



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

## **LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

### **COMMUNITY GOVERNANCE REVIEW**

#### **TERMS OF REFERENCE**

##### **INTRODUCTION**

###### **Setting the context**

Hinckley and Bosworth Borough Council has resolved to undertake a Community Governance Review of the Hinckley and Bosworth Local Authority area. This is an exercise where the parish electoral arrangements across the whole area are reviewed to ensure that they are appropriate and relevant.

In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils)(England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). (The 2007 Act has transferred powers to principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

The Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government published in April 2008 has also been carefully considered.

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish its Terms of Reference of a Review. These Terms of Reference will be published by placing a copy on public deposit at the main offices of Hinckley and Bosworth Borough Council, Argents Mead, Hinckley, LE10 1BZ and on the Council's website at [www.hinckley-bosworth.gov.uk](http://www.hinckley-bosworth.gov.uk)

The matters on which the Community Governance Review is to focus are set out later in these Terms of Reference.

### **Why is the Council undertaking the Review?**

The Council is undertaking a Review at this time because a period of 10 years has elapsed since the last one which was carried out in 2002. This is in line with government guidance that it is good practice to conduct a Review every 10-15 years.

### **What is a Community Governance Review?**

A Community Governance Review is a Review of the whole or part of the borough area to consider one or more of the following:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style of new parishes;
- the electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding), and
- grouping parishes under a common parish council or de-grouping parishes

### **Parish governance in the Hinckley and Bosworth area**

The Council believes that parish councils play an important role in terms of community empowerment at the local level and wants to ensure that parish governance in our Borough continues to be robust, representative and enabled to meet the challenges that lie before it. Furthermore, it wants to ensure that there is clarity and transparency to the area that parish councils represent and that the electoral arrangements of parishes – the warding arrangements and the allocations of councillors – are appropriate, equitable and readily understood by their electorate.

The Government also made a commitment to parish councils in ‘Strong and Prosperous Communities’ (Local Government White Paper, October 2006) in which it emphasised: “Ultimately, the recommendations made in a community governance Review ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services”<sup>1</sup>

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<sup>1</sup> Guidance, para.23

One of the overriding aims of this Terms of Reference is that it endeavours to lay out clear policies (for example, with regard to councillor numbers), which will ensure that the electors across the borough will be treated equitably and fairly.

### **Who undertakes the Review?**

As a Principal Authority, the Borough Council is responsible for conducting the Review.

Full Council will approve the final recommendations before a Community Governance Order is made.

## **CONSULTATION**

### **How the Council proposes to conduct consultations during the Review**

The Council has drawn up and now publishes this Terms of Reference document. This document lays out the aims of the Review, the legislation that guides it and some of the policies which the Council considers important in the Review.

In coming to its recommendations in the Review, the Council will need to take account of the views of local people. The Act requires the Council to consult the local government electors for the area under Review and any other person or body who appears to have an interest in the Review and to take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007<sup>2</sup>

As set out in the council's Communication and Engagement Strategy "We will put the results of consultation in front of those who need them, helping them to respond appropriately to the issues raised and to use the data to make informed decisions. We will make sure that the key messages are communicated in clear, unambiguous ways and ensure clarity of understanding on the part of our audiences."

The council intends to write to all parish councils, both when inviting initial submissions and when seeking views on the draft proposals. The council will use information from the Local Land and Property Gazetteer as the source of properties in the area.

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<sup>2</sup> S.93, LG&PIHA 2007

The Council will also identify any other person or body who it who it feels may have an interest in the Review and will be pleased to receive comments from any other person or body who wishes to make representations. Any such person that makes representation during the initial invitation to submit proposals will be invited to make comments in respect of the draft proposals.

The Council intends to clearly publish all decisions taken in the Review and the reasons for taking those decisions and will work to meet the Government's expectation in undertaking the Review that "Community Governance Reviews should be conducted transparently so that local people and other local stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions".

In accordance with the Act, representations received in connection with the Review will be taken into account, and steps will be taken to notify consultees of the outcome of the Review, by publishing them on the council's website at [www.hinckley-bosworth.gov.uk](http://www.hinckley-bosworth.gov.uk), through general press releases and placing key documents on deposit in reception at the Council Offices in Argents Mead, Hinckley, LE10 1BZ.

As required by Section 93(8) of the Local Government and Public Involvement in Health Act 2007, the Borough Council will notify Leicestershire County Council that a Review is to be undertaken, provide them with a copy of these terms of reference for the Review and will consult them on matters under Review.

## **How to contact us**

Any queries regarding this Review should be directed to:

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## **A timetable for the Review**

Publication of the terms of reference formally begins the Review, which must be completed within twelve months of this publication date.

The table which follows details the timescales for the Review

<b>Action</b>	<b>Timetable</b>	<b>Date</b>
Publish Terms of Reference <b>(Start of Review)</b>		20/04/12 (following approval by Council)
Stage 1 – initial submissions are invited	3 months	20/04/12 - 20/07/12
Stage 2 - consider stage 1 submissions received - prepare draft recommendations	2 months	23/07/12 - 21/09/12
Stage 3 - publish draft recommendations		September 2012 (following approval by Executive)
- draft recommendations consultation	3 months	24/09/12 - 28/12/12
Stage 4 - consider stage 3 submissions received - prepare final recommendations	2 months	31/12/12 - 01/03/13
Final recommendations & draft reorganisation order put to council for approval and published <b>(Conclusion of Review)</b>		12/03/13
Reorganisation order made	Thereafter	By April 2013

## **ELECTORATE FORECASTS**

### **The electorate and electorate forecasts for the Borough**

The council has used the Register of Electors as at 1 December 2011 in providing existing parish/parish ward local government electorate figures These are as follows:

PARISH	PARISH WARD	Local Government Electors per ward	Local Government Electors per Parish
BAGWORTH & THORNTON	BAGWORTH	1112	1980
	THORNTON	868	
BARLESTONE	N/A	1996	1996
BARWELL	REDHALL	1129	7232
	ST MARY'S	3664	
	CHARNWOOD	2439	
BURBAGE	ST. CATHERINES	1766	11943
	STRETTON	2653	
	SKETCHLEY	2102	
	TILTON	2482	
	LASH HILL	2940	
CADEBY	N/A	146	146
CARLTON	N/A	254	254
DESFORD	BUFTON	434	3199
	DESFORD	2765	
EARL SHILTON	CHURCH	1279	7883
	WEAVERS	2288	
	TOWNLANDS	2135	
	WESTFIELD	2181	
GROBY	GROBY	5632	6102
	FIELD HEAD	470	
HIGHAM-ON-THE-HILL	N/A	614	614
HINCKLEY CASTLE	N/A	4864	24498
HINCKLEY CLARENDON	N/A	6802	
HINCKLEY DE MONTFORT	N/A	7704	
HINCKLEY TRINITY	N/A	5128	
MARKET BOSWORTH	N/A	1755	1755
MARKFIELD	N/A	3737	3737
NAILSTONE	N/A	431	431
NEWBOLD VERDON	N/A	2483	2483
OSBASTON	N/A	222	222
PECKLETON	KIRKBY MALLORY	333	928
	PECKLETON	230	
	STAPLETON	365	
RATBY	N/A	3405	3405
SHACKERSTONE	BARTON	196	720
	ODSTONE	75	
	CONGERSTONE	279	

	BILSTONE	45	
	SHACKERSTONE	125	
SHEEPY	UPTON	77	959
	SIBSON	149	
	WELLSBOROUGH	85	
	SHEEPY	648	
STANTON-UNDER-BARDON	N/A	505	505
STOKE GOLDING	N/A	1406	1406
SUTTON CHENEY	DADLINGTON	221	424
	SHENTON	86	
	SUTTON	117	
TWYXCROSS	GOPSALL	213	643
	ORTON	161	
	TWYXCROSS	269	
WITHERLEY	FENNY DRAYTON	426	1216
	ATTERTON	28	
	RATCLIFFE	145	
	WITHERLEY	4	

When the Council comes to consider the electoral arrangements of the parishes in its area, it is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the Review starts.

The Electorate forecast figures shown in the table on the following page have been prepared based upon the increase in electorate since 2007 and using extant planning permissions and the Local Development Framework. The forecast has been calculated by assuming a continued increase as seen over the last five years plus additional increases as a result of additional large planned developments assuming an average of 2 electors per dwelling. Where there have been decreases in electorate, the forecast has assumed a 0% increase.

<b>PARISH/SPECIAL EXPENSES AREA</b>	<b>Local Government Electors 01/12/2006</b>	<b>Local Government Electors 01/12/2011</b>	<b>% increase</b>	<b>"Large site" planned development</b>	<b>Electorate forecast</b>
BAGWORTH & THORNTON	1906	1980	3.8%	61 dwellings	2177
BARLESTONE	1985	1996	0.5%	-	2005
BARWELL	6882	7232	5.0%	336 dwellings	8265
BURBAGE	11950	11943	0.0%	461 dwellings	12865
CADEBY	160	146	0.0%	-	146
CARLTON	251	254	1.1%	3 dwellings	262
DESFORD	3228	3199	0.0%	135 dwellings	3469
EARL SHILTON	7227	7883	9.0%	317 dwellings	9226
GROBY	5865	6102	4.0%	20 dwellings	6386
HIGHAM-ON-THE-HILL	575	614	6.7%	-	655
HINCKLEY CASTLE	4730	4864	2.8%	74 dwellings	5148
HINCKLEY CLARENDON	6633	6802	2.5%	59 dwellings	7090
HINCKLEY DE MONTFORT	7465	7704	3.2%	465 dwellings	8880
HINCKLEY TRINITY	4868	5128	5.3%	361 dwellings	6121
MARKET BOSWORTH	1714	1755	2.3%	-	1795
MARKFIELD	3698	3737	1.0%	112 dwellings	3998
NAILSTONE	449	431	0.0%	-	431
NEWBOLD VERDON	2517	2483	0.0%	94 dwellings	2471
OSBASTON	215	222	3.2%	-	229
PECKLETON	883	928	5.0%	-	974
RATBY	3251	3405	4.7%	45 dwellings	3655
SHACKERSTONE	632	720	1.3%	-	729
SHEEPY	985	959	0.0%	-	959
STANTON-UNDER-BARDON	512	505	0.0%	-	505
STOKE GOLDING	1388	1406	1.2%	59 dwellings	1540
SUTTON CHENEY	436	424	0.0%	-	424
TWYCROSS	656	643	0.0%	-	643
WITHERLEY	1208	1216	0.6%	-	1223



## **Demographic trend and influences in our area**

Hinckley & Bosworth is a largely rural borough of 297 square kilometers in south-west Leicestershire. The majority of the population live in the main urban areas of Hinckley, Burbage, Barwell and Earl Shilton in the south-west of the borough. There are sizeable settlements near the Leicester fringe to the east and in the central and northern parts of the borough too.

The council's Core Strategy has committed to provide sufficient housing to meet increases in population and changing needs to ensure everyone has the opportunity to live in a decent home, which they can afford, in a community where they want to live. The majority of this housing will be provided in and around the Hinckley sub-regional centre (Hinckley, Burbage, Barwell and Earl Shilton), with more limited development in the rural areas, focused on the Key Rural Centres, to support sustainable rural communities and provide local choice.

## **THE PRESENT STRUCTURE OF PARISHES AND THEIR ELECTORAL ARRANGEMENTS**

### **Present Structures of parish governance in our area**

The tables shown on the following pages illustrate the current structure of parish governance in our area. It includes a breakdown of the electorate in each parish and ward within each parish. It also shows the ratio of councillors to electors per ward as well as for each parish as a whole.

Guidance in connection with the Local Government and Public Involvement in Health Act 2007 requires the consent of the Electoral Commission to be obtained if the Council wishes to alter the electorate arrangement for a parish whose existing arrangements were put in place within the previous five years by an order made by the Secretary of State or the Electoral Commission. There are currently no parishes to which this will apply.

PARISH	PARISH WARD	POLLING DISTRICT	WARD SEATS	WARD ELECTORATE 1 DECEMBER 2011	RATIO OF WARD ELECTORS TO WARD SEATS	TOTAL PARISH SEATS	PARISH ELECTORATE 1 DECEMBER 2011	RATIO OF ELECTORS TO SEATS	DISTRICT WARD
BAGWORTH & THORNTON	BAGWORTH	HBA	4	1112	278	8	1980	247	RATBY, BAGWORTH & THORNTON
	THORNTON	HBB	4	868	217				
BARLESTONE	N/A	HCA	8	1996	249	8	1996	249	BARLESTONE, NAILSTONE & OSBASTON
BARWELL	REDHALL	BAA	2	1129	564	12	7232	602	BARWELL
	ST MARY'S	BAB01 BAB02	6	605 <u>3059</u> 3664	610				
	CHARNWOOD	BAC	4	2439	609				
BURBAGE	ST. CATHERINES	CAA	3	1766	588	20	11943	597	BURBAGE ST CATHERINES & LASH HILL
	STRETTON	CAB	4	2653	663				BURBAGE SKETCHLEY & STRETTON
	SKETCHLEY	CAC	4	2102	525				
	TILTON	CAD	4	2482	620				
		CAE	5	2940	588				BURBAGE ST CATHERINES

	LASH HILL								& LASH HILL
CADEBY	N/A	JAF	5	146	29	5	146	29	CADEBY, CARLTON, MARKET BOSWORTH WITH SHACKERSTONE
CARLTON	N/A	JAG	5	254	50	5	254	50	CADEBY, CARLTON, MARKET BOSWORTH WITH SHACKERSTONE
DESFORD	BUFTON	IAA	2	434	217	12	3199	266	NEWBOLD VERDON WITH DESFORD & PECKLETON
	DESFORD	IAB	10	2765	276				
EARL SHILTON	CHURCH	FAA	2	1279	639	14	7883	563	EARL SHILTON
	WEAVERS	FAB	4	2288	572				
	TOWNLANDS	FAC	4	2135	533				
	WESTFIELD	FAD	4	2181	545				
GROBY	GROBY	GAA GAB	13	3112 2520 5632	433	16	6102	381	GROBY
	FIELD HEAD	HAD	3	470	156				MARKFIELD, STANTON & FIELD HEAD
HIGHAM-ON-									

THE-HILL	N/A	AAB	6	614	102	6	614	102	AMBIEN
MARKET BOSWORTH	N/A	JAH	8	1755	219	8	1755	219	CADEBY, CARLTON, MARKET BOSWORTH WITH SHACKERSTONE
MARKFIELD	N/A	HAA HAB	10	3455 <u>282</u> 3737	373	10	3737	373	MARKFIELD, STANTON & FIELD HEAD
NAILSTONE	N/A	HCC	5	431	86	5	431	86	BARLESTONE,  NAILSTONE & OSBASTON
NEWBOLD VERDON	N/A	IAF	10	2483	248	10	2483	248	NEWBOLD VERDON WITH DESFORD & PECKLETON
OSBASTON	N/A	HCB	5	222	44	5	222	44	BARLESTONE, NAILSTONE & OSBASTON
PECKLETON	KIRKBY MALLORY	IAC	2	333	166	6	928	154	NEWBOLD VERDON WITH DESFORD & PECKLETON
	PECKLETON	IAD	2	230	115				
	STAPLETON	IAE	2	365	182				
									RATBY,

RATBY	N/A	HBC	9	3405	378	9	3405	378	BAGWORTH & THORNTON
SHACKERSTONE	BARTON	JAA	2	196	98	6	720	120	CADEBY, CARLTON, MARKET BOSWORTH WITH SHACKERSTONE
	ODSTONE	JAB	1	75	75				
	CONGERSTONE	JAC	1	279	279				
	BILSTONE	JAD	1	45	45				
	SHACKERSTONE	JAE	1	125	125				
SHEEPY	UPTON	AAF	1	77	77	11	959	87	AMBIEN
	SIBSON	AAG	2	149	74				
	WELLSBOROUGH	AAH	1	85	85				
	SHEEPY	JBA	7	648	92				TWYCROSS & WITHERLEY WITH SHEEPY
STANTON- UNDER- BARDON	N/A	HAC	5	505	101	5	505	101	MARKFIELD, STANTON & FIELD HEAD
STOKE GOLDING	N/A	AAA	7	1406	200	7	1406	200	AMBIEN

SUTTON CHENEY	DADLINGTON	AAC	3	221	73	7	424	60	AMBIEN
	SHENTON	AAD	2	86	43				
	SUTTON	AAE	2	117	58				
TWYCROSS	GOPSALL	JBB	2	213	106	7	643	91	TWYCROSS & WITHERLEY WITH SHEEPY
	ORTON	JBC	2	161	80				
	TWYCROSS	JBD	3	269	89				
WITHERLEY	FENNY DRAYTON	JBE	4	426	106	11	1216	110	TWYCROSS & WITHERLEY WITH SHEEPY
	ATTERTON	JBF	1	28	28				
	RATCLIFFE	JBG	2	145	72				
	WITHERLEY	JBH	4	617	154				

## Previously unparished areas

The Council is required by law to consider other forms of community governance as alternatives or stages towards establishing parish councils. Currently the Hinckley Borough Wards are not represented by parish councils. However, there is a Hinckley Area Committee in place which provides the community representation for this area. This committee is made up of the borough councillors who have been elected for the relevant wards of this area. The structure of this governance is illustrated in the table below.

DISTRICT WARD	POLLING DISTRICT	WARD SEATS	WARD ELECTORATE 1 DECEMBER 2011	RATIO OF WARD ELECTORS TO WARD SEATS	TOTAL DISTRICT SEATS	SPECIAL EXPENSES ELECTORATE 1 DECEMBER 2011	RATIO OF ELECTORS TO SEATS
Hinckley Castle	DAA DAB DAC DAD	2	1337 1172 1673 <u>682</u> 4864	2432	10	24498	2449
Hinckley Clarendon	EAA EAB EAC EAD	3	592 1924 2318 <u>1968</u> 6802	2267			
Hinckley de Montfort	ABA ABB ABC	3	3052 719 <u>3933</u> 7704	2568			
Hinckley Trinity	ACA ACB ACC	2	462 1354 <u>3312</u> 5128	2564			

The Review will consider whether or not these arrangements are more appropriate for this area than the creation of a parish council (or councils) or whether they provide stages towards the creation of parish(es) and subsequently parish council(s).

The Council must be mindful of such other forms of community governance in its consideration of whether parish governance is most appropriate in certain areas. However, the Council also notes that what sets parish councils apart from other kinds of governance is the fact that they are a democratically elected tier of local government with directly elected representatives, independent of other council tiers and budgets, and possessing specific powers for which they are democratically accountable.

## PARISH AREAS

### Introduction

This Review will consider all community governance arrangements across the Hinckley & Bosworth area. This will include the review of existing parishes, the special expenses area and their boundaries.

The legislation requires that the council must have regard to the need to secure that community governance within the area under review:

- reflects the identities and interest of the community in that area, and
- is effective and convenient, and
- takes into account any other arrangements for the purposes of community representation or community engagement in the area<sup>3</sup>

### Parishes

- the Council is anxious to ensure that electors should be able to identify clearly with the parish in which they are resident because it considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride;
- the Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity. The feeling of local community and the wishes of local inhabitants are primary consideration in the Review;
- the Council is anxious to balance carefully the considerations of changes which have happened over time, through population shifts or additional development for example, and which have led to a different community identity with historic traditions in its area.
- the Council will take into account the government's guidance that community cohesion should be taken into account in the Review.
- the Council will also have consideration to the government's strongly stated guidance that it "expects to see a trend in the creation, rather than the abolition, of parishes" and that "the abolition of parishes should not be undertaken unless clearly justified". The Council

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<sup>3</sup> S.93(5), LG&PIHA 2007



also notes that the government also considers that, where existing parishes are abolished, "it would be undesirable to see the area becoming unparished with no community governance arrangements in place.

- the Council considers that the boundaries between parishes will normally reflect the 'no-mans's land' between communities represented by areas of low population or pronounced physical barriers. These barriers will be either natural or man-made: they might include rivers, canals, roads, parks etc i.e. those barriers that oblige the residents of an affected area to have little in common with the remainder of the parish to which they may have been allotted.
- the Council considers that 'natural' settlements or settlements as they are defined in the Local Development Framework should not in normal circumstances be partitioned by parish boundaries.
- the Council will endeavour to select boundaries that are and are likely to remain easily identifiable.

### **The pattern of community representation and community engagement**

In some areas of the authority there are local residents' associations, community forums, area committees etc. which make a distinct contribution to the community. The Council will be mindful of these local forums for community representation and engagement and will consider them as foundations for/ stages towards the creation of parishes with democratically elected councils.

### **Viability**

- the Council is anxious to ensure that parishes should be viable and should possess a precept which enables them to actively and effectively promote the well-being of their residents and to contribute to the real provision of services in their area in an economic and efficient manner;
- some parishes are anxious to take on the new power of well-being provided in the Local Government and Public Involvement in Health Act 2007; others hold Quality Parish status, while others again are anxious to enter into charters with Principal Councils for the provision of local services. The Council sees these initiatives as important measures of effective and convenient local government and will respect them in this Review;
- the Council recognises that, in its rural areas, a strong sense of community can prevail over an extensive but otherwise sparsely populated area. Parishes in these areas may have limited capacity to facilitate service provision and effective local government; but notwithstanding, arrangements in these areas, when they accord with the wishes of the inhabitants of the parish, will at least represent convenient local government.
- the Council is committed to ensuring that the Review leads to parishes which are based on areas which reflect community identity and interest and which are viable as an administrative unit.

## **THE GROUPING OF PARISHES**

### **Introduction**

A grouping order is permitted under Section 11 of the Local Government Act 1972. It may best be considered as a working alliance of parishes which have come together under a common parish council, with the electors of each of the grouped parishes electing a designated number of councillors to the council. It has been found to be an effective way of ensuring parish government for small parishes which might otherwise be unviable as separate units, while otherwise guaranteeing their separate community identity. There are no grouped parishes currently within the Hinckley & Bosworth area and only one parish which had less than 150 electors on 1 December 2011.

### **General principles**

Under the 1972 Act, smaller new parishes of less than 150 electors will be unable to establish their own parish council. The government has stated that, "in some cases, it may be preferable to group together parishes so as to allow a common parish council to be formed... such proposals are worth considering and may avoid the need for substantive changes to parish boundaries, the creation of new parishes or the abolition of very small parishes where, despite their size, they still reflect the community identity." This guidance is noted by the Council.

The Council recognises also that the grouping of parishes needs to be compatible with the retention of community interests and notes the government's guidance that "it would be inappropriate for it ('grouping') to be used to build artificially large units under single parish councils."

### **Other matters – styles and parish councillors**

Where the Re-organisation Order intends to form a group, provision with regard to the alternative styles is permitted by the legislation.

Where the Re-organisation Order intends to form a group, in considering the number of councillors to be elected to the common parish council by each of the constituent parishes, it will take into account those considerations of being equitable that operate with regard to the allocation of councillors in warded parishes and which are dealt with later in this document.

## **NAMES AND STYLES**

### **The naming of parishes**

With regard to the names of parishes, the Council will endeavour to reflect existing local or historic place-names and will give a strong presumption in favour of names proposed by local interested parties.

The Council considers that composite names of parishes are rarely in the interests of effective and convenient local government. The Council would wish to avoid composite name other than in exceptional circumstances where the demands of history, local connections or the preservation of local ties make a pressing case for the retention of distinctive traditional names.

There are legal requirements, particularly with regard to subsequent notification, with regard to the naming of parishes and the Council will be mindful of these.

### **Alternative styles**

The 2007 Act has introduced 'alternative styles' for parishes. If adopted, the 'alternative style' would replace the style "parish". However, only one of three prescribed styles can be adopted: "community", "neighbourhood" or "village". In addition, it should be noted that the style of "town" is still available to a parish. However, for as long as the parish has an 'alternative style', it will not also be able to have the status of town and vice versa.

Where a new parish is being created, the Council will make recommendations as to the geographical name of the new parish and as to whether or not it should have one of the alternative styles.

Where an existing parish is under Review, the Council will make recommendations as to whether the geographical name of the parish should be changed, but it will be for the parish council or parish meeting to resolve whether the parish should have one of the alternative styles.

## **ELECTORAL ARRANGEMENTS**

### **What does 'Electoral Arrangements' mean?**

An important part of our Review will comprise giving consideration to 'Electoral Arrangements'. The term covers the way in which a council is constituted for the parish. It covers:

- the ordinary year in which elections are held;
- the number of councillors to be elected to the council;
- the division (or not) of the parish into wards for the purpose of electing councillors;
- the number and boundaries of any such wards;
- the number of councillors to be elected for any such ward;
- the name of any such ward.

### **Ordinary year of election**

The Local Government Act 1972 states that ordinary election of parish councillors shall take place in 1976, 1979 and every fourth year thereafter (i.e.2007, 2011, 2015, etc).<sup>4</sup> However, the

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<sup>4</sup> S.16, LGA 1972

government has indicated that it would want the parish electoral cycle to coincide with the cycle for the borough council, so that the costs of elections can be shared. If the Review finds that it will be appropriate to hold an election for parish councillors, for example to a newly formed parish, at an earlier date than the next scheduled ordinary elections (2015), the terms of office of any newly elected parish councillors will be so reduced as to enable the electoral cycle to revert to the normal cycle in the borough at the next ordinary elections.

## **A council for a parish**

The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish:

Where the number of electors is 1,000 or more – a parish council must be created;

Where the number of electors is 151 – 999 – a parish council may be created, with a parish meeting being the alternative form of parish governance;

Where the number of electors is 150 or fewer – a parish council is not created.<sup>5</sup>

Consideration will be given as to whether other, non-parish council forms of community governance are in place in the parish, which might make a parish council unnecessary in an area: a consideration that is more likely to affect a new parish in a previously un-parished area.

## **What considerations cover the number of parish councillors?**

The Council notes that the number of parish councillors for each parish council shall not be less than five.<sup>6</sup> There is no maximum number. There are no rules relating to the allocation of councillors. However, each parish grouped under a common parish council must have at least one parish councillor.

The Aston Business School found the following levels of representation

<b>Electorate</b>	<b>Councillor Allocation</b>
Less than 500	5 – 8
501 – 2,500	6 – 12
2,501 – 10,000	9 – 16
10,001 – 20,000	13 – 27
Greater than 20,000	13 - 21

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<sup>5</sup> S.94 LG&PIHA 2007

<sup>6</sup> S.16, LGA 1972

The National Association of Local Councils (NALC) suggests that the minimum number of councillors should be seven and the maximum 25.

The government's guidance is that "each area should be considered on its own merits, having regard to its population, geography and the pattern of communities," and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter.

The table on the following page shows the present levels together with the number of seats which have required co-option at the last two ordinary elections held in 2007 and 2011 as well as those seats which were contested.

PARISH	PARISH WARD	WARD SEATS	2007 Elections		2011 Elections	
			Contested?	Co-opted seats	Contested?	Co-opted seats
BAGWORTH & THORNTON	BAGWORTH	4	No	1	Yes	0
	THORNTON	4	No	1	No	1
BARLESTONE	N/A	8	No	0	No	0
BARWELL	REDHALL	2	Yes	0	Yes	0
	ST MARY'S	6	Yes	0	Yes	0
	CHARNWOOD	4	No	1	Yes	0
BURBAGE	ST. CATHERINES	3	Yes	0	Yes	0
	STRETTON	4	Yes	0	Yes	0
	SKETCHLEY	4	Yes	0	Yes	0
	TILTON	4	Yes	0	Yes	0
	LASH HILL	5	Yes	0	Yes	0
CADEBY	N/A	5	No	0	No	1
CARLTON	N/A	5	No	0	No	0
DESFORD	BUFTON	2	No	2	No	0
	DESFORD	10	No	1	No	0
EARL SHILTON	CHURCH	2	No	0	Yes	0
	WEAVERS	4	No	0	Yes	0
	TOWNLANDS	4	No	1	No	1
	WESTFIELD	4	No	0	Yes	0
GROBY	GROBY	13	Yes	0	No	3
	FIELD HEAD	3	No	0	No	0
HIGHAM-ON-THE-HILL	N/A	6	Yes	0	No	2
MARKET BOSWORTH	N/A	8	No	0	No	1
MARKFIELD	N/A	10	No	1	No	1
NAILSTONE	N/A	5	No	0	No	0
NEWBOLD VERDON	N/A	10	No	0	Yes	0
OSBASTON	N/A	5	No	0	No	1
PECKLETON	KIRKBY MALLORY	2	No	1	No	1
	PECKLETON	2	No	0	No	0
	STAPLETON	2	No	1	No	1
RATBY	N/A	9	Yes	0	Yes	0
SHACKERSTONE	BARTON	2	No	1	No	0
	ODSTONE	1	No	0	No	1
	CONGERSTONE	1	No	0	No	0
	BILSTONE	1	No	0	No	0
	SHACKERSTONE	1	No	0	No	1
SHEEPY	UPTON	1	No	0	No	1
	SIBSON	2	No	0	No	0
	WELLSBOROUGH	1	No	0	No	0
	SHEEPY	7	No	1	No	1
STANTON-UNDER-BARDON	N/A	5	No	2	No	2
STOKE GOLDING	N/A	7	No	2	No	3

SUTTON CHENEY	DADLINGTON	3	No	1	No	0
	SHENTON	2	No	1	No	0
	SUTTON	2	No	1	No	1
TWYCROSS	GOPSALL	2	No	0	No	0
	ORTON	2	No	1	No	0
	TWYCROSS	3	No	1	No	0
WITHERLEY	FENNY DRAYTON	4	No	0	Yes	0
	ATTERTON	1	No	0	No	0
	RATCLIFFE	2	No	1	No	1
	WITHERLEY	4	No	1	No	1

The government makes a point “that the conduct of parish council business does not usually require a large body of councillors”. The Council will give careful consideration to whether the present levels of representation are appropriate or whether there is a “democratic surplus” in a parish.

By law the Principal Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- the number of local government electors for the parish;
- any change in that number which is likely to occur in the period of five years beginning with the day when the Review starts

The Council will also

- ensure that the allocation of councillors to parishes is broadly equitable across the borough, while acknowledging that local circumstances may occasionally merit variation;
- appreciate that there are different demands and consequently different levels of representation are appropriate between the urban and the rural parishes in the borough;
- investigate and, where appropriate, address the discrepancies that exist in levels of representation among urban parishes, using a sliding scales as a guide to the allocation of councillors;
- investigate and, where appropriate, address the inequalities that exist in levels of representation among the borough’s rural parishes, using a sliding scale as a guide to the allocation of councillors.

The Council acknowledges that there will be exception to the above, where some weight will be given to the following circumstances in forming the proposals:

- a high precept and high levels of service provision;
- where representation may be required to meet the challenges of population sparsity;
- the traditional scale of representation in a particular parish;
- supporting a warding arrangement in a particular parish and achieving a good parity of representation between wards.

## Parish warding

The Act requires that, in considering whether a parish should be divided into wards for the purposes of elections of the parish council, the Council should consider the following:

- whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient
- whether it is desirable that any area or areas of a parish should be separately represented on the council.<sup>7</sup>

The government's guidance is that "warding of parishes in largely rural areas that are based predominantly on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns there has been some urban overspill into the parish".

With regard to urban parishes, the government has suggested that "there is likely to be a stronger case for the warding of urban parishes... In urban areas community identity tends to focus on a locality, whether this be a housing estate, a shopping centre or community facilities. Each locality is likely to have its own sense of identity."<sup>8</sup> The Council will be mindful of this guidance and will endeavour to ensure that such urban wards focus on localities of distinct identity.

The Council will be mindful of all this guidance, noting further that "each case should be considered on its merits and on the basis of the information and evidence provided during the course of the Review".<sup>9</sup>

The Council wishes to emphasise that warding arrangements should be clearly and readily understood by and should have relevance for the electorate in a parish; they should reflect clear physical and social differences within a parish: one parish, but comprising different parts.

The ward elections should have merit; not only should they meet the two tests laid down in the Act, but they should also be in the interests of effective and convenient local government. They should not be wasteful of a parish's resources.

## The number and boundaries of parish wards

In reaching conclusions on the boundaries between parish wards, the Council will take into account community identity and interests in an area and will consider whether any particular ties or linkage might be broken by the drawing of particular ward boundaries. Equally, the Council,

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<sup>7</sup> S.95(3), LG&PIHA 2007

<sup>8</sup> Guidance para. 161

<sup>9</sup> Guidance para. 160



during its consultations in the Review, is mindful that proposals which are intended to reflect community identity and local linkages should be justified in terms of sound and demonstrable evidence of those identities and linkages.

The Council has noted the desirability of fixing boundaries which are, and will remain, easily identifiable, as well as taking into account any local ties which might be broken by the fixing of any particular boundaries. It is important that ward boundaries should be clearly understood. They should represent the most appropriate grouping of local attachments within a parish that comprises different parts.

The Guidance has suggested that a relevant consideration for the Council when undertaking a Review is that the borough wards and county electoral divisions should not split an unwarded parish and that no parish ward should be split by such a boundary. The relevant legal provisions do not apply to Review of parish electoral arrangements, but the Local Government Boundary Commission has requested the Council to bear this in mind, which the Council will do.<sup>10</sup>

### **The number of councillors to be elected for parish wards**

The council has noted that it is required to have regard to the following when considering the size and boundaries of the wards and the number of councillors to be elected for each ward:

- the number of local government electors for the parish
- any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the Review starts.

The government has advised, and this Council concurs that “it is an important democratic principle that each person’s vote should be of equal weight so far as possible, having regard to other legitimated competing factors, when it comes to the elections of councillors”. While there is no provision in legislation that each parish councillor should represent, as nearly as may be, the same number of electors, the Council considers that it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation between different parish wards.

The Council is likewise anxious to avoid the risk that, where one or more wards of a parish are over-represented by councillors, the residents of those wards (and their councillors) could be perceived as having more influence than others on the council. During the Review process and in its consultations, the Council is committed to consistently showing the ratios of electors to councillors that would result from its proposals.

The foregoing considerations of being equitable will also guide the Council when it considers the number of councillors to be elected to a common council by each parish within a grouping arrangement.

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<sup>10</sup> Guidance, para 163

## **Naming of parish wards**

With regard to the names of parish wards, the Council will endeavour to reflect existing local or historic place-names, and will give a strong presumption in favour of ward name proposed by local interested parties.

## **REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT**

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the order in detail, and the documents(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council's offices and published on the Council's website.

In accordance with the Guidance issued by the government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000. These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Council's main offices either at Argents Mead, Hinckley, LE10 1BZ or at the location of the main Council offices at the time of publication. Prints will also be supplied, in accordance with regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Local Government Boundary Commission for England.

Provisions of the Order will take effect for financial and administrative purposes from 1 April 2015.

The electoral arrangements for a new or existing parish council will come into force at the next ordinary elections to the parish council.

## **CONSEQUENTIAL MATTERS**

### **General principles**

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- the transfer and management or custody of property;
- the setting of precepts for new parishes;
- provision with respect to the transfer of any function, property, rights and liabilities
- provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act<sup>11</sup>

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<sup>11</sup> Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626)

In particular, the Council notes that the Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the proper officer of the Council as an appropriate proportion.<sup>12</sup>

Furthermore, the Council notes the Regulations regarding the establishment of a precept for a new parish and their requirements.<sup>13</sup>

### **Borough ward boundaries**

The Council is mindful that it may be necessary for it to recommend the Local Government Boundary Commission to make alterations to the boundaries of borough wards or county electoral divisions to reflect the changes made at parish level. The Council notes that it will be for the Local Government Boundary Commission to decide if related alterations should be made and when they should be implemented, and that the Commission may find it appropriate to conduct an electoral Review of affected areas.

The Council notes that the Local Government Boundary Commission will require evidence that the Council has consulted on any such recommendations for alterations to the boundaries or borough wards or county electoral divisions as part of the Review. Of course, such recommendations for alterations may only become apparent during the course of the Review. Even so, the Council will endeavour to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.

Where any such consequential matter affects Leicestershire County Council, the Borough Council will also seek the views of that council with regard to alterations to electoral division boundaries in accordance with the government's guidance.

### **DATE OF PUBLICATION OF THESE TERMS OF REFERENCE**

These terms of reference were formally published on XX April 2012. Any modifications will be published as soon as practicable after they have been made.

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<sup>12</sup> Regulation 7(6), Local Government (Parishes and Parish Councils) (England) Regulations 2008

<sup>13</sup> Regulation 3, Local Government Finance (New parishes) Regulations 2008