

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

COUNCIL

7 November 2018

Report of the Chief Executive and Assistant Chief Executive & Chief Digital Officer

ELECTORAL REVIEW: NEATH PORT TALBOT

Matter for Decision

Wards Affected: Blaengwrach, Bryn & Cwmavon, Bryncoch South, Cimla, Coedffranc Central, Coedffranc West, Crynant, Cwmllynfell, Cymmer, Dyffryn, Glyncorrwg, Glynneath, Gwaun-Cae-Gurwen, Gwynfi, Lower Brynamman, Onllwyn, Pelenna, Pontardawe, Seven Sisters and Trebanos (*based upon the options identified in this report; but potentially others)

Purpose of Report

1. To present options for Member decision on proposed changes to electoral divisions and ward boundaries for submission to the Local Democracy and Boundary Commission for Wales (“the Commission”).

Background

2. Section 21(3) of the Local Government (Democracy) (Wales) Act 2013 provides that the Commission in carrying out its duties must seek to ensure effective and convenient local government. This is the paramount and primary function of the Commission and one of the duties provided for by the Act is the conduct of reviews of the electoral arrangements of principal areas.
3. Section 29 of the Act puts a duty upon the Commission to review the electoral arrangements for each principal area at least once every ten years including:
 - The number of Members of the Council for the principal area;

- The number, type and boundaries of the electoral wards into which the principal area is for the time being divided for the purpose for the election of Members;
 - The number of Members to be elected for any electoral ward in the principal area; and
 - The name of any electoral ward.
4. On 23 June 2016 the then Cabinet Secretary for Finance and Local Government published a Written Statement requiring the Commission to restart its ten year programme with a prioritised timetable plus an expectation that all 22 electoral reviews be completed in time for new arrangements to be in place for the 2022 local government elections.
 5. The review of this Council will commence shortly. The Commission attended a meeting of Council on 28 June 2018 as part of their pre-review procedure and provided Members with an overview of the statutory basis of the exercise and the timetable.
 6. The Commission outlined their initial assessment that the Council size should be 56 councillors, revised to 58 in light of the cap that would be applied to any reduction in Council size. Furthermore, they explained that the Councillor to electorate ratio had been assessed as being 1:1,828 and presented data to illustrate how current ward ratios varied from this standard. The Commission also explained a different approach to their predecessor in that they are inviting the Council at this stage to put forward its own options rather than formulating their own proposals initially and issuing them for consultation.
 7. The Commission emphasised that the numbers of Councillors determined by its methodology can be used to put forward locally generated schemes. They may, however, consider varying from this if provided with cogent reasons for doing so and if the variation is able to provide effective electoral arrangements.
 8. The issues identified above were also the subject of a Members Seminar on 17 July 2018. The initial timetable for submitting options to the Commission was September 2018; but the Chief Executive negotiated an extension given that the original timetable

coincided with the Council recess; there was a need to inform the options with comprehensive data and it has been necessary to consult with all political groups on this matter.

9. A response is now expected at the Commission by **9 November 2018**. This deadline will not be extended further. Council was informed of this extension by way of a statement by the Deputy Leader at the Council meeting on 26 September 2018.

Considerations for a Review of a Principal Area

10. The legislation requires the Commission to exercise a balanced judgement taking on board all relevant considerations, with a view to making recommendations for electoral arrangements to meet the objectives outlined above. The Commission has a degree of discretion in the way that it attaches weight to the factors that aid it in making its decision; but are required by Section 30 of the Act to:

- Seek to ensure that the ratio of electors to the number of members of the Council to be elected is, as nearly as may be, the same in every electoral ward of the principal area; and;
- Have regard, amongst other things, to the desirability of fixing boundaries for electoral wards which are easily identifiable and not breaking local ties when fixing boundaries for wards.

11. The Commission recognises that reviews present a range of issues which require a judgement, taking into account matters, in addition to statutory requirements that include the following:

- Effective and convenient local government;
- Electoral equality;
- Community tie arguments that justify atypical levels of electoral equality;
- Topography of the land, hills/rivers creating natural boundaries and motorways/railways forming man-made boundaries;
- Rural/urban divide;

- Community area/ward (where community areas are warded) boundaries being used as primary building blocks; and
- Single versus multi-member wards.

12. The number of electors within electoral wards represented by Elected Members indicates the electoral ratios for those wards. Setting the number of Elected Members enables the average electoral ratio for the Council to be calculated. Although the Commission will seek to achieve ratios close to the Council average, they acknowledge that there will be variances. When considering what variance is acceptable, the Commission must comply with considerations set out in the legislation that state that they must seek to ensure that *“the ratio of local government electors to the number of members of the council to be elected is, as nearly as may be, the same in every electoral ward of the principal area”*. The Commission takes the view that departing from the average ratio for the Council can only be justified by clear evidence of other balancing factors, such as local ties or other relevant considerations.
13. Section 30(2) (a) of the Act places a further requirement on the Commission that account must be taken of *“any discrepancy between the number of local government electors and the number of persons eligible to be local government electors (as indicated by relevant official statistics)”*. The Council has already provided population projection data for the next five year period to the Commission and will also highlight in its response those areas of the Council where there are relatively low rates of electoral registration.

Points of Principle

14. At Appendix 1 is a data set for each ward of the Council to inform deliberations as to whether the current arrangements should be changed. For those wards where the Commission have highlighted a significant deviation from their Councillor to electorate ratio, options to bring variances towards the ratio are set out for consideration.
15. Changes that deliver improved electoral equality, however, are not simply a matter of arithmetic as the Council has strongly argued in the past. Other factors must be taken into account.

16. On Council size, the Commission are proposing a Councillor to electorate ratio of 1:1,828. This compares to a Councillor to electorate ratio of 1:1,750 in recent exercises. A review of the position for this Council confirms that the actual Councillor to electorate ratio has changed little since the inception of the Council in 1996. In the Council's submissions to the Commission in 2009, we pointed out that the 2009 position was 1:1,744 rising to 1:1,790 by 2014. The position in 2018 is 1:1,657 rising to 1:1,738 by 2023. There has therefore been no material change to the electorate since 1996 which would suggest that **a reduction from 64 to 58 councillors is not justifiable.**
17. Moreover, in the period since 1996 Councillor work load has increased significantly. Upon reorganisation in 1996 there was a significant reduction in the number of Elected Members but at the same time workloads increased to include both former district and former county council functions.
18. Since then workloads have increased further as a result of:
- Changes to the devolution settlement which has seen a very significant increase in the duties placed upon local government;
 - A growth in regional and collaborative arrangements which has increased complexity in service delivery;
 - Growth in social media which has changed the way in which the electorate engage with the democratic process; and
 - The impact of austerity has seen a significant shift in policy and patterns of service delivery which have added to Councillor work load especially in terms of having to communicate, engage and consult local people about the impact of budget cuts. Typically, caseloads for Councillors representing the most deprived areas of the County Borough have increased.
19. On electoral equality, community ties, effective and convenient local government and single/multi-member wards, the Commission takes the view that, in the first instance, it is desirable that each ward should return a single member. The Commission may, however, recommend that wards be represented by up to three Members in cases supported by evidence as to the character of the ward and in

the interests of electoral parity. Moreover, they are of the view that multi-member electoral wards are more likely to be effective and convenient in urban areas rather than rural; but recognise that sometimes multi-member wards are the most effective means of balancing criteria and therefore may recommend them in rural areas.

Analysis & Conclusions

20. There are no perfect or completely symmetrical solutions on offer across the County Borough. There are arguments that can be made against the proposals below and there are alternatives which have been considered. However, in the final analysis, the proposals seek to balance all the factors and criteria as best we can.
21. It is also worth noting that it is open to individual Members, Community Councils and others to put forward their own proposals to the Commission (and some have done so or are planning to do so). Similarly, all interested parties will have the opportunity to respond to the Commission's proposals once they are published for consultation.
22. In presenting its analysis of electoral parity, the Commission has highlighted **Cwmlllynfell, Glyncorrwg, Glynneath, Gwynfi, Lower Brynamman, Onllwyn, Pelenna and Trebanos**, amongst those wards which have the largest variance from the proposed councillor to electorate ratio in terms of **over-representation**.
23. The Council has previously argued that there is a case for maintaining representation in these areas due to the strong sense of community and relative levels of deprivation in many of the areas. The Council has also previously argued that creating multi-member wards in these and associated areas would lead to unfair workloads for Councillors due to the size of the resulting geography; confusion for electors and result in outlying communities of being marginalised.
24. The areas demonstrating the greatest variance are Valley communities where, arguably, communities already feel a greater sense of isolation and marginalisation as a result of the centralisation of services, de-population and poor public transport. If, however, more weight is given to electoral equality compared with these other factors, it would suggest a change to representation in every valley community, reducing the level of representation and moving away from single member wards to multi-member wards.

25. Additionally, the Commission has highlighted **Coedffranc West and Dyffryn** as two wards which have the largest variance from the proposed ratios in terms of **under-representation**. Recent and planned housing developments would suggest that there is a case to explore changes in terms of both ward boundaries and the level of representation for these and associated areas.

26. Taking account of all the factors described above, officers have identified the following option as representing the optimum balance:

- Merge Crynant, Onllwyn and Seven Sisters into **a new single ward resulting in a reduction of three Members to two**;
- Merge Cymmer, Glyncorwg and Gwynfi – **as above**;
- Merge Gwaun-Cae-Gurwen, Lower Brynamman and Cwmllynfell – **as above**;
- Merge Glynneath and Blaengwrach – **as above**;
- Remove the Pelenna ward (the Pontrhydyfen community ward would be combined with Bryn & Cwmavon and the Tonmawr community ward would be combined with Cimla). There would be **no change in the number of Members in Bryn & Cwmavon or Cimla** resulting in a reduction of one;
- Increase representation in the Coedffranc West ward from **one Member to two** (largely as a consequence of the University Campus) – but see paragraph 28 below also;
- Transfer circa 550 electors from Coedffranc West to the Coedffranc Central ward;
- Transfer circa 700 electors from Bryncoch South to the Dyffryn ward **creating a two member ward in the latter** (this also reflects projected housing developments); and
- Combine the Pontardawe and Trebanos wards into a three member ward. There would be **no change in the number of Members in the combined ward**; but this would address the major problem of over representation in the Trebanos ward. The combined ward (based on the projections) would be of similar

size to existing three Member wards. Other alternatives have been considered, but result in loss of community cohesion/identity or don't really solve the underlying issue.

These options would result in a net loss of three Members overall reducing the Council from 64 Members to 61.

Next Steps

27. Following the pre-review stage, the Commission will develop its draft proposals. The Commission will consult on them between 6-12 weeks following which final proposals will be submitted to Welsh Government. It is then for Ministers to decide how to proceed.

Other Matters

28. In July 2018, a report presented to the City and County of Swansea proposed their acquisition of large parts of the Coedffranc West ward and other minor changes. As we pointed out at the time (in response to media enquiries), this was not a valid proposal and would not be considered as part of the Electoral Review process because the Commission's policy and practice document precludes cross boundary changes as between principal local authorities. The only way this could be considered is as part of a boundary review which is not being anticipated by the Commission as a consequence of the current review. For completeness, however, officers recommend reiterating our opposition to any such proposal.
29. It is open to the Chief Executive (in his capacity as Returning Officer) to submit his own proposals to the Commission. He has concluded, however, that this would not be appropriate as options have more force if endorsed by Elected Members. Moreover, he regards the design of the electoral system as a separate matter from the administration of it (i.e. elections).

Financial & Workforce Implications/Equality Impact Assessment

30. None/not required.

RECOMMENDATION

That Members authorise the Chief Executive to immediately submit the preferred option to the Local Democracy and Boundary Commission for Wales, amended as seen fit.

Reasons for proposed decision

To enable the Council to respond by the extended deadline of 9 November 2018.

Appendix

Ward by Ward Data Set

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