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CABINET

10 June 2026

SUPPLEMENTARY AGENDA

PART 1

9. LGR STRUCTURAL CHANGES ORDER SUBMISSION

To note the LGR structural changes order submission report.

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Meeting Cabinet

Portfolio Area Transforming Stevenage and Local Government Reorganisation

Date 10 June 2026



LOCAL GOVERNMENT REORGANISATION IN HERTFORDSHIRE- REPRESENTATIONS TO MINISTRY FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT (MHCLG) ON THE STRUCTURAL CHANGES ORDER.

URGENCY PROCEDURE ARRANGEMENTS

AUTHOR

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1 PURPOSE

- 1.1 The purpose of this report is to approve the Council's proposed response to a consultation from the Ministry of Housing, Communities and Local Government

(MHCLG), regarding the drafting of the Local Government Reorganisation (LGR) Structural Change Order for Hertfordshire.

- 1.2 The proposed submission to Government has been developed as a joint single response by all 11 Hertfordshire local authorities and provides responses to a series of questions posed by MHCLG.

2. RECOMMENDATIONS

- 2.1 That Cabinet approves the proposed responses detailed in Appendix A and delegates authority to the Chief Executive Officer to finalise the response and submit to MHCLG in accordance with the required timeframe.

3. BACKGROUND

- 3.1 In November 2025, the 11 Councils of Hertfordshire submitted proposals for Local Government Reorganisation, in accordance with the timeline and approach determined by MHCLG. Since submission of these proposals, Councils in Hertfordshire have continued with a range of actions to prepare for Local Government Reorganisation. MHCLG have also undertaken public and stakeholder consultation on the proposals for Hertfordshire.
- 3.2 Under the anticipated timeline, elections to new Shadow Authorities are anticipated in May 2027, and new Unitary Authorities to commence in April 2028.
- 3.3 At the time of preparing this report, the Secretary of State has not made a decision in relation to LGR in Hertfordshire. Ahead of this decision, MHCLG are now consulting with Councils regarding a Structural Change Order that would be put in place later in 2026/27, following a decision on LGR. This consultation on the drafting of a Structural Change Order covers the three different proposals for 2, 3 and 4 Unitary Authorities for Hertfordshire.
- 3.4 The Structural Change Order (SCO), is affirmative secondary legislation that will:
 - Establish the new Councils for Hertfordshire, providing for their elections, Councillor numbers and warding arrangements
 - Abolish existing upper and lower tier Councils
 - Provides for the transitional arrangements to get from those two-tier predecessor Councils to successor Unitary Councils, such as implementation teams and joint committees
 - Provides preparatory functions for the new authorities before they are vested:
 - Prepare, review and revise an implementation plan

- Developing proposals such as a code of conduct, scheme of allowances for Councillors and appointment of statutory officers
- Duty to consult and cooperate placed on all Councils
- Other functions as necessary

3.5. On 19 May 2026, Officials from MHCLG met with Hertfordshire Chief Executive Officers to discuss the contents of the potential SCO and ask for representations on certain elements for inclusion within the Order.

3.6. Whilst the final decision on elements for inclusion in the SCO rests solely with the Secretary of State, seeking representations from existing Councils should ensure that preparatory functions best reflect local circumstances.

3.7. Following advice from Hertfordshire Monitoring Officers, a collective set of responses to these questions has been detailed within Appendix A for Cabinet consideration and approval.

4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

4.1. The response to the questions (and as set out in Appendix A) have been drafted based continued joint working across all Hertfordshire Councils and are also based on the assumptions and information included LGR proposals submitted by Hertfordshire Councils in November 2025.

4.2. The draft responses are also informed by the recent Surrey Structural Change Order, the draft Structural Change Orders for other Council areas in the Devolution Priority Programme, and discussion with MHCLG officials regarding expectations for the Structural Change Order.

4.3. The draft responses have been developed collectively by Hertfordshire Chief Legal Officers and Chief Executives, reflecting the collaborative approach used throughout the LGR programme.

4.4. However, Members should note that the final decision making on the drafting of the SCO will be made by the Secretary of State.

4.5. Diagram 1 below, shows a visual representation of the transition from the existing Hertfordshire Council to the new unitary authorities. The questions posed by MHCLG broadly relate to the different stages of transition and as such reasons for recommendation have been aligned to these stages.

Journey to Vesting Day

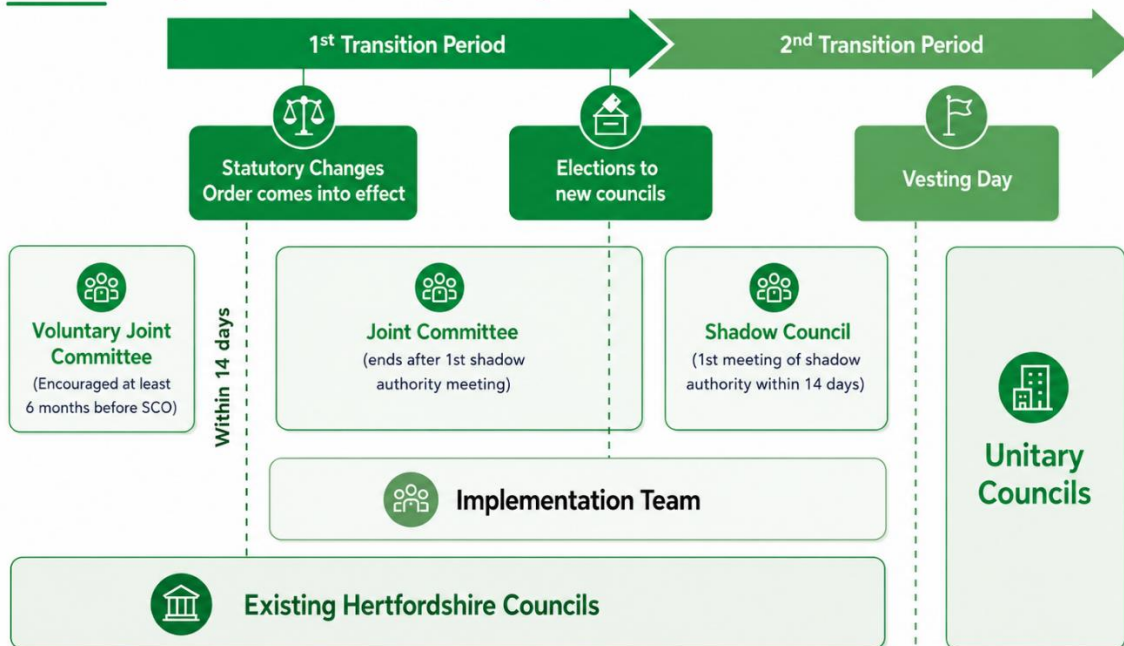


Diagram 1 – Transition from Existing Hertfordshire Councils to New Unitary Authorities

First Transition Period

- 4.6. This period of time follows a Secretary of State decision on LGR in Hertfordshire. While no date for a decision is formalised, it has been anticipated before August. In this phase of transition, the Secretary of State will have set out their decision for Local Government Reorganisation, including the number and geography of new Unitary Councils, and will invite the formation of Joint Committees with representation from existing Councils to support the preparation of the next phase.
- 4.7. Questions one to five within Appendix A broadly relate to the first transition period, which will start when the SCO comes into force. This is anticipated to be Spring 2027. This first transition period then lasts until 14 days after the Shadow Council Elections, which are anticipated in May 2027.
- 4.8. Question one relates to the proposed governance model for the first transition period. In relation to Hertfordshire, MHCLG is currently considering the proposals for two, three or four unitary authorities that were submitted by Hertfordshire Councils. As geographical boundaries do not closely align to any of the existing upper or lower tier Council boundaries, MHCLG advice is that a new Council model with a joint committee format must be used. The alternative the Preparing Council model has only previously been used where

the new unitary footprint closely matches that of that of a legacy County Council area and this is therefore not relevant for Hertfordshire.

- 4.9. Question two relates to the make-up of joint governance committees. MHCLG Guidance notes that committees should be between 8-16 members to provide sufficient capacity and representation. A detailed breakdown of the proposed committee make-up for the two, three and four authority models can be found in Appendix B. This breakdown aligns with MHCLG guidance and the make-up of joint committees within Councils who have previously gone through LGR and the arrangements for Local Government Reorganisation in Surrey and in the areas within Devolution Priority Programme.
- 4.10. Question three relates to the proposed chairing of these committees. As these are new committees, that will formally bring together representatives from existing upper and lower-tier Councils for the first time, it is proposed that the Chair and Deputy Chair are nominated at the first meeting of the committee as opposed to being defined in advance. This aligns with MHCLG guidance and the process for the nomination of Chairs and Deputy Chairs within Councils who have previously gone through LGR including the proposals for the areas covered by the Devolution Priority Programme.
- 4.11. Question four relates to the political balance requirements for these 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. Stevenage Borough Council has less than three representatives in all of the proposed models and therefore the requirements for political balance do not apply. This question primarily therefore relates to representation from Hertfordshire County Council within these committees.
- 4.12. Question five relates to the Officer team who will support the first and second transition periods. Previous Local Government Reorganisation programmes elsewhere in England have all specified the requirement for a single Officer implementation team through to the commencement of the new Unitary Authorities. All 11 Councils across Hertfordshire have maintained collaborative working throughout the LGR submission and the current phase. Recommendations follow the format proposed by areas within the Devolution Priority Programme, where in all cases the Senior Responsible Officer for the transition has been proposed as the Chief Executive of the County Council. In addition, Deputy Senior Responsible Officers have been requested to come from lower tier Councils within the geography of the new unitary area. It is proposed that a formal process will be developed to seek expressions of interest for these roles as Deputy Senior Responsible Officers, a fair and transparent assessment method used, and it is currently proposed that they will be confirmed via the first meeting of new Joint Committees.

Future Electoral Arrangements

- 4.13. Question six relates to the nomination of Electoral Returning Officers for the Shadow Council elections, currently proposed to be in May 2027. It is anticipated that a local formal process will be developed to seek nominations to the role of Returning Officers for elections to Shadow Authorities, and not recommended to confirm named Returning Officers at this point in time.
- 4.14. Question seven relates to the alignment of Parish Council Elections to the new Unitary Council elections. It should be noted that there are currently no Parish Councils within the boundaries of Stevenage Borough Council and this question therefore relates to other areas of Hertfordshire. In line with the proposed arrangements for the Devolution Priority Programme, it is recommended that town and parish elections are aligned to the new unitary election cycle, simplifying the process for residents.

Second Transition Period (Shadow Council period)

- 4.15. Question eight relates to the names of the new Unitary Councils. The new Unitary Councils will have the powers to apply to change their legal names once they are formed. Therefore, any names agreed prior to this are not binding for the long term. It is therefore recommended that for ease and consistency the names used within the Hertfordshire LGR submission document are used for the new Councils. These are documented in full in Appendix C.
- 4.16. Question nine relates to the warding arrangements for the new unitary Councils. Detailed discussions and analysis took place on warding and councillor numbers during the submission phase of LGR. These arrangements were discussed and agreed with Hertfordshire Leaders Group and ratified at Full Council and Cabinet as part of the approval process for the LGR Submission in November 2025. It is not proposed to change these proposals.

Other Considerations

- 4.17. If the Council chose not to submit a response to these questions, the Structural Change Order will still be developed, however, the Council's views will not be represented.

5. IMPLICATIONS

Financial Implications

- 5.1. The Council has approved SBC's contribution to transition costs as part of the 2026/27 budget setting process which are summarised below.

SBC Budgeted LGR costs	2026/27 £M	2027/28 £M	2028/29 £M	Total
2026/27 Budget setting	£0.50	£0.50	£0.40	£1.40
Delegated to Cabinet to approve if required	£0.50			£0.50
Total Budgeted for Implementation/Transition costs	£1.00	£0.50	£0.40	£1.90

Legal Implications

- 5.2. The decision to agree the representations and to submit to MHCLG is an executive function.
- 5.3. The Local Government and Public Involvement in Health Act 2007 provides the legislative framework for local government reorganisation.
- 5.4. The legislation provides that it is the Secretary of State who will make the final decision about what is included within the SCO.
- 5.5. The SCO is affirmative secondary legislation, that will establish the new unitary councils and abolish the existing Councils in Hertfordshire. It is currently anticipated that the SCO will be drafted in Autumn 2026 and come into force in Spring 2027.
- 5.6. A new authorities must be 'safe and legal' on vesting day, which in Hertfordshire's context is currently 1 April 2028. This will be the responsibility of the shadow unitary authorities working in conjunction with the existing authorities.

6. BACKGROUND DOCUMENTS

- 6.1. All documents that have been used in compiling this report, that may be available to the public, i.e. they do not contain exempt information, should be listed here:

BD1 [LGR cabinet report.pdf](#)

BD2 [English Devolution White Paper](#)

Appendices

- A MHCLG Questions and Proposed Responses
- B Proposed Committee Representation
- C Proposed Council Names

Appendix A

Questions for response by 16 June 2026

Question Number	Question from MHCLG	Proposed Response
1	Whether you would prefer a preparing council and implementation executive model (where geographies align) or a new council model with a joint committee?	Stevenage Borough Council support the proposal for a new council model with Joint Committees.
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>Representation to be a balanced between a 50/50 split between the County Council and Districts & Boroughs. based on the following principles and further illustrated in the tables below.</p> <ul style="list-style-type: none"> • 4 unitary model: 2 seats per District & Borough • 3 unitary model: 2 seats per District & Borough • 2 unitary model: 1 seat per District & Borough <p>Appendix B provides further information.</p>
3	Would you prefer for any individuals to be specified for the Chair/Deputy Chair roles, and if so, who?	Chair and Deputy Chairs to be agreed at the first meeting of the Joint Committee.

Question Number	Question from MHCLG	Proposed Response
4	What are your views on any requirement for political balance in the implementation executive/joint committee(s)?	In all Joint Committee models, Stevenage Borough Council would have a maximum of two seats. Representation is a local decision.
5	What would be your preferences for the membership of the Implementation Team and whether roles should be specified?	<p data-bbox="947 499 1823 568">One team comprising officers from the County Council and all District and Borough Councils.</p> <p data-bbox="947 643 1877 746">The Chair of the Implementation Team (also known as the Senior Responsible Officer – SRO) will be the Chief Executive of the County Council.</p> <p data-bbox="947 821 1877 999">The Deputy SROs of the Implementation Team are to be one Chief Executive or other nominated senior officer for each proposed Unitary Area to be obtained from the District & Borough Councils to be agreed at the first meeting of the Implementation Team.</p>
6	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 than an individual person)	This will be a local decision, based on a nomination and assessment process to be determined.

Question Number	Question from MHCLG	Proposed Response
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?	We note the preference for a four-year cycle for the new Councils ending in 2032, with town and parish elections aligned to this.
8	What are the current legal names of the councils and what would be your preferred names for new councils?	<p>Current Legal Names</p> <p>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 Watford Borough Council Welwyn Hatfield Borough Council</p> <p>Preferred Future Names</p>

Question Number	Question from MHCLG	Proposed Response
		<p>It is Stevenage Borough Councils preference that the future Council names are taken from the Hertfordshire Local Government Reorganisation Submission of November 2028.</p> <p>Please see Appendix B</p>

Question for response by 17 August 2026

Question Number	Question from MHCLG	Proposed Response
9	<p>What are your suggested wards, that reflect the proposal and councillor numbers decided, and that best meet the LGBCE guidance, for inclusion in the SCO?</p>	<p>The warding and councillor numbers are unchanged from the submission documents.</p>

Appendix B- Detailed Breakdown of Committee Make Up

2UA - 10 seats

West	HCC	DBC	HBC	StA	TRDC	WBC	Total
LD	5	1	1	1	1	1	10

Eastern	HCC	BBC	EHDC	NHDC	SBC	WHD C	Total
LD	5	1	1	1	1	1	10

3UA - 12/16 seats

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

Central*	HCC	HBC	StA	WHDC	Total
LD	6	2	2	2	12

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

4UA - 8/12 seats

North West	HC C	DBC	StA	Total
Seats	4	2	2	8

South West	HC C	HBC	TRDC	WBC	Total
Seats	6	2	2	2	12

Central	HC C	NHDC	SBC	WHDC	Total
Seats	6	2	2	2	12

Eastern	HC C	BBC	EHDC	NHDC**	total
Seats	4	2	2	0	8

,+ 1NV @
NHDC

*** 2 division changes from Hertsmere in West to central - assume no change of representation**

**** One non voting co opted representative to reflect boundary changes**

Appendix C- Proposed Council 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

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