

Meeting of:	Cabinet
Date of Meeting:	Thursday, 05 October 2023
Relevant Scrutiny Committee:	Corporate Performance and Resources
Report Title:	The Vale of Glamorgan Community Review – Draft Proposals
Purpose of Report:	To update Members on the Vale of Glamorgan Council’s Community Review and to recommend a response to the Commission’s Draft Proposals
Report Owner:	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, although the matter has been discussed with the Cross-Party Working Group established to oversee the review and comment on the same.
Policy Framework:	This is an Executive decision by Cabinet, but the final outcome of the review by the Commission will be reported to Full Council
<p>Executive Summary:</p> <ul style="list-style-type: none"> • Cabinet on the 17th November, 2022 considered a report relating to the Council’s Community Review and the process to be adopted; minute number C133 refers. • Cabinet on the 30th March, 2023 were presented with a reference from Community Liaison Committee of 23rd March, 2023; minute number C265 refers. • The Local Democracy and Boundary Commission (the Commission) published their Draft Proposals on 5th September, 2023 which can be found here, and a consultation period follows from 5th September, 2023 until 30th October, 2023. • The Commission has notified all mandatory consultees, including Town and Community Councils, of the publication of their Draft Proposals. In addition, correspondence was issued to all Clerks of Town and Community Councils in early September to advise that the Commission would be publishing their draft proposals on 5th September, 2023. • The Commission has encouraged the Vale of Glamorgan Cross Party Working Party Group (VoGCPWG) to submit further representations and comments on the Draft Proposals as part of the consultation by 30th October, 2023. 	

- The purpose of this report is to inform Cabinet of the consultation period and recommend a draft response to the Commissions Draft Proposals.

Recommendations

1. That the draft response to the Commissions Draft Proposals , as set out in paragraphs 2.7 to 2.26 of this report are considered and approved and a copy of this report be forwarded to the Boundary Commission as the formal response to the consultation.
2. That Cabinet notes the deadline of 30th October, 2023 for comments to be submitted to the Commission.
3. That a copy of this report be referred to the Community Liaison Committee on 5th October, 2023 for consideration and to all Clerks of Town and Community Councils in the Vale of Glamorgan Council for information.
4. That any recommendations from Community Liaison Committee be referred back to Cabinet for further consideration.

Reasons for Recommendations

1. To note and consider the Commission’s Draft Proposals Report and to recommend responses to that consultation.
2. To appraise of the deadline for the submission of comments.
3. To allow consideration by Community Liaison Committee, whilst being mindful that all Town and Community Councils will be able to submit their own responses to the Commission.
4. To allow Cabinet the opportunity to further consider any additional recommendations from the Community Liaison Committee.

1. Background

- 1.1** The Council has a duty under s22 of the Local Government (Democracy) (Wales) Act 2013 to report every ten years on its community review activities.
- 1.2** At the conclusion of a 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.
- 1.3** At the conclusion of a 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 instant should be given in particular to the degree in which ‘electoral parity’ is achieved.
- 1.4** On 27th October, 2022 Community Liaison Committee was presented, as part of pre-engagement, with an overview of the Vale of Glamorgan Council Community Review and the process to be adopted.
- 1.5** A report was presented to Cabinet on 17th November, 2022 to update Members on the Vale of Glamorgan Council’s Community Boundary Area Review (“the Review”) and the process to be adopted. The report was referred to Community Liaison

Committee and a copy of the report was circulated to all Town and Community Councils in the Vale of Glamorgan area. The Council's Terms of Reference ("ToR") of the review was appended to the Cabinet Report at Appendix A and included a Council Size Policy.

- 1.6** The Vale of Glamorgan Council's Community Review which is being undertaken by the Local Democracy and Boundary Commission for Wales ("the Commission") commenced on 20th January, 2023.
- 1.7** The first stage of the review included investigation and an initial consultation period, which commenced on 1st February, 2023.
- 1.8** As part of the initial consultation, a briefing / workshop for all Town and Community Councils was held at the Civic Offices on 1st February, 2023, which was led by the Commission. Of the 26 Community Councils in the Vale of Glamorgan, 22 were represented at the workshop.
- 1.9** A meeting of the Vale of Glamorgan, set up prior to the pre-engagement work being undertaken, was held on 8th March, 2023. When convening the VoGCPWG, consisting of County Councillors, the political balance of the Council was disregarded in agreement with party leaders and a representative from each political group, including the independent members were included in that group.
- 1.10** The commission as part of their pre-engagement communications plan advertised the Vale of Glamorgan Community Review in local papers, social media outlets and local radio. These adverts included a link to the commission website where representations on the review can be submitted by members of the public.
- 1.11** All mandatory consultees and stakeholders received by letter or email the Initial Notice of Consultation and Terms of Reference.
- 1.12** The Council's Electoral Registration Officer provided an update on 30th August, 2023 to Party Leaders and Town and Community Council Clerks alerting them to the publication of the Commission's Draft Proposals.
- 1.13** On 5th September, 2023, the Commission published their Draft Proposals and commenced a consultation period from 5th September to 30th October, 2023.
- 1.14** In summary, the following is an outline of the Commission's proposals:
The Commission proposes an overall reduction in the number of community areas in the Vale of Glamorgan from 27 to 20 (A reduction of 7 community areas).
 - An overall reduction in the number of town and community councillors from 269 to 209 (A reduction of 60 community councillors).
 - Three un-changed communities (Llangan, Colwinston & St Athan).
 - The creation of 7 new community wards (Waterfront (Barry), Cosmeston (Penarth), Brooklands (Wenvoe), Penmark (Llancarfan), Cowbridge North West (Cowbridge), Cowbridge Central (Cowbridge) and Llanblethian (Cowbridge)).
 - A maximum Council Size of 23 councillors (Barry) and a minimum of 7 councillors (Colwinston, Llancarfan, Llandow and Llanmaes, Peterston & St Georges-super-Ely, Sully and Lavernock, and Wenvoe)

A breakdown of the proposals by area is as follows:

- **Barry**

The Commission proposes to create a new Waterfront community ward within the Town of Barry.

Additionally, the Commission proposes several boundary changes within the Town of Barry, which address anomalies in the existing boundaries and these proposed changes came in the main from Barry Town Council's representation.

The membership of Barry Town Council will increase from 22 to 23 proposed members to account for the creation of the new Waterfront ward. Changes to councillors' numbers are as follows:

Buttrills from 3 members to 2 members.

Gibbonsdown from 3 members to 2 members

Court from 3 members to 2 members.

Cadoc from 3 members to 4 members.

Dyfan from 2 members to 3 members.

Waterfront to be allocated 2 members for an overall increase of 1 member in Barry.

- **Penarth**

The Commission proposes to create a new Cosmeston ward within the Town of Penarth.

Additionally, the Commission proposes to transfer a number of electors currently situated in the Murch ward of Dinas Powys (along Sully Road) into the respective Cornerswell, Stanwell and Plymouth wards of Penarth.

The total membership of Penarth Town Council will increase from 16 existing members to 17 proposed members to account for the creation of the new Cosmeston ward.

- **Llantwit Major**

The Commission proposes to re-align the boundary of the Boverton ward to the Northern Access Road which transfers a small number of electors from Llanmaes to Llantwit Major.

The Commission also proposes to transfer a small number of electors from the West ward to the South East ward of Llantwit Major to address an anomaly in the allocation of electors.

The membership of Llantwit Major Town Council increases from 14 to 15 with the additional member allocated to the Boverton ward.

- **Cowbridge with Llanblethian and Llanfair**

The Commission has proposed to create 3 new community wards for the Town of Cowbridge with Llanblethian. The proposed Cowbridge North West ward contains part of the existing Penllyn community area, as the boundary for Cowbridge has been extended to include the Darren Farm development. The remaining Cowbridge, Llanblethian East and Llanblethian West wards are amended to form new Cowbridge Central, and Llanblethian wards. The Aberthin ward of Cowbridge remains

unchanged. The Commission also proposes to include the Community of Llanfair, which adds the 2 wards of Llanfair and St Hilary wards to the Town of Cowbridge with Llanblethian, creating a new community area.

The total membership of Cowbridge with Llanblethian and Llanfair Town Council is proposed to have 16 councillors, allocated as follows:

Aberthin to retain its existing 2 councillors.

Cowbridge Central to be allocated 7 members (based on population).

Cowbridge North West to be allocated 2 councillors.

Llanblethian to be allocated 2 councillors.

Llanfair to reduce from 5 councillors to 2 councillors.

St Hilary to reduce from 3 councillors to 1 councillor.

- **Penllyn**

The Commission proposes several boundary changes to the Community of Penllyn, to reflect the Darren Farm issue (as set out above) and other minor changes requested by the Community Council.

Changes to Community Council membership are as follows:

Penllyn reduced from 4 members to 3 members.

Ystradowen reduced from 5 members to 4 members.

- **Dinas Powys**

The Commission proposes several boundary alterations in the Community of Dinas Powys. As set out above, a small number of electors are proposed to transfer from the Murch ward of Dinas Powys into the Penarth Town Council area (Sully Road). Additionally, the Commission has proposed a number of boundary changes as recommended by Dinas Powys Community Council. The external boundary with Michaelston-le-Pit has been amended to include the area surrounding Pen-y-Turnpike Close in the Eastbrook ward.

The Commission also proposes to transfer the area known as the St Cyres development from Cross Common to Murch, and to re-align the boundaries of Cross Common and Twyn to follow the A4055 to provide a clearer boundary between the 2 wards.

The Commission proposes no change to the Community Council membership for Dinas Powys (retains 16 members).

- **Llandough and Michaelston-le-Pit and Leckwith**

The Commission proposes to combine the community of Michaelston-le-Pit and Leckwith with the neighbouring community of Llandough to create the new Community of Llandough, Michaelston-le-Pit and Leckwith.

The remaining Michaelston ward, and the Leckwith ward will remain as separate wards within the new community area.

The overall membership of the new community area is proposed to have 8 members. The changes to membership per ward are as follows:

Llandough reduced from 10 members to 6 members.

Leckwith reduced from 2 members to 1 member.

Michaelston reduced from 5 members to 1 member.

- **Llancarfan**

The Commission proposes to create a new Penmark community ward within the Community of Llancarfan, by transferring the Penmark Polling District area (RDO) from the Community of Rhoose. This area will form a new community ward within the Community of Llancarfan.

The Commission also proposes 2 minor boundary changes between Llancarfan and St Nicholas and Bonvilston as proposed by St Nicholas and Bonvilston Community Council.

The overall membership of the Llancarfan Community Council is proposed to be reduced from 10 members to 7 members. The individual changes per ward as follows:

Llancarfan to be reduced from 7 members to 5 members.

Llantrithyd to be reduced from 3 councillors to 1 councillor.

Penmark to be allocated 1 councillor.

- **St Nicholas and Bonvilston**

The Commission proposes several boundary changes to the existing St Nicholas and Bonvilston community area as proposed by St Nicholas and Bonvilston Community Council. The Commission also proposes to transfer the St Lythans ward from the Community of Wenvoe into the Community of St Nicholas and Bonvilston, as suggested in some of the representations received.

The Commission also proposes to transfer the area known as 'The Downs' from St Georges-super-Ely to St Nicholas and transfers a small area from St Nicholas into Peterston-super-Ely to address 'access' anomalies. The Commission also proposes changes between Pendoylan, Welsh St Donats, Llancarfan and Llantrithyd and the Bonvilston ward of St Nicholas – in addition to a boundary change between Bonvilston and St Nicholas.

The inclusion of the St Lythans ward from Wenvoe results in the overall membership of St Nicholas and Bonvilston community council increasing from 10 members to 12 members.

Allocation of councillors per ward is as follows:

Bonvilston to retain its existing 4 members.

St Nicholas to be reduced from 6 members to 4 members.

St Lythans to be allocated 4 members.

- **Wenvoe**

The Commission proposes to create a new community ward by using the area that forms the Wenvoe B (PA1) Polling District, named 'Brooklands' as recommended by Wenvoe Community Council. As mentioned above, the Commission also proposes to transfer the St Lythans ward from Wenvoe to St Nicholas and Bonvilston.

The overall membership of the revised Wenvoe Community Council is proposed to have 7 members, a reduction from the existing 11 members. The proposed allocation of councillors per ward is as follows:

Wenvoe to be reduced from 9 councillors to 5 councillors.

Brooklands to be allocated 2 councillors.

- **Peterston and St Georges-super-Ely**

The Commission proposes to create a new community area of Peterston and St Georges-super-Ely by combining the communities of Peterston-super-Ely and St Georges-super-Ely with an overall electorate of 939.

The proposed membership for Peterston and St Georges-super-Ely Community Council is 7 members. The allocation of councillors per ward is as follows:

Peterston-super-Ely ward to be reduced from 8 councillors to 4 councillors.

St Brides-super-Ely ward to be reduced from 2 councillors to 1 councillor.

St Georges-super-Ely ward to be reduced from 5 councillors to 2 councillors.

- **Pendoylan and Welsh St Donats**

The Commission proposes to create a new community area of Pendoylan and Welsh St Donats by combining the 2 existing communities of Pendoylan and Welsh St Donats with an electorate of 838.

The Community Council of Pendoylan and Welsh St Donats is proposed to have 8 councillors. The allocation of community councillors per ward is as follows:

Pendoylan to be reduced from 8 councillors to 4 councillors.

Welsh St Donats to be reduced from 8 councillors to 4 councillors.

- **Llandow and Llanmaes**

The Commission proposes to create a new community area for Llandow and Llanmaes by combining the 2 community areas, with an electorate of 943.

The overall membership of Llandow and Llanmaes Community Council is proposed to contain 7 members, as per the minima suggested in the Council Size Policy. The allocation of community councillors per ward is as follows:

Llandow reduced from 4 councillors to 2 councillors.
Llanmihangel reduced from 2 councillors to 1 councillor.
Llysworney reduced from 4 councillors to 2 councillors.
Llanmaes reduced from 7 councillors to 2 councillors.

- **Ewenny and St Bride's Major**

The Commission proposes to create a new community area for Ewenny and St Bride's Major by combining the 2 existing community areas.

No boundary changes are proposed to take place in either existing community, so the 2 areas are proposed to be combined with no other changes and a total electorate of 2,607.

The overall membership of Ewenny and St Bride's Major Community Council is proposed to contain 13 members. The allocation of community councillors per ward is as follows:

Ewenny to be reduced from 8 councillors to 3 councillors.
Ogmore-by-Sea to be allocated 6 councillors, as opposed to the existing 5 councillors.
St Bride's Major to be reduced from 6 councillors to 4 councillors.

- **St Donats and Wick**

The Commission proposes to create a new community area for St Donats and Wick by combining the 2 existing areas with no boundary changes and a total electorate of 1,138.

The overall membership for St Donats and Wick Community Council is proposed to contain 9 members. The allocation of community councillors per ward is as follows:

Marcross to be reduced from 4 councillors to 1 councillor.
Monknash to retain 1 councillor.
St Donats to be reduced from 3 councillors to 2 councillors.
Wick to be reduced from 7 councillors to 5 councillors.

- Consequential Changes to County Borough Electoral Wards

As a result of the changes proposed above, the Commission also proposes a number of consequential changes to the electoral wards at county borough level. A summary of these changes are as follows:

There will be an overall increase of County Councillors from 54 to 58 and the creation of 2 additional electoral wards (Cosmeston & Waterfront).

The Waterfront in Barry will form a new electoral ward represented by 2 county councillors.

Dyfan electoral ward in Barry will be allocated an additional councillor and as a result will be represented by 3 county councillors.

Cosmeston in Penarth will form a new electoral ward represented by 1 county councillor.

Llanmaes to be transferred from the existing Llantwit Major electoral ward to the Llandow electoral ward. No change to councillor representation.

The Community of Michaelston-le-Pit and Leckwith would transfer from Dinas Powys to the Llandough electoral ward.

St Lythans would transfer from Wenvoe to St Nicholas and Llancarfan.

Penmark ward would transfer from Rhoose to St Nicholas and Llancarfan.

St Georges and St Brides Super Ely would transfer from St Nicholas and Llancarfan to a new ward of Peterston-Super-Ely.

- 1.15** The Cross-Party working group reconvened on 15th September, 2023 to consider the Draft Proposals and that consideration has helped inform this report and the recommendations therein.
- 1.16** The Vale of Glamorgan Electoral Registration section has updated its webpage to include details of the Draft Proposals and details on how to submit a response to the Commission's public consultation.

2. Key Issues for Consideration

- 2.1** The Council's community review commenced in January 2023. The Consultation on the First Stage of the Review commenced on 1st February, 2023 and concluded on the 28th March, 2023. The Draft Proposals were published on 5th September, 2023 and consultation on these proposals commenced on 5th September, 2023 and will conclude on 30th October, 2023.
- 2.2** On completion of the Draft Proposals Consultation period all submissions will then be considered by the Commission, and Final Recommendations will be submitted to Welsh Government Ministers who will then, if it thinks fit, to give effect to these recommendations either as submitted, or with modifications.
- 2.3** 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 local government.
- 2.4** In formulating the Council's response to the Draft Proposals, the working group considered and reviewed the draft proposals taking into consideration representations received at the initial consultation stage, as well as minutes of the

working group that formulated the draft proposals and minutes of the briefing session/workshop held with Town and Community Councils in drafting the Council's proposals.

2.5 In developing the Council's response to the Draft Proposals, the Council has applied the following 'key' considerations:

- Council Size Policy, referenced as a guide only.
- Current boundary arrangements which appear to work well and those which appear to result in a degree of confusion.
- The footprint in urban communities and how they align to and work alongside the principal areas within which they are located, and whether such an approach could be applied to other mixed and rural areas.
- Consideration of geographical and spatial spread of any community boundaries and local services, particularly in rural areas.
- Actual and proposed new developments in the proceeding 5 years, thereby future proofing communities until the next mandatory review.
- Current membership, the extent of co-options, and casual vacancies, which provide an indication of the democratic effectiveness of current arrangements.

2.6 In assessing the key considerations outlined above in relation to the boundary areas within the Vale of Glamorgan and the Commissions Draft Proposals, the following suggested proposals, as discussed with the Cross-Party working group, are set out for consideration. It should be noted that comments and suggestions are being made at a strategic level and the suggestions do not deal with detailed matters of boundary lines, other than in areas where this relates to anomalous boundaries as set out above. It is expected that Town and Community Councils will make detailed comments relating to the Draft Proposals for their particular areas and boundaries. In the same way, individual Members of the Vale of Glamorgan Council can also submit their own responses to the Commission.

2.7 Barry –In summary, the changes suggested are in keeping with what was suggested by the Cabinet at the initial consultation stage, especially with the creation of a new Waterfront ward. However, further to discussions with the VoGCPWG, it is suggested that the proposed boundary line between Cadoc and Gibbonsdown, which has already been amended to include 65 electors be further adjusted to include the proposed development site on the eastern edge of Pencoedtre High School and as shown on appendix 1. The revision of this boundary line will future proof the need for any further amendments to the ward boundary given the further planned housing development in this location.

2.8 Penarth – There are no further comments to make in this regard.

2.9 Cosmeston - The proposals to create the new ward of Cosmeston, within the community of Penarth is noted and supported, and it is also noted that this was a suggestion made in the Council's previous response.

- 2.10 Llantwit Major** – There are no further comments to make, other than to note and agree the proposals of the Commission. It is however noted that the initial suggestion from the Council to in effect combine Llanmaes and Llantwit communities has not been progressed as an option, albeit that an alternative has been proposed which is addressed below.
- 2.11 Cowbridge with Llanblethian and Llanfair** - The proposals that have been made with regard to a larger Cowbridge with Llanblethian and Llanfair Community is noted and accepted. The suggestion to in effect combine Llanfair/St Hillary and Cowbridge and also include Darren Farm/Clare Gardens within Cowbridge (from Penllyn) has been included in the proposals. However, the name ‘Cowbridge Northwest / Gogledd-Orllewin y Bont-faen’ will prove troublesome when drafting poll cards, and it is suggested that this to be re-named Cowbridge North / Gogledd Bontfaen.
- 2.12 Penllyn** – There are no further comments to submit. The incorporation of Darren Farm / Clare Gardens into Cowbridge is as suggested previously by the Council.
- 2.13 Dinas Powys** – There are no further comments to make in regard to Dinas Powys. It should be noted that the previous suggestion from the Council to in effect combine Michaelston-le-Pit and Dinas Powys has not been taken forward, although this is an issue that is addressed below.
- 2.14 Llandough, Michaelston and Leckwith** - The proposals that have been made to combine the community councils is supported. For completeness, when responding previously the Council’s Cabinet suggested the ‘merging or combining’ of Dinas Powys and Michaelston Le Pit and the ‘merging or combining’ of Leckwith and Llandough. Notwithstanding this earlier suggestion, the Commission’s proposals to create a new community of Llandough, Michaelston and Leckwith is supported. Consideration should however be given to the lengthy name suggested for the community.
- 2.15 Llancarfan** – The proposed boundary line to the East of Llancarfan currently ends West of the A4226 (Five Mile Lane). We propose that the boundary line should move to the A4226, as this would create a visible and logical boundary. This would result in part of St Lythans moving to Llancarfan. The suggested change to the boundary line is attached at appendix 1a.
- 2.16 St Nicholas and Bonvilston** – Further to the comment about the A4226 (above), it is also proposed that the boundary between Bonvilston and St Nicholas to the north of the A48 should be moved to run along Pendoylan Road, given that this road constitutes a logical boundary between the two wards. This is reflected on the map at appendix 1b. There is general and in principle support for the proposals relating to changes to the ward boundaries for the community, however it is not accepted that all of St Lythans should move into St Nicholas and Bonvilston. It is recommended that the boundary line for Brooklands Ward (Wenvoe) be redrawn to include part of the Culverhouse Cross Retail Park and the new housing estate at St Lythans Park, streets to include Harlech Road, Picca Close and Gwern Close. This new development is far more aligned with the Wenvoe community than St Nicholas and Bonvilston and should form part of the new proposed Brooklands ward within Wenvoe. The suggested change to the

Brooklands ward of Wenvoe is attached at Appendix 2. This may have implications for the number of members proposed for Wenvoe and in turn for St Nicholas and Bonvilston. It is also proposed that an area of The Downs containing six properties, should be moved from St Lythans to St Nicholas and Llanarf (also shown on appendix 2). It is further proposed that the land to the South of St Lythans Road (currently in St Lythans ward), should be in the Wenvoe Ward (again shown at appendix 2) with St Lythans Road becoming the new boundary line between the two wards and between the communities of Wenvoe and St Nicholas and Bonvilston, given that the remainder of St Lythans moves into St Nicholas and Bonvilston as recommended by the Boundary Commission. This is all shown on the map at appendix 2.

- 2.17 Wenvoe** - Please see comment above re: St Lythans.
- 2.18 Peterston Super Ely and St Georges Super Ely** – The proposals are noted and accepted and are in line with the suggestions made previously by the Council.
- 2.19 Pendoylan and Welsh St Donats** - The proposals that have been made are noted and accepted and are in line with the suggestions made previously by the Council.
- 2.20 Llandow and Llanmaes** - The proposals that have been made are accepted whilst noting that the initial suggestion of the Council was to align Llantwit Major and Llanmaes. The proposal of the Commission is however supported.
- 2.21 Ewenny and St Brides Major** - The proposals are noted and accepted and are in line with the suggestions made previously by the Council.
- 2.22 St Donats and Wick** - The proposals are noted and accepted and are in line with the suggestions made previously by the Council.
- 2.23 Colwinston and Llangan** - Colwinston and Llangan are two communities that currently remain unaffected by the Commission’s review. In summary, the current position with regard to the number of councillors on each Council and the number of electors are as follows:

	Current TCC Councillors	Electorate
Colwinston (TA0)	7	500
Llangan (TBO, TB1)	9	637
Totals	16	1137

- 2.24** Given the changes to all other community councils across the Vale of Glamorgan, it is considered that the retention of these two community councils as at present would constitute outliers in terms of their size. It is also worth noting that in terms of elections, Colwinston Community Council and Llangan Community Council which includes the ward of St Mary Hill, were uncontested during the last three ordinary Local Government Elections held in 2012, 2017, 2022.

The number of nominations received, and the number of councillors co-opted onto the councils following the ordinary election are provided by year in the table below:

Community Ward	Number of cllrs	Nominations rec'd in 2012	Cllrs co-opted	Nominations rec'd in 2017	Cllrs co-opted	Nominations rec'd in 2022	Cllrs co-opted
Colwinston	7	6	1	6	1	6	1
Llangan	6	9	0	4	2	5	1
St Mary Hill	3	3	0	0	3	1	2

It is therefore proposed that for consistency, it would be sensible for the communities of Colwinston and Llandow are in effect combined to create a single community of Colwinston and Llangan with an electorate of 1137. This would be consistent with what is proposed in other communities by the Commission.

2.25 It is worth noting that some of the proposed community names are very lengthy and would prove troublesome when drafting poll cards and election notices ahead of future Local Government elections. Some examples would be Llandough, Michaelston and Leckwith with a Welsh name of Llandochau, Llanfighangel-Y-Pwll a Lechwydd which could be shortened to Llandough and Cwrt Yr Ala with a Welsh name of Llandochau a Cwrt Yr Ala. Peterston and St Georges-super-Ely with a Welsh alternative of Llanbedr-y-fro a Sain Siorys could be shortened to Peterston and St Georges, dropping the super-ely from the name. We appreciate that communities wish to keep their identities, so would recommend that Community Councils consider potential alternative suitable names and alternative Welsh names in their representations to the Commission.

2.26 In summary therefore, the following strategic points are to be reflected in the Council's response:

1. The proposed changes to the boundary between Penarth and Sully are accepted.
2. The new Waterfront ward in Barry is accepted.
3. The proposed changes to Cowbridge with Llanblethian and the associated boundary changes are accepted.
4. The proposed changes to Llantwit Major are accepted.
5. The new arrangements in the rural Vale are accepted, subject to the following comments and caveats:
 - a. Consideration be given to a single new community in respect of Colwinston and Llangan as referenced in paras 2.23 and 2.24.
 - b. The redrafting of the Brooklands ward boundary in Wenvoe and the associated changes to the boundary between St Nicholas and Wenvoe communities and other minor changes to the boundaries of wards within St Nicholas and Bonvilston.
 - c. A consideration to some of the names of the proposed new Councils around the length of the new names.

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 draft proposals put forward by the Commission would see a reduction in the number of community councils and clerks. A guidance note published by Welsh Government outlining key considerations for community and town councils affected by a community or electoral review can be found at appendix 3.

Employment

- 5.2** There are no employment implications arising as a result of this report, other than mentioned above in para 5.1.

Legal (Including Equalities)

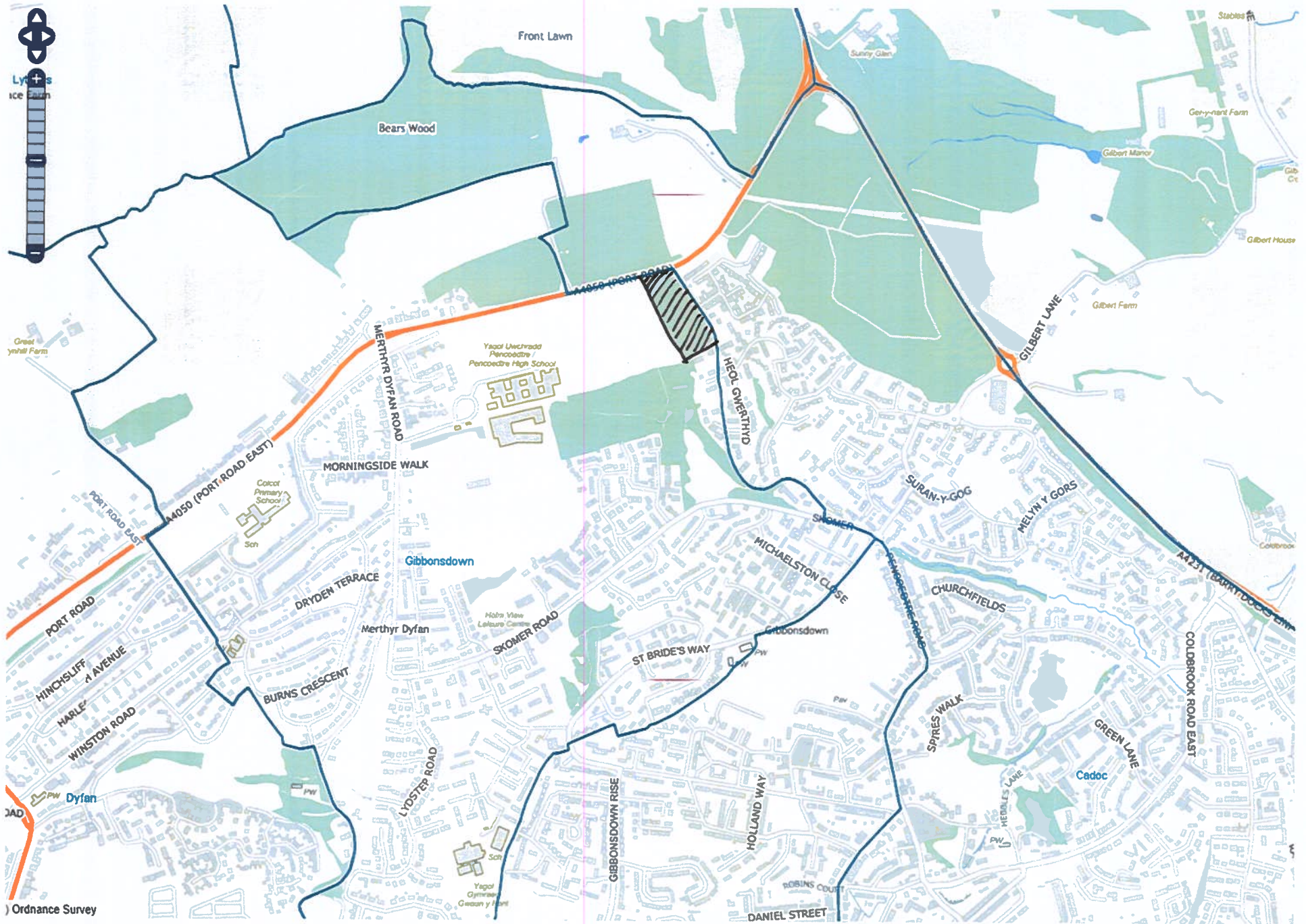
- 5.3** Each principal council has a duty to monitor the communities in its area and, where appropriate, the electoral arrangements of such communities for the purpose of considering whether to make or recommend changes. These changes are brought about by means of community boundary reviews under s25 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.

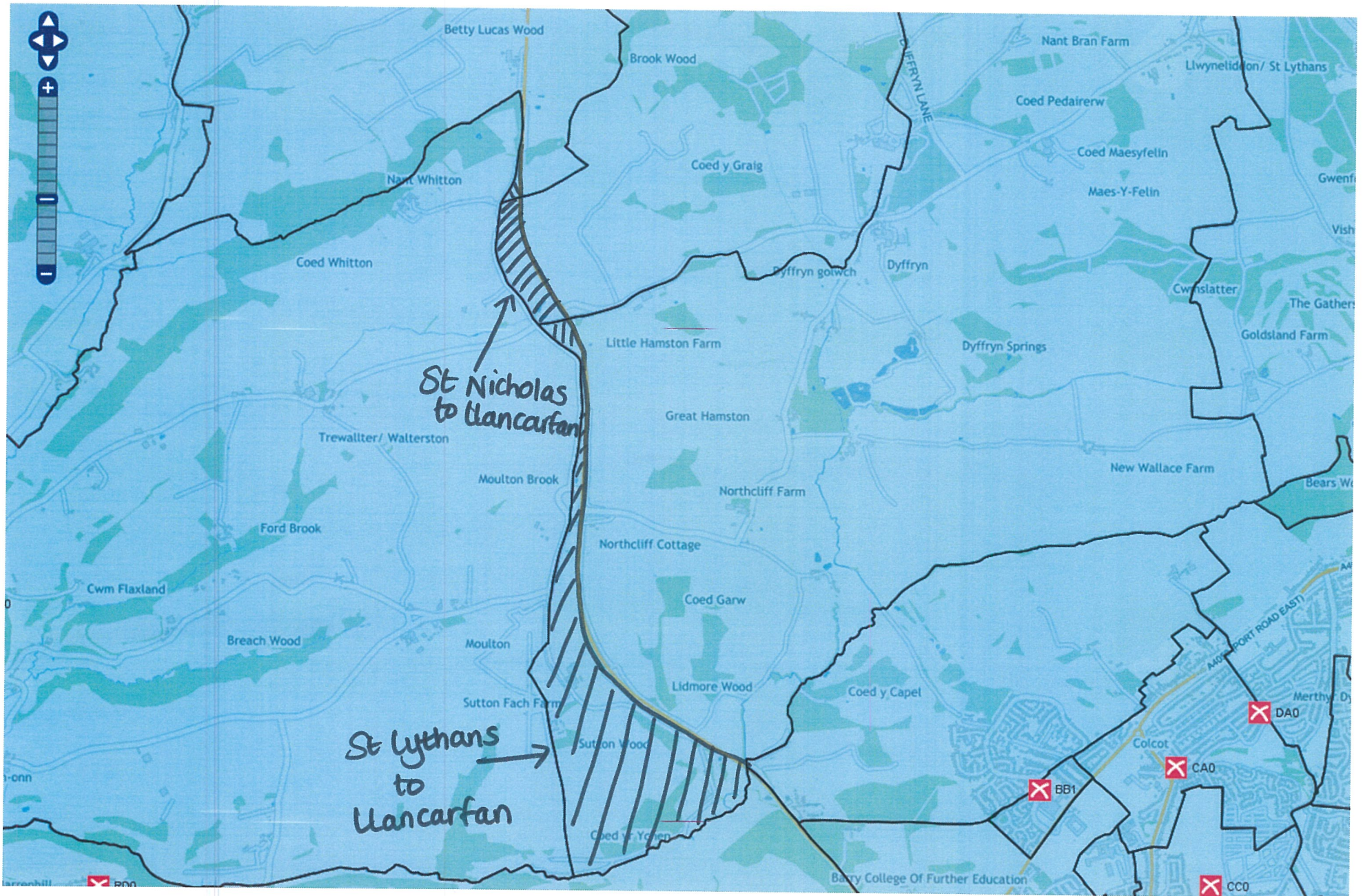
6. Background Papers

None.

GIBBONSDOWN TO CADOC



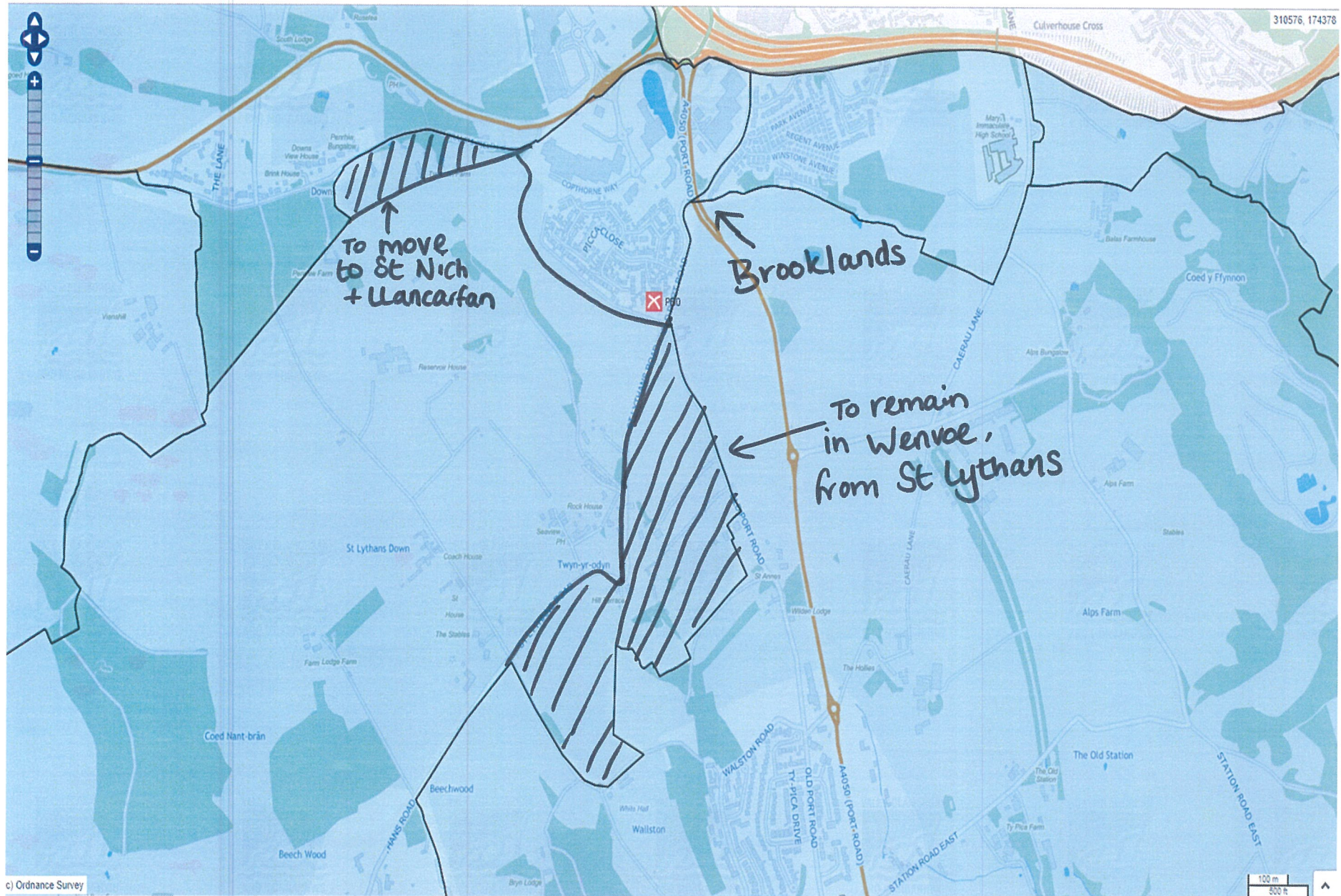
A4226 – Five Mile Lane



St Nicholas & Bonvilston



Brooklands



Key considerations for community or town councils affected by a community or electoral review

Introduction

This document sets out some key considerations for community and town councils whose area will be subject to change following community or electoral reviews.

The information included here is intended to help councils navigate through preparing for whatever change they are facing as a result of community or electoral reviews. It does not provide legal advice, definitive guidance or answers, as much will depend on the specific circumstances of the councils concerned. There may be things, particular to individual councils, which need to be considered but are not covered here. Councils should consider their own circumstances and make arrangements locally, seeking legal advice as appropriate. Arrangements made should be reasonable and proportionate.

Electoral, boundary and community reviews

A community or town council might be subject to change as a result of:

- A review of electoral arrangements for the principal area, which results in consequential changes for community boundaries and community electoral arrangements within the principal area.
- A review of principal council area boundaries, which results in consequential changes for community boundaries and community electoral arrangements.
- A review of community boundaries.
- A review of community electoral arrangements.

Reviews may be undertaken by the Local Democracy and Boundary Commission for Wales ('the Commission') or, in the case of reviews of community boundaries and community electoral arrangements, the principal council for the area or the Commission.

The outcome of such reviews will be brought into effect by an Order. Depending on the type of review, the Order will be made by the relevant principal council, or the Commission, or the Welsh Ministers.

This document sets out key considerations following a community or electoral review where:

- Section 1 - [A community or town council is being dissolved – see pages 3-10](#)
- Section 2 - [A community or town council is being combined with another community or town council – see pages 11 -17](#)
- Section 3 - [A community or town council's community area external boundaries are changing – see pages 18-22](#)
- Section 4 - [A community council is being created – see pages 23-26](#)

A community or electoral review may also result in changes to internal ward boundaries or electoral arrangements in community areas, however these are not considered here as they do not in themselves materially alter the community or town council area.

Section 1 - Council is being dissolved

Key considerations	Action you may need to take	Notes
<p>What property does the council have?</p>	<p>If the council is to be dissolved, its property will be transferred to its “residuary successor” as specified in the relevant Order. If no “residuary successor” is specified in the Order, an agreement should be entered into to transfer property.</p> <p>What fixed assets (such as land, allotments, buildings, furniture, vehicles, machinery, office equipment, ICT equipment, play equipment) does the council have? Check the council’s asset register for details. The council must ensure this is up-to-date and accurate.</p> <p>What other assets (such as cash, investments and debts owed to the council) does the council have?</p> <p>Is the council, or its property or assets, subject to any covenants?</p> <p>The council can make agreements relating to transfer of its property and assets. It is important that these agreements are reasonable and fair for all councils involved.</p>	<p>The Local Government Area Changes Regulations 1976 (see regulation 62(3)) make provision for the automatic transfer of the following from a dissolved community council to their residuary successor (as specified in the Order):-</p> <ol style="list-style-type: none"> 1. all property and liabilities vested in or attaching to a dissolved authority; 2. all contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, a dissolved authority; 3. all notices in force which were given, or have effect as if they had been given, by, or to, a dissolved authority; 4. any action or proceeding or any cause of action or proceeding, pending or existing at the appointed day, by, or against, a dissolved authority <p>There are some exceptions – see regulation 62(1) of the Local Government Area Change Regulations 1976, which sets out that this does not apply to property held for the purposes of, and liabilities incurred in relation to any charitable trust, smallholdings and cottage holdings.</p> <p>Regulation 62(4) of the Local Government Area Change Regulations 1976 also provides that whilst a transfer is automatic in these cases, a community council to which any property other than land is transferred by virtue of regulation</p>

Section 1 - Council is being dissolved

Key considerations	Action you may need to take	Notes
		<p>62(3) may by resolution agree that the property shall not be transferred, or that it shall be transferred to another authority named in the resolution.</p> <p>Councils affected by the alteration, abolition or constitution of any area by Order have the power to enter agreements about any property, income, rights or liabilities affected by the change, and expenses arising as a result of the change, and any financial relations between the parties to the agreement. If the transfer happens automatically, where there is a specified successor, such agreements can supplement the automatic transfer. Where an Order dissolves a council without specifying a successor authority, an agreement should be reached between the relevant authorities. Agreements should be fair, reasonable and proportionate.</p> <p>If the changes to the council are being made by an Order in accordance with the Local Government Act 1972 ('the 1972 Act'), see section 68 of the 1972 Act. If the changes are being made by an Order in accordance with the Local Government (Democracy) (Wales) Act 2013 ('the 2013 Act'), see section 44 of the 2013 Act.</p> <p>Where the parties involved cannot reach agreement, the matter can be referred to an arbitrator agreed on by the</p>

Section 1 - Council is being dissolved

Key considerations	Action you may need to take	Notes
		parties, or failing such agreement, appointed by the Welsh Ministers. Any costs incurred as a result of referring the matter to an arbitrator must be met by the bodies concerned.
Does the dissolving council need to set a precept?	<p>Check the Order which provides for the dissolution of the council for clarity on the point at which the council is dissolved.</p> <p>The council should calculate its budget and precept requirements taking account of the point in the year that it will be dissolved. If the council is to be dissolved part way through the financial year, it may be that it does not need to raise a precept for that year, and could instead rely on reserves or other income between the start of the financial year and the point in the financial year when it will be dissolved.</p>	<p>The Order will have a section which sets out the commencement of the provisions in it.</p> <p>The Local Government Finance Act 1992 section 50 requires the council to calculate its budget requirement for the year and specifies how the budget requirement is to be calculated. The budget and the precept requirement must be approved by the council.</p> <p>See also Governance and Accountability for Local Councils in Wales – A practitioners guide (2019 Edition) – chapter 6</p>
What happens to the dissolved council's reserves?	<p>Councils should be prudent with use of reserves prior to dissolution and operate in line with existing financial guidance.</p> <p>If the council is to be dissolved, its reserves will be transferred to the successor council(s) for the area. If no “residuary successor” is specified in the Order, an agreement should be entered into to transfer reserves to the appropriate council(s).</p>	<p>Regulation 62(3) of the Local Government Area Changes Regulations 1976 transfers liabilities automatically if a successor authority is identified in the Order, but an agreement could still be entered into to supplement those provisions.</p> <p>If the area the existing community council serves is to be split amongst a number of community council areas, the transfer of reserves will be more complicated. Consideration</p>

Section 1 - Council is being dissolved

Key considerations	Action you may need to take	Notes
	Consider whether any of the council's reserves are earmarked for a particular area of the community that may be transferring to another existing community council area or a new community council area.	will be needed of how to transfer reserves in a proportionate way. Arrangements for transfer of reserves can be made as part of the agreements outlined above, made in accordance with section 68 of the 1972 Act or section 44 of the 2013 Act.
What liabilities does the council have?	What outstanding liabilities does the council have? For example, contracts for goods and services, borrowings? Check the council's record of liabilities for details. The council must ensure this is up-to-date and accurate.	The Local Government Area Changes Regulations 1976 (see regulation 62(3)) make provision for the automatic transfer of all liabilities vested in or attaching to a dissolved community council, as well as all contracts, deeds, bonds and agreements subsisting in favour of, or against, a dissolved community council, to its residuary successor where one is identified in the Order. Arrangements for transfer of liabilities can also be made as part of, or supplemented by, an agreement made under section 68 of the 1972 Act or section 44 of the 2013 Act.
Is the council in receipt of any grants?	The council will need to notify the grant provider and agree any action required.	
Do you have any service agreements with the principal council?	Consider whether the council has any agreements to provide or receive services and any action required in the light of dissolution of the council.	
What staff does the council employ directly including any	The council needs to assure itself that it is acting at all times in line with employment law, seeking further	The fair treatment of staff is an essential part of effective public service and democratic engagement. There should

Section 1 - Council is being dissolved

Key considerations	Action you may need to take	Notes
<p>on short term or limited hour contracts?</p>	<p>advice where necessary.</p> <p>If there is a residuary successor for the area specified in the Order, the staff of the dissolving council will automatically transfer to the employment of the successor council.</p> <p>If the council is to be dissolved and its area not transferred as a whole to the area of another community council, a scheme for the allocation of all the council's officers must be made by the dissolving council. If all but one of the councils to which the dissolving council's area is being transferred notify the council to be dissolved that no officers need be allocated for transfer to them, no scheme will be required.</p> <p>Every officer allocated by a scheme will be transferred to the employment of that council. Regulation 69 of the Local Government Area Changes Regulations 1976 sets out things the community council must consider when making a scheme.</p> <p>The treatment of staff should be guided by the provisions of the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector. The Statement</p>	<p>be a clear and consistent policy for the treatment of any staff affected by the dissolution or combination of a community council.</p> <p>See regulation 67, 69 and 70 of the Local Government Area Changes Regulations 1976</p>

Section 1 - Council is being dissolved

Key considerations	Action you may need to take	Notes
	<p>of Practice expects a clear and consistent policy for the treatment of staff founded on the principles of the Transfer of Undertaking (Protection of Employment) Regulations 2006 (TUPE). In broad terms TUPE protects employees' continuity and terms and conditions of service where there is a change of employer.</p> <p>The council should be mindful of the welfare of any staff it employs during this process.</p>	
<p>What arrangements does the council need to make for papers, records or other information held by the council?</p>	<p>Check the Order which provides for the dissolution of the council. The Order may specify the dissolving council's residuary successor. This is where papers of the dissolved council are to be held.</p> <p>The council will need to ensure the council's papers, records and other information are deposited with the residuary successor, or another community council or with the principal council and communicate where the papers are held.</p> <p>The council should also consider what happens to information published electronically by the council on a website.</p>	<p>Where a council is to be dissolved and there is a clear residuary successor, this will be set out in the relevant Order.</p> <p>If the Order does not specify a residuary successor, it is likely that the dissolving council's area is moving to more than one other community council area. If so, the successor(s) for the purposes of papers or other information can be determined locally and specified in an agreement made under section 68 of the Local Government Act 1972 or section 44 of the Local Government (Democracy) (Wales) Act 2013.</p>

Section 1 - Council is being dissolved

Key considerations	Action you may need to take	Notes
Insurance	Consider what insurance policies the council has in place and the appropriate point to cancel that insurance.	
What arrangements does the dissolving council need to make for audit?	The council's accounts should be made up to the day the council is dissolved ready to be audited in the usual way.	Audit Wales will report audit findings to the body identified as the successor to the dissolved council (either the residuary successor or the council identified as the successor for this purpose in an agreement made under section 68 of the Local Government Act 1972 or section 44 of the Local Government (Democracy) (Wales) Act 2013). This body may be responsible for closing the accounts for the dissolved council.
Are there any local acts, orders and byelaws in place in the dissolving council's area?	The dissolving council does not need to take any action.	See Regulation 41 and Regulation 42 of the Local Government Area Changes Regulations 1976 Any local acts, orders and byelaws in force throughout the community area cease to have effect in relation to any area of that community that is transferred out of that community to another community.
What happens to elected members?	Check the Order which dissolves the council. If the council is to be dissolved at the point of the next ordinary election of councillors to community councils, the elected members will retire at that point.	
Is the community aware of the changes?	Liaise with the principal council to agree how the changes will be communicated. The billing authority	

Section 1 - Council is being dissolved

Key considerations	Action you may need to take	Notes
	will need to inform the electorate of all changes within the local authority area.	

Section 2 - Council is combining with another council

Key considerations	Action you may need to take	Notes
How will this combination be achieved?	Check the Order which provides for the council to be combined with another council. The Order making changes to the community council arrangements tend to dissolve the existing councils and create a new council for the new combined community area.	
What is the new community council called?	The Order will specify the name of the new community area and by definition the new community council.	
What property does the council have?	<p>If the council is to be combined with another council, what property will need to be transferred to the new council for the area?</p> <p>What fixed assets (such as land, allotments, buildings, furniture, vehicles, machinery, office equipment, IT equipment, play equipment) does the council have? Check the council's asset register for details. The council must ensure this is up-to-date and accurate.</p> <p>What other assets (such as cash, investments and debts owed to the council) does the council have?</p> <p>Is the council, or its property or assets subject to any covenants?</p>	<p>If the area the existing community council serves is to be transferred in its entirety to another community council, that community council would be the successor (and defined in the Order as 'residuary successor').</p> <p>The Local Government Area Changes Regulations 1976 (see regulation 62(3)) make provision for the automatic transfer of the following from a dissolved community council to its residuary successor:-</p> <ol style="list-style-type: none"> 1. all property and liabilities vested in or attaching to a dissolved authority; 2. all contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, a dissolved authority; 3. all notices in force which were given, or have effect as if they had been given, by, or to, a dissolved authority;

Section 2 - Council is combining with another council

Key considerations	Action you may need to take	Notes
	<p>The council can make agreements relating to property and assets.</p>	<p>4. any action or proceeding or any cause of action or proceeding, pending or existing at the appointed day, by, or against, a dissolved authority.</p> <p>There are some exceptions to this in regulation 62(1) of the Local Government Area Change Regulations 1976, which sets out that this does not apply to property held for the purposes of, and liabilities incurred in relation to any charitable trust, small holdings and cottage holdings.</p> <p>Regulation 62(4) of the Local Government Area Change Regulations 1976 also provides that whilst a transfer is automatic in these cases, a community council to which any property other than land is transferred by virtue of regulation 62(3) of those Regulations may by resolution agree that the property shall not be transferred, or that it shall be transferred to another authority named in the resolution.</p> <p>Councils affected by the alteration, abolition or constitution of any area by Order have the power to reach agreements about any property, income, rights or liabilities affected by the change, and expenses arising as a result of the change, and any financial relations between the parties to the agreement. If the transfer happens automatically, where there is a specified residuary successor in the Order, such agreements can supplement the automatic transfer. Where</p>

Section 2 - Council is combining with another council

Key considerations	Action you may need to take	Notes
		<p>an Order dissolves a council without specifying a successor authority, an agreement should be reached between the relevant authorities</p> <p>If the changes to the council are being made by an Order in accordance with the Local Government Act 1972 ('the 1972 Act'), see section 68 of the 1972 Act. If the changes are being made by an Order in accordance with the Local Government (Democracy) (Wales) Act 2013 ('the 2013 Act'), see section 44 of the 2013 Act.</p>
<p>Do the existing councils need to set a precept?</p> <p>What about the precept for the new council for the area?</p>	<p>Check the Order which provides for the combining of the councils for clarity on timings for coming into force.</p> <p>The council should calculate the budget and precept requirements taking account of the point in the year the existing councils will be dissolved and the new council will be created. It may be that the existing councils do not need to raise a precept for the financial year in which they are to be dissolved/combined and could instead rely on reserves or other income between the start of the financial year and the point in the financial year when they will be dissolved.</p> <p>The Order which provides for the dissolution/combination of the councils will make</p>	<p>The Order will have a section which sets out the commencement of the provisions in it.</p> <p>The Local Government Finance Act 1992 section 50 requires the council to calculate its budget requirement for the year and specifies how the budget requirement is to be calculated. The budget and the precept requirement must be approved by the council.</p> <p>The new council for the area will also require a budget for any portion of the financial year for which it comes into existence until the time it can calculate its own budget for the first full financial year. The Order which creates the new council will set out provisions for the initial expenses. The exact amount will either be specified in the Order or Welsh</p>

Section 2 - Council is combining with another council

Key considerations	Action you may need to take	Notes
	provision for initial expenses of the new community council for the area.	Government will notify the billing authority and the new community council in writing.
What happens to the existing council's reserves?	<p>If the council is to be combined with another council to form a new community council area, its reserves will be transferred to the new council for the area if the new council is specified as the residuary successor in the Order. If not, an agreement should be entered into to transfer reserves.</p> <p>Councils should be prudent with reserves prior to dissolution and operate in line with existing financial guidance.</p>	
What liabilities does the council have?	What outstanding liabilities does the council have? For example, goods and services, borrowings? Check the council's record of liabilities for details. The council must ensure this is up-to-date and accurate.	<p>Regulation 62(3) of the Local Government Area Change Regulations 1972 make provision for the automatic transfer of all liabilities vested in or attaching to a dissolved community council, as well as all contracts, deeds, bonds and agreements subsisting in favour of, or against, a dissolved community council, to its residuary successor where a residuary successor is identified in the Order.</p> <p>Arrangements for transfer of liabilities can also be made as part of, or supplemented by, an agreement made under section 68 of the 1972 Act or section 44 of the 2013 Act.</p>
Is the council in receipt of any grants?	The council will need to notify the grant provider and agree any action required.	

Section 2 - Council is combining with another council

Key considerations	Action you may need to take	Notes
Do you have any service agreements with the principal council?	Consider whether the council has any agreements to provide or receive services, and any action required in the light of the council combining with another council.	
What staff does the council employ directly including any on short term or limited hour contracts?	<p>The council needs to assure itself that it is acting at all times in line with employment law, seeking further advice where necessary</p> <p>If there is a successor council for the area specified in the Order, the staff of the dissolving council would automatically transfer to the employment of the successor council.</p> <p>The treatment of staff should be guided by the provisions of the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector. The Statement of Practice expects a clear and consistent policy for the treatment of staff founded upon the Transfer of Undertaking (Protection of Employment) Regulations 2006 (TUPE). In broad terms TUPE protects employees' continuity and terms of service where there is a change of employer.</p> <p>The council should be mindful of the welfare of any staff it employs during this process.</p>	<p>The fair treatment of staff is an essential part of effective public service and democratic engagement. There should be a clear and consistent policy for the treatment of any staff affected by the dissolution or combination of a community council.</p> <p>See regulations 67 and 70 of the Local Government Area Changes Regulations 1976. See also Regulation 71 'Protection of officers transferred'</p>

Section 2 - Council is combining with another council

Key considerations	Action you may need to take	Notes
What arrangements does the council need to make for papers, records or other information held by the council?	<p>The council will need to ensure the council's papers are deposited with the residuary successor, if one is identified in the Order. The council should also communicate where the papers are held.</p> <p>The council should also consider what happens to information published electronically by the council on a website.</p>	See also regulation 62(3) of the Local Government Area Change Regulations
Insurance	<p>Consider what insurance policies the council has in place and the appropriate point to cancel that insurance.</p> <p>Consider what insurance arrangements need to be made for the new council.</p>	
What arrangements does the council need to make for audit?	The council's accounts should be made up to the day the council is dissolved to be audited in the usual way. The new council will be expected to follow the process for submitting the annual return for audit in accordance with The Accounts and Audit (Wales) Regulations 2014, regulation 15	<p>Successor councils may be responsible for closing the accounts for the dissolved councils if the council(s) is identified as the successor for this purpose in an agreement made under section 68 of the Local Government Act 1972 or section 44 of the Local Government (Democracy) (Wales) Act 2013).</p> <p>Normal audit arrangements will apply.</p>
Are there any local acts, orders and byelaws in place in the area?	Assess what local acts, orders and byelaws are in place in the area of the existing councils.	See regulation 41 and regulation 42 of the Local Government Area Changes Regulations 1976.

Section 2 - Council is combining with another council

Key considerations	Action you may need to take	Notes
	Consider what local acts, orders and byelaws are required in the new council area.	Any local acts, orders and byelaws in force throughout the community area cease to have effect in relation to any area of that community which is transferred out of that community to another community, even where communities are being combined.
What happens to elected members of the existing councils?	Check the Order which dissolves the council. If the council is to be dissolved at the point of the next ordinary election of councillors to community councils, the elected members will retire at that point.	
What about elections to the new council for the area?	The principal council will be responsible for making the arrangements for elections to the new council.	
Is the community aware of the changes?	Liaise with the principal council to agree how the changes will be communicated. The billing authority will need to inform the electorate of all changes within the local authority area.	

Section 3 - Council's community area external boundaries are changing

Key considerations	Action you may need to take	Notes
<p>Does the change to the boundary affect any property? Will property transfer into or out of your council area? Or both?</p>	<p>Consider whether any property is impacted by the changes to the council's community area.</p> <p>For example, what fixed assets (such as land, allotments, buildings, furniture, vehicles, machinery, office equipment, play equipment etc) are held in relation to the specific area to be transferred?</p> <p>Are there any broader impacts of changes to the community council area which need to be taken into account? For example, is there any impact on other assets (such as cash, investments and debts owed to the council)?</p> <p>Is the council, or its property subject to any covenants?</p> <p>The council can make agreements relating to property. It is important that these agreements are proportionate, reasonable and fair for all councils involved.</p>	<p>Check the Order which provides for the boundary changes of the council's community area.</p> <p>The Local Government Area Changes Regulations 1976 (see regulation 62(2)) make provision for the automatic transfer of the following, from a community council from which an area is being transferred, to the community council for the community to which the area is transferred:-</p> <ul style="list-style-type: none"> (a) property situated in the area (b) the fittings, furniture, equipment and records of the building; any stores in the building which have been provided for the discharge of functions therein; any vehicle or other mobile equipment used wholly or mainly in the performance of the functions carried out in the building: in relation to buildings or other land in the area, except in so far as such property is excluded by the agreement of the transferee authority; (c) other property held exclusively in respect of the area; (d) liabilities incurred exclusively in respect of the area;

Section 3 - Council's community area external boundaries are changing

Key considerations	Action you may need to take	Notes
		<p>(e) contracts, deeds, bonds, agreements and other instruments, and notices, such instruments subsisting and notices given exclusively in respect of the area;</p> <p>(f) such actions and proceedings pending or causes existing exclusively in respect of the area.</p> <p>Councils affected by the alteration, abolition or constitution of any area by Order have the power to reach agreements about any property, income, rights or liabilities affected by the change, and expenses arising as a result of the change, and any financial relations between the parties to the agreement. Those agreements can be used to supplement the automatic transfer of property etc under regulation 62(2) of the 1976 Regulations.</p> <p>If the changes to the council are being made by an Order in accordance with the Local Government Act 1972 ('the 1972 Act'), see section 68 of the 1972 Act. If the changes are being made by an Order in accordance with the Local Government (Democracy) (Wales) Act 2013 ('the 2013 Act'), see section 44 of the 2013 Act.</p> <p>Where the parties involved cannot reach agreement, the matter can be referred to an arbitrator agreed on by the parties, or failing such agreement, appointed by the Welsh</p>

Section 3 - Council's community area external boundaries are changing

Key considerations	Action you may need to take	Notes
		Ministers. Any costs incurred as a result of referring the matter to an arbitrator must be met by the bodies concerned.
How should the boundary change be taken into account when calculating the council's budget and setting a precept?	<p>Check the Order which provides for the boundary changes of the council for clarity on when the boundary change will take place.</p> <p>The council should calculate its budget and precept requirements for the year, taking account of the boundary change and when it will take effect.</p>	<p>The Local Government Finance Act 1992 section 50 requires the council to calculate its budget requirement for the year and specifies how the budget requirement is to be calculated.</p> <p>The council will need to take into account the new boundaries in setting its budget requirements for the year.</p>
What about reserves?	<p>Consider whether any of the council's reserves are earmarked for a particular area of the community that is to be transferred to the community council now responsible for that area.</p> <p>Explore whether any areas being transferred to your community council area have any reserves allocated to them.</p>	<p>Councils have the power to reach agreements with regard to certain matters, including property and finance. If the changes to the council are being made by an Order in accordance with the Local Government Act 1972 ('the 1972 Act'), see section 68 of the 1972 Act. If the changes are being made by an Order in accordance with the Local Government (Democracy) (Wales) Act 2013 ('the 2013 Act'), see section 44 of the 2013 Act.</p> <p>Where the parties involved cannot reach agreement, the matter can be referred to an arbitrator agreed on by the parties, or failing such agreement, appointed by the Welsh Ministers. Any costs incurred as a result of referring the matter to an arbitrator must be met by the bodies concerned.</p>

Section 3 - Council's community area external boundaries are changing

Key considerations	Action you may need to take	Notes
What about liabilities?	<p>Consider whether any of the council's liabilities relate to a particular area of the community that will be transferring to a different community council area.</p> <p>Consider whether any areas being transferred into your area may have any liabilities associated with them.</p>	<p>Regulation 62(2) of the Local Government Area Change Regulations makes provision for the automatic transfer of liabilities incurred exclusively in respect of the area.</p> <p>Arrangements for transfer of liabilities can also be made as part of, or supplemented by, an agreement made under section 68 of the 1972 Act or section 44 of the 2013 Act.</p> <p>Where the parties involved cannot reach agreement, the matter can be referred to an arbitrator agreed on by the parties, or failing such agreement, appointed by the Welsh Ministers. Any costs incurred as a result of referring the matter to an arbitrator must be met by the bodies concerned.</p>
Are there any grants relating to the area to be changed?	The council will need to notify the grant provider and agree any action required.	
Do you have any service agreements with the principal council?	Consider whether the council has any agreements to provide or receive services, and any action required in the light of the boundary change.	
What staff does the council employ directly including any on short term or limited hour contracts?	<p>Are any staff affected by the boundary change?</p> <p>Consider whether any staff of the community council have a role directly associated with the area being transferred. If so, the council needs to assure itself that it is acting at all times in line with employment law, seeking further advice where necessary.</p>	<p>The fair treatment of staff is an essential part of effective public service and democratic engagement. There should be a clear and consistent policy for the treatment of any staff affected.</p> <p>The council isn't required to, but could, under regulation 67(6) of the Local Government Area Changes Regulations</p>

Section 3 - Council's community area external boundaries are changing

Key considerations	Action you may need to take	Notes
	The council should be mindful of the welfare of any staff it employs during this process.	1976, make a scheme for the allocation of some staff to the council to which an area is transferred.
Audit	No additional action required. Usual audit arrangements will apply.	
What local acts, orders and byelaws are in place in the area affected by the boundary change?	No action needed.	<p>See regulation 41 and regulation 42 of the Local Government Area Changes Regulations 1976.</p> <p>Any local Act, any order made under any Act, or any byelaws in force immediately before the date of the boundary change throughout a community area which is altered by the order, continue to be in force throughout that area as altered.</p> <p>However, they cease to have effect in relation to any area of that community which is transferred out of that community to another community. The area transferred will become subject to local acts, orders and byelaws in force in relation to that other community.</p>
Is the community aware of the changes?	Liaise with the principal council to agree how the changes will be communicated. The billing authority will need to inform the electorate of all changes within the local authority area.	

Section 4 - Council is being created

Key considerations	Action you may need to take	Notes
<p>What property will be transferred to the new council?</p>	<p>If the council is being created for an area that previously had a community council(s), some property may transfer automatically from the existing council(s) to that new council. The existing community council(s) may be being dissolved or seeing changes to their boundaries as part of the wider change to their community area.</p> <p>The incoming council will need to take stock of the assets and property it has inherited and form an asset register.</p>	<p>The Local Government Area Changes Regulations 1976 (see regulation 62(2) and 62(3)) make provision for the transfer of property from a community council from which an area is being transferred, to the council for the community to which the area is transferred (see Section 3 above) and for the transfer of property from a dissolved council to its residuary successor (see Section 1 above).</p> <p>Councils affected by the alteration, abolition or constitution of any area by Order have the power to reach agreements about any property, income, rights or liabilities affected by the change, and expenses arising as a result of the change, and any financial relations between the parties to the agreement. If the transfer happens automatically, where there is a specified successor, such agreements can supplement the automatic transfer.</p> <p>Where an Order dissolves a council without specifying a successor authority, an agreement should be reached.</p> <p>If the council is being created by an Order in accordance with the Local Government Act 1972 ('the 1972 Act'), see section 68 of the 1972 Act. If the council is being created by an Order in accordance with the Local Government</p>

Section 4 - Council is being created

Key considerations	Action you may need to take	Notes
		<p>(Democracy) (Wales) Act 2013 ('the 2013 Act'), see section 44 of the 2013 Act.</p> <p>Where the parties involved cannot reach agreement, the matter can be referred to an arbitrator agreed on by the parties, or failing such agreement, appointed by the Welsh Ministers. Any costs incurred as a result of referring the matter to an arbitrator must be met by the bodies concerned.</p>
<p>What about the precept for the new council?</p>	<p>Check the Order which provides for the creation of the council for clarity on timings for coming into force.</p> <p>The Order which provides for the creation of the council will make provision for initial expenses of the new council.</p>	<p>The new council will require a budget for any portion of the financial year for which it comes into existence until the time it can calculate its own budget for the first full financial year. The Order which creates the new council will set out provisions for the initial expenses of the new community council. The exact amount will either be specified in the Order or Welsh Government will notify the billing authority and the new community council in writing.</p>
<p>What liabilities will the new council have?</p>	<p>Consider whether any of the new community area has any liabilities attached to it (this will link in with considerations under Sections 1, 2 and 3 above).</p> <p>The new council will need to take stock of the liabilities in their area.</p>	<p>The Local Government Area Changes Regulations 1976 (see Regulation 62(3)) make provision for the automatic transfer of all property and liabilities vested in or attaching to a dissolved community council to its residuary successor where a residuary successor is identified in the Order. Regulation 62(2) of the Regulations also provides for the transfer of property and liabilities relating to an area being transferred.</p>

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		Arrangements for transfer of liabilities can also be made as part of the agreements outlined above, in accordance with section 68 of the 1972 Act or section 44 of the 2013 Act.
What about staffing arrangements for the new council?	<p>The council needs to assure itself that it is acting at all times in line with employment law, seeking further advice where necessary.</p> <p>Consider whether any staff would transfer to the new community council.</p> <p>At the first meeting, the council will need to determine how it will be staffed and make arrangements for the appointment of a proper officer.</p>	<p>The fair treatment of staff is an essential part of effective public service and democratic engagement. There must be a clear and consistent policy for the treatment of any staff</p> <p>See regulation 67, 69 and 70 of the Local Government Area Changes Regulations 1976</p> <p>If a council is to be dissolved and its area not transferred as a whole to the area of another community council, a scheme for the allocation of all the council's officers may need to be made by the dissolving council. Such a scheme may provide for the transfer of staff to a new community council. If the new council is specified in the Order as the residuary successor for a dissolved council, the staff of the dissolving council will transfer to the employment of the successor council.</p>
What arrangements does the new council need to make for audit?	The new council will be expected to follow the process for submitting the annual return for audit in accordance with The Accounts and Audit (Wales) Regulations 2014, regulation 15	The new council may also be responsible for closing the accounts of a dissolved council which forms part of their area, if an agreement has been reached that they are the appropriate successor for this purpose.

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	Notify Audit Wales of contact details.	
Insurance	Consider any insurance that needs to be in place for property or assets that have been transferred to the new council.	
What about elections to the new council?	The principal council will be responsible for making the arrangements for elections to the new council.	
What arrangements need to be made for the first meeting of the new council?	Check the Order which provides for the creation of the council for clarity on arrangements for first meetings.	<p>The Order will normally set out the arrangements for the first meeting of the new council, specifically who will be responsible for convening it.</p> <p>There is a process for community council meetings set down in law, including notices and paperwork to be provided.</p>
Is the community aware of the changes?	The billing authority will need to inform the electorate of all changes within the local authority area.	