

# **East Herts Council Report**

## **Council**

**Date of meeting: Wednesday 26 February 2025**

**Report by:** Democratic and Electoral Services Manager

**Report title:** Community Governance Review - draft recommendations

**Ward(s) affected: (All Wards);**

**Summary** – To consider the draft recommendations that have been formulated from the responses to the first stage of consultation that closed on 6 January 2025 and to agree the recommendations for the second stage of public consultation of the Community Governance Review (CGR).

## **RECOMMENDATIONS FOR COUNCIL:**

- a) That the outcome of the first stage consultation be noted.**
- b) That Council agree the Draft Proposals for the Community Governance Review at Appendix A, launching a public consultation on those (noting that the Final Recommendations will be considered at a future Council meeting, taking the results of the public consultation into account).**

## **1.0 Proposal(s)**

- 1.1 Council agreed the timetable and Terms of Reference of the Community Governance Review at its meeting on 16 October 2024.
- 1.2 The initial consultation was carried out between 28 October 2024 and 6 January 2025. The Community Governance Review working

group met on 6 February 2025 to review the responses received and propose draft recommendations. The responses from the consultation are attached at Appendix B.

## 2.0 Background

2.1 Following agreement by Council to carry out a Community Governance Review, the following timetable was agreed:

<b>Timetable for Community Governance Review</b>	
<b>Stage of process</b>	<b>Proposed dates</b>
Publication of terms of reference	16 October 2024
<b>Initial submissions</b>	
Initial submissions invited/ publicity campaign	28 October to 6 January 2025
Deadline for initial submissions	6 January 2025
Consideration of submissions/ preparation of draft recommendations	January/February 2025 (report to Council meeting 26 February 2025)
<b>Consultation on draft recommendations</b>	
Publication of draft recommendations	3 March 2025
Consultation on draft recommendations/ publicity campaign	3 March to 12 May 2025
Deadline for consultation responses	12 May 2025
Consideration of responses/ preparation of final recommendations	May/June 2025 (report to Council meeting July 2025)
<b>Decisions &amp; implementation</b>	
Publication of final recommendations	July 2025
Council meeting to make any Reorganisation Order	July 2025

Effective date for any revised electoral arrangements	6 May 2027 (next ordinary town/parish council elections)
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- 2.2 The Local Government and Public Involvement in Health Act 2007 sets out two statutory criteria. The Council must, by law, have regard to the need to secure that community governance within the area under review:
- a. reflects the identities and interests of the community in that area, and
  - b. is effective and convenient.
- 2.3 Once approved, the final outcome of the CGR will be implemented ahead of the 2027 local elections.
- 2.4 The Council must take into account the 2010 government guidance (published by DCLG). The Council must also have due regard for responses submitted during the consultations and be open and transparent such that local stakeholders are made aware of the outcome of the decisions and the reasons behind those decisions.
- 2.5 It is East Herts Council who decide community governance arrangements. Therefore, where difficult decisions must be made, consideration must be given to opposing and differing views in light of legislation, best practice, and official guidance. Best practice guidance includes, for example, using identifiable markers for boundaries (such as rivers, railways, roads and the edges of properties).

## **Consultation**

- 2.6 The initial consultation took place between 28 October 2024 and 6 January 2025 and as the initial consultation was wide in its scope, a wide range of responses were received. All responses received can be found at Appendix B.

- 2.7 All town and parish councils were emailed with a link to the consultation form and District members were notified of the consultation via the Members' Information Bulletin.
- 2.8 The draft recommendations if approved, will be put out to consultation from 3 March to 12 May 2025. Any residents directly affected by any boundary changes will be written to and asked to respond to the consultation.
- 2.9 The Community Governance Review working group will meet again in June 2025 to consider all the consultation responses and use them to form a set of Final Recommendations that will be presented to Council at its meeting on 23 July 2025.

### **Draft proposals**

- 2.10 The Community Governance Review working group met on 6 February 2025 to consider the consultation responses and proposed a set of draft recommendations to Council for debate and approval. The proposals are listed at Appendix X with a summary of the consultation responses received and maps are included where a proposed draft recommendation includes a change to an existing boundary or creation of a new boundary.
- 2.11 It is important to note that no decisions are confirmed at this stage. The consultation process on the draft recommendations is an essential part of the CGR, and responses will (by law) be taken into account in producing the Final Recommendations to Council.
- 2.12 The Council is required to publish the reasons for making its decisions as a result of a CGR. As such, a summary of the responses to the consultation are included at the appropriate section of the report, with all submissions included at the end, with personal information redacted or removed.
- 2.13 The group's rationale for each draft recommendation are as follows:

## **Bishop's Stortford Town and Thorley Parish**

- 2.14 The group have recommended that the boundary between these parishes is moved down to St James Way and up parallel to Thorley Street so that the Bishop's Stortford South development is wholly in Bishop's Stortford. The houses on Thorley Street would remain in Thorley Parish.
- 2.15 The group felt that the development was an extension of Bishop's Stortford and it was not unusual for towns to extend beyond existing boundaries due to development growth which should be re-examined.
- 2.16 The group felt that residents of the new development would look to Bishop's Stortford for amenities as opposed to Thorley.

## **Hertingfordbury Parish Council**

- 2.17 Hertingfordbury Parish Council had requested that the boundary be moved so that the village of Hertingfordbury was located within Hertingfordbury Parish.
- 2.18 The Member group highlighted that the residents of Hertingfordbury had not requested this and recognised that there was an active resident group within Hertingfordbury that was against this change.
- 2.19 The group's draft recommendation is to leave Hertingfordbury in Hertford and rename Hertingfordbury Parish Council as the village does not sit within the parish and could be misleading.
- 2.20 The group have also proposed a reduction in parish councillors as the parish currently has 10. Hertingfordbury Parish Council had requested for the number of parish councillors to be reviewed if

the boundary was proposed to remain the same. There are currently 10 councillors for 525 electors.

### **Ware Town and Wareside Parish**

- 2.21 Ware Town Council requested a CGR in July 2022 to review the boundary between Ware, Wareside and Thundridge, so the whole of the Ware2 Development proposed in the East Herts Masterplan falls within Ware.
- 2.22 Wareside Parish were against the above proposal and argue that the loss of the precept from the new development will have an impact on their ability to deliver services to the parish.
- 2.23 The working group considered both arguments and have made a draft recommendation that the boundary is not moved as the Ware2 development had not yet received planning permission and there were currently no residents within this area to consult with. The group felt that the public consultation on the draft recommendation might provide further evidence either way to moving the boundary.

### **Stanstead Abbots Parish Council and Stanstead St Margaret's Parish Council**

- 2.24 Both parish councils submitted responses to suggest they would be open to merging the councils into one covering the area of Stanstead Abbots and Stanstead St Margaret's.
- 2.25 The working group have proposed that these two parishes are merged together into one parish called Stanstead Abbots and St Margaret's Parish Council.

### **Great Amwell Parish Council**

- 2.26 Great Amwell did not want to be merged or grouped with Stanstead Abbots Parish Council and Stanstead St Margarets Parish Council.
- 2.27 They requested that their southern boundary be changed so that it followed a geographical feature. They would like the boundary to follow the entire length of the B181 to its junction with the Amwell Roundabout, then follow the northern (highway) part of that roundabout and then proceed along the B1502 until it reaches its current intersection with that highway from the old Hertford Road.
- 2.28 This would take a small area from Stanstead St Margaret's but no residents would be affected.
- 2.29 The working group were happy to include this suggestion in their draft recommendations.

### **Hertford Town Council - Rush Green Roundabout**

- 2.30 The delayed 2023 Community Governance Review proposed changing the boundaries on the Rush Green Roundabout so that the whole area sat within a single County Division, District Ward, and Parish/Town Council.
- 2.31 The rationale behind the change to make it easier for Town, District and County Members to deal with issues generated by the roundabout and the business located on it.
- 2.32 The new boundaries would put the roundabout in the Kingsmead East Ward of Hertford Town Council. If this was to be approved when the Final Recommendations are presented to Council, the council would need to contact the Local Government Boundary Commission to move the district ward and county divisions boundaries.
- 2.33 The working group were happy to include this in their draft recommendations.

### **Aston Parish Council and Walkern Parish Council**

- 2.34 Aston and Walkern Parish Councils have requested that the new Hazel Park Development of 600 new homes being built at the northern end of Aston Parish and small part of the western part of Walkern Parish has a separate Community Council.
- 2.35 The group felt that this development was an urban expansion of Stevenage but moving district boundaries was beyond the remit of the Community Governance Review.
- 2.36 The group considered that it was impractical to set up a new parish council until the development had been completed. They therefore recommend that this development remain inside the two parishes and no change is proposed.

### **Sawbridgeworth Town Council**

- 2.37 As part of the consultation, the Town Council suggested that they did not want to be warded.
- 2.38 However, the working group felt that this proposal should be explored as part of the review and formed a draft recommendation that would ward the town into four wards, along the current polling districts.
- 2.39 The group felt it was unusual for a town council of Sawbridgeworth's size to not be warded and suggested it could improve representation for residents. The group cited other examples of town councils across the country of similar electorate sizes that had wards.

### **Buntingford Town Council**

- 2.40 As part of the consultation, the Town Council suggested that they did not want to be warded.
- 2.41 However, as for Sawbridgeworth, the working group felt that this proposal should be explored as part of the review and formed a



draft recommendation that the town council should be split into wards.

### **Tewin Parish Council**

2.42 There was a proposal in the Local Government Boundary Commission report that the Council may wish to consider removing the ward structure in Tewin.

2.43 The group felt that this was not necessary and proposed to leave the warding structure as it is.

### **Brent Pelham Parish Council**

2.44 The parish council have been operating as a group parish under the name Brent Pelham and Meesden Parish Council for several years.

2.45 The only way to officially change the name of a parish council is via a Community Governance Review.

2.46 The working group have proposed a draft recommendation to change the name of the parish council to Brent Pelham and Meesden.

### **Buckland Parish Council**

2.47 The parish council have been using the name Buckland and Chipping Parish Council for several years.

2.48 The only way to officially change the name of a parish council is via a Community Governance Review.

2.49 The working group have proposed a draft recommendation to change the name of the parish council to Buckland and Chipping.

### **Stapleford Parish Council**

2.50 The parish council have been using the name Stapleford and Waterford Parish Council for several years.

2.51 The only way to officially change the name of a parish council is via a Community Governance Review.

2.52 The working group have proposed a draft recommendation to change the name of the parish council to Stapleford and Waterford.

### **3.0 Reason(s)**

3.1 The approval of draft recommendations is the next step in the CGR Timetable. Following approval, these will go out to public consultation.

### **4.0 Options**

4.1 None – Council have commenced the CGR process and this cannot be stopped by law.

4.2 Council will need to agree draft recommendations to be put out to consultation.

### **5.0 Risks**

5.1 Government guidance states that it is good practice to conduct a full review at least every 10 – 15 years and keep the area under review in the interim. Given the Local Government Boundary Associations recommendations during the last district ward review and certain requests received from parish councils, it is now appropriate to formally review the parish governance arrangements throughout the district.

5.2 Failure to properly conduct or implement a CGR may result in a Judicial Review. This report sets out how the consultation on the draft proposals will be carried out to ensure an effective consultation period to reduce the risk of this happening.

## **6.0 Implications/Consultations**

### **Community Safety**

No

### **Data Protection**

No

### **Equalities**

No

### **Environmental Sustainability**

No

### **Financial**

The Council is required to undertake regular reviews of community governance at its own cost. There will be a consultation form on the website for responses to be captured but where the Draft Proposals make changes for specific properties (such as changes to external parish boundaries, or the creation of new parish councils) these require printed materials to be delivered to the affected properties with print and distribution costs attached.

The Electoral Services team will look at the most cost effective options for delivery of these printed documents to affected households.

### **Health and Safety**

No

### **Human Resources**

No

### **Human Rights**

No

### **Legal**

The Council, as principal council, has authority to take decisions about parish electoral governance arrangements under Sections 79 and 102(2) the Local Government and Public Involvement in Health Act 2007.

Sections 81 – 84 of the above Act cover relevant aspects of the Terms of Reference for the review. These are Terms under which the review is to be undertaken and specify the area under review, which were approved by Full Council at its meeting on 16 October 2024 and are attached to this report for information.

### **Specific Wards**

Yes – [list them here](#)

## **7.0 Background papers, appendices and other relevant material**

7.1

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