

## **FINAL PROPOSALS**

### **Community No. M2 - BANWY**

### **Community No. M22 - LLANERFYL**

#### **Introduction**

1. The present communities of Banwy and Llanerfyl are located in the northwestern, Welsh heartland of Montgomeryshire. The communities are located in the upper reaches of the valley of the afon Banwy and its tributaries the afonydd Twrch and Gam. Settlement in these communities is concentrated in these valleys. Each community has extensive uplands which are either forested or moorland, with the two communities bounded by an upland tract that extends from the Dyfnant forest in the north, through Moel y llyn, Craig Ddu and Carnedd Wen in the west, and onwards to Ffridd Goch, Pencoed, Waen Fawr and Disgwylfa in the south-east. Llanerfyl, Foel and Llangadfan have developed as settlements along the A458 and are classified as small villages in the Powys Unitary Development Plan. This plan also allocates two rural settlements in these communities, at Diosg and Rhandir.

2. Banwy has a population of 534, an electorate of 469 (2005) and a council of 9 members. The community is warded: Garthbeibio with 77 electors and two councillors; Llangadfan with 392 and six. The precept required for 2005 is £4,069, representing a Council Tax Band D equivalent of £15.

3. Llanerfyl has a population of 402, an electorate of 294 (2005) and a council of 7 members. The precept required for 2005 is £2,080, representing a Council Tax Band D equivalent of £10.63.

4. In the 1986 Review, the then communities of Garthbeibio, Llanerfyl and Llangadfan were subject to boundary adjustments to secure the integrity of neighbouring communities. The Local Government Boundary Commission for Wales redrew the boundary between the proposed community of Banwy and the proposed community of Llanwddyn, transferring to the latter that area at Pen y ffridd Gownwy and Moel Achles. Likewise, an area to the west of the settlement of Dolanog at Penisacyffin and taking in the whole of the Efyrrnwy Valley was transferred to the proposed community of Llanfihangel from the then communities of Llanerfyl and Llangadfan. The Commission was concerned to secure the viability of the community councils in this area and considered that each of the three communities would not be viable on its own. It therefore made its final recommendations for a community of Banwy with a council of ten members in a community of three wards: Garthbeibio with 65 electors and one councillor; Llanerfyl with 225 electors and four councillors, and Llangadfan with 290 electors and five councillors.

5. This matter was considered further in the Decision Letter of the Secretary of State for Wales, dated 10 October 1983. "Whilst recognising the administrative advantages of uniting the communities of Llanerfyl, Llangadfan and Garthbeibio in a single new Community of Banwy, the Secretary of State has taken into consideration

the strong local wish to preserve the independence of Llanerfyl, supported by Montgomery District Council. He has decided that the new Community of Banwy should comprise the area of the Garthbeibio and Llangadfan wards proposed by the Commission and that the area of the Llanerfyl ward should form a separate Community of Llanerfyl." For Banwy, the Secretary of State therefore sanctioned a community council of eight members in a warded community: Garthbeibio ward with two councillors and Llangadfan ward with six councillors. For Llanerfyl, the Secretary of State sanctioned a community council of seven members in an unwarded community.

### **Summary of representations received prior to preparation of Draft Proposals**

6. A submission form has been received from Banwy Community Council, proposing no changes in this community. No representations have been received with regard to Llanerfyl community.

### **Assessment**

7. In the past, the principal council has been in correspondence with the residents of Carreg-y-big, a mountain farm which has its access to the Carno - Cefn Coch unclassified county road but which is located in Llanerfyl community. These residents intimated that they were more closely associated with the community of Dwyriw and that the road network required them to undertake a lengthy journey through Cefn Coch to get to Llanerfyl. We consider that this farm should be transferred from the community of Llanerfyl to the community of Dwyriw.

8. The electorate of Banwy has increased from 355 in 1980 to 469 in 2005. The Powys Unitary Development Plan allocates one site for 13 dwellings in the small village of Foel and one site for 10 dwellings in the small village of Llangadfan. At Foel, most of these dwellings have already been built and have had their effect upon the electorate. There may be further opportunities for infill development and opportunities for affordable housing development adjacent to the settlement development boundaries. There are also opportunities for affordable housing development in the rural settlement of Rhandir that lies in this community in accordance with Policy HP9 of the Plan, for a limited number of dwellings in the open countryside in accordance with Policy HP6 of the Plan, and for conversions in accordance with Policy GP6 of the Plan. We note that this community's electorate will rise slightly, therefore, to about 490 electors, suggesting an entitlement in accordance with Table 7 - Guide to Allocation of Councillors to Community Councils to eight councillors.

9. The electorate of Llanerfyl has increased from 225 in 1980 to 294 in 2005. The Powys Unitary Development Plan does not allocate any sites in the small village of Llanerfyl. There may be opportunities for infill development and opportunities for affordable housing development adjacent to the settlement development boundaries. There are also opportunities for affordable housing development in the rural settlement of Diosg that lies in this community in accordance with Policy HP9 of the Plan, for a limited number of dwellings in the open countryside in accordance

with Policy HP6 of the Plan, and for conversions in accordance with Policy GP6 of the Plan. We note that this community's electorate will remain stable at just under 300 electors, suggesting a continued entitlement in accordance with Table 7 - Guide to Allocation of Councillors to Community Councils to seven councillors.

10. We have given careful consideration to the question of whether the community of Banwy should continue to be divided into wards. We are required to apply the criteria in Schedule 11 of the 1972 Act in our consideration of this matter, and these are that (a) the number or distribution of the local government electors for the community is such as to make a single election of community councillors impracticable or inconvenient; and (b) it is desirable that areas of the community should be separately represented on the community council. We do not consider that the number or distribution of the local government electors for this community is such as to make a single election of community councillors impracticable or inconvenient; indeed, all electors in the community currently vote at the same polling station, which is Canolfan y Banw, Llangadfan. We appreciate that it could be argued that it is desirable that areas of this community, focusing on their respective small villages of Foel and Llangadfan, should be separately represented on the community council, even though we also note that the small village of Foel has no community facilities and is less than a mile from the small village of Llangadfan. (Indeed, the main community facility, Canolfan y Banw, is located midway between the two settlements.)

11. Before further addressing this argument, however, we note that the allocation of councillors between wards no longer broadly reflects the distribution of the local government electors in the community. (Schedule 11(4) of the Local Government Act 1972 requires us, in fixing the number of community councillors to be elected for each ward, to have regard to any change in the number or distribution of the local government electors of the community which is likely to take place.) The table below well-illustrates that the allocation of two of the community's eight councillors to the Garthbeibio cannot be vindicated.

	Garthbeibio	Llangadfan
Projected Electorate	80	410
Percentage of total electorate	16.3	83.7
Councillor entitlement	1.30	6.70

And no particular argument could be made for increasing the allocation of councillors to the Garthbeibio ward on the grounds of population sparsity: both wards encounter this handicap to effective representation. We are led to the conclusions that a separate ward election for the Garthbeibio ward is largely meritless and is not in the interests of effective and convenient local government, and that this is not a community that is divided by clear physical and social differences – one community but comprising different parts.

## Draft Proposals

### 12. Banwy

There should be a Community of Banwy comprising the present community of that name;

The community should continue to have a council of 8 members.

(Ward)	Electorate	No of Councillors	Electors per Councillor
	469	8	59

### 13. Llanerfyl

There should be a Community of Llanerfyl comprising the present community of that name less the farm of Carreg-y-big which we propose to transfer to the community of Dwyriw;

The community should continue to have a council of seven members.

(Ward)	Electorate	No of Councillors	Electors per Councillor
	294	7	42

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## Responses to the Council's Draft Proposals

14. A letter has been now been received from Alison, Gareth and Llyr Davies of Carreg-y-big, Llanerfyl, objecting to our Draft Proposals. They are keen "to retain and respect the heritage and place in the locality" of their residence. They cite many facets of the history of Carreg-y-big that illustrate its association with Llanerfyl. They also emphasise that they are happy to remain as they are in Llanerfyl community.

## Assessment

15. As the residents are opposed to a proposed change that we initially considered might be to their benefit, we are content to remove the proposal to transfer the property of Carreg-y-big.

## Final Proposals

### 16. Banwy

There should be a Community of Banwy comprising the present community of that name;

The community should continue to have a council of 8 members.

(Ward)	Electorate	No of Councillors	Electors per Councillor
	469	8	59

#### 17. Llanerfyl

There should be a Community of Llanerfyl comprising the present community of that name;

The community should continue to have a council of seven members.

(Ward)	Electorate	No of Councillors	Electors per Councillor
	294	7	42