

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Council

27th October 2021

Report of the Chief Executive

Matter for Decision

Wards Affected: All Wards

2023 Review of Parliamentary Constituencies - Initial Proposals

Purpose of the Report

1. To inform members of Council of the Boundary Commission for Wales' initial proposals from its review of the electoral arrangements for the current Parliamentary Constituencies of Aberavon and Neath and to seek the views of Council to the draft proposals to form a 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 Welsh Parliamentary constituencies. The current review commenced on 5 January 2021 conducted on the basis of rules laid down by the UK Government.
4. These rules involve a significant reduction in the number of constituencies in Wales, reducing from 40 down to 32, and requires constituencies to comply with parameters in relation to the number of electors in each constituency.

Legal Framework

5. The Parliamentary Constituencies Act 1986 (as amended) provides the electorate figures that are to be used for the review are those that were in the version of the electoral register published on the 'review date'.
6. For the 2023 Review, this means that the electorate figures used must be those from the electoral registers that were required to be published on 2 March, 2020.
7. 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.
8. For the 2023 Review, this means the local government boundaries referred to are those in force as at 1 December, 2020.
9. In terms of the number of constituencies the 1986 Act (as amended) now requires that there be a fixed number of 650 constituencies for the whole of the United Kingdom.
10. 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. They are as follows:-
 - England = 543 (includes two 'protected' constituencies)
 - Scotland = 57 (includes two 'protected' constituencies)
 - Wales = 32 (includes one 'protected' constituency)
 - Northern Ireland = 18
11. 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.
12. Foremost among these is Rule 2, which provides that - apart from a few protected constituencies - 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 2023 Review is, to the nearest whole number, 73,393.

13. Accordingly, every constituency in Wales must have an electorate that is no smaller than 69,724 and no larger than 77,062.
14. The only specified constituency in Wales not subject to the operation of the UK electoral quota is Ynys Môn.
15. 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 2023 Review, specifically:
 - special geographical considerations, including in particular the size, shape and accessibility of a constituency;
 - local government boundaries as they existed on 1 December 2020
 - boundaries of existing constituencies
 - any local ties that would be broken by changes in constituencies
 - the inconveniences attendant on such changes
16. 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.
17. Factors that the Commission have not considered in preparing their proposals were:
 - Impact on future election results
 - New local government boundaries (post 1 December 2020)
 - Changes to electorates after 2 March, 2020
18. 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, and, in some areas the division of principal authorities will be unavoidable.

19. Furthermore, 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

20. On 8 September 2021, the Boundary Commission for Wales published its initial proposals for Parliamentary constituencies in Wales to be followed by an eight week 'initial consultation' concluding on 3 November, 2021.
21. The 2023 Review is being carried out under a procedure that relies on a combination of written representations and oral representations at public hearings.
22. As soon as possible after the end of the initial consultation period, the Commission will publish all the representations it receives during that period on its website in English and Welsh.
23. Once the representations have been published, there will be a further 6-week period during which people can submit written comments challenging or supporting assertions on the representations received by the Commission known as the 'secondary consultation' period.
24. Legislation also requires the Commission to hold public hearings in Wales. The public hearings will concern the Commission's initial proposals.
25. A lead commissioner will then write a report for the Commission, summarising and considering the representations and recommending whether - and, if so, how - the Commission's initial proposals should be revised.
26. After the end of the secondary consultation period, the Commission will publish all representations received, together with transcripts of its public hearings.
27. Once these documents have been published there will be a further four week period known as the 'third consultation' period.

28. At the end of the third consultation period the Commission will consider what final recommendations to make for parliamentary constituencies in Wales.
29. Once the Commission has decided on its final recommendations for Wales, it will then prepare and submit a formal written report to the Speaker of the House of Commons by 1 July, 2023.
30. After the Speaker has received the Commission's final report, he or she must lay it before Parliament and prepare a draft of an Order to submit to Her Majesty in Council giving effect to the recommendations.
31. In preparing that draft, the Government may not modify the recommendations of any of the Parliamentary Boundary Commissions, unless it has been expressly requested to do so (in writing and with reasons) by the relevant Parliamentary Boundary Commission, and no vote will be held on the floor of the House of Commons.
32. After the Order in Council has been made, the new constituencies will take effect at the next general election. Any by-elections held in the meantime must be held on the basis of the old (existing) constituencies.

The Initial Proposals

33. In the Commission's initial proposals, it is recommended that a county constituency be created from:
 - The electoral wards within the existing Aberavon constituency including Aberavon, Baglan, Briton Ferry East, Briton Ferry West, Bryn and Cwmavon, Cymmer, Glyncoed, Gwynfi, Margam, Port Talbot, Sandfields East, Sandfields West and Tai-bach.
 - The electoral wards within the County Borough of Bridgend including Bryntirion Laleston and Merthyr Mawr, Cefn Glas, Cornelly, Llangewydd and Brynhyfryd, Newton, Nottage, Porthcawl East Central, Porthcawl West Central, Pyle and Rest Bay.

34. This Constituency would have 76,792 electors which is 4.6% above the UK electoral quota of 73,393 electors per constituency. The proposed name for the constituency is Aberafan Porthcawl.
35. The Commission considers that combining the areas as proposed is appropriate due to the good transport and communication links within the proposed constituency.
36. With regard to the Neath Constituency, in the Commission's initial proposals, it is recommended that a county constituency be created from:
 - The electoral wards within the City and County of Swansea including Bonymaen, Llansamlet, St. Thomas and Clydach.
 - The electoral wards within the Neath Constituency of the County Borough of Neath Port Talbot including Aberdulais, Blaengwrach, Bryn-côch North, Bryn-côch South, Cadoxton, Cimla, Coedffranc Central, Coedffranc North, Coedffranc West, Crynant, Dyffryn, Glynneath, Neath East, Neath North, Neath South, Onllwyn, Pelenna, Resolven, Seven Sisters and Tonna.
37. This constituency would have 75,641 electors which is 3.1% above the UK electoral quota of 73,393 electors per constituency. The proposed name is Swansea East and Neath - Dwyrain Abertawe a Chastell-nedd.
38. The Commission felt that combining these area would create a constituency that shares a similar character as mixed-rural areas and has good transport links between the combined areas.
39. Finally, in relation to the Swansea Valley area, in the Commission's initial proposals, it is recommended that a county constituency be created from:
 - The electoral wards with the Neath Constituency of the County Borough of Neath Port Talbot including Allt-wen, Cwmllynfell, Godre'r Graig. Gwaun-Cae-Gurwen, Lower Brynamman, Pontardawe, Rhos, Trebanos and Ystalyfera.
 - The electoral wards within the County of Powys including Abercraf, Beguildy, Bronllys, Builth, Bwlch, Crickhowell, Cwm-twrch, Dissert and Trecoed, Felin-fâch, Glasbury, Gwernfed, Hay,

Knighton, Llanafanfawr, Llanbadarn Fawr, Llandrindod East/Llandrindod West, Llandrindod North, Llandrindod South, Llanelwedd, Llangattock, Llangors, Llangullo, Llangynidr, Llanwrtyd Wells, Llanyre, Maescar/Llywel, Nantmel, Old Radnor, Presteigne, Rhayader, St David Within, St John, St Mary, Talgarth, Talybont-on-Usk, Tawe-Uchaf, Ynyscedwyn, Yscir and Ystradgynlais.

40. This constituency would have 72,113 electors, which is 1.7% below the UK electoral quota of 73,393. The proposed names for the constituency is Brecon and Radnor - Aberhonddu a Maesyfed.
41. The Commission felt it was appropriate to include electoral wards from the existing Neath constituency to meet the statutory electoral range while also combining two areas which are similar in character and have a similar semi-rural nature.

The Council's Response - Initial Proposals

42. In response to the Commission's request for comments regarding their proposals the following 'points of principle' have been prepared for consideration.
43. It is clear that, given the radical nature of the proposals, which appear to take no account of natural communities, actual 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.
44. The Commission appear to have undertaken a simple arithmetic exercise, rearranging the electoral ward building blocks to achieve the desired result, with little regard for the quality of local governance and creating constituencies which are no longer easily identifiable to the electorate.
45. In addition, it could be argued that Welsh constituencies are being disproportionately affected by the proposals with a 20% reduction in the overall number of constituencies. A far higher proportionate change compared to the proposals for other nations within the United Kingdom.

46. It is clear from the proposals that no weight has been given to population sparsity, deprivation or geographic isolation, all of which have an impact on the workload of elected representatives.
47. 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 nearly a century. A clear example of this is the proposal to include the entire Swansea Valley area within the proposed Brecon and Radnor constituency.
48. In effect this would democratically segregate the residential communities of the Swansea Valley wards from the rest of the Neath Port Talbot County Borough area and force them to become minority communities within a 'greater' Brecon and Radnor constituency area.
49. 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 and Neath constituencies will be dissected and reassembled to create new constituencies in which large swathes of electors will have no strong affiliation or connection. This in turn will inevitably erode engagement with the democratic process.
50. Furthermore, following the evidenced increases in voter registration prior to the delayed elections held in May 2021, it is felt that the current process of utilising electorate figures (as of 2 March 2020) to model the initial proposals inevitably results in out of date figures being utilised before the process even starts.
51. While it is clear the Commission are adhering to the relevant rules in making their determinations, the modelling will inevitably cause significant discrepancies in the shape and size of Welsh constituencies resulting in a democratic deficit that cannot be remedied easily or quickly.
52. Coupled to this concern, is the added complexity that creating new parliamentary constituencies will generate for the different tiers of government within Wales.
53. The Commission's initial proposals, if adopted will no longer mirror the current constituency boundaries for the Senedd Cymru, re-shaping both the Aberavon and Neath constituencies dramatically

and resulting in significant overlap with current neighbouring constituencies in the north, east and west.

54. 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.
55. Such significant alterations will result in the gradual erosion, overlap and added complexity in the accountability of elected representatives (MSs, MPs and Elected Members) particularly in dealing with critical matters, such as economic regeneration or infrastructure investment at a Welsh and UK Government level.
56. Furthermore, the proposals will also result in significant confusion and misunderstanding for local electors who will no longer be able to easily identify or establish who represents them, at each tier of government, and as previously mentioned could significantly diminish engagement with the democratic process.
57. In turn this would also lead to difficulties in the administration of electoral events with overly complex multiple cross-boundary issues and the potential high risk of administrative failure in the event of any future combined electoral events where different boundary types will be in effect.
58. 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, be inconvenient for the electorate and increase the complexity and risk of administrative error in the running of elections.
59. It should be pointed out that it is important that 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 recommendations in the light of informed public comment.

Financial Impacts

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

Integrated Impact Assessment

61. There is no requirement for an integrated impact assessment for this report.

Workforce Impacts

62. 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

63. The [Parliamentary Constituencies Act 1986](#) (as amended by the Boundary Commissions Act 1992 and the 2011 Act) is the legal power upon which the Boundary Commissioner undertakes this consultation.

Risk Management

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

Consultation

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

Recommendation

66. That Council consider the Boundary Commission's initial proposals and the views of officers contained therein and endorse a response to the Boundary Commission with these views along with other matters raised by members at this meeting of Full Council.

Reason for Proposed Decision

67. To allow the Council to formally respond to the Boundary Commission for Wales' consultation which is due to conclude on Wednesday, 3 November, 2021.

Implementation of Decision

68. The decision is for immediate implementation.

List of Background Papers

69. 2023 Review of Parliamentary Constituencies - [Initial Proposals Report \(Boundary Commission for Wales\)](#)

Appendices

Appendix 1 - Existing Constituencies (All-Wales)

Appendix 2 - Initial Proposals (All-Wales)

Appendix 2a – Aberafan Porthcawl Initial Proposals

Appendix 2b – Brecon and Radnor Initial Proposals

Appendix 2c – Swansea East and Neath Initial Proposals

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