



**OPEN REPORT  
COUNCIL**

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**Council – 29 September 2022**

**Community Governance Reviews – Final Recommendations**

**Report of Director of Corporate and Customer Services & Monitoring Officer**

**Report Author and Contact Details**

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**Wards Affected**

Darley Dale; Matlock All Saints; Stanton;

**Report Summary**

At a meeting of the Council held on 26 July 2022 the Council delegated authority to the Director of Corporate and Customer Services to carry out further consultation on specific proposals to change Parish Council Boundaries in response to a Community Governance Review arising from the Local Government Boundary Commission for England proposals for the Derbyshire Dales.

This report provides details of responses received and sets out proposals to make a Community Governance Order in response to the issues raised in respect of the proposals to move Civil Parish Borders so that:

- part of the Civil Parish of South Darley would fall within the Civil Parish of Matlock
- the Morledge estate currently in the Civil Parish of Darley Dale moves to the Civil Parish of Matlock.
- the Civil Parish of Northwood and Tinkersley moves to the Civil Parish of Darley Dale

**Recommendations**

1. To make a Community Governance Order to change the boundaries of the civil parishes of Matlock and South Darley as proposed.
2. To make representations to the Local Government Boundary Commission for England asking them to make a related alteration order to amend the boundaries of the Matlock West Ward to reflect the revised parish boundaries.

3. To take no further action on proposed changes to the boundaries of the civil parishes of Darley Dale and Northwood and Tinkersley.

### **List of Appendices**

Appendix 1 Community Governance Review Terms of Reference

Appendix 2 Draft Community Governance Order.

Appendix 3 Map of proposed changes to the boundaries of the civil parishes of Matlock and South Darley

Appendix 4- Representations received from:

a) South Darley Parish Council

b) Darley Dale Town Council

c) Northwood and Tinkersley Parish Council

Appendix 5 Representations Received in respect of:

a) Proposals for South Darley

b) Proposals for Northwood and Tinkersley

### **Background Papers**

None

### **Consideration of report by Council or other committee**

N/A

### **Council Approved Required**

Yes

### **Exempt from Press or Public**

No

# Community Governance Reviews – Final Recommendations

## 1. Background

- 1.1 The Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England. These powers are exercised through carrying out a Community Governance Review as and when required.
- 1.2 At a meeting of the Council held on 26 May 2022 authority was delegated to the Director of Corporate and Customer Services to commence initial general consultation in the first stage of a Community Governance Review to look at the electoral arrangements for Parish Councils situated in the new District Council Wards of Darley Dale and Matlock West.
- 1.3 In light of the feedback received during the initial consultation on 26 July 2022 the Council authorised the Director of Corporate and Customer Services to commence consultation on specific proposals to move Civil Parish Borders so that:
  - part of the Civil Parish of South Darley would fall within the Civil Parish of Matlock
  - the Morledge estate currently in the Civil Parish of Darley Dale moves to the Civil Parish of Matlock.
  - the Civil Parish of Northwood and Tinkersley moves to the Civil Parish of Darley Dale

## 2. Key Issues

- 2.1 The purpose of the review was to look at the electoral arrangements for the Parishes of Matlock and Darley Dale and South Darley to establish:
  - i) Should the Parish Boundaries remain the same or should they be changed to become coterminous with the new District Council Wards by, for example, moving wards from Darley Dale and South Darley into Matlock?
  - ii) Do the existing ward arrangements for the Parishes of Matlock, Darley Dale and South Darley reflect the relevant communities? Do the relevant local councils need more/less Wards or none?
  - iii) In terms of the size of the relevant Councils should there be more or fewer Councillors? Does the allocation of councillors to each ward need to be revisited to maintain equal levels of representation across the Parish?
- 2.2 The aim of the review is to achieve, improved local democracy, greater community engagement and better local service delivery by taking into account the following criteria:
  - The identities and interests of the community
  - The effective and convenient governance of the area
  - What, if any the proposed community governance arrangements might have on community cohesion

- Whether the size (area), the population and boundaries proposed for local governance make sense on the ground and contribute to the above criteria.

A copy of the terms of reference for the review are set out in Appendix 1.

### **3. Options Considered and Recommended Proposal**

#### ***Changes to the boundaries of the Civil Parishes of Matlock and South Darley***

- 3.1 The Director of Corporate and Customer Services has carried out further consultation on a proposal to move the blue shaded area identified in Appendix 3 from the Parish of South Darley to the Parish of Matlock. This proposal was put forward by the Parish Council following the initial consultation with a significant level of support from local residents. During the initial consultation the proposal received support from 16 residents and a further 30 residents have expressed support for the proposal since. Feedback from South Darley Parish Council supporting the proposal is set out in appendix 4a and the other representations received are set out in appendix 5a.
- 3.2 It is therefore proposed that a community Governance Order is made to change the boundaries of the Civil Parishes of Matlock and South Darley as proposed. A copy of the draft Order is attached as appendix 2.
- 3.3 The alternative options considered were to do nothing or move the entire Oaker and Snitterton Ward of South Darley Parish Council into the Parish of Civil Parish of Matlock. The latter option would have resulted in the Parish Boundaries coterminous with the new District Council Ward.
- 3.4 It is considered that the preferred option meets the objectives in the following ways:
- 3.5 The proposal reflects of the identities and interests of the Community living in the area. From the representations received it is clear that the current residents of the Oker and Snitterton Ward have a strong connection with the rest of South Darley. There is evidence that residents regularly use community facilities in the Parish and clearly identify with the Community.
- 3.6 It is therefore believed that moving the whole parish ward into Matlock would be likely to damage community relations and divide a long established community. However it is also recognised that residents of the new Matlock Spa development site, currently located in the Parish, will be unlikely to identify with the remainder of the Parish particularly as there will not be direct road access from the development into the Parish. On this basis it is believed the proposed new parish boundaries will have a positive impact on community cohesion by embedding the new community into Matlock.
- 3.7 As feedback from the majority of residents suggests that the governance arrangements for the existing Parish Council works well it is not proposed that any changes are made to the warding arrangements for South Darley Parish Council or the number of Councillors elected to the Council. If the

proposed boundary changes are made further work will be required on the warding arrangements for Matlock Town Council

- 3.8 During the consultation most respondents expressed concerns on how the inclusion of Oker and Snitterton in the new District Council ward of Matlock West may have an impact on community cohesion and effective and convenient local government, particularly as some of the area, like other parts of South Darley fall within the Peak District National Park. As a result there is strong support for the Council making representations to the Local Government Boundary Commission for England asking them to make a related alteration order to amend the boundaries of the Matlock West Ward to reflect the revised parish boundaries. Although the Commission has said that it will not normally look to move ward or division boundaries onto new parish ward boundaries, it has indicated that it will consider each proposal on its merits.

***Changes to the boundaries of the Civil Parishes of Darley Dale and Matlock***

- 3.9 In the initial consultation feedback from Darley Dale Town Council and Matlock Town Council suggested support for changing the civil parish boundary between Darley Dale and Matlock by moving properties in the Morledge Estate from the civil parish of Darley Dale into the civil parish of Matlock. The area is shaded grey in appendix 3. In light of the support for this option the District Council agreed to consult on a proposal to include this change in a Reorganisation of Community Governance Order to be implemented from the Parish Council elections in 2023.
- 3.10 The arguments in support of this proposal included:
- Greater community cohesion - residents of the Morledge Estate in Darley Dale consider themselves to live in Matlock. In the Morledge ward the nearest primary school is in Matlock which has strong connections to the Matlock Parish Church of All Saints. The school also has a gate directly into the estate.
  - Improved local democracy – the councillors appointed to the new Matlock West ward would only need to engage with one local council rather than three.
- 3.11 The representations made by Darley Dale Town Council on the proposal are set out in appendix 4b. While the Town Council supports the proposal, during the consultation period the Council has not received any positive or negative representations on this proposal. This would suggest that in the relevant community there is little appetite for change. On this basis there is little evidence to suggest that a boundary change would strengthen community engagement and participation, generate a positive impact on community cohesion or deliver significant improvements to effective and convenient local government. Therefore it is proposed that this proposal is not progressed.

## **Changes to the boundaries of the Civil Parishes of Darley Dale and Northwood and Tinkersley**

3.12 In their submission in the first stage of consultation Darley Dale Town Council proposed that, as the civil parish of Northwood and Tinkersley was included in the new District Council Ward of Darley Dale, it should be merged with the civil parish of Darley Dale to restore the historic boundaries of Darley Dale. As Northwood and Tinkersley Parish Council strongly objected to this suggestion the second round of consultation was used to explore the views of local residents on this proposal. 20 residents have responded all of which have objected to the proposal most of which give the following reasons:

- A loss of having a say in vital local matters and a loss of representation
- Northwood and Tinkersley Parish Council serve the area well and keep residents well informed of what's happening in the Parish
- As a rural parish Northwood and Tinkersley does not face the same issues experienced by the more urban parish of Darley Dale.

3.13 The views of Darley Dale Town Council and Northwood and Tinkersley Parish Council are set out in appendix 4(b) and 4(c) and the representation received in appendix 5(b).

3.14 On this basis there is little evidence to suggest that a boundary change would strengthen community engagement and participation, generate a positive impact on community cohesion or deliver significant improvements to effective and convenient local government. Therefore it is proposed that this proposal is not progressed.

### ***Matlock and Derwent Divisions of Derbyshire County Council***

3.15 It was suggested that following the review the Council could make representation to the LGBCE asking them to consider making changes to the County Division for Matlock to be coterminous with the revised District Council Wards. The Council has received one representation objecting to this proposal so in light of this and in the knowledge that the LGBCE are likely to commence a County review in the near future it is proposed that no further action is taken

## **4. Consultation**

4.1 In accordance with Government guidance on carrying out Community Governance Reviews the following have been informed of the proposed changes and invited to submit their comments.

- All households in the Oaker and Snitterton Ward of South Darley Parish Council, the Morledge Estate in Darley Dale and the Civil Parish of Northwood and Tinkersley;
- The Town Councils of Matlock and Darley Dale;
- The Parish Councils of South Darley and Northwood and Tinkersley;
- Councillors representing the current District Council Wards of Darley Dale, Matlock, Stanton and Winster and South Darley;

- County Councillors representing the Derbyshire County Council Divisions of Matlock and Derwent Valley;
- Derbyshire County Council;
- Peak District National Park Authority;
- The MP for the Derbyshire Dales Parliamentary Constituency.

4.2 The review proposals have also been published on the Councils website and have been the subject of a media release.

## **5. Timetable for Implementation**

5.1 Subject to the recommendations in this report being approved by the Council, the Order will be made on 1 October 2022 and would become effective on 16 October 2022. This would mean that changes would be made in time for the elections to be held in May 2023.

## **6. Policy Implications**

6.1 Establishing effective arrangements for the delivery of electoral events across the district underpins confidence from the citizens of the Derbyshire Dales in the democratic legitimacy of the Council and other public institutions.

## **7. Financial Advice and Implications**

7.1 There are no financial and resource implications directly associated with the recommendations in this report and the risk is therefore assessed as low.

## **8. Legal Advice and Implications**

8.1 The issues considered in this report are within the powers and functions of the District Council. Such changes may be made by the District Council following the undertaking of a Community Governance Review (CGR). Legislation in the Local Government and Public Involvement in Health Act 2007 sets out the process which a CGR must follow.

8.2 Where a CGR is carried out, the legislation requires that the Council has regard to the need to secure that any community governance for the area under review:-

- reflects the identities and interests of the local community in that area; and
- that it is effective and convenient.

8.3 A CGR can be carried out at any time, either as a result of the Council deciding to do so of its own volition, or as a result of a request from a parish council or local residents. The relevant powers are contained within the body of the report.

8.4 Legal advice has been given in respect of the wording of the order and the legal risk associated with the recommendations is therefore low.

## **9. Equalities Implications**

- 9.1 The approach to consultation has ensured that as many people as possible have had the opportunity to comment on the options and proposals in respect of the Community Governance Reviews. An equality impact assessment has identified a neutral impact for all protected characteristic groups.

## **10. Climate Change Implications**

- 10.1 The approved Climate Change Impact Assessment Tool has been completed for this report. There are no climate change implications associated with this report.

## **11. Risk Management**

- 11.1 This report in itself is a mitigation to the risk that inappropriate community governance arrangements are in place within the District. Subject to Members approving the recommendations within this report, the risks associated with community governance will be addressed.

### **Report Authorisation**

Approvals obtained on behalf of:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Paul Wilson	21/09/2022
Director of Resources/S.151 Officer (or Financial Services Manager)	Karen Henriksen	21/09/2022
Monitoring Officer (or Legal Services Manager)	James McLaughlin	21/09/2022