



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 Witherley Parish in accordance with part 4, chapter 3 of the Local Government and Public Involvement in Health Act 2007 following receipt of a petition in accordance with section 80 of chapter 3.
- 1.2 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 (SI2008/626). The 2007 Act has transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.
- 1.3 Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish its terms of reference for a review. The terms of reference set out clearly the matters on which it will focus, in accordance with government expectations.

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

2.1 A Community Governance Review considers parish arrangements. It 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 is undertaking a review at this time because valid petition has been received from residents of Ratcliffe Culey within the parish of Witherley.

3.2 The Local Government and Public Involvement in Health Act 2007 provides that such a petition must contain signatures from at least 37.5% of the relevant electorate in cases where this number is less than 500, which is the case in Ratcliffe Culey. The area of the review has been clearly defined as required and the signatures have been verified.

3.3 The petition asks for:

- (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 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.

#### **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 Whilst the petition received refers to Ratcliffe Culey, it is necessary for the entire parish of Witherley to be included in the Community Governance Review as the whole area will be impacted by any changes. The review will not automatically mean there will be changes but it will assess whether there is a case for change.

#### **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](http://www.hinckley-bosworth.gov.uk)
- c) Writing to Witherley Parish Council, any other affected parish council 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 it 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 The review must be completed within 12 months of receipt of a valid petition. The timetable is below:

Action	Date
Petition received	27 November 2025
Council approval of terms of reference	19 February 2026
Initial consultation stage	23 February to 3 April 2026
Draft recommendations presented to Council	9 June 2026
Draft recommendations published	22 June 2026
Consultation on draft recommendations	22 June to 14 August 2026
Final recommendations considered by Council	24 November 2026
Community Governance Order(s) made	By 1 April 2027
New community governance arrangements come into force (if appropriate)	May 2027 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 projected electorate for the parish wards within Witherley are:

Parish ward	Number of councillors	Projected electorate (January 2030)
Fenny Drayton	4	440
Atterton	1	33
Ratcliffe	2	151
Witherley	4	592
Total	11	1216

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

9.1 Witherley parish is currently governed by Witherley Parish Council. Witherley Parish Council has 11 councillors split between parish wards and with the councillor to elector ratio as follows:

Parish ward	Number of councillors	Electors per councillor (2030 projection)
Fenny Drayton	4	111
Atterton	1	33
Ratcliffe	2	76
Witherley	4	148

The parish of Witherley is part of Twycross & Witherley with Sheepy borough ward, Market Bosworth county division and Hinckley and Bosworth 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. This does not currently apply to the parish of Witherley.

9.3 The council is required to consider other forms of community governance as alternatives or stages towards establishing parish councils.

## 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](http://www.hinckley-bosworth.gov.uk/communitygovernance)
- By email to [democraticsupport@hinckley-bosworth.gov.uk](mailto:democraticsupport@hinckley-bosworth.gov.uk)
- By post to  
Democratic Services  
Hinckley & Bosworth Borough Council  
Hinckley Hub  
Rugby Road  
Hinckley  
Leicestershire  
LE10 0FR.