

Report title: Local Government Reorganisation Update

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| Report to:           | Overview and Scrutiny Board                            |
| Date:                | 8 July 2026                                            |
| Lead Cabinet Member: | Councillor David Thomas, Leader of the Council         |
| Email:               | david.thomas@torbay.gov.uk                             |
| Lead Director:       | Matthew Fairclough-Kay, Director of Corporate Services |
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| Wards affected:      | All                                                    |

1. Summary of Report:

This report provides an update on Local Government Reorganisation in Devon. It describes the details of how Torbay Council is preparing to reorganise should the Government agree on an option for local government in Torbay which impacts on the Council.

2. Recommendations and Proposed Decision:

That the report be noted.

3. Reasons for Recommendations/Proposed Decision:

To provide an update to the Overview and Scrutiny Board on the progress towards local government reorganisation in Devon.

4. Background and Context:

Background

In December 2024, the Government has invited all councils in Devon to work together to develop a proposal for local government reorganisation, whereby the current system of district and county

councils is replaced by unitary councils. Whilst Torbay Council and Plymouth City Council are already unitary councils, reorganisation would see the creation of unitary councils covering all of Devon.

Torbay Council's proposal was submitted in November 2025 with proposals also submitted by:

- Plymouth City Council and Exeter City Council
- Devon County Council
- The district and borough councils in Devon (excluding Exeter City Council)

The Government undertook consultation on each of the proposals received between 5 February and 26 March 2026 with a decision, by Government, expected by the Parliament summer recess (which is due to start on 16 July 2026).

### **Structural Change Order**

The Ministry of Housing, Communities and Local Government issued a letter to all Devon council Chief Executives in May 2026 seeking views on matters that would be necessary for the Secretary of State to consider in any Structural Change Order.

In the event of a decision to reorganise, a Structural Changes Order (SCO) will provide for the creation of a new single tier of local government for Devon. It will cover issues such as:

- The name(s) of the new council(s)
- The establishment of joint committee(s)/implementation executive(s) to be in place ahead of Shadow Authority elections
- The lead officer for the Implementation Team (a single officer team for the whole of Devon)
- The number of councillors and warding arrangements in each new authority

MHCLG sought responses by 16 June 2026, with a slightly longer time to respond about warding arrangements (17 August 2026).

Councils across Devon were encouraged to work together to agree representations for each of the proposals which affect our councils. Discussions have been held between senior officers across Devon as well as by Leaders of the Devon authorities. Whilst there was not consensus on all points, it was agreed that each council would submit its own response, clearly identifying where there was agreement.

### **Torbay Council's approach to LGR**

In terms of preparing for any decision from Government on local government reorganisation, Torbay Council has its own programme structure in place and is working with colleagues at a Devon-wide level. The approach of Torbay Council though is through the lens that there are options whereby Torbay Council does not need to reorganise. We are allocating our resources accordingly, especially given the need to bring operational adult social care back into the Council by April 2027.

Torbay Council has in place a Strategic Steering Group which is chaired by the Chief Executive. The objectives of this Group are to promote and pursue co-working across the 11 Devon councils

and to lead, guide and approve the work of the Project Board. It was also one of the Group's objectives to develop and submit Torbay Council's response to the Government's consultation.

A Project Board is also in place chaired by the Director of Corporate Services who is the Senior Responsible Officer for LGR in Torbay Council. The work of this Board has primarily been to develop the MHCLG list of readiness tasks into a prioritised product list, so that Torbay Council can be clear that we hold the data likely to be needed if we reorganise, in a manner that we can easily share when required.

### **Devon-wide approach – Implementation Team**

At a Devon-wide level, the Chief Executives of all of the Devon councils are meeting on a fortnightly basis, supported by the MHCLG advisor (John Metcalfe) who has been appointed to assist the Devon authorities. The Chief Executives are meeting as an "Informal Implementation Group" ahead of any decision, when a more formal Implementation Team will need to be established. This will then be formalised through the Structural Change Order once approved by Parliament, although work is continuing on an informal basis ahead of the SCO being made.

In line with Government expectations, the Chief Executive of the County Council is expected to be appointed as the Implementation Team Leader (Senior Responsible Officer). She will work with all relevant councils to bring together a single Implementation Team across the area made up of officers of the predecessor councils. Those councils will have a duty to cooperate in the formation of the Implementation Team and to release officers from normal duties as reasonably required.

The Implementation Team will support the collection of data and transfer of functions, staff, property, rights, liabilities and information from predecessor councils.

The Implementation Team Leader will be responsible to the Joint Committees and later the Shadow Councils for the work of the Implementation Team (rather than the predecessor councils) and to ensure the Joint Committees are able to effectively fulfil their obligations.

### **Joint Committees**

Ahead of the elections to the Shadow Authorities (expected in May 2027), the Structural Change Order will require the relevant existing councils to form an implementation body, mostly constituted as Joint Committees, with one Joint Committee for each new unitary council. (An Implementation Executive may be used instead if a "preparing council" model is used – most appropriately used where the geography of the new unitary council matches that of one of the existing councils.)

The functions of the Joint Committee are to prepare the ground for matters that need to be in place on day one of the Shadow Councils. As such, they are not responsible for taking any decisions on behalf of the new council and should act in a manner that does not fetter any decision the new shadow councils may wish to take.

The exact functions for the Joint Committee to undertake will be set out in the SCO and are expected to be limited to:

- Formulating proposals for a code of conduct for the new unitary council
- Creating the Implementation Team

- Preparing an implementation plan at a strategic level for the new authorities

They do not:

- Carry out recruitment or appointment to senior posts
- Design or implement the operating model of the new organisation
- Consider, set or develop budgets for the new council
- Make decisions about service delivery or policy

However, they should be concerned that adequate arrangements are proposed for the new unitary council to undertake these activities effectively and efficiently.

### **Moving forward**

Once the Government makes a decision on the future of local government in Devon, members, officers, stakeholders and residents/businesses will be kept informed about the decision, the implications for Torbay and the next steps.

## **5. Alternative Options Considered:**

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Not applicable.

## **6. Contribution to Council Priorities:**

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Torbay Council is responding the Government's proposals for local government reorganisation.

## **7. Consultation and Engagement:**

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In developing its proposal for Local Government Reorganisation in Devon, Torbay Council undertook consultation and engagement with its communities and stakeholders. The Government then conducted consultation on each of the options which were submitted across Devon.

## **8. Implications:**

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### **Financial Implications:**

None as a result of this update report.

### **Legal Implications:**

None as a result of this update report.

### **Corporate Parenting/Children and Young People:**

None as a result of this update report.

### **Associated Risks, Risk Tolerance Level and Mitigations:**

Local Government Reorganisation remains a risk identified on our Corporate Risk Register. There are no further risks identified as a result of this update report.

## Contributions to tackling climate change or achieving carbon neutrality:

None as a result of this update report.

## Social Value Considerations:

None as a result of this update report.

## Procurement Implications:

None as a result of this update report.

## Other Implications:

None as a result of this update report.

## Background Documents:

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None

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