

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

COUNCIL

14 FEBRUARY 2020

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, Coedffranc Central, Coedffranc North, Coedffranc West, Crynant, Cwmllynfell, Cymmer, Dyffryn, Glyncorrwg, Glynneath, Gwaun-Cae-Gurwen, Gwynfi, Lower Brynamman, Margam, Onllwyn, Pelenna, Pontardawe, Resolven, Seven Sisters, Taibach, Tonna and Trebanos

Purpose of Report

1. To inform Members of the Local Democracy and Boundary Commission for Wales (“the Commission”) draft proposals following the Commission’s review of electoral arrangements for the County Borough and to consider the Council’s response to those proposals.

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. 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 below. 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.
5. 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 typical 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.
6. 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.

7. 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 also highlighted in its response those areas of the Council where there are relatively low rates of electoral registration.
8. 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.
9. 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.
10. The Commission also set out their initial assessment and invited the council to put forward proposals to respond to their initial assessment:
 - a. That the councillor to electorate ratio needed to be as close to 1:1,828 as possible. Data was provided by the Commission to illustrate how existing wards varied from this standard
 - b. That having applied the ratio at council level, this indicated that the council size should be reduced to 56 councillors,

revised to 58 in light of the cap that would be applied to any reduction in council size

11. The issues identified above were also the subject of a Member Seminar on 17 July 2018.
12. The initial timetable for submitting options to the Commission was September 2018, however, the Chief Executive negotiated an extension given that the original timetable coincided with council recess.
13. Council considered its response to the Commission on 7th November 2018 and authorised the Chief Executive to submit the Council's response to the Commission. For reference, the Council response included the following:
 - Council Size be reduced to 61 councillors;
 - The number of wards within Neath Port Talbot to be reduced to 33;
 - The number of multi-member wards to be 20;
 - For 22 wards the Council proposed no change to existing boundaries;
 - 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 resulting in a reduction of three Members to two;
 - Merge Gwaun-Cae-Gurwen, Lower Brynamman and Cwmllynfell resulting in a reduction of three Members to two;
 - Merge Glynneath and Blaengwrach resulting in a reduction of three Members to two;
 - Combine the existing Pelenna ward with Bryn and Cwmavon and Cimla wards (the Pontrhydyfen community ward would be combined with Bryn & Cwmavon and the Tonmawr community ward would be combined with Cimla). The number of Members in Bryn & Cwmavon and Cimla would be unchanged but there would be a reduction of one Member overall (from Pelenna);
 - Increase representation in the Coedffranc West ward from one Member to two (largely as a consequence of the University Campus);
 - 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.
14. The Commission published their 'Review of Electoral Arrangements of the County Borough of Neath Port Talbot Draft Proposals Report' on 21st November 2019. The Chief Executive shared (via e-mail), the link to the Commission's Draft Proposals Report on the same day and provided a hard copy of the report to all political group leaders.

The Commission's Draft Proposals for the Electoral Arrangements of the County Borough of Neath Port Talbot

15. The main features of the Draft Proposals are as follows:
- a. The Commission propose to apply a councillor to electorate ratio of 1:1,767 – a slight reduction from their initial proposals but an increase on the current ratio of 1:1,657.
 - b. The council size is proposed to be 60 Members – an increase on the initial proposals but a reduction of 4 on the current council size of 64.
 - c. The county borough is proposed to be divided into 32 electoral wards (a reduction of 10 on the current arrangements), of which 21 are proposed to be multi-member wards.
 - d. The variation in the councillor to electorate ratio is much reduced on this set of proposals - currently, there are wide variances within the county borough ranging from 53% below to 95% above the current ratio of 1,657. The Commission's proposals now bring all wards to within +/-25% of the desired ratio.
16. The Commission have proposed no change for 15 existing wards. This compares with the council's response to the Commission which proposed no changes for 22 wards.
17. The council's response to the Commission proposed change for 10 wards – the Commission has endorsed five.

18. In relation to the five proposals made by the Council that were not endorsed by the Commission, their alternative proposals are set below, together with additional proposals put forward by the Commission that the council has not previously considered:
- a. The Council proposed that Gwaun-Cae-Gurwen, Lower Brynamman and Cwmllynfell be combined to form a two-Member ward. Alternatively, the Commission propose one two-Member ward comprised of Gwaun-Cae-Gurwen and Lower Brynamman and another two-member ward comprised of Cwmllynfell and Ystalyfera.
 - b. The Council proposed that Pelenna be combined with Cimla and Bryn and Cwmavon. The Commission have advised this cannot be supported because of technical criteria in that the Tonmawr Community Ward directly links with the Pontrhydyfen Community Ward. The Commission propose that the whole of Pelenna be combined with Bryn and Cwmavon.
 - c. The Council recommendation that circa 700 electors be transferred from Bryncoch South to the Dyffryn ward creating a two-Member ward in the latter has been supported in part. The Commission support the transfer of electors from Brookfield, Mill Race and Tailwyd Road from Bryncoch South to Dyffryn Ward. They do not support the transfer of Glyneiros Gardens, Llys Y Coed, Neath Road and Roman Way from Bryncoch South and instead propose the transfer of electors from Coedffranc North (Drumau Park and Goshen Park) to Dyffryn as suggested by Dyffryn Clydach Community Council.
 - d. The Council proposed that Cymmer, Glyncorrwg and Gwynfi be combined into a 2-member ward. The Commission proposes the creation of two single member wards, one comprised of Cymmer and Glyncorrwg and the other of Gwynfi and Croeserw.
 - e. The Council proposed that both the Aberavon and Port Talbot wards maintained the current number of councillors however the Commission propose that both these wards would see a reduction from three Members to two.

- f. The Council proposed that the arrangements for Resolven and Tonna be unchanged. The Commission propose that these areas are combined to form a two-Member ward.
- g. The Council proposed that the arrangements for Taibach and Margam be unchanged but the Commission propose these areas be combined to form a three-Member ward.

Officer Assessment

- 19. Accepting that the Commission have been instructed to carry out this review by Welsh ministers within a defined timeframe, given that the Welsh Government are to extend the franchise to 16 and 17 year olds imminently, it seems odd that such a significant change has not been incorporated into the Commission's terms of reference for the current review.
- 20. The Commission's proposals in respect of council size and the proposed councillor to electorate ratio is an improved position on the initial proposals. No further representation is proposed.
- 21. The proposal to combine Gwaun-Cae-Gurwen and Lower Brynamman into one new ward and for Cwmllynfell and Ystalyfera to be combined into one new ward, both represented by two councillors appears to meet the criteria set for the Commission's work. No further representation is proposed
- 22. The proposal to combine Pelenna with Bryn and Cwmavon appears to meet the criteria set for the Commission's work. No further representation is proposed.
- 23. The proposal to move sets of electors between the Dyffryn, Bryncoch South and Coedffranc North wards would benefit from further, detailed review to achieve a more optimal solution. A counter proposal has been suggested by Members to move a number of electors from the area around Stratton Way to the Bryncoch South ward. However, although not problematic in terms of the arithmetic, officers have doubts as to whether that area would identify itself as being part of the Bryncoch South ward due to its longstanding community tie with Neath Abbey which is situated in the Dyffryn ward. The counter proposal also opposes the transfer of Brookfield, Mill Race and Tailwyd Road from the Bryncoch South ward to the Dyffryn ward, based on the natural boundary between Dyffryn ward and the Bryncoch South ward created by the River Clydach and the longstanding community tie with Bryncoch South. However, officers note that the river

- continues through the south end of Taillywd Road where the areas on both sides of the river have remained in the Dyffryn Ward.
24. The proposal to create two single Member wards in the Afan Valley appears to meet the criteria set for the Commission's work, however, it is noted that the way representation for this valley would be organised differs from the way the Commission propose to organise representation in the other valleys within the county borough. No further representation is proposed.
 25. The proposal to reduce the number of Members in the Aberavon and Port Talbot wards appears to meet the criteria set for the Commission's work. No further representation is proposed
 26. The proposal to combine Tonna with Resolven but the number of councillors representing these areas to be unchanged does not appear to meet the criteria in relation to community ties. The only logic to this proposal appears to be to achieve a variation of no greater than +/- 25% from the average councillor to electorate ratio for the county borough. It is proposed that the council makes further representation to maintain the current position.
 27. The proposal to combine the Margam and Taibach wards with no change to the overall number of councillors also appears to be solely motivated by a desire to achieve a variation of no greater than +/- 25% from the average councillor to electorate ratio for the county borough. It is proposed that the council makes further representation to maintain the current position.
 28. The Commission's proposals in relation to the naming of places is another area which would benefit from further review. In particular, where place names have been mutated, the proposed names would not resonate with local people. Additionally, the use of hyphens in place names cannot be accommodated within a number of the ICT systems in use by the Council. It is proposed that the Council makes representation against the proposed place names where mutations have been applied and where it is proposed that names are hyphenated.

Conclusions

29. There are no perfect or completely symmetrical solutions on offer across the County Borough. There are arguments that can be made both for and against the proposals and there are alternatives.

30. Taking account of all the factors described above, officers propose that Council submits a further response to the Commission based on the assessment set out in the body of this report.

Next Steps

31. Following the period of consultation, the Commission will consider the representations it has received and publish its Final Recommendations and submit them to Welsh Government. There is no further period of consultation with the Commission. It is then for Welsh Government to decide how it wishes to proceed on the recommendations. Ordinarily, after a period of at least six weeks, an Order would be made, which may contain minor modifications.

Financial & Workforce Implications/Integrated Impact Assessment

32. None/not required.

RECOMMENDATION

That Members authorise the Chief Executive to immediately submit a response to the Commission based on the officer assessment contained in this report.

Reasons for proposed decision

To enable the Council to respond by the deadline of 19 February 2020.

Officer Contacts:

Steven Phillips - Chief Executive
Tel: 01639 763305 E-mail: s.phillips@npt.gov.uk

Karen Jones – Assistant Chief Executive & Chief Digital Officer
Tel 01639 763284 Email k.jones3@npt.gov.uk

Clare Sim - Senior Electoral Services Officer
Tel: 01639 763180 Email: c.sim@npt.gov.uk