Report of the Head of Corporate Strategy and Democratic Services

Matter for Decision

Wards Affected: All Wards

2018 Review of Parliamentary Constituencies

Purpose of the Report

1. To inform Council of the Boundary Commission for Wales' initial proposals emanating from its review of the electoral arrangements for the Parliamentary Constituencies of Aberavon and Neath and to approve the Council's response to the proposals.

Background

2. The Boundary Commission for Wales is an independent and impartial non-departmental public body which is responsible for reviewing Parliamentary constituency boundaries in Wales.

3. The Commission has the task of periodically reviewing all the Parliamentary constituencies in Wales. It is currently conducting a review on the basis of rules laid down by Parliament.
4. These rules involve a significant reduction in the number of constituencies in Wales, reducing from 40 down to 29, and require constituencies to comply with parameters in relation to the number of electors in each constituency.

5. The Commission is required to make a formal report to the Government by 1 October, 2018, recommending any changes that it believes are appropriate to the distribution, size, shape, name or designation of constituencies in Wales.

6. The Government will then introduce a Bill and if Parliament approves the legislation, the recommended changes will be implemented for the next General Election after the date on which the legislation is passed.

**Legal Framework**

7. The Parliamentary Constituencies Act 1986 (as amended) provides that the electorate figures that are to be used for a review are those that were in the version of the electoral register published on the 'review date'.

8. The review date is defined by the Act as the date two years and ten months before the Commission is required to report on the review to the Government. For the 2018 Review, this means that the electorate figures used must be those from the electoral registers that were required to be published on or before 1 December 2015.

9. In addition, the 1986 Act states that the Commission may have regard to 'local government boundaries in Wales as the boundaries of counties, county boroughs, electoral wards, communities and community wards as they were in force on the most recent ordinary day of election of councillors before the review date.

10. For the 2018 Review, this means the local government boundaries referred to are those in force as at 7 May 2015.

11. In terms of the number of constituencies the 1986 Act (as amended) now requires that there be a fixed number of 600 constituencies for the whole of the United Kingdom.
Having stated that no single constituency may be split between different parts of the UK, the Act provides a mathematical formula to determine how many constituencies each of the four parts of the UK should be allocated.

12. In terms of electorate range, the 1986 Act sets out a number of rules which are relevant to the detailed development of proposals for individual constituencies.

13. Foremost among these is Rule 2, which provides that - apart from four specified exceptions - every constituency must have an electorate that is no less than 95% and no more than 105% of the 'UK electoral quota'. The UK electoral quota for the 2018 Review is, to the nearest whole number, 74,769.

14. Accordingly, every constituency in Wales must have an electorate that is no smaller than 71,031 and no larger than 78,507.

15. The only specified constituencies which are not subject to the operation of the UK electoral quota are the two constituencies on the Isle of Wight, England, and Orkney and Shetland and Na h-Eileanan an Iar in Scotland.

16. Rules 5 in Schedule 2, of the 1986 Act, provides for a number of other factors that the Commission may take into account in establishing a new map of constituencies for the 2018 Review, specifically:

- special geographical considerations, including in particular the size, shape and accessibility of a constituency;
- local government boundaries as they existed on 7 May 2015
- boundaries of existing constituencies
- any local ties that would be broken by changes in constituencies

17. The policy of the Commission is to take into account all the factors listed in Rule 5 as far as possible, subject to the primacy of the statutory electorate range under Rule 2.
18. Factors that the Commission have not considered in preparing their proposals were:

- Impact on future election results
- New local government boundaries (post 7 May 2015)
- Changes to electorates after 1 December, 2015

19. The Commission have also made it clear from the outset that given the limited number of electors in some of the South Wales valleys areas, constituencies will be formed which encompass more than one valley. Furthermore, in some areas the division of principal councils will be unavoidable.

20. In addition, the Commission has also highlighted that compromises will inevitably have to be made in order to create a pattern of constituencies across Wales that adheres to the Rules of the legislation, and they emphasise that it is important to understand that even small changes to one constituency will have consequential impacts on adjacent areas and possibly the whole of Wales.

**Review Process**

21. The 2018 Review is being carried out under a procedure that relies on a combination of written representations and oral representations at public hearings.

22. Following the publication of the Commission's initial proposals, a twelve week consultation period has commenced with up to five public hearings being held across Wales and ending on 5 December, 2016.

23. Once the twelve week consultation has expired there will be a further four week secondary consultation period but no public hearings.

24. The Commission will then prepare a report recommending whether any of the initial proposals need to be revised and providing alternative proposals, if necessary.

25. If revised proposals are recommended in the report then a further eight week period is triggered to allow any written representations to be submitted.
26. Final recommendations of the Commission are then published and a report submitted to UK Government by 1 October, 2018.

**The Initial Proposals**

27. Under the initial proposals, every existing Welsh constituency will require boundary changes and for the Neath and Aberavon constituencies the proposals are considerable.

28. The Commission's initial proposals are usefully summarised in Appendix 1-3.

29. In essence, the proposals would create two new constituencies which would be known as:

- Neath and Aberavon (Castell-nedd ac Aberafan)
- Ogmore and Port Talbot (Ogwr a Phort Talbot)

30. The new Neath and Aberavon Constituency would be constructed wholly from electoral divisions (wards) currently within the Neath Constituency along with the town of Aberavon.

31. However, the Ogmore and Port Talbot Constituency would consist predominantly of electoral divisions (wards) from the current Ogmore Constituency but with the inclusion of seven electoral divisions (ward) from the current Aberavon Constituency.

32. They include; Bryn and Cwmavon, Cymmer, Glyncorrwg, Gwynfi, Margam, Port Talbot and Tai-bach.

33. In addition, the current electoral divisions (wards) of Coedffranc Central, Coedffranc North, and Coedffranc West, would form part of a revised Swansea East Constituency.

**The Council's Response**

34. In response to the Commission's request for comments regarding their proposals the following 'points of principle' have been prepared for consideration by Members.
35. It is clear that, given the radical nature of the proposals, which appear to take no account of natural communities, local ties and easily identifiable boundaries, the Commission has given absolute primacy to achieving the statutory electorate range at the expense of all other matters.

36. The Commission appear to have undertaken a simple arithmetic exercise, rearranging the electoral ward building blocks to achieve the desired result, taking no account on the quality of local democracy and creating Constituencies which are not easily identifiable to ordinary electors.

37. In addition, it could be argued that Welsh constituencies are being disproportionately affected by the proposals with a 27.5% reduction in the overall number of constituencies. A far higher proportionate change compared to the proposals for other nations within the United Kingdom.

38. It is clear from the proposals that no weight whatsoever has been given to population sparsity, deprivation or geographic isolation, all of which have an impact on the workload of elected representatives.

39. The Commission’s proposals clearly do not take account of the geography of the area or the natural boundaries between local communities built up over decades. A clear example is the proposal to include the town of Aberavon along with the electoral division(wards) of Sandfields East and Sandfields West within the proposed Neath and Aberavon Constituency, while the electoral wards (divisions) of Port Talbot and Tai-bach are included in the proposed Ogmore and Port Talbot Constituency.

40. In effect this would physically segregate the residential communities of Sandfields and Aberavon from their local commercial and industrial areas, including the TATA steel works, located with the Port Talbot, Tai-bach and Margam electoral divisions (wards) and where the vast majority of local electors are employed.

41. In attempting to ensure the statutory electorate range is attained, it is clear that the current vibrant residential, commercial and industrial areas of the current Aberavon Constituency have been dissected and reassembled to create new Constituencies in which electors will have no strong affiliation or connection, which in turn will inevitably erode engagement with the democratic process.
42. Furthermore, following the significant and clearly evidenced increases in voter registration prior to the electoral events held in May and June 2016, it is strongly felt that the current electorate figures (as of 1 December 2015) utilised by the Commission to model its initial proposals are no longer valid or credible.

43. While it is clear the Commission are adhering to the relevant rules in making their determinations, the modelling will inevitably result in significant discrepancies in the shape and size of Welsh Constituencies which would result in a democratic deficit that could not be remedied easily or quickly.

44. Coupled to this concern, is the added complexity that creating new Parliamentary Constituencies will generate for the different tiers of government within Wales.

45. The Commission's initial proposals, if adopted, will no longer mirror the current constituency boundaries for the National Assembly for Wales elections, re-shaping the Neath Constituency while resulting in significant overlap with neighbouring Constituencies in Swansea and Ogmore.

46. In addition, the initial proposals also require Principal Authority boundaries to be crossed in order to reach the statutory electoral quota as set by UK Government.

47. Such, significant alterations will result in potential erosion, overlap and added complexity in the accountability of elected representatives (AMs, MPs and Elected Members) particularly in dealing with critical matters, such as economic regeneration or infrastructure investment, at a Welsh and UK Government level.

48. Furthermore, the proposals will inevitably result in significant confusion and misunderstanding for local electors who will no longer be able to easily identify or establish who represents them, and as previously mentioned could significantly diminish engagement with the democratic process.

49. The Commission's proposals should be for change which is desirable effective and convenient for local communities. These proposals would diminish the effectiveness of elected representation and be inconvenient for the electorate.
50. It should be pointed out that it is important than elected members submit their own views to the Commission and encourage their constituents and local organisations to do likewise so that the Commission can determine its final proposals in the light of informed public comment.

**Financial Impact**

51. There are no financial impacts associated with this report.

**Equality Impact Assessment**

52. The initial proposals put forward by the Boundary Commission for Wales adheres to the statutory requirement that every constituency (apart from four specified exceptions) have an electorate that is no less than 95% and no more than 105% of the UK electoral quota.

**Workforce Impacts**

53. There are no workforce impacts associated with this report.

**Legal Powers**

54. Parliamentary Voting System and Constituencies Act 2011


**Risk Management**

56. There are no significant risk management issues associated with this report.

**Consultation**

57. There is no requirement under the Constitution for external consultation on this item.
Recommendations

58. That the draft response to the Boundary Commission for Wales' initial proposals relating to 2018 Parliamentary Review, be recommended for approval by Council.

Reason for Proposed Decision

59. To allow the Council to formally respond to the Boundary Commission for Wales' consultation which is due to conclude on Monday, 5 December, 2016.

Implementation of Decision

60. The decision is for immediate implementation.

List of Background Papers


Appendices

Appendix 1 - Existing Constituencies (All-Wales)

Appendix 2 - Initial Proposals (All-Wales)

Appendix 3 - Initial Proposals - Neath Port Talbot CBC area
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