



Hinckley & Bosworth
Borough Council

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

COMMUNITY GOVERNANCE REVIEW

TERMS OF REFERENCE

1. Introduction

- 1.1 Hinckley and Bosworth Borough Council has resolved to undertake a Community Governance Review of the Hinckley and Bosworth local authority area in accordance with part 4, chapter 3 of the Local Government and Public Involvement in Health Act 2007.
- 1.2 The council is required to have regard to the guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This guidance has been considered when drawing up these terms of reference.
- 1.3 The Council will also be guided by the relevant parts of the Local Government Act 1972, the Local Government (Parishes and parish Councils) (England) Regulations 2008 (SI2008/625) and the Local Government Finance (New Parishes) Regulations 2008 (SI2008/626) which guide, in particular, consequential matters arising from the review.

2. What is a Community Governance Review?

- 2.1 A Community Governance Review provides an opportunity to put in place strong, clearly defined boundaries which reflect local identities and facilitate effective and convenient local government. It can take place for the whole or part of the borough to consider one or more of the following:
 - a) creating, merging, altering or abolishing parishes;
 - b) the naming of parishes and the style of new parishes;
 - c) the electoral arrangements for parishes including:

- the ordinary year of election
 - council size
 - the number of councillors to be elected to the council
 - the warding (if any) of the parish.
- d) grouping parishes under a common parish council or de-grouping parishes.
- 2.2 The council is required to ensure that community governance within the area under review will be:
- a) reflective of the identities and interests of the community in that area
 - b) effective and convenient.
- 2.3 In doing so, the community governance review is required to take into account:
- a) The impact of community governance arrangements on community cohesion
 - b) The size, population and boundaries of a local community or parish.

3. Why is the council undertaking the Review?

- 3.1 The council believes that parish and town councils play an important role in community empowerment and wants to ensure that parish governance in our borough continues to be robust, representative and able 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 (warding arrangements and allocations of councillors) are appropriate, equitable and understood by their electorate.
- 3.2 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 2012. This is in line with government guidance that it is good practice to conduct a review every 10-15 years.
- 3.3 There have also been approaches by some communities to undertake a review due to population changes or changes to the natural settlements.

4. Who will undertake the review?

- 4.1 As the relevant principal authority, Hinckley & Bosworth Borough Council is responsible for conducting any Community Governance Review in its electoral area. The council will oversee the review and produce draft and final recommendations. Council will approve the recommendations before a Community Governance Order is made.

5. Areas under review

- 5.1 The whole of the Hinckley & Bosworth area will be included in the Community Governance Review. The review will not automatically mean there will be changes but it will see if there is a case for change. The council is not seeking a particular solution at this stage. It wishes to test views and assess what solutions are the right ones to pursue with each individual parish.

6. Consultation

- 6.1 The council is required to take account of the views of local people and legislation 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.
- 6.2 The council will comply with the statutory consultative requirements by:
- a) Consulting local government electors for the area under review
 - b) Consulting any other person or body (including a local authority) which appears to the council to have an interest in the review
 - c) Notifying and consulting Leicestershire County Council
 - d) Taking into account any representations received in connection with the review.
- 6.3 The council will publicise the review by:
- a) Displaying a notice at Hinckley Hub
 - b) Publishing a notice on the council's website at www.hinckley-bosworth.gov.uk
 - c) Writing to all town and parish councils or any other community or resident groups of which the council is aware (including neighbourhood planning groups)
 - d) Writing to the Leicestershire & Rutland Association of Local Councils
 - e) Consulting borough councillors, the relevant county councillors and members of parliament
 - f) Consulting the voluntary and community sector via the Rural Community Council.
- 6.4 Information about each stage of the review will be published on the council's website. Key documents will be available for inspection at Hinckley Hub, Rugby Road, Hinckley, LE10 0FR on arrangement.

6.5 Notification of the outcome of the review will be carried out by publishing them on the council's website, through general press releases and making the documents available for inspection at Hinckley Hub on appointment.

7. Timetable for the Community Governance Review

7.1 Publication of the terms of reference formally begins the review, which must be completed within 12 months of that date. The timetable is below:

Action	Date
Commencement of review – terms of reference published	23 February 2022
Initial consultation stage	23 February 2022 to 18 May 2022
Draft recommendations prepared	May to June 2022
Draft recommendations published	13 July (following approval by Council)
Consultation on draft recommendations	13 July 2022 to 7 September 2022
Final recommendations prepared	September to October 2022
Final recommendations considered by Council	1 November 2022
Community Governance Order(s) made	By January 2023
New community governance arrangements come into force (if appropriate)	May 2023 local elections

7.2 Any Community Governance Order made following a review should, for administrative and financial reasons (for example setting up a new parish council and arranging for its first precept) take effect on 1 April following the date on which the Order is made. Electoral arrangements will come into force at the elections to any new parish council following the making of the Order.

8. Electoral forecasts

8.1 The 4 January 2022 register has been used to produce existing parish ward electorate figures, which are set out in annexe 1.

8.2 When the council considers electoral arrangements for the parish and town councils in the area, it is required to consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning the date the review starts.

8.3 Electorate forecasts have been prepared using information contained in the emerging local plan to produce five-year forecasts, details of which are set out in annexe 1.

9. The present structure of parish councils and their electoral arrangements

- 9.1 In addition to electorate information, annexe 1 includes information regarding the following:
- a) Type of governance, for example parish/town council, joint council or parish meeting
 - b) Current number of parish councillors
 - c) Ratio of current councillors to electorate
 - d) District ward
 - e) County division
 - f) Current parliamentary constituency.
- 9.2 Guidance 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.
- 9.3 The council is required to consider other forms of community governance as alternatives or stages towards establishing parish councils. The Hinckley borough wards are not represented by parish/town 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 elected for the relevant wards in the area. The structure of governance of this area is contained in annexe 1.

10. Consequential matters

- 10.1 When the required consultation has been undertaken and the review completed, the council may make an Order to bring into effect any decision that it may make. If the council decides to take no action then it will not be necessary to make an order.
- 10.2 If an Order is made, it may be necessary to cover certain consequential matters in that Order. These may include:
- a) The transfer and management or custody of any property
 - b) The setting of a precept (council tax levy) for the new parish council
 - c) Provision with respect to the transfer of any functions, property, rights and liabilities
 - d) Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- 10.3 The council will also take into account the requirements of the Local Government Finance (New Parishes) Regulations 2008 when calculating the budget

requirement of any new parish councils when setting the council tax levy to be charged.

11. Representations

11.1 Hinckley and Bosworth Borough Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included within the review.

11.2 Representations may be made in the following ways:

- Online using the form at www.hinckley-bosworth.gov.uk/communitygovernance
- By email to democraticsupport@hinckley-bosworth.gov.uk
- By post to
Democratic Services
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR.