



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Council 19 February 2026

Wards affected: All wards

Witherley Community Governance Review

Report of the Chief Executive

1. Purpose of report

1.1 To seek Council approval of the terms of reference for the community governance review for the area of Witherley parish.

2. Recommendation

2.1 Council approves the community governance review and the associated terms of reference for publication and consultation.

2.2 Authority be granted to the Deputy Chief Executive to amend the terms of reference if required.

2.3 The petition from residents of Fenny Drayton be accepted and considered as part of the Witherley community governance review.

3. Background to the report

3.1 In accordance with the Local Government and Public Involvement in Health Act 2007, the Council must undertake a community governance review upon receipt of a valid petition.

3.2 On 27 November 2025, a petition was received which contained 94 signatures. When validated, this passed the threshold stated in Section 80 paragraph (3) of the Local Government and Public Involvement in Health Act 2007 which requires that:

(a) If the petition area has fewer than 500 local government electors, the petition must be signed by at least 37.5% of the electors;

- (b) If the petition area has between 500 and 2,500 local government electors, the petition must be signed by at least 187 of the electors;
- (c) If the petition area has more than 2,500 local government electors, the petition must be signed by at least 7.5% of the electors.

As the petition area relates to only the settlement of Ratcliffe Culey, the criteria in (a) above has been met.

- 3.3 The text of the petition is attached at appendix C. In summary, the petition requests:
- (i) Ratcliffe Culey to be removed from the parish area of Witherley Parish Council before 31 March 2026;
 - (ii) A new parish council to be formed for the settlement of Ratcliffe Culey with five elected representatives;
 - (iii) The new parish council to have a new name.
- 3.4 The petition contains reasons for requesting the review. Members will note that many of these reasons and parameters are not within the remit of a community governance review, however a review must be undertaken within 12 months of receipt of the petition.
- 3.5 Whilst the petition requests a community governance review for Ratcliffe Culey, the entire area of Witherley parish must be included in the review as it will be impacted by any outcomes of the review. The map showing the area for review is attached at appendix B.
- 3.6 A member working group will be set up to consider responses to the initial consultation, prepare draft recommendations, review the responses to the second consultation and agree the final recommendations. The working group will consist of the three political group leaders or their nominees, the ward councillor and relevant officers.
- 3.7 Since accepting the petition thereby commencing the review, a further petition has been received from residents of Fenny Drayton asking the Borough Council to:
- (i) Remove Fenny Drayton from the parish area of Witherley Parish Council before 31 March 2026;
 - (ii) Form a new parish council for the settlement of Fenny Drayton with five elected representatives (Fenny Drayton residents are not in opposition to Ratcliffe Culey);
 - (iii) The new parish council to have a new name and identity to enable a fresh, untarnished council to act in the best interests of the public.
- 3.8 In accordance with section 85(4) of the Local Government and Public Involvement in Health Act 2007, the Council must decide how to deal with this petition as the area to which the petition relates is already under review. It is recommended that the petition be accepted and considered as part of the Witherley community governance review.

4. Exemptions in accordance with the Access to Information procedure rules

4.1 To be taken in open session.

5. Financial implications (DW)

5.1 None.

6. Legal implications (ST)

6.1 None.

7. Corporate Plan implications

7.1 The community governance review supports all objectives within the corporate plan by ensuring community governance is appropriate.

8. Consultation

8.1 Public consultation will take place and the views of the parish council, borough councillors and the voluntary sector via the Rural Community Council will be invited, along with those that the legislation requires us to consult with.

9. Risk implications

9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) risks

Risk description	Mitigating actions	Owner
Electorate dissatisfaction with revised arrangements	Maximise public awareness to ensure the electorate are aware of the consultation and how to submit a response. Council to give due consideration to all responses received	Chief Executive
Non-compliance with government policy	Council to be mindful of government guidelines and policy	Monitoring Officer
Potential for judicial review	Council to ensure that decision making processes are followed and decisions are supported by clear reasons	Democratic Services Manager

10. Knowing your community – equality and rural implications

- 10.1 The review will invite communities to input into the governance arrangements that affect them.
- 10.2 The outcomes of the review may impact an existing parish council, but support will be provided where changes are implemented.
- 10.3 The consultation process will be accessible to all residents.
- 10.4 An equality impact assessment will be undertaken when the final proposals are drafted.

11. Climate implications

- 11.1 Consultation methods will be carefully considered to avoid paper consultation where possible, although this will still be available to those who require it.

12. Corporate implications

- 12.1 By submitting this report, the report author has taken the following into account:
 - Community safety implications
 - Environmental implications
 - ICT implications
 - Asset management implications
 - Procurement implications
 - Human resources implications
 - Planning implications
 - Data protection implications
 - Voluntary sector

Background papers: None

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