

Agenda

Extraordinary Council Meeting

Date: Monday, 8 June 2026

Time 8.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT

Quorum = 12

Pages

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2. Apologies for Absence
3. Declarations of Interest

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Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

4. Local Government Reorganisation Structural Change Order
Representation Report

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Issued on Friday 29 May 2026

The reports included in Part I of this agenda can be made available in alternative formats. For further information about this service, or to arrange for special facilities to be provided at the meeting, please contact democraticservices@swale.gov.uk. To find out more about the work of the Council, please visit www.swale.gov.uk.

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

COUNCIL	
Meeting Date	Monday 8 June 2026
Report Title	Swale BC Structural Change Order Representations for MHCLG
EMT Lead	Larissa Reed – Chief Executive
Head of Service	Stephanie Curtis, Head of Policy and Transformation
Lead Officer	Sarah Porter, Project and Transformation Manager
Classification	Open
Recommendations	Following consideration by Policy and Resources Committee, Council is asked to approve the following recommendations as Swale Borough Council's response to MHCLG's request for representations on the Structural Change Order: 1. To approve the transitional governance models set out in Table 1 at section 2.8 of the report. 2. To approve the proposed membership of the Joint Committees as set out in Table 2 at section 2.9 of the report. 3. To approve that the Chair and Deputy Chair of each Joint Committee be appointed by the relevant Joint Committee at its inaugural meeting. 4. To approve that the proposed Joint Committees should not be subject to political balance requirements. 5. To approve that each Joint Committee agree, at its inaugural meeting, the Returning Officer for the first election to its relevant Shadow Authority. 6. To approve the proposed membership of the Implementation Team, with the Kent County Council Chief Executive appointed as Senior Responsible Officer for the overall programme, the Medway Council Chief Executive appointed as Deputy Senior Responsible Officer, and the Unitary Senior Responsible Officers appointed from the existing pool of borough and district Chief Executives. 7. To approve, subject to consideration of parish and town council representations, whether future parish and town council elections should be aligned with elections to the new unitary authorities. 8. To approve the preferred naming convention for the new councils as outlined in section 2.15 of this report, selecting from the options set out in Table 3, Table 4, or as otherwise determined by Council.

	9. To note that no further modelling has been undertaken on councillor numbers for the proposed geographic models under consideration. 10. That delegation be granted to the chief executive to submit the council's response to MHCLG and, in consultation with the Leader, make any minor amendments as required.
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1 Purpose of Report and Executive Summary

- 1.1 This report sets out Swale Borough Council's response to the Ministry of Housing, Communities and Local Government (MHCLG) request for representations on the Structural Change Order (SCO) required to progress local government reorganisation.
- 1.2 The report asks Council to approve the recommendations considered by Policy and Resources Committee on the key issues that will shape transition arrangements. It does not pre-judge or bind the Secretary of State's final decision, but ensures Swale Borough Council sets out clear preferred positions to MHCLG.

2 Background

- 2.1 Kent and Medway councils submitted local government reorganisation proposals in November 2025, with Swale Borough Council identifying option 4B as its preferred model. MHCLG consulted on five geographic models in February 2026, covering single unitary and multi-unitary options, each with different implications for governance, elections, service transition and local identity.
- 2.2 MHCLG has indicated that a decision on the model to be implemented in Kent and Medway will be made by mid-July 2026. Following this decision, a Structural Change Order (SCO) must be drafted and laid before Parliament.
- 2.3 An SCO is a Statutory Instrument under Part 1 of the Local Government and Public Involvement in Health Act 2007. It establishes the framework for delivering local government reorganisation, including:
 - the vesting date;
 - arrangements for elections and shadow authorities;
 - transitional arrangements (including Joint Committees and implementation structures); and
 - the transfer of functions, property and liabilities

Appendix I provides a detailed briefing on SCOs from the Local Government Information Unit (LGIU).

- 2.4 MHCLG has asked all Kent and Medway councils to respond on key aspects of the SCO by 16 June 2026. Appendix II contains the letter to Swale Borough Council setting out the issues to be addressed. Given the significance of these matters, the response has been considered first by Policy and Resources Committee and is now brought to Council for determination.
- 2.5 MHCLG has asked Kent and Medway councils, where possible, to agree joint representations, but councils may respond individually, jointly or collectively.
- 2.6 As the preferred model has not yet been confirmed, Swale Borough Council must consider its position across all five proposals to make sure that its views are fully represented.
- 2.7 For some of the representations requested, the Council's response will be consistent across all models as it is based upon statement of fact or existing MHCLG guidance.

Key questions for representation

2.8 Question 1: Preferred transitional governance model

MHCLG guidance identifies two main transitional governance models for local government reorganisation:

Preparing (or Continuing) Council with an Implementation Executive – usually used where the new council area matches an existing council, with the implementation executive operating as a committee of that council.

New Council Model with Joint Committee – used where the new council area does not align with an existing authority, with predecessor councils working together through a Joint Committee during transition.

Based on this guidance, Swale Borough Council's proposed response is set out in Table 1 below:

Geography Proposal	Transitional Governance model recommendation
1A	Preparing Council with Implementation Executive
3A	New Council with Joint Committee
4B	New Council with Joint Committee
4D	New Council with Joint Committee
5A	New Council with Joint Committee

2.9 Question 2: Membership of Joint Committees/Implementation Executive

Joint Committees prepare for the establishment of new councils but do not make decisions on their behalf. Their role is to ensure key arrangements are in place for the shadow authorities without constraining future decisions.

MHCLG guidance suggests Joint Committees should have 8–16 members to provide sufficient capacity and representation, with decisions taken by simple majority and a casting vote for the chair if required.

The Government's LGR Implementation Guidance provides more detailed information on the role of Joint Committees. Appendix III provides an overview of Joint Committee membership arrangements adopted by a number of other councils that have already gone through, or are currently going through, this process.

In practice, council leaders usually sit on Joint Committees, so the main issue is the number of additional representatives each council appoints.

As several of the options under consideration by Government include the disaggregation of Swale, Council is asked to consider the preferred approach for Swale in each scenario, having regard to the recommendations of Policy and Resources Committee.

Across a number of recently established unitary authorities, seats on Joint Committees have been distributed evenly between the predecessor county council and the predecessor district and borough councils.

Council is therefore asked to decide whether seats should be distributed equally between predecessor councils, or whether district and borough councils should have greater representation than the county council, in line with the recommendation of Policy and Resources Committee.

It is recommended that Swale Borough Council approves the proposed membership of the Joint Committees as set out in Table 2 below for each potential new unitary authority.

Table 2: Recommended membership of Joint Committees for each geographic proposal.

Geography Proposal	Swale Representation	Membership of Joint Committee
1A	N/A	<i>N/A No Joint Committee likely to be set up with this model</i>
3A	2 members	Leader (or representative) + one member per predecessor district/borough; same approach for county/unitary
4B	2 members	Leader (or representative) + one member per predecessor district/borough; same approach for county/unitary
4D	3 members across multiple JCs	Specifically for Swale BC: Leader (or representative) on JC of area with greatest population (North Kent); One

		other on East Kent; One other on Mid Kent. Other Districts and Boroughs to determine their own representation Leader (or representative) + one other for predecessor county/unitary council
5A	3 members across multiple JCs	Leader on JC of area with greatest population (North Kent) plus one other One other on East Kent. Other Districts and Boroughs to determine their own representation Leader (or representative) + one other for predecessor county/unitary council

2.10 Question 3: Would you prefer for any individuals to be specified for the Chair/Deputy Chair roles, and if so, who?

The Chair of the Joint Committee has a casting vote if required.

Appendix III includes details for other local authorities where the SCO has specified individuals for the Chair/Deputy role.

It is recommended that the Chair and Deputy Chair of each Joint Committee be appointed by the relevant Joint Committee at its inaugural meeting. Swale Borough Council is not proposing to specify preferred individuals at this stage.

2.11 Question 4: What are your views on any requirement for political balance in the joint committee(s)/ implementation executive?

MHCLG has advised that Joint Committees do not need to be politically balanced, as they are intended to operate in a similar way to the executive of the new council. It is therefore appropriate for each constituent council to nominate its own representatives. Appendix III provides examples from comparable Joint Committees.

As set out in section 2.9, membership of the Joint Committees should be drawn from the existing Leaders, or their nominees, from each predecessor council. This approach would ensure that the committees comprise members who are best placed to represent the interests and perspectives of their respective areas during transition.

It is therefore recommended that Swale Borough Council responds by stating that the proposed Joint Committees should not be subject to a requirement for political balance.

2.12 Question 5: Who should be the returning officer for the first election to each of the new unitary councils, that proposals would see established.

Appointing a Returning Officer for the first elections to each new unitary council will be an important early decision. The role should be filled by someone with the experience, capacity and local knowledge needed to manage these inaugural elections effectively.

Consideration should include the size and geography of the new authority, the experience of existing Returning Officers, and the need for resilience through suitable deputy arrangements. Early agreement will also support planning for staffing, resources and communications.

A locally-led approach to this decision allows for flexibility to reflect local circumstances while maintaining strong governance and accountability throughout the transition.

It is therefore recommended that the relevant Joint Committees agree the Returning Officer for each new unitary council at their inaugural meeting.

2.13 Question 6: What are your preferences for the membership of the Implementation Team and whether roles should be specified?

MHCLG has advised that a single officer implementation team should be established, with designated leads for each new unitary area, to support coordination between Joint Committees, councils and government during transition.

Beyond any requirements set out in the SCO, the wider membership of the implementation team should be determined locally. Precedent suggests that the Senior Responsible Officer and Deputy Senior Responsible Officer may be named in the SCO.

As part of the development of Kent and Medway Programme Management approach, an agreement has been reached between Leaders and Chief Executives regarding the senior roles required as part of the Implementation Team and how these should be recruited to.

The proposed structure includes a Kent and Medway-wide Senior Responsible Officer, supported by a Deputy, and a Unitary Senior Responsible Officer for each new council. These roles would oversee key transition issues including service disaggregation, finance, HR, governance, elections, communications and contracts.

It is therefore recommended that the Kent County Council Chief Executive be appointed as Senior Responsible Officer, supported by the Medway Council Chief Executive as Deputy Senior Responsible Officer, and that the Unitary Senior Responsible Officers be appointed from the current pool of district and borough Chief Executives.

2.14 Question 7: Would you prefer for any parish council elections to be aligned with elections to the new councils?

MHCLG has advised that parish council elections are not automatically affected by local government reorganisation, but they may be aligned with elections to the new unitary authorities where there is local support, to reduce cost, complexity and voter confusion.

The first elections to the new shadow authorities are expected in May 2027, creating an opportunity to consider longer-term alignment of election cycles across tiers of local government.

In Swale, parish and town council elections are already due in May 2027, alongside the current Community Governance Review timetable.

Given this alignment, parish and town councils have been asked to consider whether they would wish to align their future election cycles with those of the new unitary councils. Feedback from parish and town councils on this matter will be reported verbally at the meeting to inform Council's consideration of the recommendation.

Some uncertainty remains under certain reorganisation models, such as Option 4D, where existing parish areas may be split across new unitary boundaries. The implications for election arrangements would need to be resolved through implementation.

It is therefore recommended, subject to consideration of parish and town council representations, that following the May 2027 elections, future parish and town council elections are aligned with those of the new unitary authority in order to improve efficiency and voter engagement.

2.15 Question 8: What are the current legal names of the councils and what are your preferred names for new councils?

The names of the new unitary councils will need to be agreed early, as they will inform legal orders, communications, branding and electoral arrangements. New Unitary Councils will be able to change their name after vesting day, subject to necessary legal and governance processes.

Government has generally used cardinal or inter-cardinal naming conventions in Devolution Priority Programme areas. Appendix III summarises the names used by councils that have gone through, or are going through, similar change.

The Kent and Medway proposals cover different geographies, each of which could support a distinct place-based identity. Two naming approaches are therefore presented for consideration.

Table 3 sets out suggested names aligned to the conventions observed in Devolution Priority Programme areas and follows the naming conventions used in the business cases submitted in November 2025.

Table 4 presents alternative options based on more locally recognisable and intuitive geographies.

Table 3: Suggested new council names (DPP approach)

Proposed Model	Suggested Council Names
3A	North Kent, West Kent, East Kent
4B	North Kent, West Kent, Mid Kent, East Kent
4D	North Kent, West Kent, Mid Kent, East Kent
5A	North Kent, West Kent, Mid Kent, East Kent, South Kent

Table 4: Suggested new council names (locally derived approach)

Proposed model	Suggested Council names
3A	North Kent Estuary, Kentish Weald, Saxon Shore/Wantsum & Downs
4B	Thames Reach, Mid-Kent Downs, Wantsum & Shore
4D	Medway & Estuary/Thameside Kent, Darent & Weald, Heart of Kent, Saxon Shore/Greater Cantium,
5A	Medway & Swale Estuary, Darent & Thames, Kent Weald, Stour and Shore, South Kent Downs

Council is asked to consider the two approaches and approve its preferred naming convention, having regard to the recommendation of Policy and Resources Committee.

2.16 Question 9: If different to proposals, has there been any further modelling of your preferred councillors for each new councils that you would like the Secretary of State to consider, alongside any information on the rationale for the numbers?

No further modelling has taken place by Kent and Medway Councils on the preferred number of councillors for each new council, since the submission of the business cases in November 25 to Government.

Council is asked to note this as the proposed response.

3.0 Proposals

Policy and Resources Committee has considered the matters set out in this report and recommends that Council approve the following recommendations as Swale Borough Council's response to MHCLG's request for representations on the Structural Change Order:

1. To approve the transitional governance models set out in Table 1 at section 2.8 of the report.
2. To approve the proposed membership of the Joint Committees as set out in Table 2 at section 2.9 of the report.
3. To approve that the Chair and Deputy Chair of each Joint Committee be appointed by the relevant Joint Committee at its inaugural meeting.
4. To approve that the proposed Joint Committees should not be subject to political balance requirements.
5. To approve that each Joint Committee agree, at its inaugural meeting, the Returning Officer for the first election to its relevant Shadow Authority.
6. To approve the proposed membership of the Implementation Team, with the Kent County Council Chief Executive appointed as Senior Responsible Officer for the overall programme, the Medway Council Chief Executive appointed as Deputy Senior Responsible Officer, and the Unitary Senior Responsible Officers appointed from the existing pool of borough and district Chief Executives.
7. To approve, subject to consideration of parish and town council representations, whether future parish and town council elections should be aligned with elections to the new unitary authorities.
8. To approve the preferred naming convention for the new councils as outlined in section 2.15 of this report, selecting from the options set out in Table 3, Table 4, or as otherwise determined by Council.
9. To note that no further modelling has been undertaken on councillor numbers for the proposed geographic models under consideration.
10. That delegation be granted to the chief executive to submit the council's response to MHCLG and, in consultation with the Leader, make any minor amendments as required.

4.0 Alternative Options Considered and Rejected

- 4.1 Council could choose not to respond to MHCLG's request for representations on the Structural Change Order. However, this would mean that Swale Borough Council would not have the opportunity to influence MHCLG's consideration of these matters as part of the legal framework for local government reorganisation, which could have a detrimental impact on the Council's interests during transition.

5.0 Consultation Undertaken or Proposed

- 5.1 No consultation is undertaken or proposed.

6.0 Implications

Issue	Implications
Corporate Plan	This report supports the Council's priority of running the Council by helping to ensure that clear governance arrangements are in place to support sound decision-making during local government reorganisation. It also supports the Council's ambition to demonstrate good governance, and ensure that future arrangements are designed to protect service quality and social value.
Financial, Resource and Property	There are no immediate financial implications arising from this report. However, the decisions made through the Structural Change Order will have significant longer-term implications for the allocation of resources, service delivery, and the management and transfer of assets and liabilities, which will be addressed through the transition programme.
Legal, Statutory and Procurement	The Structural Change Order is a statutory process under the Local Government and Public Involvement in Health Act 2007. The Council's response forms part of a formal representation to MHCLG and will inform the legal framework for reorganisation.
Crime and Disorder	There are no direct crime and disorder implications for these proposals.
Environment and Climate/Ecological Emergency	There are no direct Environmental Emergency implications for these proposals.
Health and Wellbeing	There are no direct Health and Wellbeing implications for these proposals.
Safeguarding of Children, Young People and Vulnerable Adults	There are no direct safeguarding implications for these proposals
Risk Management and Health and Safety	There are no direct health and safety implications for these proposals
Equality and Diversity	There are no direct Equality and Diversity implications for these proposals
Privacy and Data Protection	There are no direct privacy or data protection implications for these proposals
Local Government Reorganisation (LGR)	This report directly supports the Council's engagement with the LGR process by setting out its position on key elements of the Structural Change Order. Clear and timely representations will help

	shape transitional arrangements and ensure that Swale's interests are reflected in the final framework.
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7 Appendices

Appendix I: LGIU Briefing – How should councils prepare for a Structural Change Order.

Appendix II: MHCLG Letter regarding representations on Structural Change Order

Appendix III: Background and precedent for MHCLG consultation response

8 Background Reports

Governmental guidance on LGR Implementation - [Local government reorganisation - implementation guidance](#)

Business cases submitted by Kent and Medway Councils to MHCLG
<https://kentcouncilleaders.org.uk/councils-send-proposals-for-new-councils-to-government/>

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Briefing: Local Government Reorganisation explained: How should councils prepare for a Structural Changes Order?

Published: 16 February, 2026

Author: Jill Morgan

Location(s): England & Wales

Topics: Democracy, devolution and governance

Summary

Structural Changes Orders (SCOs) are often viewed as technical legal documents, but for local government officers, they determine almost every practical aspect of reorganisation. They set the destination, the timetable, and the decision-making environment during the shadow period and up to vesting day.

This briefing focuses on what councils can do before an SCO is made, when there is still scope to influence how the transition will work in practice. Using Surrey as a live example and Cumbria as a completed reorganisation, it explains how SCOs come into being, where councils can realistically have an impact upon transitional design, and how early preparation can reduce risk and uncertainty.

While the final structure of reorganisation is set by government, experience shows councils can influence preparatory functions, governance arrangements and sequencing through early engagement and clear, evidence-based representations.

Briefing in full

Introduction

Structural Changes Orders (SCOs) are at the centre of local government reorganisation (LGR) in England. They are statutory instruments made under [Part 1 of the Local Government and Public Involvement in Health Act 2007](#), giving legal effect to structural change by creating new councils, abolishing existing councils and setting the parameters for transition.

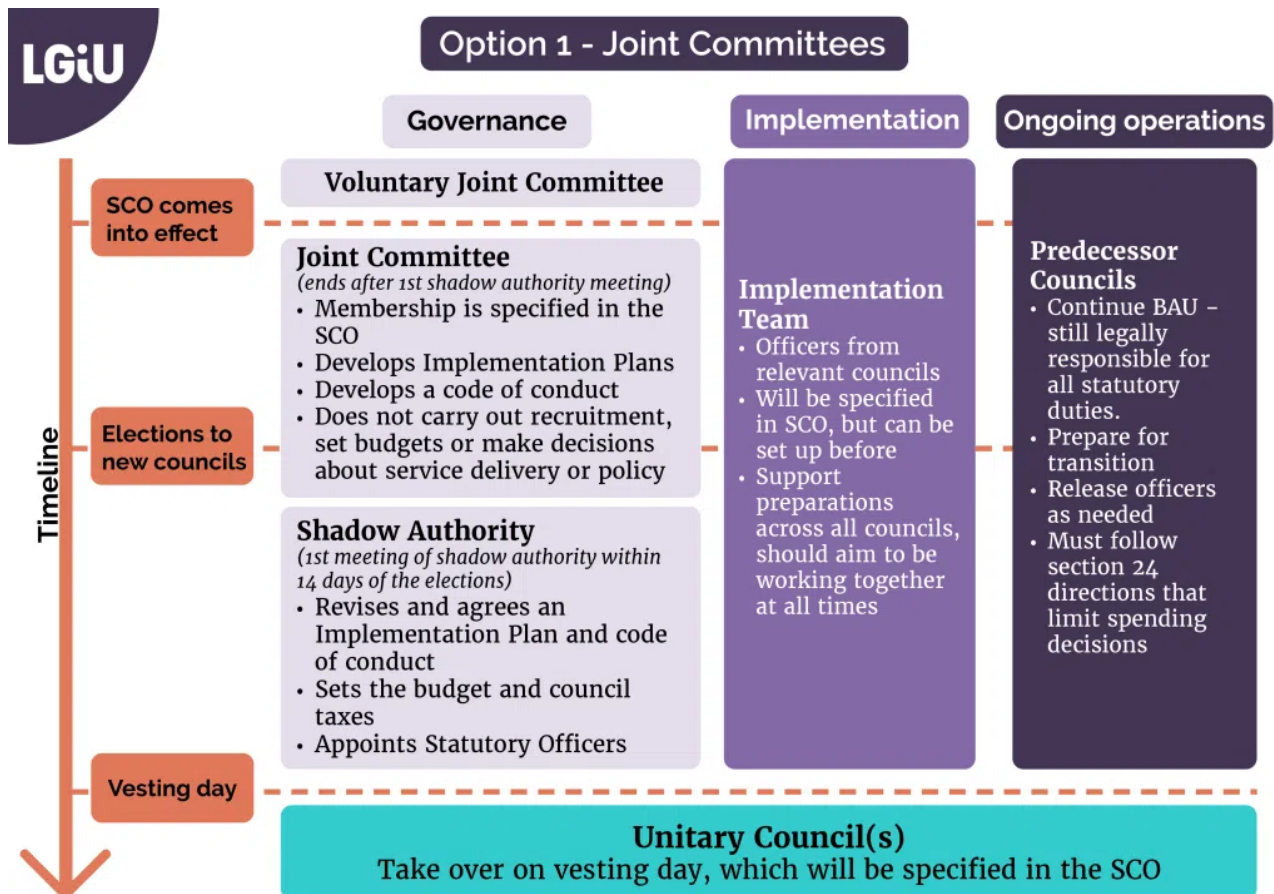
For councils, SCOs matter because they establish the practical framework within which reorganisation must be delivered: the end state and vesting date; arrangements for shadow authorities and elections; transitional governance (often including joint committees and implementation structures); and the approach to transferring functions, property and liabilities. They do not resolve every operational issue. Councils should expect further detail, including pensions, Housing Revenue Accounts, ceremonial arrangements and technical consequential amendments, to be addressed through [supplementary instruments](#), [directions](#) and local implementation planning.

This briefing focuses on how councils can prepare before an SCO is made: how they can shape transition arrangements where possible and organise work so they can move quickly once an Order is laid. It uses [Surrey](#) as a live example and [Cumbria](#) as a completed reorganisation, with reference to earlier reorganisations in Buckinghamshire, Somerset and North Yorkshire. It also links to LGIU explainers on shadow authorities and the transition from final plans to vesting day.

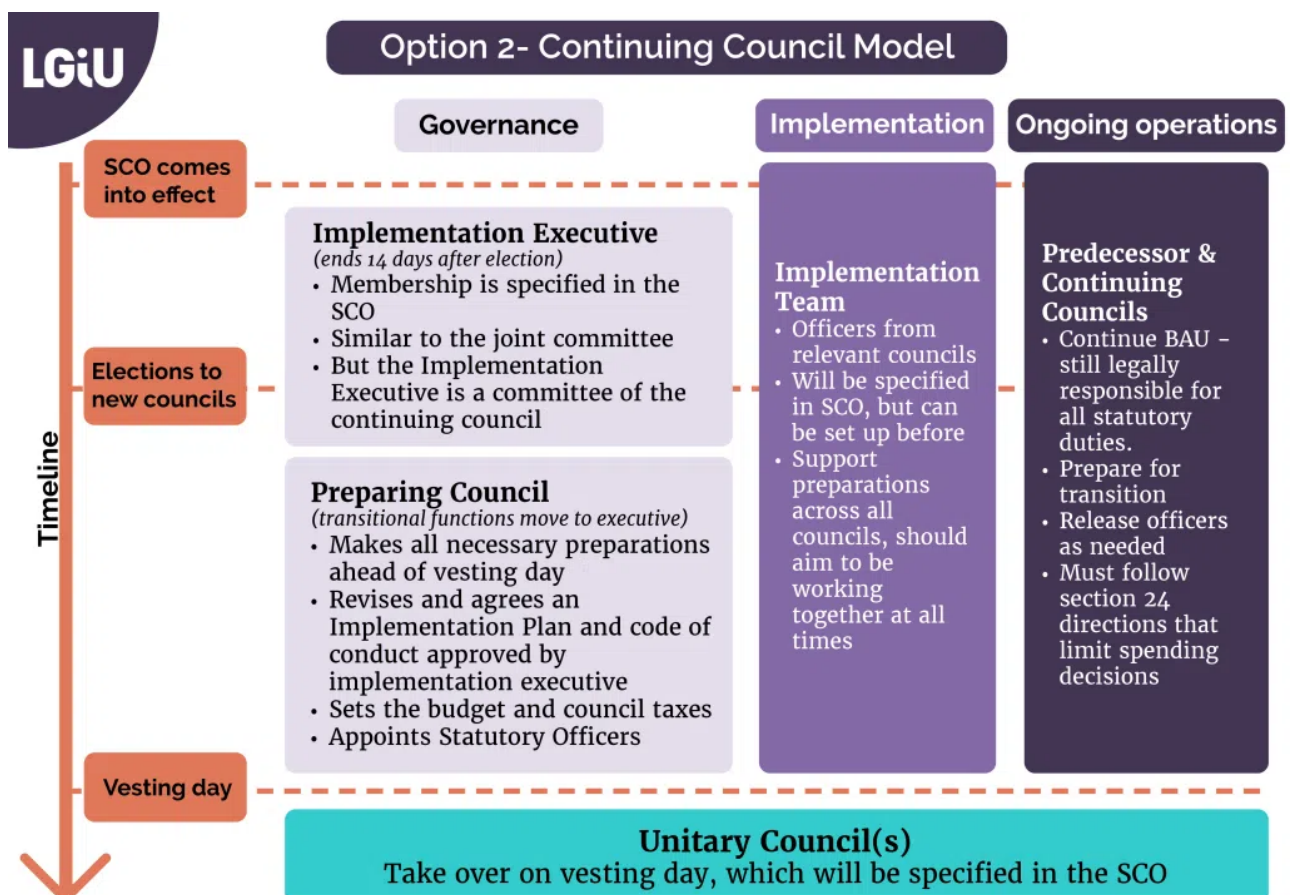
How do SCOs come into being and how can councils shape them?

Understanding how SCOs are developed helps councils anticipate when engagement is likely, where input may have an impact, and how quickly formal transition arrangements may follow a government decision.

In practice, implementing reorganisation operates as a package of three tools: the SCO itself (setting structure and transition), directions under section 24 of the 2007 Act (controlling certain decisions during transition), and further 'mop-up' provision to deal with technical and consequential matters.



Option 1: Joint Committee



Option 2: Continuing Council Model

When are SCOs likely to be announced?

Drafting and laying an SCO usually follows soon after the Secretary of State confirms a decision to proceed with reorganisation, particularly where the accelerated programme is used. Recent reorganisations show a consistent sequence: invitation to submit proposals; assessment and consultation; government decision; followed by engagement on draft transition arrangements before the SCO is laid in Parliament. For councils, this means preparation should begin before a final decision is announced. [The MHCLG timeline](#) suggests that draft secondary legislation for DPP areas should be expected before the summer recess in 2026, and for the non-DPP areas after summer recess.

Consultation and representations on the SCO

Engagement on an SCO is not a second consultation on the principle of reorganisation. It is focused on how the transition will operate in practice. Councils are typically invited to make representations on:

- the structures required to support transition;
- the preparatory functions to be exercised before vesting day; and
- how arrangements should reflect local circumstances and delivery risks.

This engagement provides a good opportunity to highlight issues that could affect governance, capacity or service continuity if not addressed early.

Where is there scope for flexibility?

While the overall reorganisation model is set by government, experience shows flexibility in how transition arrangements are designed. SCOs may distinguish between areas creating entirely new councils and those where preparing councils are given specific preparatory responsibilities. Government has also indicated that preparatory functions and governance arrangements should reflect local circumstances, including scale, financial context and delivery risk, where councils can demonstrate that alternative approaches should better support an effective and lawful transition.

How councils have sought to influence SCOs

Recent proposals show how councils have used the pre-SCO phase to raise detailed delivery issues. For example, in [Hertfordshire](#) all 11 councils worked

together on a single county-wide Local Government Reorganisation submission to government in November 2025 that presented three unitary model options for consideration, demonstrating collaborative engagement on structure and transition design. In [Lincolnshire](#), the County Council's final business case outlined clear asks for the SCO in terms of continuing authority status, voting rights and a "collaborative" methodology for appointing a new Chief Executive. While these proposals do not directly determine SCO content, they show that councils can act proactively to influence how transition arrangements are presented to central government.

Norfolk as an example: indicative timelines and expectations for council involvement

Indicative timetables published during consultation in Norfolk suggest a government decision is expected in March 2026, followed by an SCO being laid in summer 2026 and coming into force in autumn 2026. On this basis, elections for new authorities would take place in May 2027, with the new councils assuming full responsibility from April 2028. This is likely to be the same in all DPP areas.

The Norfolk timeline also illustrates expectations for council involvement. MHCLG explicitly invited council input on the design of the SCO and the opportunity for local flexibility. Voluntary arrangements across the area are encouraged during consultation and beyond, with councils balancing service delivery against decisions affecting incoming authorities. Between a decision and the SCO being laid, councils are expected to align voluntary governance with the anticipated Order, engage on factual matters during drafting, and make representations on the scope and operation of any section 24 directions. Once the SCO is in force, a staged transition is anticipated, moving from joint committee and implementation arrangements into a shadow or preparing council period, supported by an agreed implementation plan.

What can councils do to prepare for an SCO?

Engagement with government

Councils have limited influence over the overall reorganisation model but can often influence how the transition is designed. This includes preparatory activity, programme governance arrangements, collaborative resourcing (Memoranda of Understanding), sequencing and risk management. Effective engagement is usually approached through clear, structured representations that set out what local arrangements are needed to support a deliverable and lawful transition, and what should be addressed in the SCO or associated directions.

Three practical steps support this:

1. **Collaborative exercises in setting design principles and governance frameworks**, ensuring engagement with government reflects the published reorganisation programme and consultation stages. Government programme updates and area-specific documentation indicate how invitations, proposal deadlines and consultations are managed. This helps councils plan their representations, member decisions and internal assurance work to ensure they are working to the published timeline.
2. **Make targeted, evidence-based representations**, drawing on business cases and local evidence to identify where clarity or flexibility in the SCO or associated directions would materially affect delivery. In [Hertfordshire](#), proposals request a review of the thresholds for issuing directions under section 24 of the 2007 Act to ensure smooth service delivery during transition.
3. **Ensure requests are implementable**, being clear about what needs to be resolved through the SCO itself and what can reasonably be dealt with later through supplementary instruments or local implementation planning.

Organising work before an SCO is made: preparing for transition

Alongside external engagement, councils can prepare internally by scoping arrangements that can scale quickly once a decision is made. [Surrey](#) provides a live example, with councils establishing voluntary joint committees following the Secretary of State's decision ahead of the draft Order, anticipating their role in formal transition governance.

Four useful practical actions in preparing for an SCO are:

1. **Put a light-touch programme structure in place**, identifying core workstreams and escalation routes for risks and decisions. In Surrey, [programme structure](#) and [implementation planning](#) were considered prior to the draft Order being laid, helping councils to collaborate and organise workstreams.
2. **Agree transition governance principles early**, including member and officer roles, decision pathways and assurance arrangements. [Guidance from the Centre for Governance and Scrutiny](#) highlights the importance of designing governance and scrutiny arrangements that remain effective during reorganisation, particularly where responsibilities are shared across multiple bodies.
3. **Identify decisions likely to be constrained during transition**, particularly around major contracts, long-term commitments and disposals, and plan

governance accordingly. Experience from [Cumbria, Somerset and North Yorkshire](#) shows how directions can be used to control certain decisions during transition, which reinforces the need for early planning.

4. **Plan for capacity pressures**, especially where reorganisation overlaps with elections, budget setting or existing transformation programmes. Recent analysis from the [Institute for Government](#) and the [Local Government Association](#) highlights the impact of election timing and the importance of managing workforce capacity during periods of structural change.

Surrey as a live example: what's happening now?

The draft SCO for Surrey illustrates how government expects reorganisation to be prepared in practice. Ahead of the draft Order, councils established voluntary joint committees, enabling early coordination of workstreams, information-sharing, preparatory work and the development of common assumptions. They did this without pre-empting the formal powers and structures that would later be set out in the SCO.

The draft SCO confirms many elements councils had anticipated, including the creation of new unitary authorities, a shadow period and joint governance arrangements. This alignment reduced the need to reset structures once the draft was published, which meant minimal disruption. Surrey's approach also shows how reorganisation is treated as a programme with defined governance, risk management, financial controls and delivery milestones, rather than purely as a legal process. Cabinet and joint committee papers demonstrate planning on the basis that certain decisions (particularly around major contracts and long-term commitments) may be subject to additional oversight during transition. This reinforces the importance of reading the SCO alongside directions, correspondence and implementation material.

Cumbria as a completed reorganisation: lessons learned

Reorganisation in Cumbria took effect in April 2023 and provides a contrast with Surrey. The Cumbria SCO created two new unitary authorities: Westmorland and Furness Council and Cumberland Council. It set out the arrangements for shadow authorities, elections and the transfer of functions on vesting day. It also established the overall structure and timetable for transition.

Several controls were introduced alongside the SCO rather than within it, during transition. Directions made under section 24 of the Local Government and Public Involvement in Health Act 2007 required predecessor councils to seek consent

before entering into certain categories of contracts and other commitments during transition. The directions had a material impact on day-to-day decision-making and required councils to adapt governance routes and assurance processes quickly.

Papers from the new authorities ([Implementation Plan](#), [LGR Programme Implementation Plan](#), [LGR Programme Implementation Plan](#) and [LGR Programme Transition report](#)) show how implementation work continued to evolve after vesting day, with further decisions needed on staffing structures, service integration and financial management. Early implementation planning, formalised through shadow authority and programme documentation, highlights the importance of planning for the early months of the new authority, not just the shadow period.

What should councils focus on now?

Experience from Surrey and Cumbria shows councils are better placed when they treat the pre-decision period as an opportunity to prepare. Key priorities include:

- **Building shared understanding** beyond senior leadership groups. Members, senior leadership teams and the wider workforce need a shared, realistic picture of what reorganisation will involve, what an SCO will and will not decide, and how transition will be managed in practice.
- **Using the pre-decision phase as a discovery period** to test assumptions, apply prototyping to sense the scale for transformation, work collaboratively and consider what practical governance arrangements are necessary.
- **Intentionality on governance, resourcing and scope of workstreams – about governance and capacity**, particularly where reorganisation overlaps with other pressures such as elections, budget setting or existing transformation programmes. Capacity must be protected for core service delivery while building transition capability.
- **Preparing to work collaboratively between councils**, and with MHCLG, to iteratively draft the SCO.
- **Working through government's key questions**, focusing on what needs to be fixed early to avoid risk later, and what can be simplified. MHCLG emphasises the importance of structures and preparatory functions that reflect local circumstances and support successful delivery.

Conclusion

SCOs are the legal instruments through which reorganisation is delivered, but they are not just technical documents. They frame how councils plan, govern and deliver transition. SCOs do not operate in isolation: Directions, supplementary instruments

and local implementation planning can also have a significant impact on day-to-day decision-making during transition.

Experience shows that councils that plan for this wider framework, prepare governance capacity and assurance arrangements in advance are better able to manage risk and maintain service continuity. Using the pre-decision period well helps councils move smoothly from uncertainty to readiness and through to vesting day and beyond.

Resources

The consultation documents from [Norfolk and Suffolk](#) set out how views were gathered on local government reorganisation proposals and the indicative implementation timeline.

[Surrey County Council](#) published Cabinet updates on devolution and local government reorganisation in December 2025 and January 2026, outlining emerging governance and programme arrangements.

[Westmorland and Furness Council](#) published an Implementation Plan and supporting reports, providing insight into programme governance and readiness planning during transition.

LGIU briefings [‘What is a Shadow Authority’](#) and [‘From final plans to vesting day – the journey of a shadow authority’](#) explain the role and operation of shadow authorities during reorganisation.

The Local Government Association’s [‘Devolution and LGR FAQs’](#) is a live document addressing common questions from councils based on MHCLG guidance.

The Centre for Governance and Scrutiny’s [‘Scrutiny and local government reorganisation – a practice guide’](#) supports councils in designing effective scrutiny and assurance arrangements during transition.

The Local Government Association’s [reorganisation engagement toolkit](#) provides practical guidance on engaging with government and learning from previous reorganisations.

Case Studies

[Surrey](#) is a live reorganisation example, illustrating early preparation through voluntary joint committees alongside a draft SCO currently before Parliament.

[Cumbria](#) is a completed reorganisation, showing how an SCO operated alongside section 24 [directions](#) and further implementation activity post-vesting day.

[Buckinghamshire](#) provides an example of single-unitary reorganisation where shadow authority arrangements played a central role in transition.

[Somerset](#) illustrates a modern two-unitary transition model, with [supplementary provision](#) used to address technical and consequential matters.

[North Yorkshire](#) provides a further example of county-unitary reorganisation and the use of phased transition arrangements.

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Area	Surrey - shadow council/joint committees (entirely new councils)	
LGR Model	2+ Unitary Model	
SCO link	The Surrey (Structural Changes) Order 2026	
New Authority names and former councils	East Surrey (Part of Surrey County Council (SCC), Elmbridge, Epsom & Ewell, Mole Valley, Reigate & Banstead and Tandridge; and West Surrey Council)	West Surrey (Part of Surrey County Council, Guildford, Runnymede, Spelthorne, Surrey Heath, Waverley and Woking)
Joint committee(s)	<u>Joint Committee</u> 12 persons: 6 from SCC, 6 from District/Borough Councils (1 from each)	<u>Joint Committee</u> 10 persons: 5 from SCC, 5 from District/Borough Councils (1 from each)
Voting arrangements	• Majority voting of those present • Each member (including the Chairman of the committee) has one vote. • the person presiding at the meeting has a casting vote, in addition to any other vote the person may have.	
Chair	Not specified	
Political Balance	Not specified	
Timing of Joint Committee	- Not later than 14 days of the Order coming into force - Dissolved on the day following each shadow authority holds its first meeting.	
Implementation Team		
Timing	- Not later than 21 days after the coming into force of this Order	
Implementation team members	• One Team comprising officers from the County Council, East Surrey Councils and West Surrey Councils each of the district councils • The leader of the implementation team must be the Chief Executive of the county council - The deputy leaders of the Implementation Team are to be an officer of one of the East Surrey councils and an officer of one of the West Surrey councils	

Implementation model precedent – preparing council/implementation executive			
Area	Somerset	North Yorkshire	Wiltshire
LGR Model	Continuing authority model		
SCO link	The Somerset (Structural Changes) Order 2022	The North Yorkshire (Structural Changes) Order 2022	The Wiltshire (Structural Change) Order 2008
New Authority names and former councils	Somerset Council (Somerset County Council (SCC) and Mendip, Sedgemoor, Somerset West and Taunton, and South Somerset)	North Yorkshire (North Yorkshire County Council (NYCC), Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Scarborough and Selby)	Wiltshire Council (Wiltshire County Council (WCC), Kennet, North Wiltshire, Salisbury, and West Wiltshire).
Implementation executive	9 persons: 5 from SCC 4 from District Councils (1 from each)	17 persons: 10 from NYCC 7 from District Councils (1 from each)	17 persons: 9 from WCC 8 from District Councils (2 from each)
Voting arrangements	- Majority voting of those present - Each member (including the leader of the executive) has one vote. - the person presiding at the meeting has a casting vote, in addition to any other vote the person may have.		
Leader of the Implementation executive	Leader of the Somerset Council’s executive	Leader of the North Yorkshire Council’s executive	Leader of the Wiltshire Council’s executive
Political Balance	Not specified	Not specified	Yes - At least one member from each party on the Executive.
Timing of Implementation Executive	- On the coming into force of this Order - Dissolved the fourth day after the election day		
Implementation Team			
Timing	Not later than 21 days after the coming into force of the Order to assist the Joint Committee in the discharge of their functions, and after its dissolution to assist the relevant shadow authority(s) if so required		

Points to consider

- Intention for this round of local government reorganisation is that there will be elections for new councillors in May 2027 during the transition year – and as such **two implementation periods**. The first period will be overseen by a joint committee or implementation executive and the second by the new councillors to the new council. Further information on the respective roles of implementation bodies can be found here: [Local government reorganisation - implementation guidance](#).
- The joint committees/implementation executive will be in place for a **short period**, before being effectively replaced with the new shadow authority/preparing authority and their executive following elections. Representations on membership, size and voting arrangements of the joint committee/implementation executive may want to reflect that model of decision making. Consideration may also be given to other factors including local political balance, continuity of leadership and local circumstances, including devolution arrangements/ambition, financial circumstances, service delivery concerns and which councils developed and put forward the proposal being implemented.
- Joint committees should be **8-16 members** to provide sufficient capacity and representation. Decisions should be by a simple majority, with a casting vote for the chair where needed. **All councils should be appropriately represented**, including taking account of unitary expertise, which councils developed the proposal, and where the complexity of service aggregation and disaggregation lines.

A single implementation team of officers allows information flow and engagement between joint committees, councils, teams and the government on progress, particularly for services being disaggregated, and should strengthen engagement and communication throughout. It will be important for strong alignment and data sharing between the new councils as they work through preparation for shadow elections, and then subsequently vesting day, and the twin challenges of aggregation and disaggregation.

- Membership of the implementation team(s) is for each of the councils to determine beyond any limits/requirements set in the structural changes order. Precedent is that the leader and the deputy leader(s) may be specified in the SCO.
- Each shadow authority, at its first meeting, will be required to designate key interim officers before appointing, by the date specified in the SCO, a monitoring officer, finance officer and head of paid service for the shadow authority. The implementation team is formed during the first transition period and remains in place for the second transition period. Designated officers for the shadow authorities are not intended to replace the implementation team but are expected to work closely with them and undertake implementation activities.
- Parish elections are not automatically affected. However, provision can be made to align parish elections to the new unitary elections where this is desired locally, in order to minimise the costs of these elections being held separately. If this is agreed, final information on aligning elections would be required by 17 August.

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Background and precedent for MHCLG consultation response

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Joint Committee guidance notes

In all four Devolution Priority Programme (DPP) areas (Essex, Hampshire, Norfolk and Suffolk), and in Surrey, Joint Committee membership has been agreed on a 50:50 basis between the County Council and the District/Borough councils.

Where an existing unitary council is part of the area covered by a Joint Committee, the split has been applied as 50% for the existing unitary council, with the remaining 50% shared between the County Council and the District/Borough councils.

For DPP areas, there has been a maximum of two members from District/Borough Councils, whereas Surrey had one member per District/Borough.

Where proposals involve boundary changes, Joint Committee membership includes a minimum of one member from each District/Borough council where any part of its area is included within the proposed unitary geography.

Surrey Joint Committees were set up as follows:

East Surrey Joint Committee

Member	Council	Type	Role in predecessor council	Political party
Bridget Kendrick	Mole Valley District Council	District/Borough	Chair, Leader	Liberal Democrats
David Lewis	Surrey County Council	County	Vice Chair, Cabinet Member for Finance and Resources	Conservative
Mike Rollings	Elmbridge Borough Council	District/Borough	Leader	Liberal Democrats
Hannah Dalton	Epsom and Ewell Borough Council	District/Borough	Leader	Residents Associations of Epsom and Ewell

Richard Biggs	Reigate and Banstead Borough Council	District/Borough	Leader	Conservative
Natalie Bramhall	Surrey County Council	County	Cabinet Member for Property, Infrastructure and Waste	Conservatives
Helyn Clack	Surrey County Council	County	Cabinet Member for Children, Families and Lifelong Learning	Conservatives
Stephen Cooksey	Surrey County Council	County	Councillor	Liberal Democrats
Steven McCormick	Surrey County Council	County	Councillor	Conservatives
Catherine Sayer	Tandridge District Council	District/Borough	Leader	Residents' Alliance

East Surrey Summary:

- Districts and Boroughs = 5
- Surrey County Council = 5

West Surrey Joint Committee

Member	Council	Type	Role in predecessor council	Political party
Anne Marie Barker	Woking Borough Council	District/Borough	Chair, Leader	Liberal Democrats
Robert King	Runnymede Borough Council	District/Borough	Vice Chair, Co-Leader	Labour and co-operative
Julia McShane	Guildford Borough Council	District/Borough	Leader	Liberal Democrats

Joanne Sexton	Spelthorne Borough Council	District/Borough	Group Leader	Resident's Association and Independents
Matt Furniss	Surrey County Council	County	Cabinet Member for Highways, Transport and Economic Growth	Conservatives
Mark Nuti	Surrey County Council	County	Cabinet Member for Health and Communities	Conservatives
Catherine Powell	Surrey County Council	County	Councillor	Resident's Association and Independents
Lance Spencer	Surrey County Council	County	Councillor	Liberal Democrats
Liz Townsend	Surrey County Council	County	Councillor	Liberal Democrats
Denise Turner Stewart	Surrey County Council	County	Councillor	Conservatives
Shaun Macdonald	Surrey Heath Borough Council	District/Borough	Leader	Liberal Democrats
Paul Follows	Waverley Borough Council	District/Borough	Leader	Liberal Democrats

Summary:

- Districts and Boroughs = 6
- Surrey County Council = 6

Chair of Joint Committees

The Cumbria and Surrey SCO did not name individuals for the Chair or Deputy Chair roles. If the Chair is not specified in the SCO, it is expected that the Chair will

be selected via a vote during the first meeting of the Joint Committee, which was the case in Surrey.

However, for the MHCLG guidance sent to DPP areas, Joint Committees which has an existing unitary council, the guidance has indicated that the Chair is to be a member of the unitary council, with the Deputy Chair determined by the Joint Committee and to not come from the unitary council.

Naming conventions used in DPP areas

County / Area	Proposed Unitary Name
Hampshire / Isle of Wight	North Hampshire Council
	Mid Hampshire Council
	South East Hampshire Council
	South West Hampshire Council
	Isle of Wight Council
Norfolk	West Norfolk Council
	Greater Norwich Council
	East Norfolk Council
Suffolk	Western Suffolk Council
	Central and Eastern Suffolk Council
	Ipswich and South Suffolk Council
Essex	West Essex Council
	North East Essex Council
	Mid Essex Council
	South West Essex Council
	South East Essex Council