

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **Council**

9 November 2022

### **Report of the Chief Executive**

#### **Matter for Information**

**Wards Affected:** All Wards

#### **2023 Review of Parliamentary Constituencies - Revised Proposals**

#### **Purpose of the Report**

1. To inform members of Council of the Boundary Commission for Wales' revised proposals from its review of the electoral arrangements for the current Parliamentary constituencies of Aberavon and Neath and, to encourage the political groups to respond with their views prior to the statutory deadline.

#### **Background**

2. The Boundary Commission for Wales (“the Commission”) 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 strict 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.

### **Initial proposals and review process**

20. On 8 September 2021, the Boundary Commission for Wales published its initial proposals for Parliamentary constituencies in Wales followed by an eight week 'initial consultation' concluding on 3 November, 2021.
21. In light of the representations received to its initial proposals, the Commission decided to make some revisions which were published on 19 October, 2022, and detailed later in this report.
22. This will then be followed by a further four week consultation ending on **15 November, 2022**.
23. At the end of this consultation period the Commission will consider what final recommendations to make for parliamentary constituencies in Wales.
24. 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.
25. After the Speaker has received the Commission's final report, he must lay it before Parliament and prepare a draft of an Order to submit to His Majesty in Council giving effect to the recommendations.

26. 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.
27. 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 revised proposals**

28. With the publication of the revised proposals the following boundary amendments have been put forward by the Commission.

#### **Aberafan Porthcawl Parliamentary constituency**

29. In relation to the Aberafan Porthcawl constituency, the commission recommended that the constituency be created from:
  - The electoral wards within the existing Aberavon constituency including; ***Aberavon, Baglan, Briton Ferry East, Briton Ferry West, Bryn and Cwmavon, Coedffranc Central, Coedffranc North, Coedffranc West, Cymmer, Glyncorrwg, Gwynfi, Margam, Port Talbot, Sandfields East, Sandfields West and Tai-bach.***
  - The electoral wards within the County Borough of Bridgend including; Cornelly, Newton, Nottage, Porthcawl East Central, Porthcawl West Central, Pyle and Rest Bay.

#### **Neath and Swansea East Parliamentary constituency**

30. With regard to the Neath Constituency, the Commission recommended that a county constituency be created from:
  - The electoral wards within the City and County of Swansea including; Bonymaen, Landore, 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, Crynant, Dyffryn, Glynneath, Neath East, Neath North, Neath South, Onllwyn, Pelenna, Resolven, Seven Sisters and Tonna.***

31. In relation to the three electoral wards of Coedffranc Central, North and West the Commission has proposed to return these to a constituency that includes other wards from the existing Aberavon constituency in Aberafan Porthcawl and replace those wards with the electoral ward of Landore.
32. In terms of the constituency name the Commission also felt that this should be Neath and Swansea East, as opposed to Swansea East and Neath proposed in its initial proposals. It was felt that this would better reflect the fact that Neath forms the largest part of the proposed constituency.

### **Brecon, Radnor and Cwm-tawe Parliamentary constituency**

33. Finally, in relation to Pontardawe and the Amman and Upper Swansea Valley areas, the Commission 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.

34. The Commission received a number of representations, which opposed the inclusion of the electoral wards from the Pontardawe, Amman and Upper Swansea Valleys in the proposed constituency.
35. The representations argued against the inclusion of these areas in a very rural constituency where the centre would be geographically distant.
36. However, a number of other representations received stated that the largest urban settlement within the constituency of Brecon and Radnor was Ystradgynlais in the south-west of the constituency, and therefore adding the Pontardawe, Amman and Upper Swansea Valley areas to the existing constituency would be logical as they share good road links.
37. The Commission agreed with these representations and considered that the largest urban town in the existing Brecon and Radnor constituency is Ystradgynlais which is part of the Swansea Valley and has good links to the Pontardawe, Amman and Upper Swansea Valley areas which are proposed to be added to the existing constituency.
38. The alternative arrangements put forward, including those of the Assistant Commissioners' in their independent report, were considered by the Commission but they retained the view that the initial proposals caused the least amount of disruption across the surrounding constituencies and avoided a 'domino effect' on other outlying constituencies across Wales.
39. In relation to the proposed constituency name the Commission proposed the name Brecon, Radnor and Cwm-tawe, as opposed to Brecon and Radnor to better reflect the whole of the proposed constituency.

### **The Returning Officer's response - revised proposals**

40. In response to the Commission's request for comments regarding their proposals the following 'points of principle' as previously made by Council have been reiterated by the Returning Officer.

41. It is clear that the revised proposals which are almost identical to the Commission's initial proposals, with small amendments including those to the three Coedffranc electoral wards, continue not to take proper 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.
42. The Commission due to the constraints placed on them have undertaken a simple arithmetic exercise, re-arranging 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.
43. 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.
44. The Commission's proposals do not adequately take account of the geography of the area or the natural boundaries between local communities built up over nearly a century. A prominent example of this remains the unchanged proposal to include the Pontardawe, Amman and Upper Swansea Valley areas within the proposed Brecon, Radnor and Cwm-tawe constituency.
45. 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.
46. In attempting to ensure the statutory electorate range is attained, the 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.
47. While 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.



48. Coupled to this concern, is the added complexity that creating new parliamentary constituencies will generate for the different tiers of government within Wales.
49. The Commission's revised 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.
50. In addition, the revised proposals also require principal authority boundaries to be crossed in order to reach the statutory electoral quota as set by UK Government.
51. 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.
52. Furthermore, the proposals will 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.
53. This will inevitably 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.

### **Assistant Commissioners' Report**

54. On this basis, while there remains no perfect solution, the Returning Officer concurs with the view of the Assistant Commissioners' in their independent report in trying to determine a configuration that better reflects the communities concerned in the context of the statutory factors.

55. The Assistant Commissioners' strongly believed that all of the social, economic community and administrative ties of the Pontardawe, Amman and Upper Swansea Valley areas are with the Swansea/Neath conurbation and in their view its inclusion within a Powys-based constituency meets few, if any, of the statutory factors.
56. In addition, they also had particular reservations and noted the numerous objections to the joining of Swansea East with Neath, particularly from the Llansamlet electoral ward underlined at a public hearing. There were strong arguments that this community faces Swansea, not Neath, in terms of historical economic and transport links.
57. On that basis the Assistant Commissioners' favoured a 'hybrid' model of sorts made up of an east/west design north of the City of Swansea (along the M4 motorway essentially).
58. This design is not without precedent and bears close similarity to the area of the former Lliw Valley/Dyffryn Lliw District Borough Council which existed from 1974 to 1996. The name of this proposed constituency would be **Lliw Valley**.
59. Based on this 'hybrid' model, in relation to the current Neath and Aberavon constituencies, the Assistant Commissioners' proposed a constituency made up of Neath town, the existing Aberavon constituency in large part and the Maesteg East and West electoral wards plus Caerau from the Bridgend County Borough administrative area, due to the transport, community and other links between the Afan Valley and Maesteg.
60. The proposed named for this constituency would be **Neath, Aberavon and Maesteg**.

#### **Returning Officer concluding remarks**

61. 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.

62. For the reasons as addressed above, the Returning Officer supports the position and proposals as adopted by the Assistant Commissioners as detailed in their independent report and urges the Commission to reconsider its position in rejecting this alternative scheme.
63. It should be pointed out that it remains important that elected members submit their own views to the Commission to ensure their voices are also heard and to encourage their political groups, constituents and local organisations to do likewise so that the Commission can determine its final recommendations in the light of the most informed public comment.

### **Financial Impacts**

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

### **Integrated Impact Assessment**

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

### **Workforce Impacts**

66. 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**

67. 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 Commission for Wales undertakes this consultation.

### **Risk Management**

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

## **Consultation**

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

## **Recommendation**

70. It is recommended that members:
- (a) note the Commission's revised proposals
  - (b) note the views of the Returning Officer contained therein.

## **Reason for Proposed Decision**

71. To advise the Council of the current Boundary Commission for Wales consultation and to encourage the political groups to respond to the revised proposals prior to the Tuesday 15 November deadline.

## **Implementation of Decision**

72. The decision is for immediate implementation.

## **List of Background Papers**

73. 2023 Review of Parliamentary Constituencies – [Revised Proposals Report \(Boundary Commission for Wales\)](#)
74. 2023 Review of Parliamentary Constituencies - [Initial Proposals Report \(Boundary Commission for Wales\)](#)
75. 2023 Review of Parliamentary Constituencies - [Assistant Commissioners' Report](#)

## **Appendices**

Appendix 1 - Existing Constituencies (All-Wales)

Appendix 2 - Initial Proposals (All-Wales)

Appendix 3 – Revised Proposals (All Wales)

Appendix 3a – Aberafan Porthcawl Revised Proposals

Appendix 3b – Brecon, Radnor and Cwm-tawe Revised Proposals

Appendix 3c – Neath and Swansea East Revised Proposals

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