

East Herts Council Report

Non-key decision by an individual Executive Member

Date of decision: 8th June 2026

Report by: Councillor Ben Crystall – Leader

Report title: East Herts Council's Agreement to the County-wide Response to the Government's Initial Consultation on the Upcoming Structural Change Order related to Local Government Reorganisation in Hertfordshire

Ward(s) affected: All

Summary

As part of the ongoing preparations for local government reorganisation (LGR) in Hertfordshire, the chief executives of all local authorities in the county have been invited by the Ministry of Housing, Communities and Local Government (MHCLG) to provide their views by 16th June on a series of preliminary matters relating the setting up the new unitaries. This report covers the proposed responses draw up by all the Hertfordshire councils working together.

RECOMMENDATIONS FOR DECISION:

That the Leader of East Herts Council:

- a) Agrees that East Herts Council is content that the proposed responses, as listed in Table 1 at paragraph 3.1 of this report, to the Government Consultation on the Upcoming Structural Change Order related to Local Government Organisation be sent as the unified Hertfordshire return.

1.0 Proposal

- 1.1 It is proposed that to commence Hertfordshire authorities' input to the Structural Change Order (SCO) that the government will issue in due course governing the establishment of new unitary authorities in Hertfordshire, a single, unified return in response to

MHCLG's initial questions about the content of the SCO is made for Hertfordshire.

- 1.2 It is further proposed that East Herts Council agrees to the proposed responses.

2.0 Background

- 2.1 As part of the ongoing preparations for local government reorganisation (LGR) in Hertfordshire, the chief executives of all local authorities in the county have been invited by the Ministry of Housing, Communities and Local Government (MHCLG) in a letter of 19th May 2026 to provide their views on a series of preliminary matters relating the setting up the new unitaries. This is first stage of consultation between MHCLG and the Hertfordshire authorities on the content of the Structural Change Order (SCO) for the county. The SCO, which the government will issue in due course, is the statutory legal instrument by which the existing councils will be replaced by the new unitaries, the number of which is yet to be determined by the government.
- 2.2 The deadline for responding to this first tranches of questions on the SCO is 16th June.
- 2.3 As with all LGR preparations, all councils across Hertfordshire wish to provide a single return. To that end, the Monitoring Officers of all 11 authorities met on 26th May to agree draft responses for consideration by the chief executives at the Hertfordshire Chief Executives Co-ordination Group on 27th May.
- 2.4 All authorities are following their own constitutional processes to secure agreement to the proposed responses to MHCLG's questions.
- 2.5 In East Herts, agreeing the proposed responses has been deemed to be an Executive function, drawing on external legal opinion sought by Hertfordshire County Council that confirmed this. In addition, East Herts Council's Constitution has delegated

to individual Executive members the power to respond to ‘relevant consultations by Central Government’. Furthermore, the Constitution has the effect of affording the Leader the authority to exercise any functions that an individual Executive member could determine. Given the nature of LGR and the Leader’s involvement in preparations to date, it is appropriate for him to determine the matters covered in this report.

2.6 The matter at hand does not meet the definition of a key decision and thus it is being dealt with as a non-key decision.

3. Reasons

3.1 The representations requested by MHCLG and the proposed responses to be made in a single, unified return for Hertfordshire are given in Table 1 below.

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Table 1: Proposed responses from Hertfordshire to representations sought from the county by MHCLG on emerging SCO issues

	Representation from Hertfordshire sought by MHCLG	Proposed single, unified response from Hertfordshire	Notes																																
1	Whether you would prefer a preparing council and implementation executive model (where geographies align) or a new council model with a joint committee?	Shadow Council following establishment of Joint Committees.	This is the only model available as the new unitaries will not follow an existing geographies (as would be the case if there was to be one unitary authority for the whole county)																																
2	How many members from each relevant council would you prefer to sit on each Joint Committee or implementation executive, including the balance of members from different councils?	<p>50/50 split between county and districts based on the following principles and further illustrated in the tables below.</p> <p>If two unitary model: 1 seat per district If three unitary: 2 seats per district If four unitary model: 2 seats per district</p> <p>2 unitary model:</p> <table border="1" data-bbox="535 1058 1588 1142"> <thead> <tr> <th>West</th> <th>HCC</th> <th>DBC</th> <th>HBC</th> <th>StA</th> <th>TRDC</th> <th>WBC</th> <th>Total Seats</th> </tr> </thead> <tbody> <tr> <td>Seats</td> <td>5</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>10</td> </tr> </tbody> </table> <p>Proportionality rules apply to HCC only</p> <table border="1" data-bbox="535 1222 1588 1347"> <thead> <tr> <th>Eastern</th> <th>HCC</th> <th>BBC</th> <th>EHDC</th> <th>NHDC</th> <th>SBC</th> <th>WHBC</th> <th>Total Seats</th> </tr> </thead> <tbody> <tr> <td>Seats</td> <td>5</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>10</td> </tr> </tbody> </table> <p>Proportionality rules apply to HCC only</p>	West	HCC	DBC	HBC	StA	TRDC	WBC	Total Seats	Seats	5	1	1	1	1	1	10	Eastern	HCC	BBC	EHDC	NHDC	SBC	WHBC	Total Seats	Seats	5	1	1	1	1	1	10	The MHCLG guidance is that committees should be between 8-16 members to provide sufficient capacity and representation
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3 unitary model:

West	HCC	DBC	TRDC	WBC	Total Seats
Seats	6	2	2	2	12

Proportionality rules apply to HCC only

Central	HCC	HBC	StA	WHBC	Total Seats
Seats	6	2	2	2	12

Proportionality rules apply to HCC only

Eastern*	HCC	BBC	EHDC	NHDC	SBC	Total Seats
Seats	8	2	2	2	2	16

Proportionality rules apply to HCC only

*2 ward changes Wel/Hat to Eastern assume no change of representation

4 Unitary model:

North West	HCC	DBC	StA	Total Seats
Seats	4	2	2	8

		<table border="1"> <thead> <tr> <th>South West</th> <th>HCC</th> <th>HBC</th> <th>TRDC</th> <th>WBC</th> <th>Total Seats</th> </tr> </thead> <tbody> <tr> <td>Seats</td> <td>6</td> <td>2</td> <td>2</td> <td>2</td> <td>12</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Central **</th> <th>HCC</th> <th>NHDC</th> <th>SBC</th> <th>WHBC</th> <th>Total Seats</th> </tr> </thead> <tbody> <tr> <td>Seats</td> <td>5</td> <td>1</td> <td>2</td> <td>2</td> <td>10</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Eastern**</th> <th>HCC</th> <th>BBC</th> <th>EHDC</th> <th>NHDC</th> <th>Total Seats</th> </tr> </thead> <tbody> <tr> <td>Seats</td> <td>5</td> <td>2</td> <td>2</td> <td>1</td> <td>10</td> </tr> </tbody> </table> <p>** Inclusive of NHDC for boundary change between Central and Eastern</p>	South West	HCC	HBC	TRDC	WBC	Total Seats	Seats	6	2	2	2	12	Central **	HCC	NHDC	SBC	WHBC	Total Seats	Seats	5	1	2	2	10	Eastern**	HCC	BBC	EHDC	NHDC	Total Seats	Seats	5	2	2	1	10	
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3	Would you prefer for any individuals to be specified for the Chair/Deputy Chair roles, and if so, who?	Chair/Deputy Chairs to be agreed at the first meeting of the Joint Committee.																																					
4	What are your views on any requirement for political balance in the implementation executive/joint committee(s)?	Political balance shall not apply to the membership of Joint Committees.	Political balance requirements only apply where at least three seats on the joint committee are to be filled by appointments made by the authority concerned (paragraph 1(c) of Schedule 1 Local Government and Housing Act 1989).																																				

			MHCLG have advised that authorities can request that political balance requirements are disapplied for Joint Committees. It is recommended that the authorities request MHCLG disapply the political balance requirements.
5	<p>What would be your preferences for the membership of the Implementation Team and whether roles should be specified?</p>	<p>One Team composed of officers from the County Council and all District and Borough Councils.</p> <p>The Chair of the Implementation Team will be the Chief Executive of the County Council.</p> <p>The deputy leaders of the Implementation Team are to be one Chief Executive or other nominated senior officer for each proposed UA area to be obtained from the District/Borough Councils to be agreed at the first meeting of the Implementation Team.</p>	
6	<p>Who should be the returning officer for the first election to each of the new unitary councils, that proposals would see established? (We anticipate that the SCO would specify the role at a particular council rather</p>	<p>This is to be agreed by Chief Executive Coordination Group for each unitary option.</p>	

	than an individual person)																								
7	Confirm if you would prefer the SCO to align future parish council elections with those of the new councils and set out when parish council elections currently take place across the four year electoral cycle for each of the new council areas?	<p>We are minded to prefer alignment of future parish and town councils with those of the new councils, with the next elections being held at the same time as the shadow council elections and then a four-year election cycle for the parish and town councils resuming from 2032, this being subject to local consultation with parish and town councils where this is deemed necessary.</p> <p>The next scheduled parish elections for each district/borough council are as follows:</p> <table border="1"> <thead> <tr> <th></th> <th>Next Parish Elections</th> </tr> </thead> <tbody> <tr> <td>Dacorum Borough Council</td> <td>2027</td> </tr> <tr> <td>East Hertfordshire District Council</td> <td>2027</td> </tr> <tr> <td>Hertsmere Borough Council</td> <td>2027</td> </tr> <tr> <td>North Hertfordshire District Council</td> <td>2027 tbc</td> </tr> <tr> <td>St Albans City and District Council</td> <td>2027</td> </tr> <tr> <td>Three Rivers District Council</td> <td>2027</td> </tr> <tr> <td>Welwyn Hatfield Borough Council</td> <td>2027</td> </tr> <tr> <td>Stevenage Borough Council</td> <td>unparished</td> </tr> <tr> <td>Watford Borough Council</td> <td>unparished</td> </tr> <tr> <td>Broxbourne Borough Council</td> <td>unparished</td> </tr> </tbody> </table>		Next Parish Elections	Dacorum Borough Council	2027	East Hertfordshire District Council	2027	Hertsmere Borough Council	2027	North Hertfordshire District Council	2027 tbc	St Albans City and District Council	2027	Three Rivers District Council	2027	Welwyn Hatfield Borough Council	2027	Stevenage Borough Council	unparished	Watford Borough Council	unparished	Broxbourne Borough Council	unparished	This wording has been amended from earlier proposed wording specifically to accommodate East Herts Council's wish to consult parish and town councils in the district about this
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8	What are the current legal names of the councils and what would be your preferred names for new councils?	<p>Current names: Hertfordshire County Council Broxbourne Borough Council Dacorum Borough Council East Hertfordshire District Council Hertsmere Borough Council North Hertfordshire District Council St Albans City and District Council Stevenage Borough Council Three Rivers District Council</p>	There will be an ability for unitary authorities for amend their names in the future should they wish																						

Watford Borough Council
 Welwyn Hatfield Borough Council

Preferred names:

2 Unitary Model	Preferred name	Represented Councils
Eastern	Eastern Hertfordshire Council	HCC,BBC,EHDC,NHDC, SBC,WHDC
West	West Hertfordshire Council	HCC,DBC,HBC,StA,TRDC,WBC

3 Unitary Model	Preferred name	Represented Councils
Eastern	Eastern Hertfordshire Council	HCC, BBC, EHDC,NHDC,SBC
West	West Hertfordshire Council	HCC, DBC,TRDC,WBC
Central	Central Hertfordshire Council	HCC, HBC,StA, WHBC

4 Unitary Model	Preferred name	Represented Councils
North West	North West Hertfordshire Council	HCC, DBC St A
South West	South West Hertfordshire Council	HCC, HBC, TRDC, WBC
Central	Central Hertfordshire Council	HCC, HCC, NHDC, SBC, WHBC
Eastern	Eastern Hertfordshire Council	HCC, BBC, EHDC

4.0 Options

- 4.1 Seek to amend the proposed responses in some way. NOT RECOMMENDED as (a) response (7) has already been amended to accommodate East Herts Council's wish to consult the district's parish and town councils about the proposed timing of their elections and (b) the Chief Executive and Monitoring Officer have reviewed the proposed responses and are of the opinion that they are compatible with the council's previous statements on LGR and the interests of residents.
- 4.2 Refuse to agree to a single, unified Hertfordshire-wide response. NOT RECOMMENDED as this would be at odds with the county-wide position of establishing consensus where at all possible regarding LGR.

5.0 Risks

- 5.1 As the government is the ultimate decision-maker regarding LGR in Hertfordshire, there remains a risk of an LGR settlement at odds with local wishes. This risk is being mitigated by continuous dialogue between senior officers and members with representatives of MHCLG to ensure as much clarity on the county-wide position at the national level as possible. Responding with a single, unified return to this latest set of requests from MHCLG is in keeping with this approach.

6.0 Implications/Consultations

- 6.1 The Chief Executive has discussed the proposed responses with her counterparts across the county. At this stage, there is agreement among the chief executives, pending political approval, of the proposals. In addition, East Herts Council's request that the response enables consultation with parish and town councils about the election timetable has been accommodated.

Community Safety

None arising directly from this report.

Data Protection

None arising directly from this report.

Equalities

None arising directly from this report.

Environmental Sustainability

None arising directly from this report.

Financial

None arising directly from this report.

Health and Safety

None arising directly from this report.

Human Resources

None arising directly from this report.

Human Rights

None arising directly from this report.

Legal

The proposed responses have been considered in detail by the Monitoring Officers across the county. There are no legal impediments to giving the responses as proposed.

Specific Wards

No.

7.0 Background papers, appendices and other relevant material

7.1 None.

Contact Member

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