

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR WALES

**REVIEW OF PART OF THE BOUNDARY
BETWEEN THE COUNTY BOROUGHES OF
RHONDDA CYNON TAFF AND THE VALE OF
GLAMORGAN IN THE AREA OF THE
COMMUNITIES OF LLANHARRY, PONT-Y-
CLUN, PENLLYN, WELSH ST. DONATS AND
PENDOYLAN**

REPORT AND PROPOSALS

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**The Rt Hon H Rhodri Morgan MP AM
First Minister
The National Assembly for Wales**

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REPORT AND PROPOSALS

1. INTRODUCTION

- 1.1 We, the Local Government Boundary Commission for Wales (the Commission), have completed the review of part of the boundary between the County Boroughs of Rhondda Cynon Taff and The Vale of Glamorgan in the area of the Communities of Llanharry, Pont-y-clun, Penllyn, Welsh St. Donats and Pendoylan and present our proposals for a new boundary. A map showing the area under review can be found at Appendix 1.

2. SCOPE AND OBJECT OF THE REVIEW

- 2.1 Section 54(1) of the Local Government Act 1972 (the Act) provides that the Commission may in consequence of a review conducted by them make proposals to the National Assembly for Wales for effecting changes appearing to the Commission desirable in the interests of effective and convenient local government.

Procedure

- 2.2 Section 60 of the Act lays down procedural guidelines which are to be followed in carrying out a review. In line with that guidance we wrote on 5 November 1999 to the County Borough of Rhondda Cynon Taff Council, the County Borough of The Vale of Glamorgan Council, Llanharry, Pont-y-Clun, Penllyn, Welsh St. Donats and Pendoylan Community Councils, the Members of Parliament for the local constituencies, the Assembly Members for the area, the local authority associations, the police authority for the area and political parties to inform them of our intention to conduct the review and to request their preliminary views. We invited the County Borough of Rhondda Cynon Taff Council and the County Borough of The Vale of Glamorgan Council to submit suggestions for changes to the boundary. We also publicised our intention to conduct the review in local newspapers circulating in the area and asked the councils to display public notices. In addition Rhondda Cynon Taff County Borough Council provided us with the addresses of residents in the area of Rhondda Cynon Taff that lies south of the M4 motorway. We wrote to all these residents on 3 December 1999 asking for their initial views about the boundary under review

including an outline of any particular social or administrative factors that we should bear in mind and any recommendations that they may wish to make for alterations.

3. DRAFT PROPOSALS

- 3.1 We received representations from Rhondda Cynon Taff County Borough Council; The Vale of Glamorgan County Borough Council; Llanharry, Pendoylan, Pontyclun and Welsh St. Donats Community Councils; Dr Kim Howells MP; Janet Davies AM, David Melding AM, Owen John Thomas AM; South Wales Police; and 17 other interested bodies and residents. These representations were taken into consideration and summarised in our Draft Proposals published on 31 May 2000.
- 3.2 Our Draft Proposals concluded that there was insufficient evidence to support the view that it would be beneficial in terms of effective and convenient local government to change the boundary between Rhondda Cynon Taff and The Vale of Glamorgan.
- 3.3 Copies of the Draft Proposals were sent to all the councils, bodies and individuals referred to in paragraph 2.3 seeking their views. A copy was also sent to anyone who had submitted preliminary comments. By public notice we also invited any other organisation or person with an interest in the review to submit their views. Copies of the Draft Proposals were made available for inspection at the offices of Rhondda Cynon Taff County Borough Council, Vale of Glamorgan County Borough Council and the Commission and were also deposited at the offices of the South Wales Police Authority.

4. SUMMARY OF REPRESENTATIONS RECEIVED IN RESPONSE TO THE DRAFT PROPOSALS

- 4.1 Following the publication of our Draft Proposals we were informed that not all of the residents referred to at 2.3 had received a letter inviting their comments. On checking with Rhondda Cynon Taff County Borough Council it was discovered that 22 addresses had been omitted from the original list supplied to us. We wrote to the occupiers of these properties enclosing a copy of our Draft Proposals asking for their views about the boundary under review. In order to allow sufficient time for the residents to write to us we extended the period of consultation to 31 October 2000.
- 4.2 We were notified by Janice Gregory AM and Jane Davidson AM that they had not received a letter inviting their initial comments on the review. We wrote to Ms Gregory and Ms Davidson expressing our concern that they had not been able to participate in the initial stage of the review. We confirmed that letters had been sent but, for whatever reason, they had not been received.

- 4.3 We received representations from Janet Davies AM, Janice Gregory AM, Dr D R Lloyd AM, Mr D Melding AM; and eight residents. All of these representations were considered carefully before formulating our proposals.
- 4.4 **Janet Davies AM** fully supported the conclusions of the Commission's Draft Proposals.
- 4.4 **Janice Gregory AM** said that she agreed with the Commission's Draft Proposals.
- 4.5 **Dr D R Lloyd AM** also fully supported the conclusions of the Commission's Draft Proposals.
- 4.6 **Mr D Melding AM** asked that the Commission consider a minor adjustment to the existing boundary in the area of two properties in the hamlet of Woodlands to transfer those properties from Rhondda Cynon Taff to The Vale of Glamorgan. He felt that this minor adjustment would reflect existing arrangements for the provision of services to the area and unite the hamlet of Woodlands currently divided between the two authorities.
- 4.7 **A resident of Talygarn** noted with dismay the Commission's [Draft] proposal to retain the existing boundary. She queried the suggestion of social links between Talygarn and Pontyclun and pointed out that the only public transport available between the two areas was an infrequent bus service. She also did not feel inclined to participate in any social activities in Pontyclun during the night due to the drunkenness and street gangs there. She pointed out that her medical practitioners also served patients from The Vale of Glamorgan and therefore should not be affected by changing the existing boundary. She objected to the argument that Rhondda Cynon Taff needed to retain the tranche of high quality, high priced housing south of the M4 to help compensate for economically deprived areas elsewhere in the County Borough. She said that many of the residents in the area south of the M4 were not wealthy but were elderly, retired and/or widowed and therefore could not easily afford the council tax charged by Rhondda Cynon Taff County Borough Council whose record of financial handling she felt was appalling.
- 4.8 **A resident of Talygarn** objected to the Commission's proposal to retain the existing boundary. He pointed out that the majority of representations received by the Commission were in favour of changing the existing boundary to follow the M4. The residents of the area affected by the review who had made representations were heavily in favour of a change to the existing boundary with only 1 out of 13 objecting.

He considered that the evidence of the representations received indicated that Rhondda Cynon Taff County Borough Council did not provide effective services to the area as refuse collection and street cleaning in Pantauquesta and Llanharry south of the M4 were provided by The Vale of Glamorgan County Borough Council. He said that Talygarn received unreliable refuse collection, road cleaning and street light maintenance and that complaints had been made to Rhondda Cynon Taff County Borough Council regarding this situation. He said that the centre for provision of services for Rhondda Cynon Taff is Pontypridd which is further away from the affected area than The Vale of Glamorgan's centre for services in Cowbridge and pointed out that The Vale of Glamorgan County Borough Council saw no problems in extending the service they already provided to some parts of the affected area south of the M4 to the remainder.

With regard to the burial ground in Llanharry he considered that as people are buried across artificial boundaries all over the United Kingdom this was not an issue. He queried whether the historical association of the quarry with Llanharry was important since he felt it was an eyesore and the access road to the quarry was situated in The Vale of Glamorgan, outside the boundary of Llanharry. He also felt that environmental problems associated with the quarry were suffered by the residents of Talygarn and further up the A4222.

Concerning Llanharry residents living south of the M4, he pointed out that two of those had expressed a wish for the boundary to be realigned. Refuse collection and other highway services were provided to the area by The Vale of Glamorgan County Borough Council and there was absolutely no requirement for residents to change their medical, educational, recreational or religious arrangements because of a change to the boundary. He refuted the claim that residents south of the M4 would feel isolated from the village of Llanharry and its amenities should the boundary be realigned as they would still be free to travel to the village and use the amenities regardless of where the boundary lay. He said that political lines drawn on maps had no influence on where people socialised or attended church and therefore points raised about community links in relation to a change in the boundary were irrelevant. He felt aggrieved by the statement made by Pontyclun Community Council that their inquiries had revealed that no complaints regarding provision of services in the affected area had been received by Rhondda Cynon Taff County Borough Council as he said he had made many such complaints in the past to that Council regarding refuse collection, street cleaning and street lighting. The refuse collection system in his area involved two separate refuse vehicles which carried out collections to selected houses on days which could not be predicted. He said that social and family links between residents south of the M4 and residents of Pontyclun would not be affected by a realignment of the existing boundary. He claimed that nearly all services were used by proximity regardless of boundaries and that services based in Cowbridge in The Vale of Glamorgan were closer to the review area than those based in Pontypridd, in addition to which a lot of services to the area were already being provided by The Vale of Glamorgan County Borough Council.

He considered that the concerns with regard to retaining the good quality housing south of the M4 within Rhondda Cynon Taff to be used as a cash source for the rest of the authority, was a result of the inability of Rhondda Cynon Taff County Borough Council to keep its financial arrangements in order. He felt that managerial and professional people would be more likely to be attracted to the area if they thought it was situated within an effectively run authority whose finances were organised, and who as a result charged less council tax.

He considered that the only conclusion to be drawn from the evidence which is presented in the Commission's draft report is that the proposed boundary change should take place.

- 4.9 **A resident of Talygarn** considered that the suggestion raised by Llanharry Community Council that residents south of the M4 would feel isolated if the boundary were moved had no substance, since the report stated that investigations showed that there were very good existing communication links between the two areas. He felt that comments made in the report showed that the majority of Talygarn and Pantaquesta residents wanted to be transferred to The Vale of Glamorgan. Although he did not dispute the claim of Pontyclun Community Council that residents of Talygarn had strong family and social ties with Pontyclun he still felt that the majority of them wished to see a change to the boundary. He

said that it was stating the obvious to say that residents in the affected area currently looked to Rhondda Cynon Taff County Borough Council for provision of facilities and services since that authority had a legal duty to supply those services and the residents had paid council taxes for them to do so. He felt that this did not have any bearing on the quality of services that The Vale of Glamorgan County Borough Council could provide to the area or their ability to provide such services. He said that The Vale of Glamorgan County Borough Council had a fine record of providing efficient and reliable services to areas under their control. He felt that it was conjecture as to whether or not the Church of Wales would alter their parish boundary as a result of a change to the local authority boundary.

He thought that the significant points in the Draft Proposals report lay in comments made by Dr. Kim Howells MP and Janet Davies AM regarding the need for Rhondda Cynon Taff to retain the tranche of high quality, high priced housing in the review area, the removal of which would not be helpful to an authority which has many areas of deprivation. Since the council tax bands in Rhondda Cynon Taff are higher than those in The Vale of Glamorgan for a lesser service he felt that the question of levels of efficiency within the two authorities was relevant and that the reason for the boundary change should be to ensure that the residents in the affected area were given better provision of services, more efficient services and to streamline administration and management to save costs. Although such a general comparison of the levels of efficiency between the two local authorities was outside the remit of the Commission's review he felt that this was where the gist of the problem lay and that it would be difficult to make a realistic recommendation if the Commission were not allowed to investigate this issue.

- 4.10 **A resident of Pontyclun** said that gritting of the road past Hensol up to the M4 bridge in the Pantaquesta area was undertaken by The Vale of Glamorgan County Borough Council whilst Rhondda Cynon Taff County Borough Council rarely gritted the roads between Miskin and the M4 bridge. This meant that for safety reasons it was necessary for her to travel back past Hensol to junction 34 of the M4. Street cleaning in her area was undertaken occasionally by Rhondda Cynon Taff County Borough Council although she said they sometimes needed reminding about refuse collection.

Regarding the question of Rhondda Cynon Taff needing to retain the quality housing south of the M4 she queried for how much longer people such as herself, a 67 year old widow, should be drained to subsidise the more deprived areas in the County Borough.

She stated that neither herself nor anyone she knew had been spoken to by Mr O J Thomas AM regarding the boundary review.

- 4.11 **A resident of Llanharry** wrote to the Commission requesting that the existing boundary be realigned to transfer her property, and that of her next door neighbour, from Rhondda Cynon Taff into The Vale of Glamorgan. She wished her case to be looked at on an individual basis as she felt that it was based on problems unique to her household which did not impact on anyone else.

The boundary between the two authorities follows the periphery of her property situated in Rhondda Cynon Taff and causes confusion with the local authorities who both send her electoral registration forms every year. She pays community charge to Rhondda Cynon Taff County Borough Council although there is no street lighting in her area and her refuse

is collected by The Vale of Glamorgan County Borough Council who also grit and maintain the roads in the vicinity of her property. She felt it was unfair to pay community charges to an authority from whom she received no services whilst The Vale of Glamorgan were providing services to her area effectively free of charge.

She felt that the current boundary in relation to her property had an adverse social impact for her household as her property was situated too far south to be included in any community activities in Rhondda Cynon Taff and was accepted as part of the Llansannor and Ystradowen parish activities. Her children attended school in Cowbridge but were not allowed, as residents of Rhondda Cynon Taff, to travel on the school bus provided by The Vale of Glamorgan Council, despite there being seats available on the bus. Her next door neighbour's children however are allowed to use the bus to travel to the same school as their house is situated on the other side of the local authority boundary in The Vale of Glamorgan. As a result of this her children have to catch a bus to school from a bus stop situated 2 miles away from their home. Her son is also prevented from playing football with his friends in the Cowbridge football team as he is not a resident of The Vale of Glamorgan.

- 4.12 **A resident of Llanharry** felt that there was no obvious reason why the existing boundary should not be changed. He felt that the representations made by Rhondda Cynon Taff County Borough Council did not appear to have any validity. He said that the properties in his area were close to the boundaries of three constituencies which caused confusion during general elections. He felt that there was a lack of services to his area from Rhondda Cynon Taff County Borough Council who provided refuse collection but no street lighting, street cleaning or road gritting.

He pointed out that the six children in his area go to three different schools, two of which were in The Vale of Glamorgan and the transfer of his area into The Vale of Glamorgan would therefore have little impact on current schooling arrangements. He felt that it would be logical to alter the boundary to include the quarry in The Vale of Glamorgan since the majority of mineral reserves were located there and the Mineral Local Plan of July 1992 stated that any extension to the working in the quarry is likely to be to the south of its present location. He said that the Planning Committee of Rhondda Cynon Taff County Borough Council had consistently ignored the fact of the buffer zone when planning applications were made. Whilst he agreed that the majority of vehicles leaving the quarry used roads in Rhondda Cynon Taff he could find no evidence that this matter had been raised either at the public enquiry when planning permission was granted or at any subsequent time. He felt that the same argument used by Rhondda Cynon Taff County Borough Council to justify changing the current boundary to transfer the quarry's mineral reserve area into Rhondda Cynon Taff could be made for the transfer of the quarry into The Vale of Glamorgan.

He felt that the area of Llanharry south of the M4 had little affinity with the rest of the community to the north of the M4, something which he said was demonstrated on occasions when Llanharry Post Office were unable to give directions to his area.

- 4.13 **Two residents of Llanharry** felt that the issue regarding the distance involved in providing services to the area should the boundary be realigned to follow the M4 was irrelevant considering the few services currently provided to the area already came from a

considerable distance away. They felt that many of the arguments for retaining the existing boundary were based on tradition and sentiment. They felt that the claim made by Llanharry Community Council that the residents of Degar Road should remain within the existing boundary for convenience of amenities and facilities was unsubstantiated. There were few children of school age in the area, refuse collection was unreliable and could be easily provided by The Vale of Glamorgan (and in some cases already was), no road cleaning or gritting was provided to the area with the exception of occasional gritting carried out by The Vale of Glamorgan County Borough Council and residents could just as easily go south to Cowbridge for recreation as north to Llantrisant. They also felt that as there were no restrictions to church attendance across local authority boundaries, any objection to a change to the existing boundary on the grounds of religious requirements was irrelevant. They disputed the claim that residents in their area would feel isolated from Llanharry if the boundary were changed as everyone they had spoken to felt more affinity with The Vale of Glamorgan.

They objected to the suggestion that the existing boundary should be retained because of the lack of high value housing in Rhondda Cynon Taff as they felt they had nothing to show for paying a council tax which had risen twelve percent in the last three years and was being used to finance the economic revival of an authority which was ailing because of poor management in the past. They pointed out that the existing boundary was defined at a time before the M4 was constructed when the area was different and felt that the boundary should be changed to follow the M4 and suit the changing landscape and geography of the area.

- 4.14 **A resident of Llanharry** said that he owned four properties in the area of Llanharry south of the M4 and felt that they were effectively cut off from the village of Llanharry north of the M4. He supported the realignment of the current boundary to follow the M4 as he felt it would be a clearly defined boundary and that there would be an improvement in provision of services to the area.

5. ASSESSMENT

- 5.1 As in our Draft Proposals, we have considered the suggestion made in a number of representations that the boundary between the County Boroughs of Rhondda Cynon Taff and The Vale of Glamorgan in the area of the Communities of Llanharry, Pont-y-clun, Penllyn, Welsh St. Donats and Pendoylan should be re-aligned along the line of the M4 motorway. We agree that this suggestion would provide a boundary that is and will be easily identifiable. However we are required to consider a change to the boundary in terms of its desirability in the interests of effective and convenient local government. It is on that basis that we have considered the suggested change to the boundary.
- 5.2 A number of the representations received in response to our Draft Proposals, in addition to those received at the initial stage of the review, made the point that they considered that the M4 acts as a physical barrier between the areas to the north and south of the motorway. We considered this point in our Draft Proposals and found that although a cursory inspection of a map of the area would indicate that the M4 motorway forms a barrier between the local

government service delivery points provided by Rhondda Cynon Taff County Borough Council and the area of Rhondda Cynon Taff which lies to the south of the motorway, on closer investigation this issue is more complex than it initially appeared. Site visits to the area have shown that there are very good road connections either over or under the M4 that provide effective links between the areas to the north and south of the motorway. We consider therefore that the motorway should not be a barrier to the provision of local government services.

- 5.3 We have noted that a number of representations support a boundary change because of their general dissatisfaction with the level of services provided to their area by Rhondda Cynon Taff County Borough Council. We have also noted that comparisons have been made between the levels of services supplied by Rhondda Cynon Taff County Borough Council and The Vale of Glamorgan County Borough Council as well as the different levels of council tax. We feel that it is necessary to point out that a general comparison of the efficiency of local government service provision between the two authorities is beyond the remit of this review. We are however required to consider the benefits in terms of effective and convenient local government if the specific area under review is served by one authority rather than the other, assuming that the general level of services provided by those authorities is identical.
- 5.4 In preparing our Draft Proposals we gave careful consideration to the suggestion by Rhondda Cynon Taff County Borough Council to amend the boundary in the area of Forest Wood Quarry in order to include within the area of Rhondda Cynon Taff a 'Mineral Safeguarding Area'. Whereas the current working area of the quarry lies wholly within Rhondda Cynon Taff, there are however two areas where permission has been granted for the extraction of stone and an area designated as a Protected Mineral Resource that lie within The Vale of Glamorgan. There is also a much larger area to the south of the boundary which was designated as a Buffer Zone by the former South Glamorgan County Council. This Buffer Zone is an area defined in order that housing and similarly sensitive development is not unreasonably affected by quarrying activity and vice versa. Mid Glamorgan had a similarly defined area around the north of the quarry designated as a Mineral Protection Zone. Both of these areas have been preserved by the successor councils but they may be re-evaluated as part of the preparation of the respective authorities Unitary Development Plans. We believe that there are two issues to be considered here. It would appear that it is in the interests of both authorities to maintain the areas defined as Buffer or Mineral Protection Zones and as such we can see no benefit in terms of effective and convenient local government to change the boundary to include both of these areas within the same unitary authority. In terms of the areas where permission has been granted for extraction and the Protected Mineral Resource area, should the working area of the quarry extend into these areas it would then cross the existing unitary authority boundary. Rhondda Cynon Taff County Borough Council consider that it would be beneficial in terms of landuse management and environmental considerations for all the quarry area to lie within one local authority area. Whilst we agree that there would be some benefit in terms of effective and convenient local government for the whole of the quarry area to lie within one local authority we have found difficulty in identifying a suitable alternative line for the boundary. In addition we consider that there is sufficient evidence that the existing cross-boundary co-operation between the existing and previous authorities has and is providing effective landuse and environmental management for the area.

Conclusions

- 5.6 In our Draft Proposals we concluded that there was insufficient evidence to support the view that it would be beneficial in terms of effective and convenient local government to change the boundary between Rhondda Cynon Taff and The Vale of Glamorgan to follow the line of the M4 motorway. We noted those representations from residents who live south of the motorway who have expressed dissatisfaction with the level of government services that they receive. We were of the view however that because of the proximity of the centres of service provision, it is more effective and convenient for these services to be provided by Rhondda Cynon Taff County Borough Council.
- 5.7 A number of the representations we have received in response to our Draft Proposals confirm a degree of dissatisfaction with the local government services received by residents in the area of Rhondda Cynon Taff to the south of the motorway. This level of dissatisfaction is undoubtedly exacerbated by the fact that properties in Rhondda Cynon Taff incur a higher level of council tax than their equivalents in The Vale of Glamorgan. This latter consideration is however not a matter which is relevant to our assessment of where the interests of effective and convenient local government lie. Nor is dissatisfaction with the current provision of local services by one local authority **in itself** necessarily significant. The basis on which our proposals are made is that they must appear to us to be desirable in the interests of effective and convenient local government. It follows from this that we must be satisfied that the proposed arrangements would be more effective and convenient than the existing ones. On the basis of the evidence we have received during this review we are unable to conclude that The Vale of Glamorgan County Council would be able to provide local government services to the area any more effectively or conveniently than those currently provided by Rhondda Cynon Taff County Borough Council. We are therefore unable to recommend the change to the boundary which has been suggested.
- 5.8 We have considered the representations requesting that the existing boundary be realigned to transfer two properties in the hamlet of Woodlands, from Rhondda Cynon Taff into The Vale of Glamorgan. We consider the existing boundary in this area to be anomalous in that it divides the small hamlet of Woodlands. We propose an amendment to the boundary in this area to follow the northern and eastern curtilage of the property known as Brynderwen as shown on the map at Appendix 1.

6. PROPOSALS

- 6.1 Having considered all of the evidence available to us we propose that, in the interests of effective and convenient local government, the boundary between the County Boroughs of Rhondda Cynon Taff and The Vale of Glamorgan in the area of the Communities of Llanharry, Pont-y-clun, Penllyn, Welsh St. Donats and Pendoylan should be realigned in the area under review to follow the northern and eastern curtilage of the property known as Brynderwen so as to include the properties of Brynderwen and Two Hoots within the area of The Vale of Glamorgan. The proposed change to the boundary is shown in green on the map at Appendix 1.

- 6.2 A detailed map to a larger scale showing the proposed new boundary can be inspected at the offices of Rhondda Cynon Taff County Borough Council, Vale of Glamorgan County Borough Council and at the office of the Commission in Cardiff.

7. CONSEQUENTIAL ARRANGEMENTS

- 7.1 This report details our proposal for change to the boundary between the County Boroughs of Rhondda Cynon Taff and The Vale of Glamorgan. In considering the change to the boundary it was also necessary for us to take account of the effects on the electoral arrangements for the Community Councils and the County Borough Councils which would result from this change.
- 7.2 We draw attention to the fact that two private properties would be transferred from Rhondda Cynon Taff to The Vale of Glamorgan if the proposed boundary were adopted. This would require a change to be made to the electoral registers of the relevant councils but would not affect the electoral arrangements for the Community or County Borough Councils.

8. ACKNOWLEDGEMENTS

- 8.1 We wish to express our gratitude to the principal councils and all the community councils for their assistance during the course of the review and to all bodies and persons who made representations to us.

9. RESPONSES TO THIS REPORT

- 9.1 Having completed our review of part of the boundary between the County Boroughs of Rhondda Cynon Taff and The Vale of Glamorgan in the area of the Communities of Llanharry, Pont-y-clun, Penllyn, Welsh St. Donats and Pendoylan and submitted our recommendations to the National Assembly for Wales, we have fulfilled our statutory obligation under the Act.
- 9.2 It now falls to the National Assembly for Wales, if it thinks fit, to implement them with or without modifications by means of an Order or to direct the Commission to conduct a further review. Such an Order will not be made earlier than a period of six weeks from the date that the Commission's recommendations are submitted to the National Assembly for Wales.

9.3 Any further representations concerning the matters in the report should be addressed to the National Assembly for Wales. They should be made as soon as possible, and in any event not later than six weeks from the date that the Commission's recommendations are submitted to the National Assembly for Wales. Representations should be addressed to:

Local Government Modernisation 2 Division
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March 2001