



Comisiwn Ffinau a
Democratiaeth Leol
Cymru

Local Democracy and
Boundary Commission
For Wales

REVIEW OF COMMUNITY ARRANGEMENTS OF SWANSEA

TERMS OF REFERENCE

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Introduction

The legislation that covers community reviews is the Local Government (Democracy) (Wales) Act 2013 (the 2013 Act). Under the 2013 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 community boundaries review following a request received from Swansea Council (the Council). This review is being carried out under section 26 of the 2013 Act, and addresses only the communities in the Council's area.

The Commission's review will start in **October 2023**. The Commission currently anticipates being able to publish its final recommendations in or soon after **December 2024**.

This document provides an overview and supporting information about the Commission's review.

What is the aim of the review?

At the conclusion of a community boundaries review under section 26 of the 2013 Act, the Commission may recommend "*such community boundary changes as it considers appropriate*". In this context, a "community boundary change" may mean a change to the boundary of an existing community, or the abolition of an existing community and/or the creation of a new community.

If the Commission recommends community boundary changes at the conclusion of a community boundaries review, it also has power to recommend certain kinds of further change where the further changes are a *consequence of* the boundary changes. The permitted further changes are:

- "*Community council changes*", meaning the dissolution of an existing community council, the establishment of a new community council, or the addition of communities to (or subtraction of communities from) a common community council;¹ and
- "*Associated changes to the electoral arrangements*" of one or more of the communities under review or of the principal area.² In this context the "electoral arrangements of a community" refers to the number of members of the community council and any arrangements for the division of the community into wards for the purposes of elections to the community council, while the "electoral arrangements of the principal area" has a corresponding meaning at the level of the principal council.³

The Commission aims to ensure that community boundaries reflect the identities and interests of the communities across the Council's area and, most importantly, that the boundaries are as conducive as possible to effective and convenient local government.

As a general matter, community boundary changes will often result in changes to the populations of affected communities. For example, if an area is incorporated into a new community due to the position or road connections of a new housing development, that same area will necessarily be taken out of the community of which it previously formed part. As a consequence, both the enlarged community and the reduced community may benefit from consequential changes to their community council and / or electoral arrangements, particularly if there is a change in the number

¹ 2013 Act, section 23(4)(b)

² 2013 Act, section 26(3)(b)

³ 2013 Act, section 29(9), 31(7)

of local government electors in both communities that will be brought about by the boundary change.

What will be considered during this review?

The Commission will consider whether to recommend community boundary changes and other consequential changes, as described above.

The 2013 Act does not address the matters which the Commission should take into account when considering changes to the boundaries of communities. Instead, the Commission is bound by its general duty to “*seek to ensure effective and convenient local government*”.⁴

The Commission considers that *effective and convenient local government* is served by community arrangements which are internally coherent, in the sense that communities have reasonable internal road links and mirror patterns of settlement and ease of communications. This is intended to ensure that all electors in the community can engage in the affairs and activities of all parts of it without having to travel through an adjoining community, for example.

In conducting a community boundaries review, the Commission will also take into account the Council’s policy as to the size of communities in its area. This is addressed further below, under the heading “Council Size Policy”.

The 2013 Act does lay down specific matters that the Commission must take into account when considering whether to recommend consequential changes to the electoral arrangements of a community.

First, when the Commission is considering changes to the electoral arrangements of a community, it will need to decide whether the community should be divided into wards for the purposes of elections to the community council. In this context, the Commission is required to consider whether the number or distribution of the local government electors for the community is such as to make a single election of community councillors impractical or inconvenient, and whether it is desirable that any area of the community should be separately represented on the community council.⁵

Second, if the Commission decides that the community council should *not* be divided into wards, it will need to determine the number of councillors for the community. In this context, the Commission is required to have regard to the “number and distribution” of local government electors in the community, and to any change in that number or distribution that is likely to take place in the following five years.⁶

Third, if the Commission decides that a community *should* be divided into wards, it will need to fix boundaries for the wards and determine the number of community councillors for each ward. In resolving those matters, the Commission is required to take into account the desirability of fixing boundaries that are easily identifiable, any local ties that might be broken by particular ward boundaries, and any change in the number or distribution of local government electors in the community that is likely in the next five years.⁷

⁴ 2013 Act, section 21(3)

⁵ 2013 Act, section 33(2)

⁶ 2013 Act, section 33(4)

⁷ 2013 Act, section 33(3)

Fourth, when considering these matters, the Commission must take into account any discrepancy between the number of registered electors and the population in the community that is eligible to vote.⁸

As is also noted above, the Commission also has powers to recommend or make changes to the electoral arrangements of the principal area at the outcome of a community review, where those changes are a “consequence of” other changes. The Commission generally considers that *effective and convenient local government* is served where principal council electoral ward boundaries correspond with the boundaries of communities and community wards. Accordingly, if the Commission recommends changing a community or community ward boundary which currently mirrors a principal council electoral ward boundary, the Commission will generally propose a corresponding change to the latter also. Furthermore, if the boundary change is significant, the Commission will also generally consider making recommendations as to the consequences for the principal area electoral arrangements, including the possible creation of new electoral wards and possible changes to the number of members representing any new or significantly changed wards. In this context the Commission must comply with the obligations, and take into account the relevant considerations, specified in section 30 of the 2013 Act.

In the light of the relevant considerations laid down by the 2013 Act, and the Commission’s policies, the Commission will take into account current numbers of local government electors in the area under review, official statistics as to the current estimated population for the area, and forecasts of the electorate. Electorate data (including forecasts) are provided to the Commission by the Council at the start of the review. The Commission obtains population statistics from the Office for National Statistics.

Who will undertake this review?

Following a request from the Council, the Commission has entered into an agreement with the Council to carry out a community boundaries review on behalf of the Council. On completion of the review the Commission will submit recommendations to Welsh Government Ministers. Welsh Government Ministers will then have powers to give effect to the Commission’s recommendations either as submitted, or with modifications.

The review process

In the first stage of the review, the Commission asks all interested parties to consider the current community boundaries and submit their views on any changes which may be appropriate or necessary in order to create communities that provide for effective and convenient local government.

The Commission will consider all submissions that it receives during the first stage, then the Commission will publish a Draft Proposals Report containing any proposals for change to the existing community arrangements.

Once the Draft Proposals Report is published, the Commission will hold a consultation on the proposals in the report. During this consultation period, members of the public and other interest parties can inform the Commission of their views of and responses to the proposals for change described in the Commission’s report. The Commission will then consider all submissions it receives in response to its proposals, before preparing Final Recommendations which will be published and submitted to Welsh Government Ministers.

Welsh Government Ministers then have the power to give effect to the Commission’s recommendations either as submitted, or with modifications.

⁸ 2013 Act, section 33(5)

At the first stage, when consulting on its proposals, and when publishing its final recommendations, the Commission is required to inform certain “mandatory consultees”. These include:

- The Council;
- The Town and Community Councils in the Council’s area;
- The Police and Crime Commissioner for any police area affected by the review;
- The Fire and Rescue Authority for any area affected by the review; and
- Any organisation representing the staff employed by local authorities which has asked to be consulted.

At the same time the Commission will also inform:

- 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.
- The Welsh Language Commissioner.
- The Welsh Government.
- Ordnance Survey.
- Anyone who has participated in the review by submitting evidence or making representations so far.

The Commission will deposit copies of reports and documents at the Principal Council’s Election Office and place appropriate documents on the Commission’s website.

Participating in the review

Comments and views may be submitted to the Commission at two stages of the review: during the initial investigation stage and when the Commission consults on its draft proposals.

The Commission will take into account all comments and views which are received by 11.59pm on the timetabled deadline, and which are received with a name and address identifying the sender. Anonymous submissions will not be considered. The Commission will not publish personal details of members of the public who participate in its review, but submissions from representative bodies and persons such as Councillors and Members of the Senedd etc will be identified within the Commission’s reports.

The Commission encourages town and community councils, elected representatives, interested parties and the general public to make representations and suggestions as part of the process of review. The Commission welcomes representations that are based on evidence and facts which are relevant to the matters under consideration.

The Commission invites interested parties who support its proposals to submit representations alongside those who object or consider other solutions to be preferable, so that the Commission has a fully informed view of local opinion as to the matters under review. The Commission also invites those who object to its proposals to put forward alternative suggestions, with supporting evidence.

The Commission wishes to stress that its proposals are for community arrangements only and will not address Senedd or Parliamentary constituencies, school catchment areas or the services provided by any principal council. The Commission will also not take into account any local

political implications of its proposals and recommendations – such as potential impact on individual councillors or political parties.

Council Size Policy

As noted above, when carrying out its review the Commission will take into account the Council's policy as to the size of communities in its area.

The Council has provided its policy to the Commission, and provides that:

- A community should have no fewer than 7 councillors and no more than 25 to carry out its statutory responsibilities effectively.
- Although a formal council size policy should be adopted, each community should be considered on its own merits, having regard to its population and geography.

However the Commission will not treat this policy as imposing fixed or binding targets. The Commission will take into account the Council's policy alongside other relevant matters, in pursuit of the Commission's duty to seek to ensure effective and convenient local government.

Community and community ward names

When it recommends new arrangements for communities and community wards, the Commission will also recommend names for each community and community ward. The Commission will recommend either a single name which is appropriate in both Welsh and English, or alternative names in Welsh and English. The Commission's recommendations do not have the effect of changing any place names.

The Commission takes as its starting point the existing community arrangements, including any existing names of communities or community wards. However the Commission recognises that there may be names that are considered more appropriate, and the Commission welcomes alternative suggestions. The Commission requests that any alternative names should not merely consist of listed communities and villages but, instead, should reflect the character of the areas involved as well as being effective in either English or Welsh (or both).

The Commission uses a set of standards provided to it by the Welsh Language Commissioner when considering names in the Welsh Language. This recognises the Welsh Language Commissioner's responsibility to advise on the standard forms of Welsh place-names and specialist knowledge in the field.

The Welsh Language Commissioner will also be consulted on the proposed names as part of the consultation period following publication of the Commission's Draft Proposals Report. The Welsh Language Commissioner's comments will be considered alongside all the other representations received during the consultation period on the draft proposals, and will inform the Commission's final recommendations to Welsh Government Ministers.

Anticipated timetable for the review

The review will start in **October 2023**, and the Commission currently anticipates being in a position to publish its final recommendations in or soon after **December 2024**. If the Commission's recommendations are implemented by the Welsh Ministers (with or without modification), any changes would usually come into effect for the next Local Government Elections.

Action	Period	Date
Start of Review		October 2023
Initial Investigations	8 Weeks	October 2023 to December 2023
Draft Proposal Publication/ Consultation	8 Weeks	July 2024 to September 2024
Final Recommendation Submission		December 2024

Supporting Information

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