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Julie James MS  
Minister for Housing and Local Government  
Welsh Government  
Ty Hywel  
Cardiff Bay  
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18.02.2021

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Dear Minister,

### **Cardiff Electoral review – representations following final report**

I am writing in relation to certain representations received by the Commission following the publication of its Final Recommendations Report resulting from its Cardiff electoral review (“**the Cardiff Final Report**”).

The Commission published the Cardiff Final Report and submitted it to you on 5 November 2020.

Since then, we have received a number of representations opposing the recommendation in the Cardiff Final Report that the existing electoral ward of Pontprennau and Old St Mellons (“**POSM**”) be split and a new electoral ward be created comprising the communities of Llanrumney and Old St Mellons (“**the LOSM Recommendation**”). Many of these representations have been copied to you.

These representations have included criticisms of the electorate forecasts for the communities of Pontprennau and Old St Mellons that were prepared by Cardiff Council and provided to the Commission for the purposes of its Cardiff electoral review. This letter addresses these criticisms in more detail.

### **The Commission’s use of electorate forecasts**

At the start of a review of a principal area under the Local Government (Democracy) (Wales) Act 2013 (“**the 2013 Act**”), the Commission requests that the Council under review provide 5-year forecasts of the number of electors in each relevant community. These electorate forecasts are one of the foundations of the Commission’s review, in that they inform the Commission’s proposals and recommendations in relation to relevant electoral ward boundaries and the number of councillors per electoral ward.

The Commission has provided guidance for Councils, in Appendix 3 to its published *Electoral Reviews: Policy and Practice 2016* (“**the 2016 Policy**”), as to how electorate forecasts should be prepared. For example, paragraph 13 of that Appendix states that:

“[p]rojected figures should be calculated using determination of attainers, deaths, development proposals and trends of population shift. It is unacceptable to merely provide projected population figures or blanket increases across the principal council. Where it is difficult to calculate a forecast figure at the community ward level, the Council should seek to make the best forecast possible, making pro rata forecasts, only where absolutely necessary.”

### **Cardiff Council’s electorate forecasts for Pontprennau and Old St Mellons**

For the purposes of the Commission’s Cardiff electoral review, Cardiff Council in 2019 forecast a population of 10,410 electors in the electoral ward of POSM in 2024, split into 7,192 electors in Pontprennau and 3,218 electors in Old St Mellons (“**the Original Forecasts**”). This represented an increase from 7,537 electors in POSM in 2019, of whom 5,207 were in Pontprennau and 2,330 in Old St Mellons.

The Commission took into account the Original Forecasts in the preparation of both the draft report in its Cardiff electoral review and the Cardiff Final Report, including in its recommendations as to councillor numbers and in its adoption of the LOSM Recommendation.

In response to criticisms made after the publication of the Cardiff Final Report, Cardiff Council has confirmed that in preparing the Original Forecasts it adopted the following approach:

- first it produced an electorate forecast for the electoral ward of POSM, using various information sources including information as to completed and anticipated housing developments in POSM between 2011 and 2024; and
- second it derived electorate forecasts for the individual communities of Pontprennau and Old St Mellons from its forecast for the electoral ward of POSM, by assuming that the ratio of electors between those two communities in 2024 would be the same as it was in 2019 (approximately 69%/31% in favour of Pontprennau), with the consequence that the majority of the growth in the electorate projected for POSM as a whole was attributed to Pontprennau.

As the Commission understands, Cardiff Council adopted this approach broadly for two principal reasons:

- first, information as to housing developments between 2011 and 2018 (and in some instances after 2018) was for the most part readily available to the Council only at electoral ward level rather than community level; and

- second, the adopted approach was considered feasible in practice, in the light of the timescales for provision of information to the Commission and the number of areas for which the Council was required to produce forecasts.

### **Criticism of Cardiff Council's electorate forecasts for Pontprennau and Old St Mellons**

Since the publication of the Cardiff Final Report, the Original Forecasts have been criticised for failing to reflect the fact that the majority of housing development in the electoral ward of POSM in the relevant period has taken place or will take place in Old St Mellons.

In response to these criticisms, Cardiff Council has confirmed that (unlike in relation to some other areas) it does hold housing development information for the communities of Pontprennau and Old St Mellons separately, and that it is therefore able to produce electorate forecasts for those communities independently (in other words without deriving those forecasts in a proportional manner from a combined forecast for the electoral ward of POSM). Cardiff Council has confirmed that, produced in this community-specific manner, its forecasts of the number of electors in 2024 in the relevant communities ("**the Revised Forecasts**") are as follows:

- Pontprennau: 5,725 (in place of the figure of 7,192 provided as part of the Original Forecasts); and
- Old St Mellons: 4,686 (in place of the figure of 3,218 provided as part of the Original Forecasts).

The Commission understands that Cardiff Council may have informed you of these matters separately and in more detail.

### **Impact on the Cardiff Final Report**

In the light of the Revised Forecasts, the Commission has received representations (many of which have been copied to you) alleging that Cardiff Council acted irrationally in producing the Original Forecasts, in particular by failing to take into account the available separate housing development information for the communities of Pontprennau and Old St Mellons. Furthermore it has been alleged that in producing the Original Forecasts Cardiff Council failed to comply with the Commission's guidance set out in the 2016 Policy (referred to above), with the consequence that the Original Forecasts are unlawful. It has also been asserted that these alleged failures in turn render the LOSM Recommendation and/or the Cardiff Final Report unlawful.

The Commission does not accept these allegations. However the Commission does consider that, had Cardiff Council presented the Revised Forecasts to the Commission for the purposes of its Cardiff electoral review, the Commission's recommendations in relation to the communities of Pontprennau, Old St Mellons and Llanrumney may have been different.

## **Next steps**

The six week “pause” imposed by section 37(3) of the 2013 Act following the publication of the Cardiff Final Report has now expired. As the Commission understands, you are therefore now empowered by section 37(1) of that Act to implement the recommendations in the Cardiff Final Report insofar as you consider appropriate.

In this context, and in the light of the matters set out in this letter, if you require the Commission to provide further information pursuant to section 37(4) of the 2013 Act, or if the Commission can help in any other way, we will be happy to assist you.

Yours sincerely,



Dr Debra Williams

Chair