

Record of Officer Decision

Local Government Reorganisation - Response to Government on Warding Arrangements

Decision Taker and Date Decision Taken:

Chief Executive, in consultation with Group Leaders, on 13 August 2026

Summary of Matter or Issue Requiring Decision:

Following the Secretary of State's decision on local government reorganisation (LGR) in Devon on 16 July 2026, the Chief Executive received a letter on 20 July 2026 setting out information on decisions that Ministers have taken in relation to the Structural Changes Order and the additional information that the Devon councils were required to submit by 17 August 2026.

The Structural Changes Order will set out the specific arrangements for the reorganisation of councils in Devon. The Order will establish new councils and abolish the existing ones. It will replace any currently planned elections with new elections for the new councils with appropriate wards/divisions for these new elections, amend the terms of office of current councillors as required, and give any preparatory functions needed.

Initial feedback on the matters to be included in the Structural Changes Order was provided by Torbay Council in June 2026, but further information (mainly around the warding arrangements for the new councils) was requested to be submitted by mid-August.

This Record of Decision sets out the considerations and decision which has been made in respect of the new Torbay and South Devon Council by Torbay Council. Those authorities which will be predecessor councils to the other three new unitaries have been in discussion about the matters which impact those new authorities.

Returning officers

Confirmation is sought by the Ministry of Housing, Communities and Local Government (MHCLG) of which council's Head of Paid Service should be specified as the Returning Officer for each new council area. Within our initial response to the Government's request about the Structural Changes Order we identified that, for the Torbay and South Devon Council, Torbay Council should provide the Returning Officer with the districts providing deputies. This remains our position and has been agreed with the other chief executives across Devon.

Warding arrangements

We need to provide our suggested warding arrangements for each of the new councils for inclusion in the Order.

The Secretary of State's decision, based on the Plymouth City Council and Exeter City Council proposal, is for new unitary councils based on parish boundaries.

In developing our initial response, we worked on the principle that existing unitary/district ward boundaries would remain in place for the Local Elections in May 2027 with the same number of councillors as currently elected. This principle remains our position with the following three exceptions:

- The Dartmouth and East Dart ward (South Hams) comprises the parishes of Dartmouth, Kingswear and Stoke Gabriel. It elects three councillors. The Secretary of State's decision places the parishes of Kingswear and Stoke Gabriel in the new Torbay and South Devon Council and the parish of Dartmouth in the new Devon Council. Therefore, a new unitary electoral ward of Kingswear and Stoke Gabriel will comprise the whole parishes of Kingswear and Stoke Gabriel. This ward will elect one councillor.
- The Secretary of State's decision places the parish of Berry Pomeroy in the new Torbay and South Devon Council (whereas previously the parish was split across two district electoral wards for South Hams District Council). The new unitary electoral ward of Marldon and Littlehempston will comprise the whole parishes of Berry Pomeroy, Littlehempston and Marldon. The number of elected councillors in that ward will remain at one.
- The Secretary of State's decision places the parish of Teignmouth in the new Torbay and South Devon Council. The new unitary electoral ward of Teignmouth East will comprise the whole parish wards of Teignmouth (East) and Teignmouth (Rowdens). (The previous district electoral ward of Teignmouth East covered part of Dawlish parish and elected two councillors.) The number of elected councillors in that ward will remain at two.

Discussions have taken place with officers within South Hams and Teignbridge District Councils in coming to our decision.

Parish elections

Parish elections will be aligned with the new unitary council elections. Our views are sought on our preferences as to if and how alignment should be best achieved. We have sought the views of Brixham Town Council in coming to our decision.

Decision Taken:

- (i) That Torbay Council position in relation to the matters to be included in the Structural Changes Order for Local Government Reorganisation in Devon, insofar as they relate to the new Torbay and South Devon Council is:
 - a) That the Head of the Paid Service for Torbay Council be appointed as the Returning Officer for Torbay and South Devon Council;
 - b) That the warding arrangements for the Torbay and South Devon Council be as set out in Appendix 1 to this Record of Decision; and
 - c) That the elections to Brixham Town Council to be held on 6 May 2027 should be for a five year term, with elections being held every four years thereafter.
- (ii) That the Chief Executive of Devon County Council, as the nominated Implementation Team Leader for Local Government Reorganisation in Devon, be notified of Torbay Council's position to enable a collective response to be made to the Ministry of Housing, Communities and Local Government by its deadline of 17 August 2026.

Summary of Reason(s) for Decision Taken:

To ensure Torbay Council's views are represented in the Devon-wide response to the Ministry of Housing, Communities and Local Government ahead of the preparation of the draft Structural Change Order.

Summary of Alternatives or Options considered and rejected and Background Papers:

No alternative options were considered as the principles behind these decisions had previously been agreed within Torbay Council.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:

None.

Implementation:

This decision will come into force immediately.

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email governance.support@torbay.gov.uk

Signed: _____ Date: _____
Chief Executive