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|---|--|--------|-------|----------------|-------|
| Amber Valley Borough Council              |  | Status | Final | Agenda Item No | 11(f) |
| Report To                                 | Full Council   |        | Date  | 16 July 2025   |       |
| Report By                                 | Head of Elections & Democratic Services                          |        |       |                |       |
| Report Title                              | Community Governance Review of Amber Valley Borough Council Area |        |       |                |       |
| Portfolio                                 | Policy and Organisational Transformation                         |        |       |                |       |
| Public Report or Exempt from Publication: | Public   |        |       |                |       |

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## 1. Purpose of Report

- 1.1 To seek approval to undertake a Borough wide Community Governance Review.

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## 2. Recommendations

- 2.1 That a Borough wide Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007.
- 2.2 That the timetable and Terms of Reference for the Review, as set out in Appendix 1 to this report, be approved.
- 2.3 That the Borough Solicitor & Monitoring Officer and Head of Elections & Democratic Services be authorised to take all necessary steps in relation to conducting the Review.

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## 3. Reason for Recommendations

- 3.1 To comply with the requirements of the Local Government and Public Involvement in Health Act 2007 to formally commence a Community Governance Review.

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## 4. Consultation

- 4.1 Councillor Chris Emmas-Williams, Leader of the Council and Cabinet Member for Policy and Organisational Transformation by email on 2 July 2025.

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## 5. Strategic (making a difference)

- 5.1 The recommendations support the objective within the Council's Priorities Plan 2023-2027 to deliver high quality and value for money services.

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## 6. Background Information and Options

- 6.1 A Community Governance Review is the legal process used to consider parish arrangements, as outlined in the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act").
- 6.2 The Council has a duty to keep parish arrangements within its area under review to ensure that their boundaries and electoral arrangements remain appropriate. The

government's guidance states that it is good practice for councils to conduct a Review every 10-15 years and a significant period has elapsed since the parish arrangements within the Borough were last assessed.

- 6.3 Community Governance Reviews are instigated either at the discretion of the principal council, or in response to a valid Community Governance Petition or Community Governance Application.
- 6.4 The Council has received a valid Community Governance Petition from electors within the currently unparished area of Riddings and Leabrooks requesting that the area be parished and that a parish council be created for the area. As the petition has been found to be valid, the Council must undertake a review of this area in accordance with Section 83(2) of the 2007 Act.
- 6.5 Government guidance states that principal councils "should consider the benefits of undertaking a review of the whole of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion." Given this, and the fact that the Council has not conducted a Review within the last 10-15 years, it is felt appropriate to seek approval to conduct a Borough wide Review.
- 6.6 If Full Council resolves to approve the undertaking of a Borough wide Community Governance Review, the mandatory review of the Riddings and Leabrooks area will be incorporated into the wider Review.
- 6.7 Section 93 of the 2007 Act requires the Council to consult with both local government electors and any other bodies that could have an interest in the Review. The timetable for the Review set out in Appendix 1 to this report proposes two periods of public consultation – an initial consultation period at the beginning of the Review, followed by a further consultation once the draft recommendations are published. Both Derbyshire County Council and all Parish and Town Councils in the Borough will be consulted at each stage.
- 6.8 The recommendations arising from the Review will be formulated on the basis of the criteria set out in the Review's Terms of Reference.
- 6.9 The final recommendations of the Review will be brought to Full Council for approval on 25 March 2026.
- 6.10 To implement the outcome of the Review, the Council will be required to adopt a Reorganisation of Community Governance Order. It is anticipated that the financial and administrative provisions of the reorganisation order will come into force on 1 April 2027 and that any revised electoral arrangements will come into force at the next ordinary elections to parish councils, scheduled to be held on 6 May 2027.

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## **7. Implications**

### **7.1 Legal**

- 7.1.1 Part 4 of the Local Government and Public Involvement in Health Act 2007 gave principal councils the power to carry out Community Governance Reviews and to put in place or make changes to parish governance arrangements. The Community Governance Review will be undertaken in accordance with this Act and published guidance.

## 7.2 Resources

7.2.1 **Financial** – a small budget for the Review was approved by Full Council on 3 March 2025 as part of the 2025/26 Budget Report in anticipation of the Review being undertaken.

7.2.2 **Personnel** – None contained in this report.

7.2.3 **Climate Change** – None contained in this report.

## 7.3 Equality Impact Assessment

[View Equalities Impact Table](#)

7.3.1 Not applicable.

## 7.4 Risk Identification and Management

7.4.1 The risk is assessed as low:

| Strategic Risk        | Risk Detail | Action | Rating |
|-----------------------|-------------|--------|--------|
| Strategic             | None        | None   | Low    |
| Operational           | None        | None   | Low    |
| Regulatory            | None        | None   | Low    |
| Financial             | None        | None   | Low    |
| Reputation            | None        | None   | Low    |
| Information           | None        | None   | Low    |
| People and Management | None        | None   | Low    |
| Health and Safety     | None        | None   | Low    |

## 7.5 References

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| Author / Ext                            | Luke Brewster, Head of Elections & Democratic Services   | Ext      | 1634 |
| Email Details                           | luke.brewster@ambervalley.gov.uk   |          |      |
| Documents used in Preparing this Report | Department of Communities & Local Government and the Local Government Boundary Commission for England – Guidance on Community Governance Reviews<br>Association of Electoral Administrators – Community Governance Review Guidance |          |      |
| Members' Services Officer               | Alison Steeples, Democratic Services Officer (Cabinet and Council)   | Ext      | 1636 |
| Index of Appendices                     | Appendix 1 – Community Governance Review Terms of Reference  |          |      |
| Forward Plan Reference                  | Ref No:  | Contact: |      |
| Forward Plan Description                |  |          |      |