

**North East Derbyshire District Council**

**Council**

**2 March 2026**

**Request for a Community Governance Review in relation to the boundary line at Bloomery Way and surrounding properties between Pilsley Parish Council and Clay Cross Parish Council.**

**Report of the Assistant Director of Governance and Monitoring Officer**

Classification: This report is public

Report By: **Assistant Director of Governance and Monitoring Officer**

Contact Officer: **Sarah Sternberg** [sarah.sternberg@ne-derbyshire.gov.uk](mailto:sarah.sternberg@ne-derbyshire.gov.uk)

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**PURPOSE / SUMMARY**

A valid Petition has been received for a Community Governance Review by the District to determine whether a number of properties should be placed under Clay Cross Parish Council from Pilsley Parish Council.

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**RECOMMENDATIONS**

1. That Members acknowledge receipt of the valid Petition for a Community Governance Review.
2. That Members consider and approve the Terms of Reference and timetable for the Review in Appendix 2 to this report.
3. That the Assistant Director of Governance and Monitoring Officer be given delegated authority to amend and republish the Terms of Reference for the Community Governance Review.

Approved by the Portfolio Holder – Cllr Joe Birkin, Cabinet Member for Council Services

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**IMPLICATIONS**

**Finance and Risk:** Yes  No

**Details:** There will be a cost to carrying out the review. This cost is yet to be determined and cannot be recovered from the Parish Council.

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):** Yes  No

**Details:** As in the report.

On Behalf of the Solicitor to the Council

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**Staffing:** Yes  No

**Details:** A number of areas of the Council will be involved in putting together and servicing the CGR including:

Communications  
Council Tax  
Electoral Services  
Finance  
Governance

On behalf of the Head of Paid Service

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## DECISION INFORMATION

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District Wards or which results in income or expenditure to the Council above the following thresholds:  <b>NEDDC:</b> <b>Revenue - £100,000</b> <input type="checkbox"/> <b>Capital - £250,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	Yes – Clay Cross North and Pilsley and Morton.
<b>Equality Impact Assessment (EIA) details:</b>	
<b>Stage 1 screening undertaken</b> <ul style="list-style-type: none"><li>Completed EIA stage 1 to be appended if not required to do a stage 2</li></ul>	No, not applicable.
<b>Stage 2 full assessment undertaken</b> <ul style="list-style-type: none"><li>Completed EIA stage 2 needs to be appended to the report</li></ul>	No, not applicable

<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Cabinet</b> <input type="checkbox"/> <b>SMT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	Yes  Details: Raised with the Leader, Deputy Leader and Portfolio Holder.
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<b>Links to Council Plan (NED) priorities, including Climate Change, Equalities, and Economics and Health implications.</b>
None

## REPORT DETAILS

### 1 **Background** *(reasons for bringing the report)*

- 1.1 The Council has received a valid petition to carry out a Community Governance Review (CGR) under the Local Government and Public Involvement in Health Act 2007 (LG&PIHA 2007). This is in relation to a request that the District carry out a CGR and determine whether or not a number of properties should be moved from one Parish to another.
- 1.2 Under the legislation the District must carry out the CGR. The review is to be carried out at the cost of the District Council. There is no provision for passing on the costs.
- 1.3 The Petition must set out at least one recommendation that the petitioners want the review to consider. In the case of this petition this is to move the properties from Pilsley Parish Council to Clay Cross Parish Council. The original boundary was drawn some years ago before the housing development was built. The petition states “The purpose of the said review being to transfer the land east of the railway line as defined on the attached map, including the properties on Bloomery Way, the property known as the Cottage, Pilsley and the new properties off Coney Green Road from the Parish of Pilsley to the Parish of Clay Cross.” It is intended to complete the CGR in time for the Parish Elections in May 2027.
- 1.4 The District is required to notify the County Council that a review is to be undertaken and of its Terms of Reference.
- 1.5 The District is required to draw up Terms of Reference and a timetable and to publish these once agreed – Section 81 LG&PIHA 2007. These are in Appendix 2 to this report. These are expected to set out clearly the matters on which a CGR is to focus.
- 1.6 There are several matters which can be considered including:
  - The creation, merger or abolition of a parish

- The name of a parish
- The establishment of a separate parish council for an existing parish
- Electoral arrangements for parishes including warding

The guidance states that “In many cases making changes to the boundaries of existing parishes, rather than creating an entirely new parish, will be sufficient to ensure that community governance arrangements to continue to reflect local identities and facilitate effective and convenient local government. For example, over time communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous as new houses are built across the boundaries resulting in people being in different parishes from their neighbours. In such circumstances, the Council should consider undertaking a community governance review, the terms of reference of which should include consideration of the boundaries of existing parishes”.

- 1.7 The number of properties involved in the CGR is 116 and the current number of electors is 183.
- 1.8 It can be decided by the CGR that there should be no change and that the properties remain within Pilsley Parish Council. It should be noted that whilst the District can undertake the Review and if determined, the properties can be transferred to Clay Cross Parish Council, this will have no impact on the District Ward, County Division and Parliamentary Constituency as changes to District Ward, County Division and Parliamentary Constituency boundaries can only be reviewed and implemented by the Local Government Boundary Commission for England (LGBCE) and the Boundary Commission respectively. The District can make a request to the LGBCE to make a related alteration although initial indications is that the related alteration may not be looked at due to the impending interim arrangements arising from Local Government Reorganisation including a unitary boundary review.
- 1.9 The CGR is required under Section 93 LG&IPHA 2007 to ensure that community governance within the area under review will:
- Be reflective of the identities and interest of the community in that area and
  - Be effective and convenient.
- 1.10 The CGR is required in the guidance (at paragraph 53) to take into account of the following:
- The impact of community governance arrangements on community cohesion and
  - The size population and boundaries of a local community or parish.
- 1.11 There is a requirement to consult Local Government electors for the area under review and any other person or body, including a local authority, who appears to have an interest in the review. This would include:
- Affected electors

- Clay Cross Parish Council
- Pilsley Parish Council
- Local District and County Councillors
- Derbyshire County Council
- Other community groups identified.

The recommendations produced would have to reflect the results of this consultation.

- 1.12 The CGR recommendations will be published and the District will have to ensure steps are taken to inform interested parties of those recommendations and of the reasons for them. It is also expected that the minutes of meetings will be published too.
- 1.13 The guidance also recommends that a public awareness strategy is produced to include:
- Target audience
  - Objectives to promote wide opportunities for informed discussion and response
  - The resources to be used such as the Communications section, budget, press releases, leaflets, posters, local meetings etc.
  - The timetable or plan of delivery
  - Methods of monitoring, control and evaluation

## **2. Details of Proposal or Information**

- 2.1 Officers to carry out the CGR as per timetable and report back to Council.
- 2.2 In carrying out the CGR the District must comply with section 93 Local Government and Public Involvement in Health Act 2007. This section is shown at Appendix 1 to this report. This includes the requirement to have regard to the matters quoted above at paragraph 1.9 above as well as taking into account any other arrangements that are in place for the purposes of community representation or community engagement in respect of the area under review, must take into account representations received, publish its recommendations as soon as practicable and complete the review in 12 months.
- 2.3 In carrying out the CGR the District must have regard to the guidance issued by the Secretary of State and the Local Government Boundary Commission for England (LGBCE) and in making recommendations and giving effect to recommendations as well. The latest guidance is from 2010. The guidance can be found at [Guidance on community governance reviews](#)

## **3 Reasons for Recommendation**

- 3.1 The Council is required to carry out and complete a Community Governance Review. These arrangements will ensure the review is carried out in accordance with the approved timetable.

#### 4 Alternative Options and Reasons for Rejection

4.1 The Council has a duty to carry out the Community Governance Review.

#### DOCUMENT INFORMATION

Appendix No	Title
Appendix 1	Section 93 of the Local Government and Involvement in Public Health Act 2007.
Appendix 2	Terms of Reference for the Community Governance Review.
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	