

CABINET
18 MARCH 2025
*PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: DEVOLUTION WHITE PAPER – INTERIM PLAN SUBMISSION

REPORT OF: MANAGING DIRECTOR

EXECUTIVE MEMBER: LEADER OF THE COUNCIL

COUNCIL PRIORITY: THRIVING COMMUNITIES / ACCESSIBLE SERVICES / RESPONSIBLE GROWTH / SUSTAINABILITY

1. EXECUTIVE SUMMARY

On 16 December 2024 the Government published its Devolution White Paper, providing details of their plans for local government reorganisation to support devolving power to communities. On 5 February 2025, the Minister of State for Local Government and English Devolution wrote a letter to the Leaders of all District and Borough Councils in Hertfordshire and Hertfordshire County Council, formally inviting them to develop a proposal for local government reorganisation for the area, setting out further detail on the criteria, guidance for the development of proposals, and the timeline for the process. The first stage is submission of an Interim Plan by 21 March 2025, which has been worked on jointly by the District, Borough and County Councils.

Note an urgency notice is required in relation to this noting under 2.1 and any final decision under recommendation 2.2.

2. RECOMMENDATIONS

- 2.1. That Cabinet notes the current draft of the Interim Plan Submission (Appendix B).
- 2.2. That authority be delegated to the Deputy Leader, in consultation with the Service Director Resources and Service Director Legal and Community, to agree and submit the Interim Plan to Government by 21 March 2025.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To ensure that the Council is complying with the request of the Secretary of State (Appendix A).

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. An alternative option could have been to not submit a response by 21 March 2025, however that would have risked North Herts Council's views not being taken into account by Government and therefore was considered unwise. A second alternative could have been to develop our own submission, however that would not have been feasible due to the work required and would also have been inconsistent with the clear message from Government that areas should work together to seek consensus wherever possible.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. The Leader of the Council has attended various meetings of the Hertfordshire Leaders Group and also separate meetings with the District and Borough Council Leaders and is therefore fully aware of the approach taken. Members generally have been updated by the Leader and Managing Director as and when there have been significant developments. It is recognised that further engagement with all Members is required, once a clearer picture emerges from the ongoing work. Additionally, in our regular catch ups with the local MPs, we have updated them on progress and canvassed views.
- 5.2. The Council has emphasised the importance of stakeholder engagement as part of this process and engagement will take place as proposals develop.

6. FORWARD PLAN

- 6.1 External Counsel's advice has been obtained in the Hertfordshire area and this has confirmed that the decision on this interim plan, is not a key one, and therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1. On 16 December 2024, the government published a white paper on English devolution and reform to local government, setting out the potential for the most significant reforms to local government since the Local Government Act 1972 (see link at 18.1 below). The White Paper covers new transport, employment, housing, business and environmental policies, but also focuses on two aspects of reforming and joining up public services through:
 - Widening and broadening devolution across England through the creation of new Strategic Authorities and;
 - A programme of local government reorganisation to create new unitary councils across two-tier areas.
- 7.2. The government has made devolution a priority and the White Paper published in December 2024 sets out plans to create a new network of Strategic Authorities that will cover the whole of England. These Strategic Authorities will have populations of at least 1.5 million people and responsibilities linked to transport and local infrastructure; skills and employment; housing and strategic planning (not determining planning applications); economic development and regeneration; environment and climate change; health and wellbeing; and public safety.
- 7.3. A Strategic Authority will also cover a 'sensible' economic geography with a sense of identity'. It needs to be contiguous for all of the constituent authorities. It is the government's desire for a Mayor to lead a Strategic Authority. They want local areas to propose plans for devolution but will use Ministerial Directives to force this to happen if places do not come up with appropriate proposals. Hertfordshire did not apply to become a Devolution Priority Place (DPP). A DPP area has to commit to have a Mayoral Strategic Authority with a plan to have the elections for the Mayor in 2026. Therefore, there is a little bit more time to develop proposals for a strategic authority covering Hertfordshire and a further update will be provided once firmer proposals are available.

- 7.4. As part of its plans for devolution, the Government has announced a programme of local government reorganisation that will replace all two-tier county and district councils and small or failing unitaries with new unitary councils that have populations of at least 500,000 people (but recognises there may be exceptions to this scale on a case-by-case basis). These much larger unitary structures would then join together in groups to form Strategic Authorities. Hertfordshire is a two-tier area as there are ten District and Borough Councils and the County Council. The Government believes that local government reorganisation, together with devolution over a big strategic area, will improve public services and support economic growth.
- 7.5. On 5 February 2025, the Minister of State for Local Government and English Devolution wrote a letter to the Leaders of all District and Borough Councils in Hertfordshire and Hertfordshire County Council, formally inviting them to develop a proposal for local government reorganisation for the area, setting out further detail on the criteria, guidance for the development of proposals, and the timeline for the process. A copy of the letter can be found in Appendix A.
- 7.6. In order to comply with the Government's request, an Interim Plan for local government reorganisation in Hertfordshire is required to be submitted by 21 March 2025 and a full proposal will need to be submitted by 28 November 2025. Officials from the Ministry of Housing, Communities and Local Government (MHCLG) will then provide feedback on the plan to help support Hertfordshire develop final proposals. As the work to conclude this Interim Plan is ongoing at the time of writing this report and is likely to continue up to the deadline for submission, the latest draft of the Interim Plan will be published prior to the Cabinet meeting, with authority sought to delegate final sign off.

8. RELEVANT CONSIDERATIONS

- 8.1. Discussions have started between all Hertfordshire district and borough councils, Hertfordshire County Council and the Police and Crime Commissioner (PCC) about how best to enable devolution and shape plans for local government reorganisation. As made clear in the statement of the Leader of the Council on 11 February 2025 (see [North Herts Council respond to local government reform letter | North Herts Council](#)) our priority remains to ensure that any changes genuinely benefit North Herts residents and businesses and to fully explore the impact they may have on localised decision-making and the provision of local services. There are currently differing views on the best model for local government in Hertfordshire, but the Councils are committed to working together to determine how we can best achieve the Government's goals. This also meets the expectation set out in the Minister's letter that he expected *"local leaders to work collaboratively and proactively, including by sharing information, to develop robust and sustainable unitary proposals that are in the best interests of the whole area ... rather than developing competing proposals"*.
- 8.2. A White Paper Working Group involving officers from all district and borough councils as well as the county council and PCC's office has been set up to establish an evidence base for both the devolution and local government reorganisation proposals. This group is also leading on the formulation of the response on the Interim Plan. The White Paper Working Group reports to the Hertfordshire Chief Executive Coordination Group, who in turn reports to Hertfordshire Leaders Group. It is the intention that a single response for the Interim Plan will be submitted for Hertfordshire by 21 March, which is likely to contain multiple options being explored. It should be noted that the March submission is primarily an MHCLG checkpoint to get assurance that councils are working together to develop

proposals in line with the Government's criteria. Any response in March does not prevent further options being developed or explored.

- 8.3. On 17 February 2025, the Hertfordshire Leaders Group met to discuss how to respond to the Minister's request to produce an interim plan. At this meeting, there was agreement to produce and submit a single response indicating that the following four options were being developed:

- A single unitary Council for Hertfordshire [which would require another area to partner with for the Strategic Authority]
- Two unitary Councils for Hertfordshire
- Three unitary Councils for Hertfordshire
- Four unitary Councils for Hertfordshire

- 8.4 It should also be noted that for the elections for Hertfordshire County Council will go ahead as scheduled on 1 May 2025. The table below sets out the current timeline.

Status	Date	Event
Confirmed	16 December 2024	Devolution White Paper published
Confirmed	5 February 2025	Statutory invitation received from the government to submit local government reorganisation proposals
Confirmed	21 March 2025	Submit Interim Plan for Local Government Reorganisation and Devolution
Confirmed	1 May 2025	Hertfordshire County Council Elections
Confirmed	28 November 2025	Submit full Local Government Reorganisation and Devolution proposal
Proposed in white paper	May 2027	Elections to shadow unitary authorities
Proposed in white paper	1 April 2028	Vesting day for new unitary council(s)

At this stage it is unclear when the election of Mayor for a new Strategic Authority would take place.

- 8.5 It should be noted that the dates above could change, either through Government changing them, or (for the latter two dates if Government agrees) if the Hertfordshire authorities requested different dates in order to facilitate the safe and legal transfer of functions to the new unitary authority/ies.

9. LEGAL IMPLICATIONS

- 9.1. By virtue of Part 1 of the Local Government and Public Involvement in Health Act 2007, the Secretary of State has the statutory power to invite proposals for a single tier of local government from any principal authority (which is defined as a county council or district council in England). The Councils across Hertfordshire, has received such an invitation.

- 9.2. When responding to a request, the Council must have regards to any guidance from the Secretary of State as to what the proposal should seek to achieve and matters that should be taken into account in formulating the proposal. The details of which is set out in the letter received on 5 February 2025.
- 9.3. External Counsel's legal advice was obtained by Hertfordshire authorities. In summary this confirmed that there was no express statutory provision for an interim plan of the kind requested by the Minister, nor would such a plan have any specific legal status or consequences. Approval of this interim plan (albeit general in nature) was, nonetheless an incidental function, which in the absence of any specific legislative provision, would be the responsibility of the Executive under section 9D(2) Local Government Act 2000.

10. FINANCIAL IMPLICATIONS

- 10.1. External support (with a focus on specialist financial modelling) has been procured to support the White Paper Working Group and to inform the proposals moving forward. This support has been jointly funded across the Councils. The costs up to the March submission can be met from underspends in the current year budgets.
- 10.2. There will be a need to incur further costs as we move towards the November submission. The level of these costs is currently unknown, but (where necessary) will be covered in future budget monitoring reports.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2. The Council Delivery Plan item on this agenda proposes the adoption of a corporate risk for Local Government Reorganisation and Devolution. This reflects both the long term impacts on the nature of local government for North Herts, as well as the shorter term impacts, especially the resource implications.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. An Equalities Impact Assessment was not completed for the Interim Plan stage, however as plans progress an Equalities Impact Assessment will be developed to inform final local government reorganisation proposals to be submitted to Government in November 2025.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to the Interim Plan.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 Support for the White Paper Working Group has been made available from existing resources, but is having a significant impact on workloads of the Managing Director in particular. Significant resources will be needed to be made available to prepare for the full proposal in November 2025, particularly if competing proposals begin to emerge.
- 15.2 Local government reorganisation will likely have a direct impact on the Council's recruitment and retention and this will continue to be monitored by the Leadership Team, along with support from Human Resources team.

16. APPENDICES

- 16.1 Appendix A – Letter from Secretary of State for Local Government and English Devolution, 5 February 2025
- 16.2 Appendix B – Interim Plan Submission for Hertfordshire – TO FOLLOW

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18. BACKGROUND PAPERS

- 18.1 English Devolution White Paper December 2024 – Power and Partnership: Foundations for Growth [English Devolution White Paper](#)
- 18.2 LGA briefing - [Devolution White Paper: On-the-day factual briefing | Local Government Association](#)