act⁽²⁾, on 21st November 1997, 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. This Order may be cited as the Pembrokeshire (Llangwm and Hook Community) Order 1999.

(1) 1972 c. 70: section 55(2) was amended by Schedule 15 paragraph 8(2) to the Local Government (Wales) Act 1994 (c. 19).
(2) Section 54 of the Local Government Act 1972 was amended by Schedule 3 paragraph 12 to the Local Government Act 1992 (c. 19), and Schedule 2 paragraph 4 and Schedule 15 paragraph 7 to the Local Government (Wales) Act 1994 and section 40(2) of the Police and Magistrates' Courts Act 1994 (c. 29). Section 58(1) of the Act of 1972 was amended by Schedule 15 paragraph 11(1) to the Local Government (Wales) Act 1994.

2.—(1) 5th March 1999 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 (3).

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

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

Interpretation

3. In this Order—

“the appointed day” means 1st April 1999;

“the boundary map” means the map prepared by the Welsh Office and marked “Map of the Pembrokeshire (Llangwm and Hook Community) Order 1999”;

“the Regulations” means the Local Government Area Changes Regulations 1976(3) as amended by the Local Government Area Changes (Amendment) Regulations 1978(4).

Changes in Community Areas

4.—(1) The part of the community of Llangwm and Hook which is shown cross-hatched in black on the boundary map shall be separated from that community and shall constitute a new community to be known as Hook.

(2) The remainder of the community of Llangwm and Hook, being the area hatched in black on the boundary map, shall be known as Llangwm.

Community Council

5.—(1) The community wards of the community of Llangwm and Hook shall be abolished.

(2) There shall be a community council for the new community of Hook.

(3) As from the appointed day to 14th June 1999 any person in office immediately before the appointed day for the Hook ward or the Llangwm ward of the community of Llangwm and Hook shall be a councillor of the new community of Hook or the community of Llangwm respectively.

(4) As from 14th June 1999 the number of councillors for the new community of Hook and the community of Llangwm shall be 8 in each case.

(5) Community councillors for the new community of Hook and the community of Llangwm shall be elected on 10th June 1999. The persons elected shall come into office on 14th June 1999 and shall retire on the fourth day after the ordinary day of election of councillors in 2003.

(6) The annual meeting of the community council for the new community of Hook shall be convened by the officer appointed by the County Council of Pembrokeshire for that purpose.

(7) Regulation 8(1) (Councillors) of the Regulations shall not apply.

Electoral Division

6. The Llangwm electoral division shall comprise the communities of Freystrop, Hook and Llangwm which shall continue to have one councillor.

(3) S.I.1976/246.

(4) S.I. 1978/247.

Petty Sessional Division

7. The Cleddau petty sessional division shall include the communities of Hook and Llangwm.

Expenses of New Community Council

- 8.—(1) In this article—

“the 1992 Act” means the Local Government Finance Act 1992⁽⁵⁾;
“the 1995 Regulations” means the Local Authorities (Precepts) (Wales) Regulations 1995⁽⁶⁾;
“the new communities” means the new community of Hook and the community of Llangwm;
“the prospective billing authority” means Pembrokeshire County Council;
“the relevant financial year” means the financial year beginning 1st April 1999.

- (2) Section 41 of the 1992 Act (issue of precepts by local precepting authorities) shall have effect—
- in relation to the council of the new communities the prospective billing authority and the relevant financial year; and
 - as respects the period beginning on 1st March 1999 and ending immediately before the day on which there is issued by the council of the new community of Hook a precept for the relevant financial year,

with the substitution for subsection (3) of the following subsection—

“(3) In making calculations in accordance with section 32 above (originally or by way of substitute) the billing authority shall take into account for the purposes of its estimate under section 32(2)(a) above an amount equal to that specified in article 8(6) of the Pembrokeshire (Llangwm and Hook Community) Order 1999.”.

- (3) In relation to the councils for the new communities, the prospective billing authority and the relevant financial year—

- section 32 of the 1992 Act (calculation of budget requirements by billing authorities) shall effect with the omission of subsection (6);
- section 41(4) of the 1992 Act shall have effect with the substitution for the words “March in the financial year preceding that for which it is issued”, the words “October in the financial year for which it is issued”; and
- The reference in section 54(4) of the 1992 Act (power to designate authorities) to a precept anticipated by a billing authority in pursuance of regulations under section 41 of the 1992 Act shall be construed as a reference to the amount specified in paragraph (6) of this article.

- (4) In relation to the amount taken into account for the purposes of section 32(2)(a) of the 1992 Act by virtue of paragraph (2) above, Chapter III of Part I of the 1992 Act (setting of council tax) shall have effects as if—

- the amount were an item mentioned in section 35(1) of the 1992 Act (special items) which related to the new communities; and
- the area of the prospective billing authority included the new communities.

- (5) The council of the new community of Hook shall make the calculations required by section 50 of the 1992 Act (calculation of budget requirement by local precepting authorities) for the relevant financial year so as to secure that the amount calculated as their budget requirement for that year does not exceed the amount specified in paragraph (6) below.

(5) 1992 c. 14.

(6) S.I. 1995/2562.

(6) The amount specified in this paragraph in relation to the new community of Hook is two thousand five hundred pounds.

(7) In relation to the councils for the new communities, the prospective billing authority and the relevant financial year, the 1995 Regulations shall have effect as if—

(a) regulation 5 (information on schedules of payment); and

(b) in subparagraphs (1), (2) and (3) of paragraph 8 of Part II of the Schedule (rules for determination of schedules in instalments) in each case the second “or” and the words following to the end of each sub-paragraph,

were omitted.

Local Acts, Orders and Byelaws

9. The existing community of Llangwm and Hook is specified in relation to regulation 4194) (Local Acts, Orders and Byelaws) of the Regulations and the new community of Hook and the community of Llangwm are hereby specified in relation to the said existing community.

Signed by authority of the Secretary of State for Wales

Jon Owen Jones
Parliamentary Under Secretary of State, Welsh
Office

3rd March 1999

EXPLANATORY NOTE

(This note is not part of the Order)

This Order constitutes a new community, to be known as Hook, in the County of Pembrokeshire as from 1st April 1999.

The new community is formed by the separation from the community of Llangwm and Hook of that part of its area comprising the community ward of Hook. The remaining area continues as a community and is renamed Llangwm. The existing wards are abolished and neither the new community of Hook or the community of Llangwm is to be warded.

The new community of Hook is to have a council and the council for the community of Llangwm will continue. From the appointed day until 14th June 1999, the present 6 councillors for each of the wards as existing immediately before the appointed day, are to be councillors for each of the communities comprising the area of the former wards. As from 14th June 1999, each of the communities is to have 8 councillors, such councillors being elected on 10th June 1999.

Consequential provision is made in respect of the Llangwm electoral division and the Cleddau petty sessional division.

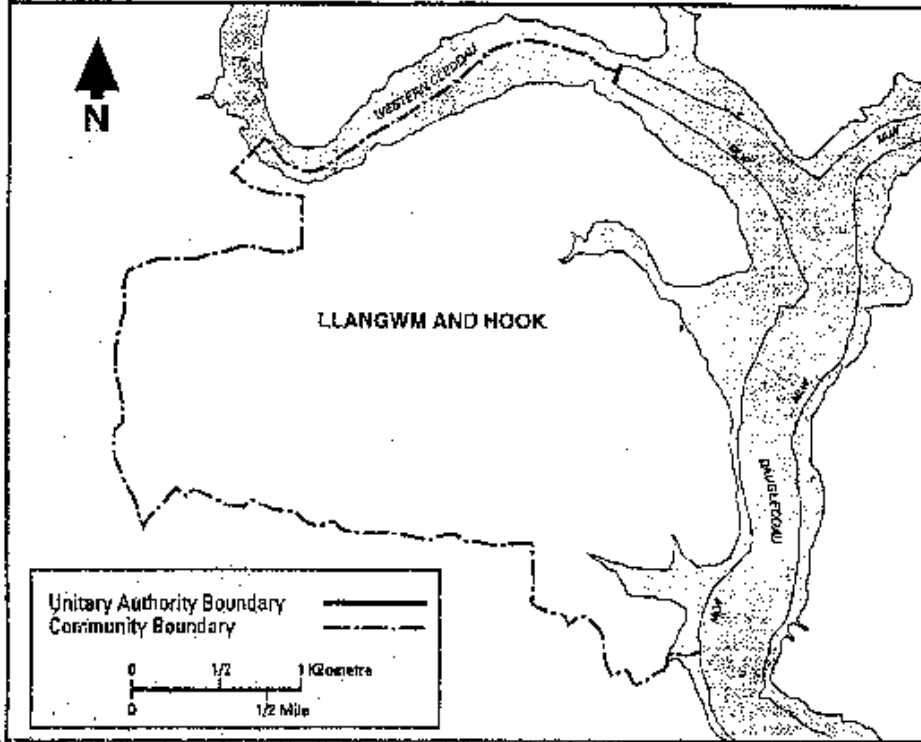
The maps forming part of this Order show (a) the existing community and (b) the communities of Hook and Llangwm as they will be from 1st April 1999.

Prints of the boundary map referred to in article 3 of this order are deposited and may be inspected during normal office hours at the offices of the County Council of Pembrokeshire, Osmond House, Haverfordwest, Pembrokeshire and at the offices of the Secretary of State for Wales at Cathays Park, Cardiff.

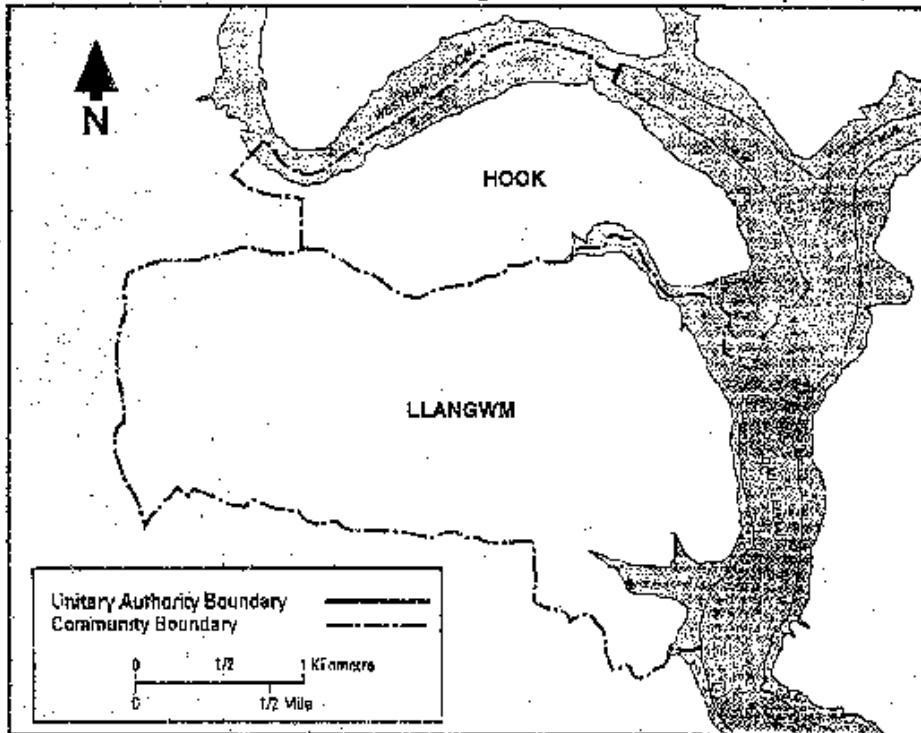
The Local Government Area Changes Regulations 1976 (as amended) referred to in Article 3 of this Order contain incidental, consequential, transitional and supplementary provision about the effect and implementation of Orders such as this one.

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Existing Community of Llangwm and Hook



Communities of Llangwm and Hook (As from April 1st, 1999)



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