

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

22 November 2017

Report of the Head of Corporate Strategy and Democratic Services

Matter for Decision

Wards Affected: All Wards

2018 Review of Parliamentary Constituencies - Revised Proposals

Purpose of the Report

1. To inform Cabinet of the Boundary Commission for Wales' revised proposals emanating from its review of the electoral arrangements for the current Parliamentary Constituencies of Aberavon and Neath and to consider an appropriate response.

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. On 24 March 2017, the Boundary Commission for Wales published its initial proposals for Parliamentary constituencies in Wales followed by a period of consultation on those proposals.
6. The Commission received hundreds of written representations on the initial proposals.
7. Public hearings were also held across Wales to enable members of the public to express their views on the initial proposals and to suggest how they could be amended and improved.
8. Following evaluation the Commissioners have proposed changes to 19 of the 29 constituencies and are requesting representations on these revised proposals.
9. The Commission will then make a formal report to the UK 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.
10. The Government will then consider introducing 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

11. 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'.
12. 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.

13. 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.
14. 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.
15. For the 2018 Review, this means the local government boundaries referred to are those in force as at 7 May, 2015.
16. 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 [currently there are 650 constituencies].
17. 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.
18. With regard to the electorate range, the 1986 Act sets out a number of rules which are relevant to the detailed development of proposals for individual constituencies.
19. 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.
20. Accordingly, every constituency in Wales must have an electorate that is no smaller than 71,031 and no larger than 78,507.
21. 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.

22. Rule 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
23. 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.
24. 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
25. 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 Authorities will be unavoidable.
26. 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

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

28. Following the publication of the Commission's initial proposals, a twelve week consultation period commenced with up to five public hearings being held across Wales ending on 5 December, 2016.
29. Once the twelve week consultation expired there was a further four week secondary consultation period but no public hearings.
30. The Commission then prepared a report recommending whether any of the initial proposals needed to be revised and providing alternative proposals, followed by an eight week period to allow any written representations to be submitted.
31. Final recommendations of the Commission will then published and a report submitted to UK Government by 1 October, 2018.

The Revised Proposals

32. Under the revised proposals, 19 of the Commission's initial constituency proposals in terms of their geographical make-up required alteration, with some of these changes being extensive. A further nine revisions will also made to the proposed names of certain parliamentary constituencies.
33. The Commission's initial and revised proposals are usefully summarised in the attached Appendices.
34. In the Commission's initial proposals, it was recommended that a county constituency be created from:
 - The electoral wards within the existing Aberavon constituency of Aberavon, Baglan, Briton Ferry East, Briton Ferry West, Sandfields East and Sandfields West; and,
 - The whole of the existing Neath Constituency.
35. This Constituency would have had 77,397 electors which is 3.5% above the UK electoral quota of 74,769 electors per constituency. The suggested name for the constituency was Neath and Aberavon - Castell-nedd ac Aberafan.
36. The Commission received numerous written representations, as well as representations at the public hearings, that stated that the three Coedffranc electoral wards, which were included within the proposed

Swansea East constituency in the initial proposals, would be more appropriately located within a proposed Neath constituency.

37. Following consideration of the representations the Assistant Commissioners (supporting the Commission's review process) proposed including the Coedffranc electoral wards within a proposed newly configured Neath constituency while identifying four electoral wards in the Afan Valley also for inclusion, due to their more established ties with the proposed constituency, to meet the statutory electoral range.
38. Having considered the Assistant Commissioners recommendations the Commission agreed that the electoral wards of Coedffranc Central, Coedffranc North and Coedffranc West, together with the wards of Bryn and Cwmavon, Cymmer, Glyncorrwg and Gwynfi be included within this proposed constituency to avoid breaking local ties between these areas and other areas included within the proposed constituency.
39. The Commission therefore has proposed to create a constituency from:
 - The electoral wards within the existing Aberavon Constituency of Briton Ferry East, Briton Ferry West, Bryn and Cwmavon, Coedffranc Central, Coedffranc North, Coedffranc West, Cymmer, Glyncorrwg, Gwynfi and,
 - The whole of the existing Neath Constituency.
40. The constituency would have 74,621 electors which is 0.2% below the UKEQ of 74,769 electors per constituency.
41. In addition, the Commission in agreement with the Assistant Commissioners proposed that the constituency now be named Neath - Castell-nedd.
42. With regard to the Aberavon Constituency, in the Commission's initial proposals, it was recommended that a county constituency be created from:
 - The whole of the existing Ogmore constituency.

- The electoral wards within the existing Aberavon constituency of Bryn and Cwmavon, Cymmer, Glyncorwg, Gwynfi, Margam, Port Talbot and Tai-bach.
43. This constituency would have 72,503 electors which is 3% below the UK electoral quota of 74,769 electors per constituency. The suggested was Ogmore and Port Talbot - Ogwr a Phort Talbot.
 44. The Commission received a number of representations which suggested that the electoral wards of Aberavon and Port Talbot had a strong affinity to one another.
 45. These representations were supported by representations made at the public hearings and the submission of a petition of 537 signatories.
 46. Considering the large number of representations received the Assistant Commissioners proposed that the electoral wards of Aberavon and Port Talbot should be included within the same constituency stating:
 47. "There was a very strong body of representations both at the hearings and in writing that the initial proposals would split the town of Port Talbot in two and that the Port Talbot and Aberavon area forms one community [which] for historic, social and economic reasons that should not be split between two constituencies."
 48. Having considered the proposals of the Assistant Commissioners, the Commission concluded that the Aberavon and Port Talbot electoral wards should remain within the same constituency. The Commission also decided that the electoral wards of Aberkenfig and Ynysawdre should be included with Bryncethin and Sarn [Ogmore constituency] in the newly proposed Aberavon and Ogmore constituency because of their ties with these wards.
 49. The Commission therefore proposes to create a constituency from:
 - The electoral wards within the existing Ogmore constituency of Aberkenfig, Bettws, Blackmill, Blaengarw, Bryncethin, Bryncoch, Caerau, Felindre, Hendre, Llangeinor, Llangynwyd, Maesteg East, Maesteg West, Nant-y-moel, Ogmore Vale, Penprysg, Pontycymmer, Sarn and Ynysawdre.

- The electoral wards within the Aberavon constituency of Aberavon, Baglan, Margam, Port Talbot, Sandfields East, Sandfields West and Tai-bach.
 - The County Borough of Rhondda Cynon Taf electoral wards of Brynna, Gilfach Goch and Llanharan.
50. This constituency would have 78,365 electors which is 4.8% above the UK Electoral Quota of 74,769 electors per constituency.
51. The Commission also agreed with the Assistant Commissioners recommendation that the name of the constituency should reflect the new configuration and recommended this should be Ogmore and Aberavon - Ogwr ac Aberafan.

The Council's Response - Revised Proposals

52. In publishing their revised proposals, the Commission has taken some consideration of the comments and concerns previously raised by this Council in relation to natural communities, local ties and easily identifiable boundaries.
53. This can be seen in relation to the Commission's revised proposals for the Aberavon and Port Talbot electoral wards as well as the wards of Coedffranc North, West and Central. However, in resolving one issue, in one specific area, the Commission has created further difficulties with new boundary proposals in other areas which once again do not recognise natural communities and local ties.
54. An example of this would be the inclusion of the electoral wards of Bryn and Cwmavon, Cymmer, Glyncorwg and Gwynfi in the Neath Constituency. Another would be the inclusion of the electoral wards of Brynna, Gilfach Goch and Llanharan in the Ogmore and Aberavon Constituency.
55. Such proposals, illustrate how the Commission has had to give ultimate primacy to the UK Electoral Quota at the expense of rational boundaries which take account of long standing community affinities and connections.
56. In particular, in attempting to ensure the statutory UK electoral 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 particular affiliation, which in turn will erode engagement with the democratic process.

57. It could also be argued that such new boundary arrangements could result in further potential socio-economic impacts as no weight has been given to the issues of population sparsity or geographic isolation, all of which have an impact on the workload of elected representatives.
58. It must also be pointed out that Welsh constituencies are being disproportionately affected by the revised 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.
59. Furthermore, as identified by Council in its previous response, due to the increases in voter registration prior to the electoral events held in May and June 2016, the current electorate figures (as of 1 December 2015) utilised by the Commission to model its initial proposals can no longer be deemed to be valid or credible.
60. Coupled to this, there are concerns regarding the complexity that creating new Parliamentary Constituencies will generate for the different tiers of government within Wales with each level of government operating on distinctly different boundary arrangements.
61. The Commission's revised proposals, if adopted, will no longer mirror the current constituency boundaries for the National Assembly for Wales elections, re-shaping the Neath and Aberavon Constituencies while resulting in significant overlap with the neighbouring local government areas of Bridgend and Rhondda Cynon Taf.
62. In addition, the proposals also require Principal Authority boundaries to be crossed in order to reach the statutory electoral quota as set by UK Government.
63. 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.

64. 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 could diminish engagement with the democratic process.
65. In turn this would also lead to difficulties in the administration of electoral events with complex cross-boundary issues and the potential high risk of administrative failure in the event of any future combined electoral events.
66. The Commission's proposals should be for change which is desirable effective and convenient for local communities. These revised proposals would diminish the effectiveness of elected representation and be inconvenient for the electorate.
67. Elected members and political parties are also reminded to once again submit their own individual 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

68. There are currently no financial impacts associated with this report.

Equality Impact Assessment

69. A screening assessment has been undertaken and a full equality impact assessment is not warranted.

Workforce Impacts

70. Alterations to the current Parliamentary Constituency boundaries will inevitably have a resource implication in terms of administering any future elections however, until the final boundaries have been agreed and ratified by Parliament it is difficult to assess the full extent of any workforce impacts.

Legal Powers

71. Parliamentary Voting System and Constituencies Act 2011

<http://www.legislation.gov.uk/ukpga/2011/1/contents>

72. Parliamentary Constituencies Act 1986 (as amended by the Boundary Commissions Act 1992 and the 2011 Act)

<http://www.legislation.gov.uk/ukpga/1986/56/contents>

Risk Management

73. There are currently no significant risk management issues for this Authority associated with this report.

Consultation

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

Recommendation

75. That Cabinet consider the Boundary Commission's revised proposals and officers advice, as contained in this report, and consider what response should be provided to the Commission.

Reason for Proposed Decision

76. To allow the Council to formally respond to the Boundary Commission for Wales' consultation which is due to conclude on Monday, 11 December, 2017.

Implementation of Decision

77. The decision is for immediate implementation.

List of Background Papers

78. 2018 Review of Parliamentary Constituencies - Revised Proposals Report (Boundary Commission for Wales)

http://bcomm-wales.gov.uk/2018-review/2018_revised_proposals?lang=en

79. 2018 Review of Parliamentary Constituencies - Guide to the 2018 Review (Boundary Commission for Wales)

<http://gov.wales/docs/bcw/policy/mapdata/2018review/160612reviewguide2018en.pdf>

Appendices

Appendix 1 - Existing Constituencies (All-Wales)

Appendix 2 - Initial Proposals (All-Wales)

Appendix 3 - Revised Proposals - (All-Wales)

Appendix 4 - Revised Proposals (Neath and Port Talbot CBC area)

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