

Meeting of:	Cabinet
Date of Meeting:	Thursday, 17 November 2022
Relevant Scrutiny Committee:	Corporate Performance and Resources
Report Title:	The Vale of Glamorgan Community Review
Purpose of Report:	To update Members on the Vale of Glamorgan Council's Community Review and the process to be adopted
Report Owner:	The Executive Leader and Cabinet Member for Corporate Performance and Resources
Responsible Officer:	Rob Thomas Electoral Registration Officer
Elected Member and Officer Consultation:	This report has Council wide implications, and no specific Ward Member consultation has been undertaken
Policy Framework:	This is an Executive decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> • Cabinet on the 30th April, 2018 considered a report relating to the Council's duty to conduct a community review and resolved that a full community review ("the review") in line with the requirements of the Local Government (Democracy) (Wales) Act 2013 ("the Act") for the Vale of Glamorgan be commenced in June 2023 having regard, at that time, to the timing of the Local Democracy and Boundary Commission for Wales's ("the Commission") principal area review for the Vale of Glamorgan and the need to avoid the risk of voter confusion during election years in 2021 and 2022; minute number C285 refers. • The Local Democracy and Boundary Commission for Wales and all other mandatory consultees, including Town and Community Councils, were formally notified of the agreed timescale for the next Vale of Glamorgan community review. • Following the Local Government Elections in May 2022, discussions have been taking place with the Commission around the timing of the review, which will last 12-18 months, with a commencement date of January 2023, this taking account of the Commission's capacity to undertake no more than three reviews during this period. 	

- Accordingly, it is proposed that the review is undertaken by the Commission on behalf of the Council in line with the Commission's powers under section 26(2)(a) of the Act, and in line with the Commission's Guidance for Principal Councils, July 2022, on the [Review of Communities](#).
- There are prescribed rules which are set out in the Act for the conduct of a community review which includes consultation with mandatory consultees on all elements of the process.

Recommendations

1. That a full Community Review for the Vale of Glamorgan Council be commenced in January 2023.
2. That Cabinet has regard to the process and relevant timescales for the Vale of Glamorgan Council's Community Review, as included in the appended Terms of Reference.
3. That the Local Democracy Boundary Commission for Wales and all other mandatory consultees be formally notified of the revised commencement date of the next Vale of Glamorgan community review.
4. That a copy of this report be referred to the Community Liaison Committee and, in the interim to all Town and Community Councils in the Vale of Glamorgan Council for information.
5. That a copy of this report be referred to Full Council in December 2022.

Reasons for Recommendations

1. To determine a further revised timescale for the commencement date of the community review having regard to the Commission's available capacity, to ensure a timely completion of the review, to take effect in respect of the Local Government Elections in May 2027
2. To ensure that Cabinet are sighted on the process and relevant timescales for the Vale of Glamorgan Council's Community Review.
3. To advise parties in line with the Local Government (Democracy) (Wales) Act 2013.
4. To apprise the Committee and Town and Community Councils.
5. To apprise Full Council, given that the final recommendations relating to the review will be a matter for Council.

1. Background

- 1.1 The Council has a duty under s22 of the Local Government (Democracy) (Wales) Act 2013 ('the Act') to report every ten years on a community review having regard to the Local Democracy and Boundary Commission for Wales' (LDBCW) timetable for conducting the reviews of principal areas' electoral arrangements required by section 29(1) of the Act.
- 1.2 On 30th April, 2018 Cabinet considered a report postponing the Review scheduled for 2019 until 2023 for reasons outlined in the [report](#).
- 1.3 Consultation with the Commission regarding the timing of the Review is required to ensure that the Commission have sufficient time to make any Orders that are consequent following a community review and that it would not have an adverse

impact on the work the Commission has programmed. Commencement of the Community Review in January 2023 is necessary to ensure that it is completed, to take effect in respect of the Local Government Elections in May 2027.

2. Key Issues for Consideration

- 2.1 Under the Act the Commission, has a general duty to monitor arrangements for local government across Wales.
- 2.2 The Council and the Commission when performing their duties, are required by the Act to seek to ensure effective and convenient local government.
- 2.3 s26 of the Act enables the Commission to conduct the community boundaries review on behalf of the council and s32 enables the commission to conduct the community electoral arrangements review.
- 2.4 S35 and 36 of the Act require that the review is conducted in four essential steps
 - Initial publicity – publicise the review, specifically bringing to the attention of ‘mandatory consultees’ and any other interested or affected stakeholders.
 - Initial investigation and consultation – consult ‘mandatory consultees,’ conduct investigations for example considering the number of electors via the electoral register and the population eligible to vote as per the Office for National Statistics. The purpose of this stage is to gather information needed to consider and prepare any proposals for change and will last between 6 to 12 weeks.
 - Draft Proposals – this stage will include a report detailing how the review has been conducted and setting out proposals. A consultation period will be conducted, and we will invite representations as this stage.
 - Final Proposals – the proposals will be considered in light of any representations received during the draft proposals stage and a final report published.
- 1.12 Best practice should be followed at all stages of the review and should include a Terms of Reference, whilst also having regard for Council Size Policies and the amalgamation and grouping of communities.
- 2.5 The Council in consultation with the Commission has developed a proposed Terms of Reference (“ToR”) of the review., at Appendix A. The ToR sets out the proposed timetable and procedures for the review, provide guidance and sets out the issues that will be considered during the review.
- 2.6 The Council Size Policy, which form part of the ToR (and contained at Appendix B) is **not prescriptive** to the review and is subject to consultation. The ratios contained within the policy will be used as a point of reference. Each area should be considered on its own merits having regard to population, geography, and the pattern of communities. The Council in consultation with the Commission will

pay particular attention to existing levels of representation and existing council sizes which have stood the test of time.

- 2.7** In determining whether additional representation is required for a community, the council will have consideration to the levels of uncontested seats at community level since the last review of electoral arrangements was undertaken in 2009. In due course the community boundaries will guide the review, not the electoral arrangements.
- 2.8** Prior to commencement of the review in January 2023, mapping data and a copy of the register published on 1st December, 2022 will be provided.
- 2.9** Community Councils have the opportunity, through their engagement in the community review, to ensure that the boundaries of their community reflect how their community operates on the ground and the representation of their constituents is appropriate. A cross party group has been set up consisting of local authority staff from Planning, Education, Democratic Services and Communications along with representatives from Community Councils, and Group Leaders. The Electoral Services Manager will facilitate this. This work will include hosting briefing sessions and workshops with Town and Community Councils at a suitable Vale of Glamorgan venue, to be undertaken by representatives of the Commission, and supported by the Electoral Services Team.
- 2.10** The Council undertook pre-engagement, and a report was considered by the Community Liaison Committee on [27th October](#). The purpose of that report was to provide an early indication of the review and the work involved in that review. It is recommended that this report be referred to Community Liaison Committee for information, but given that the review will commence in January 2023, it is also recommended that a copy of the report be issued to all Town and Community councils in the meantime.
- 2.11** At the conclusion of an s25 boundaries review, the principal council may recommend “community boundary changes”. These are defined in section 23(4) of the Act as including changes to the boundary of an existing Community Council, but also the abolition of an existing community and the creation of a new community.
- 2.12** At the conclusion of an s31 electoral review, a principal council is entitled to “propose and make” changes to the electoral arrangements for the community under review. Consideration in this instance should be given in particular to the degree in which ‘electoral parity’ is achieved.
- 2.13** Further updating reports will be taken to Cabinet, and at critical points in the process, to Full Council, as necessary, and in line with the requirements of the Act. Given that the conclusions and recommendations of the Review will be a matter for Council, it is recommended that this report be presented to Council at this point, for information purposes.
- 2.14** Suggested timescales, based on information currently available, suggest a completion of a full review, taking into account statutory requirements of approximately 18 to 24 months commencing January 2023.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 The review of community arrangements safeguards the long-term needs of local residents to ensure an effective and convenient local government and electoral equality.
- 3.2 The Vale of Glamorgan Council will be submitting a proposal to the Commission in line with effective collaboration between bodies.
- 3.3 The Commission are undertaking the review, but the Vale of Glamorgan Council will ensure that it will support the Commission in ensuring the relevant notices are published and facilitating presentations to encourage engagement with stakeholders.

4. Climate Change and Nature Implications

- 4.1 There are no direct climate change implications associated with the undertaking of that review.

5. Resources and Legal Considerations

Financial

- 5.1 The publishing and administrative costs of the review will be met from the Electoral Registration Services existing budget.
- 5.2 The total fees payable to the Commission will be approximately £30,000 based on a tier 1 advertising and promotion. An exact figure cannot be provided at this stage, due to some of the fees being charged at cost as and when they occur. A breakdown is included below.

Boundary Commission Flat Fee - £13,500

Translation – Recharged at cost

Printing – Recharged at cost

Postage – Recharged at cost

Travel & Sustenance – Recharged at cost

Advertising and Promotion – Recharged at cost

Three tiers have been created in relation to this, and it is up to the Council to decide which option would best suit our needs.

Tier 1 Approx. £9,141.20	Front page ads in each local newspaper, twice per Review stage	Social media advertising to reach equivalent of 100% of residents, for each Review stage (600% across Review)
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Tier 2 Approx. £4,570.60	Front page ads in each local newspaper, once per Review stage	Social media advertising to reach equivalent of 300% of residents across Review
Tier 3 Approx. £1,176.19	Front page ads in each local newspaper at start of Review and select titles at other stages	Social media advertising to reach equivalent of 100% of residents across Review

Employment

5.3 There are no employment implications arising as a result of this report.

Legal (Including Equalities)

- 5.3** Each principal council has a duty to monitor the communities in its area and, where appropriate, the electoral arrangements of such communities for the purpose of considering whether to make or recommend changes. These changes are brought about by means of community boundary reviews under s25 and community electoral reviews under s31 of the Act.
- 5.4** The statutory process for conducting a community review is set out in Part 3 of the Act.
- 5.5** Section 34 of the Act stipulates the ‘mandatory consultees’ for a community review.
- 5.6** When conducting a community review the principal council must have regard to its statutory obligations – for example obligations under the Wellbeing of Future Generations Act 2015, Welsh Language Standards, and the Equality Act 2010, which will all influence and inform the conduct and decisions made during a community review.

6. Background Papers

None.



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For Wales

REVIEW OF COMMUNITY ARRANGEMENTS

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Introduction

The legislation that covers community reviews is the Local Government (Democracy) (Wales) Act 2013 (the Act). Under the Act the Local Democracy and Boundary Commission for Wales (the Commission) has a general duty to monitor arrangements for local government across Wales. Each principal council however has a duty to monitor the communities in its area and, where appropriate, the electoral arrangements of such communities for the purposes of considering whether to make or recommend changes. These changes are brought about by means of community boundaries reviews and community electoral reviews.

The Commission is conducting a review of community arrangements following a request received from the Principal Council (the Council). This review is being carried out under section 26 of the Act.

The first stage of the review is to ask all interested parties to consider the current community boundaries and submit their views on any changes required to create communities that provide for effective and convenient local government. All submissions will then be considered, and the Commission will publish a Draft Proposals Report and will hold a consultation on those proposals. All submissions will then be considered, and Final Recommendations will be submitted to Welsh Government Ministers. Welsh Government Ministers will then if it thinks fit, to give effect to these recommendations either as submitted, or with modifications.

The review will start in January 2023 with final recommendations being provisionally scheduled to be submitted for adoption in January 2024.

Why are we undertaking this review?

The Commission has received an official request from the Council to review the community arrangements across the principal council area with the aim of ensuring that communities continue to reflect local identities and facilitate effective and convenient local government.

What is the aim of the review?

The Commission aims to ensure that community boundaries reflect the identities and interests of the communities across the principal council area and that they are both effective and convenient.

As part of the review, the Commission will have regard to:

- the creation, abolition or merging of communities and community wards
- the name of the community and, where warded, the name of community wards
- Where changes have been made to the boundaries of communities or community wards the number of councillors representing the community and, where warded, the number of councillors per ward.

What can be considered under this review?

This review will look at the community boundaries across the principal council area. Any changes to electoral arrangements for communities will only be considered as a consequence of any changes to community boundaries.

Who will undertake this review?

The Commission has entered into an agreement with the principal council to exercise the councils' functions under section 25 (5) of the Act. The Commission is therefore responsible for undertaking the review under section 26 of the Act. On completion of the review the Commission will submit recommendations to Welsh Government Ministers. Welsh Government Ministers will then if it thinks fit, to give effect to these recommendations either as submitted, or with modifications.

Public Consultation and Submissions

When undertaking the review, the Commission is required to undertake such steps as it thinks fit to ensure that persons who may be interested in the review are informed of the review and are informed of any draft proposals or recommendations. The Commission undertakes to meet these duties by writing to:

- The Principal Council
- The Town and Community Councils across the principal council
- The Senedd Member representing the area,
- The Regional Senedd Members for the area,
- The Member of Parliament representing the area
- The principal council elected members
- Welsh Language Commissioner
- The Welsh Government, and
- Ordnance Survey.

The Commission will also give official notice at different stages of the review, deposit copies of reports and documents at the Principal Council's Election Office and place appropriate documents on the Commissions website.

Comments and submissions may be made at two stages of the review, the initial investigations and draft proposals consultation periods.

All comments and submissions will be given due consideration in the review if the following criteria are met: -

- Comments are received by 11.59pm of the timetabled deadline.
- All comments are received with a name and address identifying the sender. Anonymous submissions will not be accepted, though personal details of members of the public will not be made public. Submissions from representative bodies and persons such as Councillors and Members of the Senedd etc will be named within the report.
- Where an organisation or an individual is making submissions concerning the review, they shall show how either maintaining the status-quo or making changes are desirable in the interests of effective and convenient local government.

Council Size Policy

The Commissions' community review will be undertaken subject to section 26 of the Act and therefore will focus on making boundary changes to ensure that community boundaries reflect the identities and interests of the communities across the principal council area and that they are both effective and convenient. Any consequential changes to electoral arrangements will only be made when changes to community or community ward boundaries have been made.

The principal council has stated that communities should be represented by no less than 7 councillors and no more than 25 councillors. The principal council has also stated that community wards should be consist of no less than 1000 electors.

Welsh Language Names Policy

In the creation of any new names the Commission will consult the Welsh Language Commissioner (WLC). The WLC is responsible for advising on the standard forms of Welsh place-names. The WLC has convened a Place-names Standardisation Panel to provide recommendations and expert advice in this field. In forming its recommendations, the Panel follows national standardisation guidelines and also gives consideration to the meaning, history and etymology of the place-names, as well as their usage. The WLC will be included as a mandatory consultee in the review.

Timetable for the Review

The review will start in January 2023 with final recommendations being provisionally scheduled to be submitted in January 2024. Any changes that occur as a result of the review process would then come into effect for the next Local Government Elections.

Action	Period	Date
Start of Review		January 2023
Initial Investigations	8 Weeks	January 2023 to March 2023
Draft Proposal Publication/ Consultation	8 Weeks	June 2023 to August 2023
Final Recommendation Submission		January 2024

Supporting Information

Further information relating to the review, including electorate figures (provided by the Principal Council), a map of the existing community boundaries and guidance, are available on the Commissions' website.

Vale of Glamorgan – Council Size Policy

Ahead of the Vale of Glamorgan Council reviewing its community boundaries, this document seeks to set out our Council Size Policy. It has been drafted having consideration to section 2.12 and 2.15 of the Local Democracy and Boundary Commission for Wales (LDBCW) guidance, published in October 2016. [1 \(gov.wales\)](http://gov.wales) Additional guidance has been provided to us in the form of the Council Size Policy adopted by Monmouthshire Council during its recent community boundary review, and some regard has also been given to this.

The Council consider the above information is relevant to the review of communities and electoral arrangements and will seek to:

- Ensure that a community has no fewer than 1,000 electors
- Consider strong, evidence-based arguments to create a community that has fewer than 1,000 electors and more than 150 electors
- Will not create a community for less than 150 electors
- Ensure that each community that is created is represented by a minimum of 7 councillors

The Council accept that it will not be able to apply a one size fits all approach to the setting of communities and community wards in the Vale of Glamorgan however, the Council also believe that a consistent approach needs to be applied to the levels of representation that communities and community wards will provide.

The communities created will fall into one of three categories as follows.

Rural – A community where there is no dense area of population, and the electorate is spread throughout the area within the boundaries that have been defined for that community.

Urban – A community where the electorate is densely populated within the boundaries that have been defined for that community.

Mixed – A predominantly rural area that contains a pocket of dense population within the boundaries that have been defined for that community.

The Council consider the following councillor: elector ratios for each category relevant as part of this review to achieve a consistent level of representation between communities with similar characteristics.

- Rural – 150 electors per councillor
- Urban – 500 electors per councillor
- Mixed – 200 electors per councillor

The Council would like to make clear that the ratios stated above are **not prescriptive** to the review and are subject to consultation. The ratios in this policy will be used as a point of reference. Each area should be considered on its own merits having regard to population, geography, and the pattern of communities. This will be particularly relevant when considering the towns of Penarth and Barry, given

their scale. Likewise, the nature of areas classified or characterised as 'mixed' will differ and regard will be had to the fact that two existing town councils of Llantwit Major and Cowbridge with Llanblethian are categorised as 'mixed' in nature when considering the Council size policy. We will pay particular attention to existing levels of representation and existing council sizes which have stood the test of time.

In determining whether additional representation is required for a community, the council will have consideration to the levels of uncontested seats at community level since the last review of electoral arrangements was undertaken in 2009. It should also be noted that the community boundaries will guide the review, not the electoral arrangements.

Whilst the Council acknowledges that these ratios will still provide varying levels of representation throughout the Vale of Glamorgan, it will ensure that the level of representations received in communities with similar characteristics is consistent. At the same time the Council will also ensure that smaller, rural communities receive adequate representation at local government level.