



Report of the Returning Officer

Council - 30 March 2023

Review of Communities

Purpose:	To instruct the Local Democracy & Boundary Commission for Wales (LDBCW) to conduct the Community Review on behalf of the Council.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal
Recommendation(s):	It is recommended that: 1) The Local Democracy & Boundary Commission for Wales conduct a Section 26 Review of Communities on behalf of the Council. 2) The Constitution Working Group's Terms of Reference be amended to include: <i>"To oversee the Review of Communities and have responsibility for working with the Local Democracy & Boundary Commission for Wales to ensure any recommendations accurately reflect Swansea's communities and the Terms of Reference of the Review of Communities."</i> 3) The Constitution Working Group consider a "Council Size Policy" and recommend such a Policy to Council in due course.
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1. Introduction

- 1.1 Swansea Council has a duty under the Local Government (Democracy) (Wales) Act 2013 to keep its communities under review and report to the Local Democracy and Boundary Commission for Wales (LDBCW) every ten years.
- 1.2 To achieve this the Council has approached the Local Democracy and Boundary Commission for Wales to carry out a Review of Communities & Electoral Arrangements on behalf of Swansea Council.
- 1.3 The last Review of Communities was carried out in 2011, under The Swansea (Communities) Order 2011. Given that new Principal Area Electoral Arrangements were put in place in 2022, now is an opportune time to conduct a Review of Communities. The review is likely to commence in October 2023 and take approximately 15 months to complete.

2. What is a Section 25 Review & a Section 26 Review?

- 2.1 Section 25 Review. A Review of Community Boundaries by Principal Council.
This seeks to ensure that Communities continue to reflect local identities and facilitate effective and convenient Local Government. This review allows the Council to 'tidy-up' boundaries that may have become outdated due to housing developments, shifts in population etc. This review will consider any consequential changes required to the electoral arrangements because of any boundary changes.
- 2.2 A Section 26 Review is effectively the same as a Section 25 Review but carried out by the Local Democracy & Boundary Commission for Wales as opposed to the Principal Council.
- 2.3 It is proposed that the Local Democracy & Boundary Commission for Wales undertake a Section 26 "Review of Communities" on behalf of the Council.
- 2.4 The names of the Community / Town Councils will be reviewed, and they will be re-named bilingually.

3. Appointing the Constitution Working Group to assist the Review of Communities

- 3.1 To assist the Commission in their Section 26 Review, the Council is advised to appoint a politically balanced Working Group of Councillors to oversee the review and have responsibility for working with the Commission to ensure any recommendations accurately reflect the communities.

- 3.2 To achieve political balance, the Working Group would need to contain the representatives from each of the four Political Groups. It would be a Working Group of 9 made up of the following Political Group Councillors: 5 Labour, 2 Liberal Democrat / Independent Opposition, 1 Conservative & 1 Uplands. This mirrors the number and political breakdown of the membership of the Constitution Working Group.
- 3.3 The Constitution Working Group membership being 9 Councillors comprising the Presiding Member, Deputy Presiding Member, Leader & Deputy Leader of Ruling Group and Largest Opposition Group, Leader of other Political Groups and Cabinet Member with responsibility for Constitutional matters. **Note:** Each Political Group Leader may substitute their Deputy Political Group Leader with another of their Group Members if required but the membership must be approved by Council.”
- 3.4 It is proposed that the Constitution Working Group be the Working Group to assist the process and that its Terms of Reference be amended to include:

“To oversee the Review of Communities and have responsibility for working with the Local Democracy & Boundary Commission for Wales to ensure any recommendations accurately reflect Swansea’s communities and the Terms of Reference of the Review of Communities.”

Note: The Terms of Reference of the Review of Communities will be set by the Local Democracy & Boundary Commission once the process commences.

4. Scope of the Review of Communities & Council Size Policy

- 4.1 As part of the review, the Commission will have regard to:
- i) The creation, abolition or merging of Communities and Community wards.
 - ii) The name of the Community and, where warded, the name of Community wards.
 - iii) 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.
- 4.2 It is important to note that the whole County is divided into Community areas even where those areas are not served by a Community or Town Council. These areas will also be part of the review.
- 4.3 The National Association for Local Councils have provided supplementary guidance to English Local Authorities conducting Community Governance Reviews and recommend that a Community should have no fewer than 7 Councillors and no more than 25 to carry out its statutory responsibilities effectively. This provides a reasonable

framework to work within and even though each Community should be considered on its' own merits, having regard to its population and geography a formal council size policy should be adopted.

- 4.4 It is proposed that the Constitution Working Group consider a "Council Size Policy" and recommend one to Council in due course.
- 4.5 The Review of Communities shall be based on the electorate as at the new register published on 1 December 2022 and a 5-year forecast of electorate figures.
- 4.6 Any changes made at a Community level may lead to consequential changes being required to County Electoral Wards. To make these changes it is envisaged that the Commission will carry out the next county review early in the next round of reviews and before the Local Government elections in 2027.

5. Integrated Assessment Implications

- 5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage.
 - Consider opportunities for people to use the Welsh language.
 - Treat the Welsh language no less favourably than English.
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 5.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 5.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also considers other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

5.4 An IIA Screening Form has been completed and no adverse implications have been noted.

6. Financial Implications

6.1 The Commissions fee for conducting the Review is £13,500. However, there are additional costs not included such as translation, printing, postage, newspaper adverts etc. The total cost will be approximately £20,000.

6.2 There is no core budget allocated for this periodic one off spend.; however, the Section 151 Officer has committed to underwrite the spend by up to £20,000 from contingency.

7. Legal Implications

7.1 All legal implications are set out in the report.

Background Papers: None.

Appendices: None.