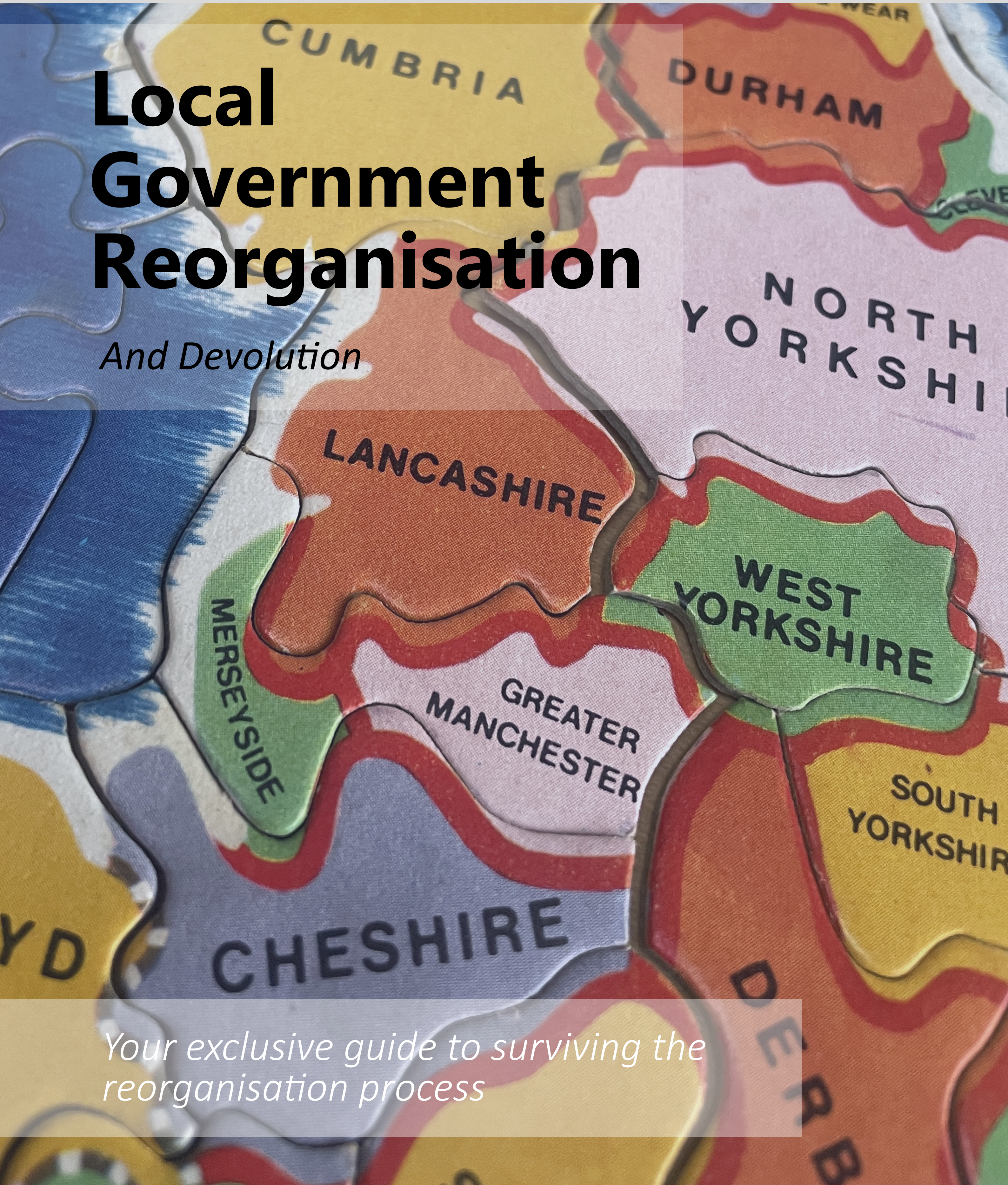
LocalGovernment*Lawyer*

March 2026



Local Government Reorganisation

And Devolution

Your exclusive guide to surviving the reorganisation process

With thanks to our contributors:

Contents

Report Editor
Adam Carey
Adam.carey@
localgovernmentlawyer.co.uk

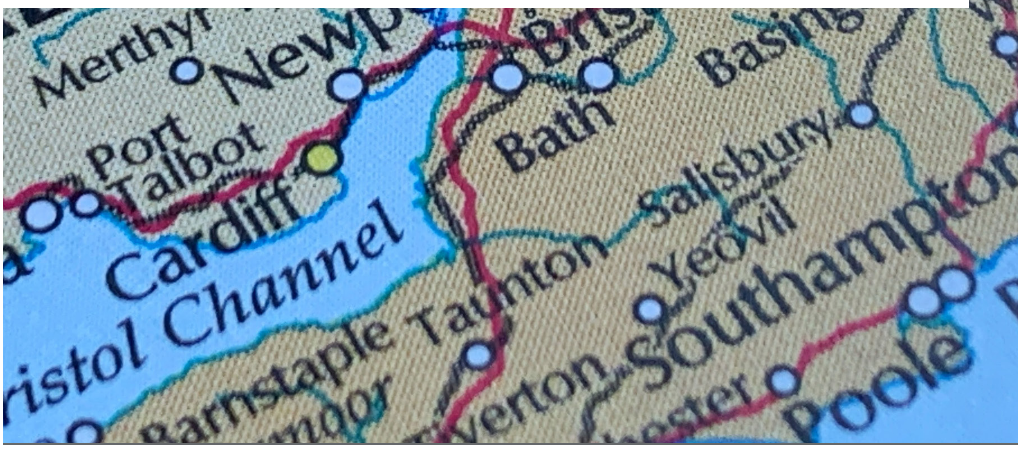
Publisher
Derek Bedlow
derek.bedlow@
localgovernmentlawyer.co.uk

Display, Events & Sponsortship Advertising
Sarah Howes
sarah.howes@
localgovernmentlawyer.co.uk

Recruitment Advertising
Kate McCreery
kate@localgovernmentlawyer.co.uk

A marathon, not a sprint

Local government lawyers are bracing for a massive increase in work as reorganisation gets underway, with many warning they lack the capacity to deliver the complex work needed to reach a 'safe and legal' vesting day. *Adam Carey* looks at the results of our exclusive survey of senior legal officers currently taking part in the first wave of reorgansiation.



While local government lawyers are well accustomed to tight deadlines, it is easy to understand why those in two-tier areas might be bracing for the wave of legal work set to cross their desks.

For the senior staff managing the legal side of local government reorganisation – mostly heads of legal and directors of law – the next two years will be a balancing act of drafting constitutions, advising on how to disaggregate and aggregate services and managing inter-council professional relationships – all while delivering their routine work.

Most worryingly, the vast majority of respondents to an exclusive *Local Government Lawyer* survey say they do not have the capacity to cope. And the pressure will not end on vesting day, with many predicting the process will take years to fully wrap up.

The prospect of a long, under-resourced transition begs the question of how council areas that have previously reorganised managed the pressures. It also raises the question of how those in the Government's first tranche are currently faring.

Laying the groundwork

The pre-transition stage starts with a bidding process in which the existing councils – known by some as 'sovereign councils' – put forward plans for how they think reorganisation should look in their area, setting out the geography, governance arrangements and implementation plans.

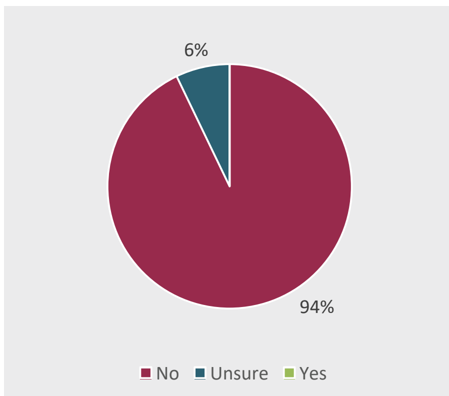
Once the government has selected a bid, the councils must then work together to establish and agree on what needs to be done in the lead-up to vesting day – the day that the new unitary officially replaces its predecessor authorities.

Much of this work will be encompassed within what is called the 'section 16 agreement', which will detail how council assets, liabilities and services will be divided among the new unitaries. This agreement must be settled before vesting day.

New constitutions will also have to be crafted alongside this and shadow authorities must be set up 12 months ahead of vesting day in order to run in tandem with the councils set to be dissolved.

Among this laundry list of early tasks, the constitution and section 16 agreement – as well as disaggregating and aggregating services – rank among the most intimidating, according to the survey of heads of legal at the local authorities taking part in the government's initial wave of reorganisation.

Do you think your department has enough resources and staff to manage the increased workload during reorganisation?



More than three-quarters of respondents (86%) listed the agreement in their top three concerns in relation to being 'safe and legal'.

When asked about splitting up services,

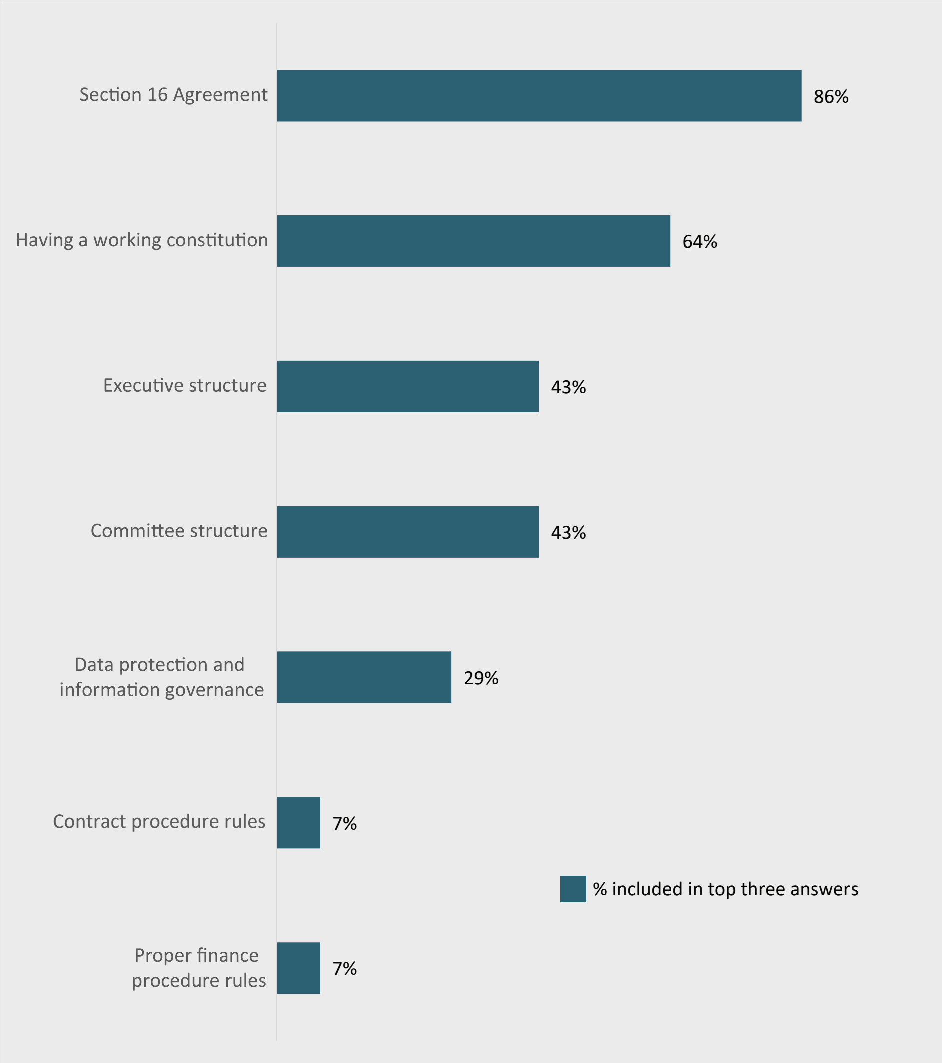
Which areas are being reorganised and what is the timetable?

Plans to replace all two-tier county and district systems with large unitary authorities were first set out in the Government's English Devolution White Paper in 2024. The white paper also included proposals to "complete the map" of English devolution by establishing combined authorities across the country.

To deliver this, the Government launched a Devolution Priority Programme (DPP), covering Cumbria; Cheshire and Warrington; Greater Essex; Hampshire and the Solent; Norfolk and Suffolk; and Sussex and Brighton. An initial wave of local government reorganisation is under way in 63 areas, some of which overlap with the DPP. These include Surrey, Hampshire, Essex, East Sussex and West Sussex, Norfolk, and Suffolk. Councils in Surrey are on a fast-tracked timetable, with existing councils expected to be abolished and replaced by two unitary authorities (East and West Surrey). Elections are scheduled for May 2026, with shadow operations until full powers are assumed in April 2027.

Other areas have submitted proposals to Whitehall and are awaiting decisions around Summer 2026, with implementation expected about a year after Surrey. To understand how senior legal teams are preparing, Local Government Lawyer surveyed heads of legal and directors of law in the 63 authorities, receiving 19 responses, representing 30% of affected councils.

Of all the requirements needed to be safe and legal on vesting day, which three areas are you most concerned about?



respondents predictably said that almost all areas will present a challenge to untangle. But adult social care and children's services feature at the top of their concerns, with 75% predicting that disaggregating these two service areas will be either "very complex" or "somewhat" complex.

Dividing IT services, which will include case management systems and departmental data, will also be problematic, with 56% stating that this area will be "somewhat complex" and a further 31% describing it as "very complex".

However, before councils can begin the task of separating services, extensive data gathering must take place.

Philip McCourt, legal director at Bevan Brittan, says that councils must throw themselves into this data work as soon as possible, which will include information on liabilities, ongoing or potential litigation and contracts, among others.

There is an "enormous" amount of information that needs to be gathered, he warns, and there is a risk that institutional knowledge will be lost during the process.

It is not unusual, for example, for councils to temporarily lose track of property and land that they own as a result of inaccurate record-keeping.

But it is not just assets that might be forgotten. McCourt says that knowledge of council companies could be lost in the melee, too.

This is in part due to the lack of a central register of company ownership, he notes. It could also be a result of employees choosing to leave the local authority during reorganisation.

For monitoring officer Linda Jones, who helped steer reorganisation in Cumbria in 2023, work to amass this data partly relied on a 'programme board'.

This board included all the county's chief executives and the chief fire officer, and was supported by seven themed boards and a 'day one board'. Each theme board was led by a chief executive.

Jones juggled three roles at once during the transition, acting as monitoring officer for a sovereign council, lead monitoring officer among the Cumbrian monitoring officers coordinating reorganisation, and finally as interim monitoring officer of the shadow authority for Westmorland and Furness Council.

She reported to the corporate and enabling theme board and then, by exception, to the main board. But her work also "cut across" other theme boards, and it was key, she says, that legal officers had a prominent voice at this stage.

She met weekly with the other monitoring officers across the county to discuss work streams, including contracts, assets, constitution, civic and ceremonial, employment law, elections, data protection,

policies, coroners, as well as litigation and insurance claims.

"You need to be alive to a lot of the lega work that's coming out of some of the oth theme boards," she says, highlighting legal advice she provided on the contract registe elections, and adult services.

Building a strong constitution

Once the division of services and assets are agreed, attention will inevitably turn tc the document that will underpin the new authority: its constitution.

Drafting the new authority's constitutio will be one of the most significant and time-consuming legal tasks involved in reorganisation, which explains why it ranks as the second biggest area of concern for legal professionals.

According to the survey, 64% of respondents listed having a working constitution as the piece of work they wer most intimidated by.

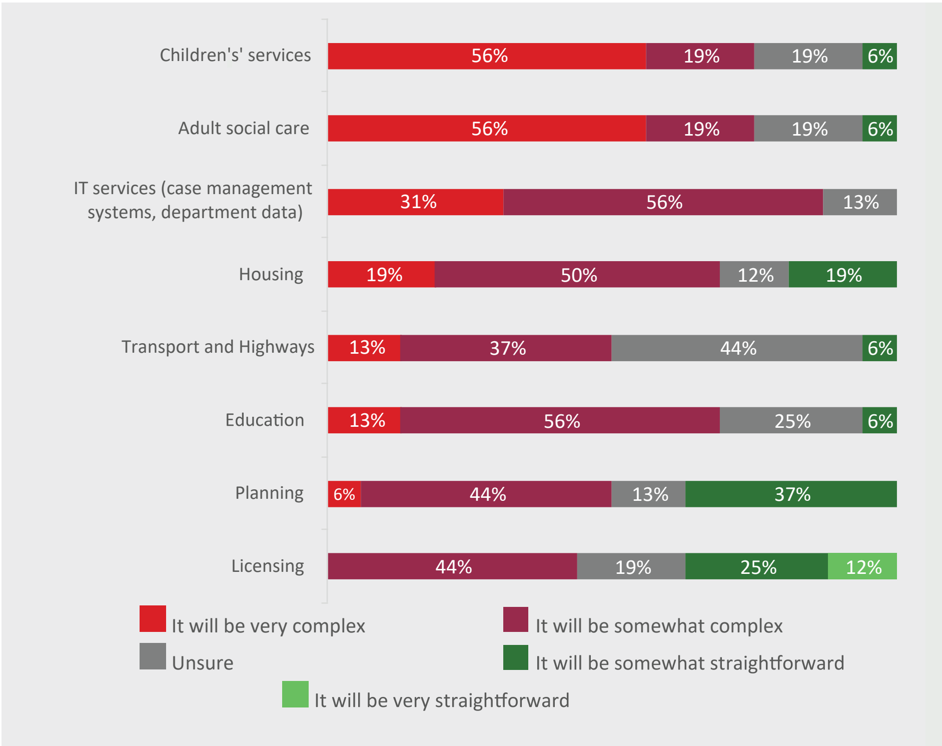
As with the information gathering stage this is an area that Jones and McCourt say legal officers should start on as soon as possible, not least because two constitutions will have to be drafted: one for the shadow authority and another for the post-vesting day unitary.

"There is no point at which it's too early to think about what the constitutional arrangements are for this new authority," McCourt says.

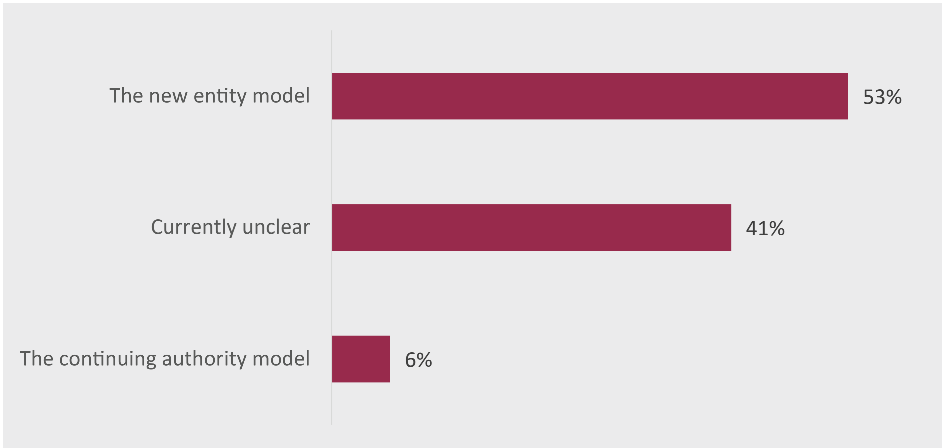
Local authorities will first have to choose between two potential approaches to establishing the constitution.

The majority (53%) of senior legal officers involved in the Government's first tranche of LGR predict that their areas will follow the 'new entity model', which means they will form a completely new local authority – and

How do you think work to disaggregate or aggregate the following service areas will go?



What approach to reorganisation is your region most likely to pursue?



therefore an entirely new constitution.

This is in contrast to the second approach – the 'continuing authority model' – which builds on a constitution from an existing council. Just 6% said their area will pursue this model, while the remaining 41% reported that they are currently unsure of their approach.

The continuing authority approach has been seen in a number of areas that have already undergone reorganisation, including in part of Yorkshire.

In April 2023, the two-tier system in North Yorkshire was replaced with two unitary councils: North Yorkshire Council and the City of York Council.

Barry Khan, who helped oversee reorganisation in the county, describes this approach as the "easier" option, but notes that it comes with unique political challenges.

Khan – now Director of Law and Monitoring Officer at North Yorkshire Council – says it was crucial that reorganisation under the continuity model was not seen as a "county council takeover".

"It was very much 'everyone is in the same position, we're creating a new organisation' – and our members were really important in saying that this cannot be seen as one council taking over another," he recalls.

Regardless of which model is being pursued, diplomacy and collaboration will be key for councils drafting a constitution.

For Claire Ward, partner at Anthony Collins, drafting the constitution marks one of the first times that the benefits, not just the toil, of reorganisation might be felt.

She says that councils should come together to make sure the document "takes the best of everything" from each sovereign council.

It is an exciting opportunity to create simple, easier-to-read constitutions, according to Ward, who says that many existing constitutions suffer from "a lot of repetition".

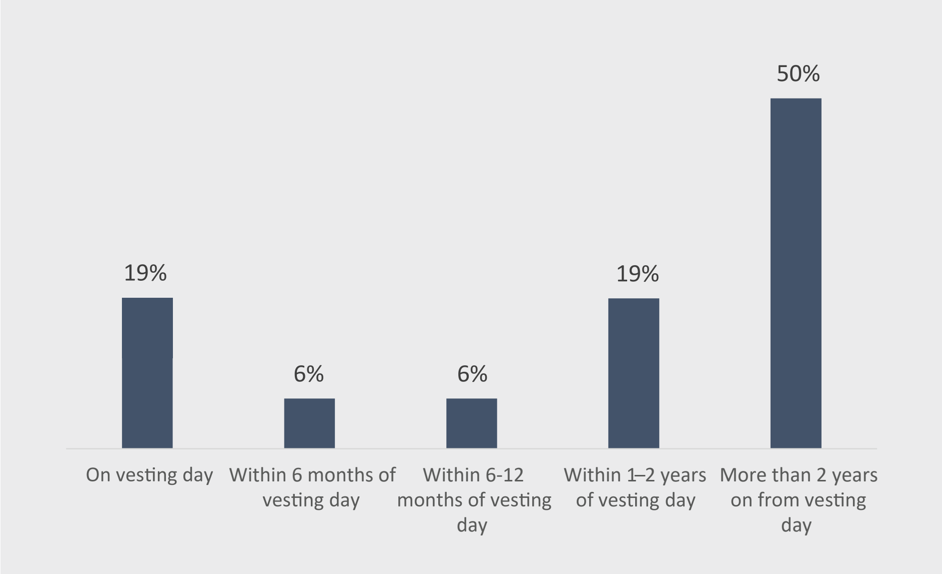
She adds: "If people have got a really good scrutiny committee over here, we'll take that, and if someone has got some really good access to information, we'll take that. So it is trying to take the best of what you have got."

But while this means that new councils do not have to start with a "blank piece of paper", Wards urges areas to still seek improvements upon their constitutional provisions and advises against a "lift and shift".

She says: "You have got to think about the things that don't quite work, and what could be better, what could be improved, but at the same time also recognising that time is tight, and some of this might be aspirational.

"But it really is a moment to think about

When do you predict your new authority will be fully decoupled (i.e. not sharing any services)?



how you could change governance for a new council."

A year in the shadows

As sovereign councils get closer to abolition, legal officers overseeing the process must help manage political and financial tensions – which could lead to some awkward professional situations. And while monitoring officers are well accustomed to handling member complaints and managing their expectations, reorganisation will throw up some unique challenges, specifically in relation to spending.

Ahead of vesting day, the Secretary of State for Local Government is set to issue section 24 directions, restricting sovereign councils from disposing of land, assets or entering into high-value contracts.

The Ministry of Housing, Communities & Local Government has said it intends to issue directions once structural change orders have been made. The directions will follow "precedents previously set", namely that written consent from the successor council will be required for land disposals worth more than £100,000, entering into contracts of more than £1,000,000 for capital and entering contracts of more than £100,000 for non-capital.

That setup "can cause problems", according to Khan, who experienced a section 24 direction himself in North Yorkshire.

"Any new major investment would require permission from the newly elected members, because they have the political and democratic mandate to make those decisions going forward, and that can be a period of political tension," he recalls.

In North Yorkshire, the shadow council gave a general consent to make sure that the sovereign authorities could continue to operate on a day-to-day basis, but shadow authority members had to approve any contract worth more than £100,000 or capital projects worth more than £1,000,000.

> "It's like a merger and an acquisition, and it is massive. It's on a scale of change like nothing you've ever done before"

So what is the best way to navigate this awkward setup? In North Yorkshire, strong professional relations and informal working relationships helped stave off any serious disagreements, according to Khan.

This 12-month period will likely be the most taxing for senior legal professionals as the multiple strands and pressures of reorganisation come into play at once. But more than politics, the overriding concern will be achieving 'safe and legal'.

A safe and legal launch requires a seamless continuation of statutory council services from vesting day onwards, with the new unitary authorities boasting a working constitution, committee structure, and executive.

When asked about the specific tasks that must be completed to be safe and legal, our survey respondents voiced concerns about having a working constitution, with 64% listing it among their top three worries.

Delivering on the basics by vesting day will be hard enough, as respondents say, but will it be possible to deliver improvements too?

Many in the sector have hailed reorganisation as a chance to reform, not least the government. As Ward mentions, crafting a streamlined constitution is among the ways that legal professionals can introduce new efficiencies – while others are encouraging councils to take the chance to completely rethink service delivery and adopt new technology.

From a legal perspective, delivering major improvements will be a tall order.

"I say safe and legal is a given – I don't think that should be a mission, I think that's just what you have to do," Jones says. But goals to "transform" are subject to time constraints.

"We are still – three years on – dealing with work from LGR, because that is the reality, really"

"Time is not really on your side to do 'transformation' because you are closing down an entity – your sovereign council – and you're establishing a new entity.

"It's like a merger and an acquisition, and it is massive. It's on a scale of change like nothing you've ever done before.

"In my view, what you are doing for quite a long period of time is stabilising. You're supporting your staff, your biggest asset, your services, your governance, and you're not in that zone straight away of 'all right, okay, we can now look at transformation'."

Hump day

Vesting day is very much the middle, not the end, of the process, but with the hard graft of information gathering, section 16 agreements, and shadow authorities behind them, work on refining the new authority can begin.

This post-vesting day work could include untangling IT systems, the slow refinement of the constitution and a gradual handover of the services that councils might have initially agreed to share on an interim basis.

Half (50%) of survey respondents predict their councils will not be fully decoupled until at least two years after vesting day, with some in the sector suggesting that the 'long tail' could last up to five years. Just 19% said they believed their councils would not be sharing any services on vesting day.

"The work doesn't stop on day one – the work actually starts, a lot of it, on day one," Khan says, confirming that North Yorkshire is still working on reorganisation three years on from its launch.

Reorganisation also continues to an extent in Cumbria, where a joint committee still exists, hosted contracts are ongoing, and some service disaggregation remains incomplete.

Legal staff are also still feeling the effects, with Westmorland and Furness' legal department just now getting its own legal case management system.

"We are still – three years on – dealing with work from LGR, because that is the reality, really. We still have hosted services, we're still working those things through," according to Jones.

Cultural differences will also take time to iron out, as teams with different working practices merge, and Jones says that legal professionals should "not underestimate" the time spent on governance and culture in the new authority.

"People have worked in very different ways – and that takes time to work through," she adds.

Like Jones, Ward recommends that local authorities concentrate on how they will merge disparate cultures and working practices, but also says the legacy of the two-tier councils should also be acknowledged.

She says: "People are looking to the future and thinking about that, but not thinking about what we now call 'ending well'. So making sure that there is a celebration about what that last council has done, about acknowledging the feelings of loss and grief."

Adam Carey is a senior reporter at Local Government Lawyer.

What will this all mean for your legal department?

Longer term, these legal department mergers should bring efficiency benefits, with Khan describing his merged department as a "godsend".

"People naturally feel an affiliation to an organisation, and I was a bit worried about the mental challenge for some about using their expertise in a bigger geography.

Solicitors working for districts are "generalists", he notes. "But working for a bigger unitary, you get into teams of specialism: a child care team, you can have a highways and planning team, you have a property team.

"So you get a narrower scope of legal work, but much more depth in dealing with that. It can be a challenge for lawyers to do that.

"But we found people really throwing themselves into a particular area of law and getting a much more detailed knowledge of that, and they can deal with the work quicker because they get more and more expertise in that particular area."

In the short term, there is no doubt that local government reorganisation is going to be costly in both time and money. These pressures come when local government is already under great strain, and legal departments are going to be particularly vulnerable.

Not a single respondent reports that their department has enough resources and staff to manage the increased workload during reorganisation. On top of this, 62% of senior legal professionals predict that recruitment will become harder amid the transition.

But respondents are more positive about the distant future, with 40% believing recruitment will become easier post reorganisation, and more than half reporting that the new unitary councils will enjoy a "significantly increased legal budget."

A further 19% said the legal budget would experience a "slight" increase.

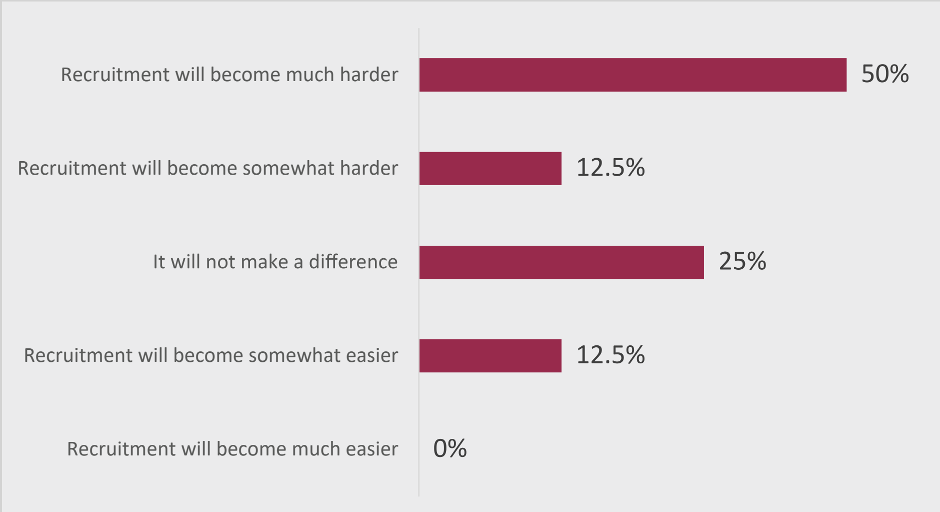
New working efficiencies – the overarching promise of reorganisation – might also be achieved through greater adoption of legal technology. For instance, 75% of respondents say adoption of new technology, including AI products, will increase either significantly (44%) or slightly (31%).

And despite there being scepticism around reorganisation, it appears to have already worked for some areas. Three years on from vesting day in Yorkshire, Khan certainly sees the benefits.

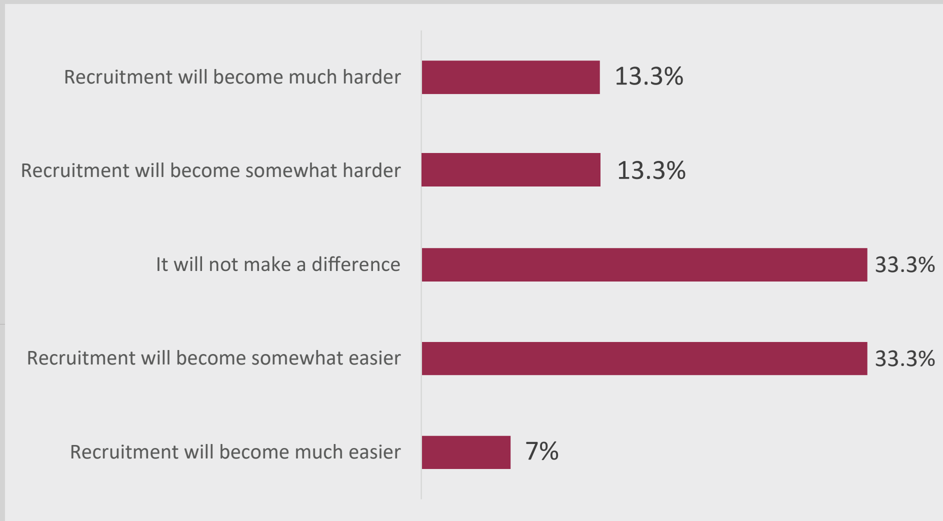
He says his new authority saw "genuine" efficiency and monetary savings as a result of reorganisation: "Going from 300 to 90 councillors, we saved millions there. Going from eight chief execs to one, you're saving another million there."

"From my point of view, it has definitely removed lots of bureaucracy that was there", Khan says, adding: "I cannot see, if you looked at our story, why you would not do it."

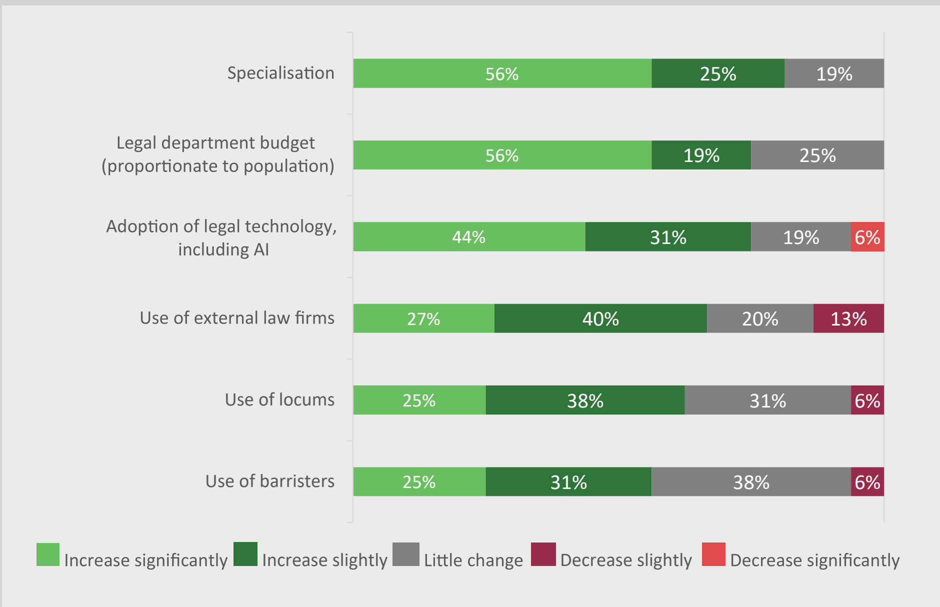
How will LGR impact legal department recruitment during reorganisation?



How will LGR impact legal department recruitment post-reorganisation?



How will LGR impact your post-reorganisation department's work in regard to the following:



LGR: What is involved and what you need to know

Bevan Brittan's local government team explores the key legislative framework and the practical steps authorities must take to ensure a smooth transition to new unitary structures.

Local government reorganisation (LGR) is now a well-trodden path for those of us at Bevan Brittan. We have assisted councils in its various aspects and ramifications in respect of governance, continuity of services, employment, the disaggregation and aggregation of functions, contracts, data, systems, property and assets since the introduction of the current legislative provisions for LGR and before.

Those who received an invitation letter from the Minister of State for Local Government and English Devolution for proposals for a single tier of local government did so under Part 1 of the Local Government and Public Involvement in Health Act 2007 Act.

There is a formal consultation period, followed by the decision. What comes with that process will be a draft and then laid [Area] (Structural Changes) Order and a section 24 direction. That will get everyone used to the terms included, such as 'Joint Committees', shadow period and shadow authorities, 'implementation plan', 'implementation team' and, above all, 'vesting day'.

Alongside this, there is a myriad of regulations to assist the process, including the Local Government (Structural Changes) (Transitional Arrangements) Regulations 2008, Local Government (Structural Changes) (Transfer of Functions, Property, Rights and Liabilities) Regulations 2008, Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 and Local Government (Structural Changes) (Finance) Regulations 2008 (SI 2008/3022). Almost all with subsequent amendment regulations.

This sets the scene for the various workstreams that those concerned will be establishing to collect and share information regarding what continues, what must cease (one cannot have a half-dozen different accounting systems for example), what must be disaggregated, placed in a hosting agreement or started afresh.

Alongside this runs the English Devolution and Community Empowerment Bill, establishing the new (or newly named for combined authorities and the GLA) strategic authorities and setting the interplay between them and the unitarised councils.

In this, one must not also forget to plan for the role of possible new urban parish councils, with accompanying devolution of functions and asset transfer considerations.

Culture and carry forward

The structural change orders will require the existing (predecessor) councils to co-operate with one another and the shadow authorities to prepare an implementation plan for facilitating the economic, effective, efficient and timely transfer of their functions, property, rights and liabilities.

As the co-ordinating body for that, the shadow authority is then required to take all such practicable steps as are necessary or expedient to prepare the new authority for the assumption of those local government functions and full local authority powers.

Likewise, it is a requirement for all to ensure the continuity of the delivery of those public services on and after vesting day.

This will involve thorough consideration of what information is to be collected and transferred. Some of this will be practical and relevant to daily operation of councils, including detail of contracts, files, operating systems, property and assets, as well as the data associated with the running of a local authority. Some of these, contracts, employment and pensions are discussed below.

There are elements, however, that are less tangible; easy to ignore but in some ways no less important. Over time every council develops a shared organisational culture that is not just about what has been derived from the political culture that has led them through electoral cycles, but a culture evolved from shared local values built across the Chamber, through the economy and the human geography of their area, as well as the officer leadership. This also requires capturing, to enable it to be put alongside that from neighbouring authorities so as to colour the conversation about the culture and practices of the new authority.

"This is an opportunity to capture a fresh start and encapsulate a set of values and expectations for the new authority"

Reorganisation in the areas now undergoing this process has not happened since 1972. There is much to be gained from setting out to establish a new culture for a new organisation. It is also easy, if not thought about, captured and discussed, for important aspects of organisational culture and history to be lost with the dissolution of predecessor authorities.

Constitution

Any local authority is a creature of statute. To operate, it must have effective rules of procedure to determine how it can, should or must regulate and manage its proceedings and business in accordance with wider law. Joint committees required to be set up before the new councils in shadow form take shape are given the freedom to regulate their own proceedings but, even here, there needs to be some understanding of how that might work.

We all know that any council is required to have and publish a constitution (s.9P LGA 2000 for England), containing all of those rule-book documents that are required to be published under the still extant Constitution Direction 2000 and the subsequent amendments and additions necessary to make that workable, all the while having regard to the accompanying statutory guidance. Beyond that, each may make standing orders for the regulation of their proceedings and business as they see fit (para. 42 Sched 12 of the LGA 1972).

So what are those to be?
That is an early and crucial question for the new councils in shadow form, making themselves ready to become the successor council post vesting day. Each predecessor council will have their own constitution, some more up to date than others, some containing rules that are similar to each other and some that are wildly different, either by choice or historical anomaly.

This is much more than a constitution review, which should be carried out every five years or so. It is also much more than picking one of the predecessor councils' constitutions and running with it. This is an opportunity to capture a fresh start and encapsulate a set of values and expectations for the new authority. It will take time, thought, and support.

This is a process that Bevan Brittan can assist with, in drafting and in thought, and are supported through the arrangement we have with ADSO.

Contracts

Regardless of what stage an authority is at in its process of engaging with restructuring within its boundaries, early consideration of the impact on its plethora of contractual agreements should be high on the agenda.

The vesting day timeline is a strict deadline for ensuring that all is in order to manage a smooth transition for all forms of agreement – supply, customer, collaboration and shared service arrangements (as well as anything in between). In the lead up to vesting day, however, there are several milestones to consider: the due diligence process; the impact of transitional and supporting regulations made under Local Government and Public Involvement in Health Act 2007 and subsequent orders, review of where responsibility for decision making for post vesting day arrangements sits, and (importantly for complex and high risk arrangements in particular) engagement with stakeholders.

There is a legal framework supporting this process through the Local Government (Structural Changes) (Transfer of Functions, Property, Rights and Liabilities) Regulations 2008; and the obligations on predecessor councils in sharing information about contracts, assets and liabilities, is expressly set out in The Local Government (Boundary Changes) Regulations 2018. However, implementing this framework is reliant on project management infrastructure to enable detailed review of gathered due diligence. Arguably, the most complex part of the jigsaw is how the transfer of contracts can support the cultural alignment of predecessor and successor authorities, grappling with whole system changes in staffing, processes and assets.

Reliance on the default framework for the transfer of contractual arrangements under the legislative framework is largely a backstop position. Lessons learnt from previous rounds of reorganisation, where judicial reviews, both successful and unsuccessful, had an impact not just on the legislative process, highlight the impact of such challenges not just on the legislative process but on morale, staff input and resources dedicated to the future planning of some areas, compared to those who were set up and prepared for the coming events early on.

Employment

For staffing matters the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008 and the Transfer of Undertakings Employment (Protection of Employment) Regulations 2006 (TUPE) remain the key pieces of legislation. The Staffing Regulations make it clear that, subject to the requirement to recruit to the post of head of paid service of the new unitary through open competition, the transfer of functions from a predecessor council to a single tier is to be treated for all purposes as a 'relevant transfer' under TUPE, although arguably TUPE would apply regardless. TUPE then sets out the rights, obligations and protections that will apply.

What is far more complex and what requires careful, advanced planning is actually putting that into practice.

In reality it will not always be straightforward to just "apply TUPE". For example, in many areas the proposals being considered involve more than one unitary – so how do you disaggregate staff? For some it will be clear, particularly where they are linked to specific locations such as schools. However, some employees cannot be so readily assigned to functions transferring to a particular unitary, (for example, staff in corporate functions, senior managers or those in shared services).

Additionally, like other mergers, LGR inevitably results in duplication of roles, meaning restructuring is a necessity for the unitary. This feeds into obligations to inform

and consult under TUPE in advance of the transfer as well as meaning difficult selection questions for the unitary, as scope and scale of roles that might be equal in title may not be equivalent in terms of responsibilities.

However, while it is key to be familiar with the law and its practical application, lessons learned from previous LGRs are equally valuable. These highlight the importance of communication and engagement with staff and unions, preparation of accurate employee data, resourcing change appropriately to ensure critical capacity and capability, establishing the senior management team as soon as possible and focusing on culture and communication before and after the transition period.

Pensions

Councils and administering authorities need to be highly aware of the practical and legal issues surrounding pensions which may arise as a result of LGR. Alongside the previously announced changes to consolidate the number of local government pension scheme (LGPS) investment pools, there are also proposals to scrap the option for both broadly comparable pension schemes and the concept of admission agreements, instead replacing them with the New Fair Deal for outsourcing.

An audit of all contracts between an administering authority and its service suppliers will need to be undertaken. This could include, software, actuarial, investment and fund management contracts, along with shareholder agreements and/or pooling documentation in relation to investment pools.

Any review will need to consider the termination provisions in the contract (especially notice requirements), whether any contracts will need to be novated to the new administering authority or pool, and what terms (if any) the contracts contain in relation to the transition of the service or investment to new legal entity.

There are a wide range of governance issues to consider, including the listing of the new authority (if not already listed) as an administering authority in the Local Government Pension Scheme Regulations 2013, and a consideration of whether any changes are needed to the constitution of the new authority in relation to operation of the Local Pensions Board or the Pension Committee All governing documentation should be reviewed to ensure it is fit for purpose when benchmarked against Good Governance requirements and the Code of Practice.

Many councils via Teckals or other subsidiaries may also be involved with Admitted Bodies. In these cases it will be important to ensure early engagement and planning to ensure that all issues surrounding Admission Agreements, "pass-through" arrangements and security (such as bonds and guarantees) have been understood fully. These considerations should cover the impact of LGR on existing pension contribution rates, security requirements and any other matters arising from any previous outsourcings or joint ventures.

This article was authored by Philip McCourt (Governance), David Kitson (Governance), Kirtpal Kaur Aujla (Contracts), Sarah Lamont (Employment), Nigel Bolton (Pensions), all of Bevan Brittan.

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Partner
Head of Central and Local Government
0370 194 5081 | 07795 427646
ash.woodcock@bevanbrittan.com

Sarah Lamont
Partner
0370 194 8943 | 07977 530 495
sarah.lamont@bevanbrittan.com

bevanbrittan.com

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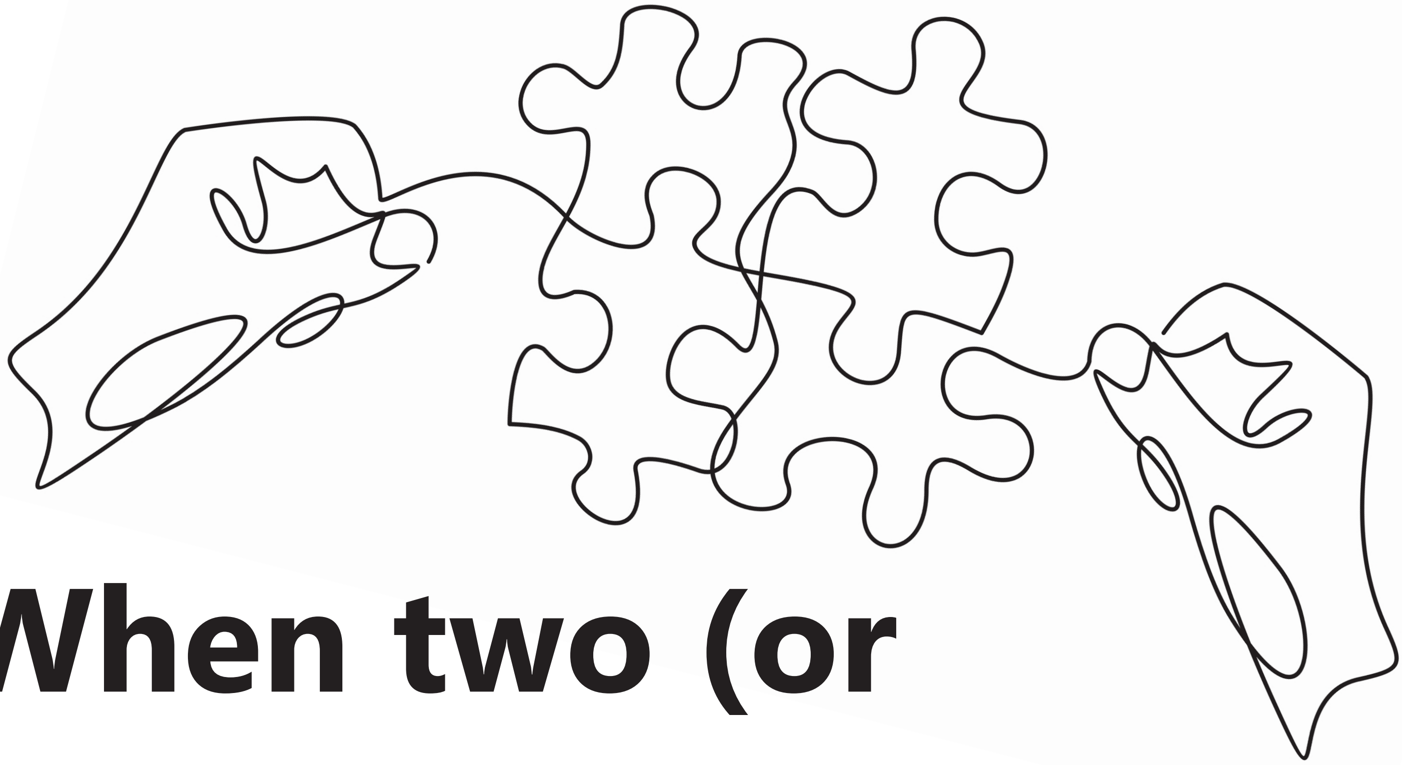


When two (or three or four or more) become one

Simon Goacher of Weightmans provides personal insight into what does and does not work in relation to reorganisation, alongside a look at the main challenges that lie ahead for those set to undergo the process.

The current process of local government reorganisation is the largest restructuring of local government in England in half a century. The focus is mainly on the proposals which are being consulted on and what they will mean for the 20 areas affected.

We already know the new structure for Surrey where the current County Council and the 11 district councils are being replaced by two new unitary authorities, imaginatively called East Surrey and West Surrey Councils. Similarly bold and transformational proposals have been submitted for other areas.

The process of unitarisation of counties in England began in the 1990s with the then Conservative government indicated that it would restructure all two tier areas and create a unitary system of local authorities.

This led to a wave of reorganisation in the mid-1990s but with a change in government at the end of the decade the wave became a small ripple and we have had piecemeal change since then until now.

When local government reorganisation

takes place it requires a significant amount of legal and constitutional work to manage that transition. Less attention is given to the cultural and HR change which needs to go alongside that.

My first job on qualification was as a senior legal adviser with Bath and North East Somerset Council in 1996. I was told that I was moving to work in CUBA but any thoughts of mojitos and sun-drenched beaches were brushed aside when it was explained that this stood for the "County that Used to be Avon." Avon County Council had been abolished and BANES took on its functions in the areas previously covered by the districts of Bath City Council and Wansdyke District Council.

My last job in local government before joining Weightmans was as Head of Legal and Democratic Services at Cheshire West and Chester Council which I joined on its creation following the abolition of Cheshire County Council, Chester City Council, Ellesmere Port Borough Council and Vale Royal Borough Council.

I mostly missed the joys of preparing for vesting day for a new council but was involved in the planning phase for vesting day as I served my notice period before joining CWAC.

My experiences in working for brand new unitary authorities at a relatively junior and fairly senior level for two different councils at different times has taught me some things about what worked and what didn't, what the most difficult issues were and how you build a new authority and a new team.

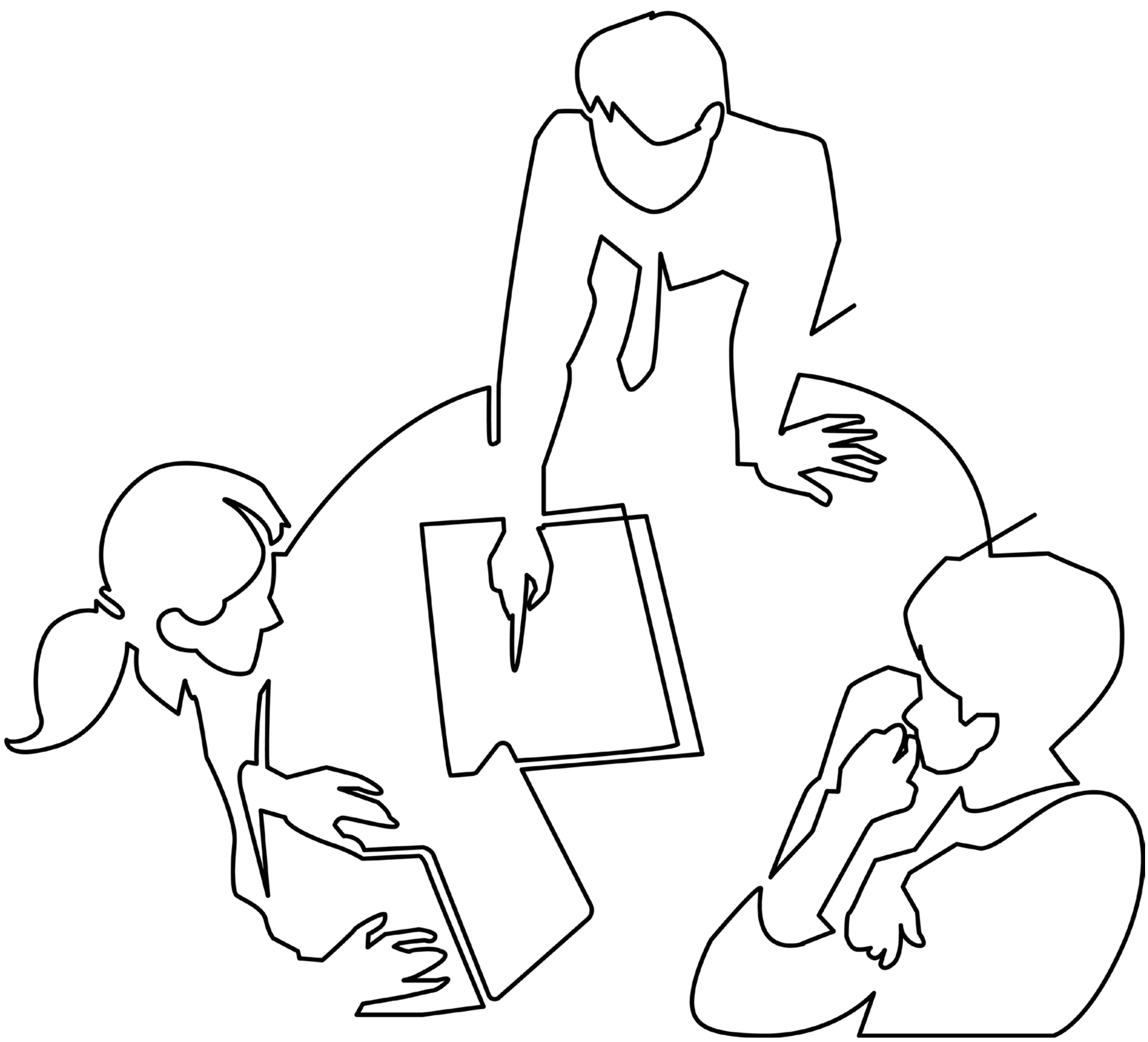
So what does the future hold for councils as they prepare for the changes?

Well a lot of hard work – all of which is on top of the day job. The public rightly expect seamless, quality services to be delivered and being unable to because of the need to deliver reorganisation is not an option.

There will be dedicated teams working on LGR with project teams and HR, legal and governance workstreams but the process will consume the focus of the whole organisation and everyone within it. There will be big political and organisation issues to address but most people will be concerned about what the impact will be for them. Will I have a job? Where will I be based (maybe of less significance now than it was in 1996 or even 2009), will I have to apply for my job, who will my boss and colleagues be?

There will be long periods of uncertainty whilst the initial phases of work are being done. The shadow body period is a year which is not long to plan and build a new organisation. The current political environment is volatile. Will the shadow authority be made up of experienced councillors and have a clear political mandate. Will there be continuity from the planning already begun by the joint arrangements set up in the outgoing authorities? Or will the new shadow authority want to, in the words of the almighty Orange Juice, rip it up and start again? Will the shadow authority work effectively with the outgoing authorities or will there be conflict and discord at every turn.

The first job for the Shadow Authority (after resolving on the leadership) is to set up an officer structure and appoint a Head of Paid Service. This can eat up a fair amount of the one year the shadow authority has to



prepare for vesting day. The appointments then flow from there and at the same time decisions need to be made on TUPE(like) processes for staff from the predecessor authorities and who will slot in to jobs and who will need to apply for jobs. All that whilst managing the work streams and doing the current job!

This can take a massive toll on the morale of staff. This current round of LGR comes after over a decade of cuts with no spare capacity to be set aside for focussing on LGR.

So what are the lessons I have learnt from my experience? Well communication is key. Telling staff what is happening, even when the answer is not much. Office gossip thrives in a vacuum of official communication and people will fear the worst if they do not know what is happening. People will be worried and that is understandable. Listen to their concerns and provide a mechanism for them to be raised, anonymously if desired, and a way of providing responses. Take time to meet regularly as a service to talk about the process of change and how it is affecting people.

There will be a need to build a new culture and identity for the new authority. That does not mean throwing out everything that went before but rather building on the best elements of the predecessor authorities. There will be a suspicion that certain predecessor authorities are favoured in the new authority and others are disadvantaged. It needs to be made clear that this is a fresh start and everyone will be treated fairly and on merit.

The HR processes to make appointments to the new structures will probably be fairly rushed. The new unitary authorities will be big organisations and filling new structures to operate from day one will need a lot of activity in a short space of time. This will not be easy and inevitably in such an environment mistakes will be made. Honesty and open communication will create good will in such situations.

The new councils will not be in their final form or even close to it on vesting day. They will evolve and there are likely to be a large number of shared services arrangements in place for some time to smooth the period of transition.

If this all sounds a little scary, it is. But the time I spent at Cheshire West and Chester was probably the most rewarding in my local government career. The opportunity to be part of setting up a brand new organisation with a budget of £850 million does not come along very often. Building a new legal and democratic services team from three and a half teams was challenging at times but I am immensely proud of what we achieved.

So you cannot forgot the key corporate work streams that the legal and governance teams need to be involved in:

- Constitution – creating the new authorities constitution
- Governance – the cabinet and committee structures
- HR – the structures and TUPE(like) process
- Assets – what assets are held and if the county is being split where are they going
- Finance – if the County is being split how is that being done, what is happening with reserves
- Contracts – make sure your contract register is up to date and due diligence is done, how are contracts going to be aligned
- Data – how is that going to be transferred and managed
- Shared Services – are they needed, if so covering what, what agreements and structures are needed
- Insurance – who will be responsible for legacy claims

"There is a lot of work to be done but it is also an exciting time to be working in local government and the landscape in three years' time will be transformed"

All of this needs to be resourced and backfilling arrangements put in place for those working on these workstreams.

In setting up the new legal team, how are case management systems going to be brought together? Are there current shared services/joint working arrangements and will they transfer to the new authorities? Do you all use the same legal resources and how can they be consolidated?

If the new structure is for a unitary authority based on a whole county council footprint then the process is a little more straightforward. Splitting the county council brings with it significant complications as its staff, assets and services need to be allocated across the new authorities.

Some proposals would involve splitting current district areas which would involve further complication.

So what are my tips for those who will be involved in this process?

Start early. There is uncertainty but better to do some abortive work than leave it too late.

Collaborate. Work with your colleagues across the area affected. There will be a lot to be done and the tasks will need to be shared out. This may be challenging when there are seven monitoring officers eyeing up two jobs in the new authorities but co-operation is essential to completing the tasks which need to be done.

Communication. Share information with each other and your teams. Even if there is nothing or little progress to report on say this.

Prioritisation and planning. Some things are time critical for vesting day. Other things can wait and be sorted out later. Make sure the critical path is clear and managed and monitored effectively. Don't be distracted by suggestions that limited resources are diverted into 'nice to haves' before the absolute must have are delivered.

Lean on others who have been through this. There have been a number of reorganisations in recent years the Northamptonshire and Cumbria authorities, North Yorkshire and Somerset have great people working for them who have been through this and know the pitfalls and the opportunities.

It will take years to resolve everything. When I left Cheshire West after nearly five years we were still managing elements of the transition. But we had developed a clear identity and culture through strong leadership and vision. The political and officer leadership were strongly aligned in their priorities and strategies from the beginning which were essential. The year after I left, the council won the MJ Council of the Year Award.

There are turbulent and challenging times ahead and it will not be plain sailing. There is a lot of work to be done but it is also an exciting time to be working in local government and the landscape in three years' time will be transformed. This is a once in a generation opportunity and local government will do what it always does deliver what at times seems impossible.

Simon Goacher is Head of Local Government at Weightmans LLP.

It's later than you think

Dmitrije Sirovica of Browne Jacobson speaks to former Bournemouth, Christchurch and Poole Council chief executive Graham Farrant about what works – and what does not – in delivering local government reorganisation.

Following review of the outcomes of the survey undertaken by *Local Government Lawyer* we sat down with Graham Farrant, former chief executive of Bournemouth, Christchurch and Poole Council (BCP), to reflect on the results in the light of his experience as the first Chief Executive of Bournemouth Christchurch and Poole Council following its establishment as a new unitary council in 2019. Graham has a wealth of experience having been at the heart of what was a particularly complex reorganisation of local government involving two unitary councils, one district council and part of a county council. He is ideally placed to provide insight to those embarking on this process themselves.

Graham has a very clear takeaway message for local authorities within the current local government reorganisation process: it's later than you think. What that first year looks like following reorganisation will to a large extent depend upon what has been done in advance, so areas need to get to grips with all of the potential issues that will face them as soon as they possibly can, starting now. Early preparation, and effective programme management are critical.

The timetable

It is helpful to first put the matter into the context of the currently intended timeframes for LGR nationally. Other than Surrey, all other areas are working to one of two timeframes depending upon whether they fall within the devolution priority programme or outside of it. Both of these are however intended to converge, so that all new authorities will be operational from 1 April 2028.

Those in the devolution priority programme will have submitted their proposals in September 2025, with consultations having ended in January 2026. Following consultation Government intends to take decisions as to the approach in each area, currently due to be announced in March. There will then be a period during which the necessary secondary legislation in respect of each area will be finalised, with a view to the first elections taking place in May 2027 and vesting day on 1 April 2028.

Those outside of the priority programme are on a slightly longer initial timeframe having submitted their proposals at the end of November 2025. Consultations in those areas are intended to end in May 2026, with Government taking their decisions as to the approach in respect of each of those areas by July 2026. It is however currently intended that secondary legislation will be finalised within a sufficient timeframe to enable elections to also take place in these areas in May 2027, and vesting day to occur on 1 April 2028.

Whether these timeframes will be met remains to be seen, and there is a good chance that they will be subject to change. On the basis of current intentions though, areas have just over two years to be fully operational and prepared to take on their functions as new unitary authorities. As Graham points out, whilst this might sound like a lot of time, it really isn't in the context of all of the work that needs to be done during this period.

Don't wait… start to prepare now

Graham explained that when undertaking reorganisation in the BCP area they established 70 separate workstreams with a view to ensuring that they were prepared for vesting day. He understands that most areas are currently allocating only a small number of individuals to address local government reorganisation, and in his opinion they are at risk of falling short. As Graham points out, in any single area local authorities can have up to 500 separate services they need to deliver and all of these need to be considered as part of the reorganisation process.

"The phrase I most commonly use is program manage the hell out of it"

There is a significant amount of work to be done, and this will cause concern from a resourcing perspective, but whatever reorganisation looks like in each area (and we recognise the uncertainty at this stage), you need to be prepared. This means allocating sufficient resource, gathering data about services, customers and contracts and having conversations between the existing authorities now. As well as beginning to give some thought to what services might look like in the future, it is vitally important for areas to undertake work to establish what the landscape currently looks like across the area affected, and what this means in terms of the work ahead.

Graham referred to refuse collection as a basic example of a service that needs to be operational from day one. Across the previous separate Bournemouth, Christchurch and Poole areas there were differences between the services provided, with some areas providing the service in house and others outsourced, differential services in terms of recycling and food waste, and different sized bins for green waste. Even just establishing and gathering information on the services being delivered prior to reorganisation was a significant task. Subsequently decisions needed to be taken as to what the service should look like when delivered in the new council and steps taken to prepare for a single service to be delivered from day one.

Aspects of each part of the "as was" service were 'best in class' and difficult decisions were needed about what was affordable in the new council. Even if services are to be delivered separately initially with plans to align subsequently, understanding how residents might view the fairness of the approach being taken and what should be prioritised for alteration is essential.

"…start collecting your data because it's got to be data-driven…"

This is just one example, but all areas need to fully understand the services they have in place and nature of them, how they are delivered and the contractual arrangements in place, as well as underlying practices and policy position. Depending upon the nature of reorganisation in each area services may need to be aggregated or disaggregated. This will necessitate a clear understanding of the existing provision in relation to each service, and what can be achieved and when. Key questions include the potential to terminate contracts where this is considered appropriate, and also whether currently contracted services can be expanded to deliver across a larger footprint, and what this means from a procurement perspective.

There will also be compromises that need to be made. Whilst everyone might want the best of each of the services, there is the simple reality that it is unlikely to be affordable. This will require careful consideration, and some difficult and potentially controversial decisions to be made.

"So on day one, you're charging me the same money but actually I'm getting a different service. That's not fair on day one. That's what residents will say and you've got to get to grips with that"

Graham also points out that one thing that is not necessarily fully appreciated is how differently things are done across different authorities. For example, whilst there may be common job titles across different areas, the individuals in those roles might not do the same job. Authorities, for a variety of reasons, split their functions differently. Each area has to get to the bottom of these issues so as to understand the number of staff moving to the new council their T&C's and their skill set. This in turn has potential implications from the perspective of pay and reward, terms and conditions, and raises the immediate possibility of challenges from an equal pay claim perspective. Graham explained that this was something that they were slow to get to grips with at BCP. This further impacts from the perspective of efficiencies that areas might seek to gain from rationalising their workforce. Differentials in redundancy terms may impact both upon the extent of costs as a result, and those individuals that come forward for redundancy. Graham advises that areas get a good understanding of their terms and conditions and establish a framework around this early on so as to be able to anticipate and address issues that may arise.

All of these issues need to be tackled early, and require strong project management around them in order to put each area in the best possible position from day one onwards. Until areas know what they face then they cannot properly prepare for how they will tackle the issues ahead, and this means getting down into the detail early.

The formal transitional period

In each area secondary legislation will be put in place, known as a Structural Changes Order (SCO). It is this piece of secondary legislation that will establish any unitary authorities, provide for continuation of authorities, and/or abolish existing authorities.

The drafting of the SCO will depend upon the proposal that is adopted in relation to each area, utilising broadly either a "continuing council" or "new unitary" model. Government may adopt variations of these (and certainly there are two models which have previously been used where councils continue), but it is unclear at this stage whether this is likely. In reality if the timelines postulated are to be hit then it is unlikely that significant variation from a standard approach and timetable will be tolerated.

In relation to either model, the SCO will provide for a period of transition. This transitional period is generally separated into the period from the SCO coming into force until elections to the unitary authority, and then the period from elections until "vesting day"/a future date.

For the period from the SCO coming into force until elections, in respect of continuing councils, this will involve the appointment of an implementation executive which consists of representatives from the authority that is to subsume the other/s, together with individuals from each of those authorities to be abolished. The continuing council is subject to an additional function of preparing for and facilitating the economic, effective, efficient and timely transfer of all functions, property rights and liabilities to the new body. The implementation committee is tasked with the discharge of all transitional functions during this period, including the preparation of an implementation plan.

Following election, the transitional functions transfer to the newly elected executive of the continuing council. Whilst abolition of authorities can take place at this point, we understand that the government propose to adopt the version of the continuing council model where that abolition will take place a year later in order that reorganisation takes place across all areas at a consistent point.

In respect of the new unitary model, prior to elections, this will involve the establishment of a joint committee with a role similar to that of the implementation executive under the continuing council model. Following elections, then in relation to the new unitary model a shadow authority will be in place, which has specific functions relating to the establishment of the new unitary authority and preparing it for the assumption of functions.

During these transitional periods there are obligations imposed on all authorities involved to take steps with regard to transfer of property, liabilities, rights and functions of the authorities to be abolished, to consult and cooperate with each other in this regard, and to further the purposes of the SCO.

Based on his experience at BCP, Graham stressed the importance of this transitional period. In BCP the unusual situation arose as a result of a judicial review challenge, whereby vesting day took place ahead of elections to the new council. This meant that there was a five week period during which there were no elected members with a longer term vested interest in the new authority during a period when serious decisions needed to be taken, and from a practical perspective the political make up of the council was uncertain. Whilst Graham recognised that it may be frustrating for members to potentially have a year during which they cannot take substantive decisions, this is nevertheless a critical time for establishing the policy and budgetary position of the authority, and to establish all governance arrangements with a view to ensuring the authority is as effective as possible from day one.

The first year

Vesting day is not the end of the process. Graham explained how the transition of services at BCP took a number of years following reorganisation. He gave the example of shared services between BCP and Dorset Council. Initially these services were retained as shared services, but over time decisions have been taken as to which should be separated & which should continue to be shared.

Areas should also not anticipate seeing efficiency gains straight away. As Graham points out, there will be savings made in relation to member allowances by the reduction of councillor roles, and also in rationalising the work force. The latter is offset against the initial redundancy costs however, and will not be recognised immediately. The same is true of reductions more generally as a result of reorganisation, including achieving economies of scale where delivering services to a wider population. BCP saw reductions in the region of £25m annually, though had invested around £42m up front in transformation costs, including upgrading systems across the authorities & in the cost of external advisers.

Conclusion

Overall the key takeaways for local authorities in the process of reorganisation are:

- Don't wait for government to make decisions on precise boundaries to start to catalogue and share with neighbouring authorities how services are delivered. Gathering information about services, customers and contracts, and sharing it (with appropriate safeguards) will allow early thought to be given to what may need to happen across possible areas
- Project management and project planning is essential and should be invested in from the outset at significant scale
- Early consideration of terms and conditions, roles and responsibilities and equal pay is essential – again, the early steps in this work can be undertaken now
- Begin to think about governance arrangements, both for any transitional period and after vesting date for the new Council

Dmitrije Sirovica is a partner at Browne Jacobson.

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Peter Ware
Partner

+44 (0)115 976 6242
peter.ware
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Dealing with the assets and liabilities of former authorities

Local government reorganisation will not only reshape governance structures but also trigger a complex and far-reaching transfer of property, contracts, data and liabilities. *Tiffany Cloynes, Rebecca Gilbert and Megan Tam* of Capsticks provide a detailed look at legal framework governing the transition to ensure a smooth handover on vesting day.

For local authorities going through local government reorganisation, the challenge that comes with multiple authorities merging together and boundaries being redrawn is often significant.

Any local government reorganisation would see property, infrastructure, contracts, intellectual property, equipment and other assets and liabilities being transferred, and potentially divided, to the new unitary authority or authorities.

The Government currently remains committed to delivering local government reorganisation in all remaining 2 tier areas across England and it is currently envisaged that all new unitary authorities would become operational on 1 April 2028 (save for Surrey which has an accelerated timescale with the new unitary authorities anticipated to become operational in 2027). All Proposals have been submitted, those within the Devolution Priority Period have been out for consultation and are now back with the Secretary of State to consider with a decision expected imminently and for all other areas, the consultations started on 5 February 2026 and will run for 7 weeks until 26 March 2026.

The task of establishing what contracts are in place, what assets are owned and how these and any liabilities will be divided can become time-consuming, especially where long-term contractual arrangements and funding arrangements have been put in place, so the earlier each authority can start this due diligence exercise the better.

Implementation of proposals and the Structural Changes Order

Once the government has decided on the Proposal to implement, the new arrangements will be implemented via a Structural Changes Order (SCO) issued by the Secretary of

State pursuant to section 7(1) of the Local Government and Public Involvement in Health Act 2007.

Some of the details which will included in a SCO are set out in Section 11 of the 2007 Act and this include things such as the new name and boundaries of the unitary authorities, the date on which the vesting will take place together with confirmation as to existing authorities which will be abolished as a result of the order.

The SCO will also set out further detail about the transitional arrangement including the establishment of joint committees and the shadow authorities including what their makeup should be, the timescales for establishment and what their duties and functions are during the transition stage.

It is also likely to contain obligations on the existing authorities to assist with the transition including to consult and co-operate with one another and with the shadow authorities in order to secure the economic, effective, efficient and timely transfer of functions, property, rights and liabilities.

The joint committees will likely be required to prepare an implementation plan which will then be kept under review by the shadow authorities and revising where necessary.

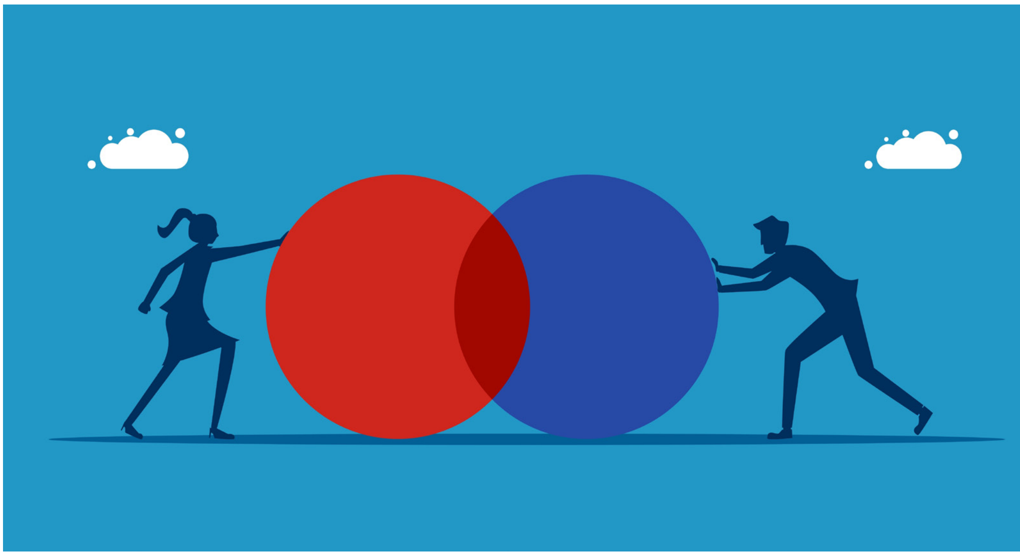
The government has noted in the guidance, and we have seen this referenced in the Surrey arrangements, that it intends to issue directions under section 24 of the 2007 Act once the SCOs have been made. It is anticipated that these directions will follow the precedents previously set, namely that written consent from the successor council will be required before any existing authority:

- disposes of land worth more than £100,000;
- enters into contracts of more than £1,000,000 involving capital outlay; or
- entering contracts of more than £100,000 for non-capital.

Transfer of property, assets and liabilities

The Local Government (Structural Changes) (Transfer of Functions, Property, Rights and Liabilities) Regulations 2008 sets out the arrangements on any structural change for the transfer of functions and assets including property, rights and liabilities.

These regulations are subject to any agreements made pursuant to section 16 of the 2007 Act, which provides that any public bodies affected by an SCO may make agreements with respect to any property, income, rights, liabilities and expenses of the parties or any financial relations between the parties.



Under the regulations, the arrangements and process for the transfer of functions, property and liabilities will depend on whether a single authority or multiple authorities are established as part of the reorganisation.

Where reorganisation will result in a single unitary authority, Regulations 4 and 7 provides that all functions, property, rights and liabilities shall vest in or transfer to the successor council.

Where reorganisation results in a multiple unitary authorities, the following applies:

- Functions (Regulation 5) – these will transfer to both or all of the new authorities unless a particular function was exercisable only in respect of a particular area in which case that function will only transfer to the unitary that includes that area.
- Properties, rights and liabilities (Regulations 8-11)
  - If property is held for the benefit of a particular area then it shall vest in the authority which includes that area.
  - In relation to other property including land, the successor authorities are under an obligation to use their best endeavours to agree how it will be divided between them. Once the division of property has been agreed, the transfer will take place via a Statutory Transfer.
  - Financial reserves, or a proportion agreed between the successor authorities, shall be held by one of the authorities as nominated by the Secretary of State on trust for itself and the others. Within 3 months of the reorganisation date, or such longer period as may be agreed, the nominated council shall divide the financial reserves which are held between itself and the other successor councils concerned in such proportion as may be agreed.

The Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 deals with various transactional arrangements including the responsibility for functions and obligations relating to the provision of various statutory plans and strategies some of which will be required to be put in place prior to the vesting date for example in relation to civil contingencies.

Preparing for transition

One of the key focuses for authorities going through local government reorganisation will be to establish early on in the process the assets that they own and are responsible for and the contracts that are in place as the more information that is available, the more this will be able to aid the discussion around transition and transfer of these from the outgoing to the new authority.

Local government reorganisation often involves assigning hundreds of contracts and obligations in addition to physical assets.

The council’s own asset register would be a good place to start followed by a series of due diligence to identify the type and nature of the assets owned and any corresponding arrangements, liabilities, conditions or restrictions in respect of the same.

Reorganisation is also likely to result in duplication of service contracts as each existing council is likely to have a whole series of contracts in place. We would recommend each authority undertakes a thorough review of all existing contracts so it will be possible to identify where there is likely to be any overlaps and consideration can then be had as to how this will be dealt with and managed during transition and on vesting.

Key considerations to think about as part of this due diligence exercise include:

- **Property and assets**
  (a) What property/land is owned or used?
  (b) Is it owned freehold, leasehold or under some other informal arrangements?
  (c) Are the properties tenanted and under what occupational arrangements?
  (d) Are all documents and records up to date? For example, are there any outstanding rent reviews or consents that will need to be completed prior to transition? Is there any litigation underway or pending?
  (e) Are the properties held for a particular purpose? For example, for housing purposes or registered as Assets of Community Value.
  (f) What is the condition of the properties? This could have a direct impact on how a new unitary councils will be expected to plan, manage and finance their assets as properties in poor condition may require greater capital expenditure together with increased maintenance costs.
  (g) Is there an inventory of all the equipment and other assets owned by the council at each of the properties?
  (h) Are there any other agreements relevant to the properties, for example shared used agreements or grant agreements?
  (i)Are any properties (either to be acquired by the authority or disposed of) that are currently under contract or option or subject to negotiation. Consideration will need to be given as to whether these should be completed pre or post reorganization and whether the proposed transaction would still fit within the strategic objectives of the new authority or do any terms need amending and renegotiating.
  (j) Is there any surplus land, consideration will need to be had as to how and when this should be disposed of.
- **Contracts**
  (a) What contracts does the authority have in place, for what and with whom?
  (b) What are the contract terms?
  (c) Are any due for renewal / re-procurement in the near future or during the transition period?
  (d) For contracts which will run past the vesting date, what are the termination rights and are their penalties for early termination? Consideration can then be given as to whether it would be worth paying any financial penalties to terminate early or is it going to be more cost effective to continue to expiry.
  (e) Can any contracts be extended to include requirements of others authorities? This would be also subject to procurement considerations.
  (f) What are the liabilities within each of the contracts?
  (g) How are the contracts performing? Are there any existing breaches which need to be reviewed and remediation plans put in place? Is there any ongoing or pending litigation?

Consideration will also need to be given as to what local authority companies, joint venture arrangements or other collaborative structures are in place and how these will be dealt with / transferred as part of transition arrangements. This may for example require changes to shareholdings and director appointments.

It is worth noting with regard to the provision of information between authorities, Regulation 3 of the Local Government (Structural Changes) (Transfer of Functions, Property, Rights and Liabilities) Regulations 2008 requires predecessor councils to supply to the successor council:

(a) details of every relevant contract;
(b) details of every relevant action or proceeding; and
(c) such other information relating to the predecessor council's property, rights or liabilities as the successor council may reasonably request.

Planning for the future

To enable a smooth transition from the existing authorities to the new unitary authorities, it is going to be really important for the authorities to work together collaboratively and build relationships with each other to agree proposals for transition, develop clear project plans and actively engage with stakeholders and the public during the progress.

Once there is a clearer understanding of what assets and contracts are held by each of the outgoing authorities, the new shadow unitary authorities can then start to consider what property would be required going forward, particularly for the provision of council services and community facilities, for example libraries and leisure centres as well as the premises the authority which will need for offices and meetings. The arrangements for any surplus properties can then be considered and planned for.

In relation to contracts, the authorities will need to discuss and agree how it is going to manage the transition of contracts, particularly where there is duplication. It might be beneficial for procurement teams within existing authorities to start liaising early on and working together to collaborate on procurement exercises in the run up to reorganisation and vesting to enable greater alignment and reduce duplication.

The transition arrangement may be more complex where reorganisation will also result in boundary changes depending on where the new boundaries are being drawn and so the more early discussions that can take place around where and how these will be divided the better. As for example, many assets, such as a large waste depot or leisure facilities, can serve a wide area spanning across various different districts. If boundaries are being redrawn then decisions around which new unitary authority should inherit these and how they may need to be split will need to be carefully planned, discussed and considered.

The provision and transfer of data as between the authorities is also going to a particularly key area for the authorities to consider and address early on, as is the transfer of staff, intellectual property, other liabilities and any ongoing legal proceedings.

It is going to be important for authorities to establish transition budgets and resource capacity to enable this due diligence exercise to take place and to assist with managing the transition process alongside continuing to run the existing authorities and provide services to public up until the vesting day.

Tiffany Cloynes is a Partner and Head of Local Government at Capsticks, Rebecca Gilbert is a Principal Associate at Capsticks, and Megan Tam is a Senior Associate at Capsticks.

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Navigating employee rights through reorganisation

Local government reorganisation will bring complex workforce challenges for councils, from TUPE transfers and potential redundancies to significant forthcoming reforms in employment law. *Ruth Rule-Mullen* of Forbes Solicitors explores the employment quagmire that councils reorganising could find themselves in, with an emphasis on redundancy.

A critical consideration for all local authorities planning for local government reorganisation (LGR) will be the management of employee rights. The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may apply in cases of service provision changes or transfers. Redundancies might also become a necessary, albeit challenging, part of the process.

In all scenarios local authorities must comply with current employment law provisions, a task made more challenging introduction of the Employment Rights Act 2025.

Redundancy or restructure?

It is notoriously difficult to determine if, in a certain set of circumstances, there is a redundancy situation. This is important because, if the statutory definition of redundancy is satisfied, this is a potentially fair reason for any resulting dismissal, and also has implications regarding any subsequent redundancy payment that individuals may be entitled to.

Redundancy has a statutory definition but broadly, a redundancy can fall into three broad categories: business closure; workplace closure and/or diminished requirements of the business for employees to do work of a particular kind.

The leading case on establishing whether an employee has been dismissed by reason of redundancy is the case of *Safeway Stores plc v Burrell* where a three stage test was set out:

1. Was the employee dismissed?
2. If they have been dismissed, was this because of a business closure, workplace closure and/or the requirements of the business for employees to carry out work of a particular kind ceased or diminished?
3. If so, was the dismissal of the employee caused wholly or mainly by the issue identified at point 2 above?

If there is a reorganisation exercise which is taking place within an organisation it is possible that this may fall within the definition of redundancy, for example if there is an analysis of staffing, and it is determined that there are too many staff to undertake a certain role. This may be a redundancy situation, as even though there is the same amount of work and the same amount of income, there is a need for a reduced number of employees to perform the same function therefore meeting the statutory definition.

Changes to terms and conditions can be rich battlegrounds for disputes regarding if there has been a redundancy or a restructure. A proposal to change terms and conditions may be mean that work of a particular kind ceases if the change fundamentally alters that job role, or the proposed change may be as a result of a diminished requirement to undertake that type of work.

Arguments on this point have been made before the employment tribunal, with cases reaching the Court of Appeal. One such case was *Shawkat v Nottingham City Hospital NHS Trust (no 2)*. The facts of this case surrounded the decision by the Trust to merge its cardiac and thoracic departments. This required the thoracic surgeon Mr Shawkat to reduce his thoracic work and undertake some cardiac surgery. He did not agree to this change and was dismissed. The reason for the dismissal was considered by the Court of Appeal. In considering if this was a redundancy situation, it was the view of the Court of Appeal that even though pure thoracic work was different from combined thoracic and cardiac work, there was no reduction in the requirements of the Trust for employees to carry out thoracic surgery, and this meant there was no redundancy situation.

This case highlights that every case will turn on its facts. It is therefore essential when considering any changes to working practices and/or terms and conditions of employment, to consider if any changes fall into the three broad categories of what would amount to a redundancy situation, to ensure the correct process & legal obligations are complied with.

Fire and rehire

It is rare that fire and rehire is used in the public sector to effect changes to terms and conditions. However, there may be a necessity to utilise this process where, for example, there is a need to address changes to terms and conditions as a result of changes to the way in which public services are delivered.

Whilst fire and re-hire can be difficult to navigate as a tool to aid re-organisation, it will become even more difficult with the changes contained in the Employment Rights Act.

Restricted variation

The Employment Rights Act will introduce changes to the practice of fire and re-hire. These will be brought into force by regulations made by the Secretary of State, with a view to these regulations coming into force in January 2027. The provisions in the Employment Rights Act 2025 will mean that, other than in circumstances of financial difficulty, an employee will be automatically unfairly dismissed where they were employed for the purposes of a business carried on by the employer and the reason, or principal reason, for their dismissal is either of the following:

- The employer sought to vary the employee's contract of employment to make a "restricted variation" and the employee did not agree to the restricted variation.
- The employer sought to make more than one variation and the employee did not agree to several variations that included the restricted variation.

A "restricted variation" will be defined to mean any variation in relation to pay and performance, working time and time off, the inclusion of a variation clause in a contract of employment, or any variation of a description specified in regulations made by the Secretary of State.

Re-hiring or replacing

Other than in circumstances of financial difficulty, an employee will be automatically unfairly dismissed where the reason, or principal reason, for their dismissal is "to enable the employer to employ another person, or to re-engage the employee, under a varied contract of employment to carry out the same duties, or substantially the same duties, as the employee carried out before being dismissed."

Financial difficulty

An employee's dismissal will not be automatically unfair if the employer shows both of the following:

- The reason for the restricted variation was to eliminate, prevent or significantly reduce, or significantly mitigate the effect of, any financial difficulties which, at the time of the dismissal, were affecting, or were likely in the immediate future to affect:
  - o The employer's ability to carry on the business as a going concern; or
  - o Where the employer is a public sector employer (other than a local authority), the financial sustainability of carrying out the employer's statutory function.

- In all the circumstances, the employer could not reasonably have avoided the need to make the variation.

Further specific provision is made for local authority employers, where the dismissal will not be automatically unfair as long as, at the time of the employee's dismissal both of the following apply:

- The authority was subject to a "relevant intervention direction" which was issued because the authority was undergoing financial difficulties, which contained provisions for financial management or governance and which was intended to eliminate or to significantly reduce or mitigate the effect of the financial difficulties.
- The authority could not reasonably have avoided the need to make the restricted variation.

In order to meet the "financial difficulty" test, it may be necessary for organisations to engage financial experts to provide evidence of the financial position of the organisation, along with any steps that could have been taken to avoid them reaching this position.

When this defence is pleaded by an organisation, it will be inevitable that any subsequent employment tribunal hearings will be complex, lengthy and costly.

The Local Government Association (LGA) have raised concerns with the removal of fire and rehire as an employment practice. The LGA highlight that, whilst the use of fire and re-hire is rare in councils and is treated as a last resort, the reason for making such changes "will typically be driven by the pressing need to address, for example, equal pay and equality issues through the introduction of a new pay and grading system, or as a consequence of factors outside the control of the employer, such as need to implement changes in the way that vital public services need to be delivered or local government reorganisation."

As trade unions are generally recognised in councils and local government, terms and conditions may be collectively agreed. The LGA have stated that "removal of the possibility of fire and rehire, without a replacement mechanism for making contractual changes, could discourage trade unions from engaging in meaningful negotiation around proposed changes leading to the retention of working practices".

The LGA have proposed a widening of the exception to the automatic unfair dismissal protections so that such an exception would apply where the financial difficulties were affecting a public authority's ability to perform its functions within budget, and where the reason for the variation of the contract was to reduce inequality between terms of work in accordance with the requirements of the Equality Act 2010, to ensure value for money in the delivery of public services or to effect local government reorganisation. At present, it is not clear if any such proposals for change will be adopted by the government when they produce the commencement regulations.

"One very real concern is that the amendments to the Procurement Act may deter private sector companies from taking on these outsourced public sector contracts"

Public sector outsourcing

Public sector outsourcing is also a consideration when looking at re-organisation and restructure. This is an area where there is forthcoming legal change and uncertainty, due to changes contained in the Employment Rights Act 2025.

The ERA will amend the Procurement Act 2023 to ensure that where public services are outsourced, a two-tier workforce will be avoided. The changes will prevent private sector employees who work on an outsourced public sector contract from having worse terms and conditions than those who transferred to work on it from the public sector, and vice versa.

It is envisaged that the Employment Rights Act will make provision for regulations to be made, specifying what should be included in relevant outsourcing contracts, "for the purposes of ensuring specified workers are treated no less favourably than their counterparts working on the same contract." In addition, the provisions which contracting authorities must "take all reasonable steps" to include in a relevant outsourcing contract will also be included within the regulations. It is anticipated that there will be a statutory code of practice which will address these matters which contracting authorities will have to "have regard" to.

The Local Government Association have highlighted that if the two tier code is to apply to councils, "it is important that its requirements are clear, workable and proportionate". To help ensure this, the LGA have requested for any additional costs to be funded, "otherwise service delivery will be adversely affected".

The government are seeking comments regarding any unintended consequences from the changes to employment law provisions contained within the Employment Rights Act. One very real concern is that the amendments to the Procurement Act may deter private sector companies from taking on these outsourced public sector contracts, as the increased costs of their existing employees being provided with public sector terms and conditions, is very likely to mean that such contracts become unviable. Precisely which terms and conditions "contracting authorities" must "take all reasonable steps" to include in relevant outsourcing contracts will be key. Exemptions would also be helpful to reflect the differing needs of various sectors and the different types of contracts used for outsourcing arrangement. Regulations will be introduced by way of secondary legislation and, according to the Employment Rights Act roadmap, the two-tier code will take effect in October 2026, although further regulations will be required to introduce the substantive changes.

Final thoughts

As is evidenced in the cases considered in this article, the question of whether a reorganisation is in fact a redundancy is fact sensitive. It is important to ensure that the statutory definition of redundancy is considered and applied to the facts to ensure that the correct process is followed and the employees are provided with any redundancy payment due. This article also highlights that there are significant employment law reforms on the horizon which should be considered as part of any redundancy / restructure exercise. It is essential that organisations keep abreast of these developments and prepare now for these changes, by reviewing workplace practices and procedures, along with audits of ways of working, to ensure continued compliance.

Ruth Rule-Mullen is a Partner and Head of Public Sector Employment, Employment & HR at Forbes Solicitors.

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What reorganisation means for councils' insurance cover

Kella Bowers of Forbes Solicitors details the key challenges that councils will have to overcome in relation to the important, but often overlooked, necessity of insurance in relation to litigation and large structural changes.

The biggest local government overhaul in more than 50 years, is due to go live on 1st April 2028. The government set out plans to move away from the current two-tier system of district and county councils and has indicated that for most areas this will mean creating councils with a population of 500,000 or more, but there may be exceptions to ensure new structures make sense for particular geographical areas. Decisions will be taken on a case-by-case basis.

The proposed new regime presents many challenges for existing authorities and for those who advise them. Whilst there remains over two years until the proposed deadline, local authorities are well advised to start the process of preparing for the insurance challenges ahead, without delay.

One of these challenges will be ensuring that the new entities emerge with adequate insurance cover for the new level of risks they will face.

We took soundings from our local authority clients as to the level of involvement that they have had to date in local government reorganisation (LGR) conversations which will be ongoing within their authorities. Surprisingly, most of the insurance and risk managers had not been approached to contribute to the discussions to date.

At Forbes, we've worked with all aspects of local government for more than 50 years. During this time, we've seen that whilst insurance is accepted to be an inevitable necessity, it is often overlooked when considering long term strategy. Making insurance arrangements central to the strategic future planning of local government would ensure that risks are appropriately considered, mapped out, and worst-case scenarios provided for.

Our experience reminds us that the fallout from previous local government reorganisations in the 1970s and 1990s is still being felt many decades later, not least because of the failure to appropriately ensure that insurance arrangements were considered alongside organisational changes. Only by the involvement of insurance professionals in discussions when planning for future change, will risks be mitigated and appropriate safeguards be put in place.

What key challenges will local government need to consider?

Timing

A tender process will most likely be required when arranging new insurance provisions for the newly formed authorities and although most local authorities renew around March or April, this is not guaranteed. Different lines of insurance may be with different insurers, renewal dates may not line up, and larger risk profiles will inevitably lend themselves to discussions as to the potential change required to levels of deductible.

In anticipation of the reorganisation, some local authorities may choose not to renew their policies, but rather to take advantage of an extension made available as part of the policy. This will help to align the point at which the new policy for the new entity can start, without leaving a period without insurance being in place. However, this assumes that everything goes to plan.

There may be situations where the new entity is delayed and the maximum possible extension has been used up, resulting in the potential for a period lacking coverage. Who would pick up any risk in that period, particularly if the old entity where the incident occurs ceased to exist? It may be that the government will put in place bridging insurance or some other form of contingency for this eventuality, but the situation needs to be considered and prepared for. It also needs to be raised as part of discussions with central government during the reorganisation process.

Those leading the negotiations need to know what the insurance arrangements are for all the relevant authorities. This information needs to be collated by the project group and coordinated as part of the strategic plan. Inevitably, LGR will be a major undertaking and will have a significant impact on both the council's and the insurers' resources to deal with all the new tenders. As an example, Lancashire currently has 15 individual authorities with the expectation of them merging into between two and five new unitary authorities, based upon the various proposals just submitted.

There is usually a nine to 12 month timeline for setting up new insurance cover, notwithstanding the complications caused by LGR. Although 2028 seems a long way away, it will be here in the blink of an eye and the absence of insurance and risk managers currently from the decision making table has the potential to delay reorganisation, or to leave a new entity exposed. A major goal of LGR is to ensure more efficient spending of funds for the benefit of local communities as well as costs savings by amalgamation, to reduce duplication of roles and processes. Costly uninsured claims will without doubt undermine that stated intention.

Insurance teams

Other risks include the potential to lose local expertise and knowledge. As the authorities integrate, this will inevitably impact on their insurance teams and result in some form of amalgamation and restructuring exercise. The risk is that older, more experienced staff may opt for voluntary redundancy, taking all their valuable knowledge and years of experience with them. An inexperienced insurance team, without former experienced colleagues to mentor them, is likely to cause issues with insurance tenders, complicated further by the amalgamation of authorities resulting in larger authorities containing risks perhaps less familiar to those remaining given the larger geographical area.

The drain of insurance and risk expertise in local authorities, due to retirement, lack of succession planning and recruitment difficulties, was an increasing issue even without LGR. The historic undocumented knowledge of senior colleagues, knowledge of where things are stored and even what was agreed could be lost. Efforts should be being taken to capture that knowledge now.

Each council will bring their own distinct risk characteristics, existing coverage agreements, and historical claims histories. Having a clear understanding of these differences, and how they will shape the new authority's insurance requirements, is essential.

The upshot is that if insurers are unable to assess the risk effectively, it could lead to significant premium rises and/or huge deductibles being imposed on the newly formed structures, further contradicting the stated aims of the reorganisation.

It would be beneficial to at least set out some guidelines for a future strategy and start detailed discussions within, and between, councils for the new entities.

What can local government teams do to prepare?

These challenges need to be met head on and there are steps that local authorities, and indeed those who presently insure them, can take now to mitigate their impact.

Collect the data

The new entity will need to have details of all its assets, as well as the insurance arrangements that are currently in place for all its component parts. It's worth collecting up to 10 years' worth of data from each current entity where possible as this will enable claims analysis to support the new insurance programme.

This process can take many months, especially where each organisation has its own approach and specific preferences over formats and spreadsheets.

Liaising with organisations such as current and past insurers and brokers and with legal partners, all of whom will have historical data collected on behalf of constituent authorities, is vital.

Rationalise the approach

Once collected, the data will likely show a range of variables from types of cover and indemnity limits to levels of deductible. These variations could well be significant in presenting a challenge in assessing the cover required for the combined entity.

Since the newly formed organisation will have different risk characteristics than the former councils, gaining a perspective of claims histories can provide a valuable understanding of the most economically advantageous strategy.

Be aware of the history

The new authority could find itself receiving historic claims from each of the merging councils, such as claims for abuse and occupational disease claims. It's important to determine how these claims would be allocated, especially where an existing authority is being divided. A specific fund to cover historic claims is one option, especially in instances where councils have previously covered some of the liability themselves. However this will require someone at the new entity to be the controlling mind over this, otherwise the new entity faces the prospect of attempts to pass responsibility.

This is the area where councils became unstuck after the 1970s and 1990s reorganisation. Abuse claims became more prevalent in the late 1990s and into the 2000s, but they were not necessarily in the minds of the people dealing with reorganisation in the 70s and 90s. Who was responsible for what, and for what period, soon became very important as this claims area began to expand. Documented agreements about which policy covers what, as social care departments particularly get recognised, split and reformed will be essential so that the story can be traced back through its various iterations to the coverage at the time of the incident. In the absence of a clear strategy, local authorities may find themselves facing costs and damages not accounted for in current budgets.

In short…

The government's declared aim of LGR is to drive efficiencies across the new organisations, with benefits for both residents and the broader society. However, a lack of preparation in planning for the major upheaval ahead has the potential to cause serious problems. By taking the necessary steps to prepare, engaging early with your peer organisations, insurers, brokers and legal partners, local authorities should be able to mitigate risks, ensure continuous cover, and optimise insurance procurement for the new, larger, unitary authorities.

Kella Bowers is a Partner and Head of Insurance at Forbes Solicitors.

Devolution: What is involved & what you need to know

The English Devolution and Community Empowerment Bill promises a major shift in governance, planning and public service delivery, as new strategic authorities take shape across England. *Bevan Brittan's local government team* considers the legal and practical implications for councils as devolution accelerates.

Governance and projects

The English Devolution and Community Empowerment Bill is now wending its way through Parliament via the House of Lords, and we are all watching its progress intently.

As its central tenet, it will embed the change from 'individual deal' combined authorities to the new strategic authorities that will cover all of England. The outcome will enable the Secretary of State to require local government re-organisation and the establishment of this tier, rather than relying on invitations and local government proposals, and is intended not to leave any 'devo-islands' and create a new upper tier form of local authority. It will be focussed around the seven competencies, with a standard set of functions and duties, and a favouring and greater focus on directly elected mayors.

The attractiveness of the concept of the combined authorities' infrastructure funds and the ability of the city region, as was, and now the wider economic and strategic area, has been the ability of the area to gain freedom from the constraints of Whitehall micro-management and what were seen as wasteful competitive bidding processes. The alternative vision was for the wider locality to apply their own knowledge of their region and areas to set projects and prioritise funding streams, rather than it being run by central government. Built on that foundation, proponents of the combined authorities believe that the devolved approach will run a locally-focused course that would deliver economic, social and interconnected benefits more effectively than those run before.

The verdict? Devolution of projects, grant funding, and more strategic infrastructure design has a proven track record of delivery and has enabled combined authorities to bring private sector investor and business partners with them. Moreover, the mayoral combined authority model provides a single voice to harness the efforts of the public sector, often far beyond the direct functions of the combined authority and its integrated transport authority and LEP predecessors, all of which has been seen as a success by central government. As a law firm assisting in many of these projects, we can attest to the rigour and strategic thought combined authorities have put into this.

The accelerated scope for devolution under the Bill provides a significant platform for regional growth and development. Building on the foundatiwons of historic regional growth hubs, the first combined authorities built around the old metropolitan county structures of Greater Manchester, West Midlands and the like (not forgetting London), will undoubtably have encouraged those that followed and the seven newest areas to have got their new combined authority proposals off the ground, ranging from Cumbria to Hampshire & Solent, albeit with their first

Devolution

elections now delayed to align with LGR.

Whilst we are still at the early stage of the initial applications going through, the Bill adds a clear direction for the ambition to be vehicles for wide ranging economic growth and development. In providing a standardised approach to the new devolution deals, all new authorities will have a three-tiered approach, being the 'established mayoral strategic authorities', the 'mayoral strategic authorities' and the 'foundation strategic authorities'.

From the perspective of planning for future growth projects, the strategic authorities launchpad of the Bill identifies the seven areas of competence, which draw from the success of projects already delivered by successful combined authorities, namely:

- transport and local infrastructure
- skills and employment support
- housing and strategic planning
- economic development and regeneration
- environment and climate change
- health, wellbeing and public service reform
- public safety.

The priority, however, will be to develop and put in place their Local Growth Plan strategies, and to test the tools afforded by government to the strategic authorities to provide the infrastructure and enable delivery through these vehicles, including such additional functions as the new mayoral power to convene meetings with local partners and to request the co-operation of one another.

Each competency is discussed elsewhere in greater detail. They will bring with them the potential for directly appointed mayoral commissioners (deputy mayors as is currently the case for the GLA) and the case for greater integration of leadership and discussion between the strategic authorities and the constituent councils, and the strategic authorities and central government, as envisaged by the government in its plan for the Council of Nations and Regions and the Mayoral Council.

As ever, it is not just what is in the Bill that is interesting, challenging and requires unpacking, but also the other moving parts behind it.

Areas where the new authorities are being established will be keen to manage a smooth transition of existing arrangements interfacing with these key competency areas. One example is the absorption of the former LEP functions and their now company embodiment, but these complications are multiplied, and we find ourselves assisting with several of them. The original combined authorities had an existing infrastructure on which to settle themselves, that of the former metropolitan combined bodies and the integrated transport authorities, with their continuing functions and significant staff bodies, whereas the newer combined and strategic authorities need to be largely built up from scratch. Both situations can be seen as a blessing or a curse, but what is undeniable is that the new authorities require solid project, contractual and strategic planning to make them happen.

Above all, this new form of strategic authority will require close working between the constituent authorities alongside the authorities being newly formed. The electoral changes in the Bill for the strategic authority, and the environment around them, require careful relationship management. Constitutional provisions will need to be carefully drafted and reviewed, particularly with the shift in power from the constituent members to mayor.

If those things land as intended, then behind it is the greater prize, the ability to co-ordinate functions and funding across their areas on a far greater level than is currently possible. The Bill highlights the integrated settlements for the 'established strategic authority', the ability each year to propose to central government new functions to be adopted (which central government will be required to respond) and the opportunity for trials of those new functions. Alongside this, the strategic authority will be seen as the default home for wider area public services, with police and fire authority functions now transferring across wherever possible, and their footprint becoming the default for other public services, all of which is full of possibility, opportunity and challenge (including for health and care).

Behind that arise the opportunities of the philosophy and concept of 'total place', or 'the public pound'- the idea of place-based budgets allowing for integration and alignment of all public money spent in an area built around local needs. That creates

"While much of the Bill is framed in the language of localism and empowerment, its practical effect is to entrench a more stratified planning system, with enhanced strategic influence exercised by mayoral and strategic authorities"

enormous optimism and possibilities, from the improvement in efficiency and service quality in the delivery of care, health and social needs to the kind of alignment of procurement and projects to deliver better outcomes as promulgated by the likes of the Centre for Local Economic Strategies.

In all of this, we must not also forget the other parts of the Bill, including the debate around the committee system and, eagerly awaited, the plans for the creation of the Local Audit Office to secure and, dare we say, once again re-balance the operation of the local audit system.

Employment

As noted, it will be important to manage a smooth transition of existing arrangements interfacing with the competency areas when the new authorities are being established. This requires close working between the constituent authorities and any wholly-owned companies delivering former LEP functions, alongside the new authorities as they build up and take on competencies and projects.

As the new authorities develop and take on responsibilities in the transition period, this may impact on staff of constituent authorities or their companies, particularly where they are concerned that their roles are being eroded or replicated by interim appointments to the new authority prior to vesting day. Although the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) would usually apply to the transfer of relevant staff to the new authority, the application of TUPE may not be straightforward where functions are transferred or absorbed over a period of time. It is, therefore, in all parties' interests to agree a managed process that recognises staff rights and protections and builds in consultation with unions and staff in order to mitigate risk of claims and ensure a smooth transfer of an engaged workforce for the new authority.

Planning

The Bill represents a significant evolution in the statutory and governance framework for planning in England. While much of the Bill is framed in the language of localism and empowerment, its practical effect is to entrench a more stratified planning system, with enhanced strategic influence exercised by mayoral and strategic authorities. For those advising local authorities, the Bill is significant less for the creation of entirely new planning tools, than for the redistribution of existing powers and, in particular, for the embedding of a more overtly strategic planning architecture, with the Bill raising both practical and governance-related changes that will affect plan-making, development management, resourcing and community engagement.

A central impact of the Bill is the expansion and normalisation of strategic planning functions at combined authority and mayoral level. While local planning authorities (LPAs) remain responsible for preparing local development plans, those plans will increasingly sit within a framework of strategic direction which has been set elsewhere. The

Bill strengthens the role of the new strategic authorities in setting priorities through Spatial Development Strategies intended to set the direction for housing, employment, infrastructure and regeneration across wider functional areas. Local development plans will be expected to quickly adapt to accommodate this new planning policy hierarchy. In practice, this increases the legal importance of vertical conformity between local plans and strategic policies. Those advising LPAs will need to scrutinise their statutory plan-making duties to ensure that these are discharged lawfully while accommodating the strategic direction imposed at a higher tier of plan making.

The Bill also expands the role of strategic delivery tools, such as mayoral development corporations and development orders. These tools allow strategic authorities to take a more direct role in consenting and delivering development in defined locations or for particular types of development. For LPAs, this may reduce direct control over certain strategic sites, but it also offers opportunities to unlock stalled development and secure infrastructure investment. LPAs will need to understand how these tools interact with adopted local plan policies, how local input and community engagement is secured, and how development management functions are coordinated to avoid confusion for both applicants and communities.

The Bill also broadens the circumstances in which 'mayoral strategic authorities' may intervene in planning decisions. Mayors will be able to 'call in' planning applications of 'potential strategic importance' and take over the decision-making process from the LPAs, powers previously confined to London. This includes the ability for mayors to direct refusal or grant permission themselves.

The Bill also has implications for resources and skills. Greater strategic coordination, more complex governance arrangements and accelerated delivery expectations will place additional demands on planning teams. LPAs will need to consider how plan-making, development management and legal resources are managed and whether additional capacity or training is required to operate effectively within the new world of devolution.

In summary, for LPAs, devolution lies in adapting to a more strategic, multi-tier planning environment. While local plans and local decision-making will remain central to our planning system, LPAs will need to work more closely with strategic authorities, strengthen cross-boundary coordination and ensure community engagement remains credible. Successfully navigating these changes will be essential to maintaining local plan credibility, managing delivery pressures and retaining public confidence in the planning system.

This article was authored by Philip McCourt (Governance), David Kitson (Governance), Kirtpal Kaur Aujla (Projects), Lucy Thomas (Planning), and Sarah Lamont (Employment), all of Bevan Brittan.

Bevan Brittan has a full-service local and regional government practice, including supporting the process of devolution and advising newly created combined and strategic authorities. Our team of experts can offer specialist advice to authorities across all aspects and stages of the devolution process.

How will strategic authorities operate?

Strategic authorities are set to play a central role in England's devolution agenda, with new powers, governance arrangements and mayoral responsibilities. *Tiffany Cloynes, Rebecca Gilbert and Megan Tam* of Capsticks examine what the reforms mean for councils, governance structures and collaboration across devolved areas.

Central Government has stated that the aim of strategic authorities will be to give local leaders and communities the tools they need to deliver growth and raise living standards.

Under the English Devolution and Communities Empowerment Bill, there will be three types of Strategic Authority (SA) and these will be based on current combined authority and combined county authority models:

1. **Foundation Strategic Authorities** will automatically include non-mayoral Combined Authorities and non-mayoral Combined County Authorities (CCA) and any Local Authority designated as a strategic authority without a Mayor.
2. **Mayoral Strategic Authorities** are said to include the Greater London Authority and all Mayoral Combined Authorities and all Mayoral Combined County Authorities. There are currently 11 Mayoral Combined Authorities and 5 Combined County Authorities.
3. **Established Mayoral Strategic Authorities** will include Mayoral Strategic Authorities which meet specified eligibility criteria.

An enhanced Statutory Devolution Framework has been proposed and will set out, in law, the statutory functions and governance arrangements for each level of the strategic authorities. This will enhance the existing legislation relating to the Combined Authorities under the Local Democracy, Economy and Construction Act 2009 (2009 Act) & Combined County Authorities under the Levelling-up and Regeneration Act 2023 (LURA 2023).

Given devolution is running in parallel with local government reorganisation, the Bill will enable SAs to change structure should local government reorganisation take place and there will be a new streamlined conversion process to enable the Secretary of State to make regulations enabling a Combined County Authority to convert to a Combined Authority. The change prevents the need to abolish the CCA following Local Government Reorganisation and allows for property, functions, commitments and staff to be maintained during the change however the constitution and governance arrangements will need to be updated to reflect the change to the Constituent Councils and membership.

Functions and operation of strategic authorities

The functions of an SA are exercisable by either the SA or the Mayor (where there is one) and these can be in place of the constituent councils or concurrently with them.

Currently, for existing Combined Authorities and Combined County Authorities, the Orders and Regulations will set out in detail their respective powers, functions and responsibilities and which of those functions are mayoral and non-mayoral.

"The Mayor will have a casting vote in relation the Local Transport Plans, the Community Infrastructure Levy and also in relation to Spatial Development Strategies under the provisions in the Planning and Infrastructure Act 2025"

Under the Bill, it is proposed that the powers, functions and responsibilities of each level of Strategic Authority will predominately be set out in the Act, once enacted. These will comprise & align within the seven areas of competence set out in Clause 2 of the Bill being:

1. Transport and local infrastructure
2. Skills and employment support
3. Housing and strategic planning
4. Economic development and regeneration
5. Environment and climate change
6. Health, wellbeing and public service reform
7. Public safety

Governance and voting arrangements

The Orders and Regulations will set out who the Constituent Council of the SA are and how many Members each will appoint. They will be voting members along with the Mayor (if there is one).

The Orders and Regulations will also set out how many non-constituent members and associate member can be appointed.

- Non-Constituent Members are appointed pursuant to s104A of the 2009 Act and s11 of the 2023 Act. The SA may designate a body other than a Constituent Council as a nominating body who must consent to such appointment. The nominating body may then nominate a representative of the body for the appointment as a Non-Constituent Member.
  The Non-Constituent Members are to be non-voting members of the CA unless the voting members resolve otherwise by simple majority. If they are given voting rights, there are still some decisions which they would not take part in, these comprise the adoption of the Spatial Development Strategy, the Local Transport Plan and the Mayor's Budget.
- Associate Members are appointed pursuant Section 104B of the 2009 Act, the CA may appoint an individual to be an Associate Member of the CA who will be a non-voting members of

the CA.

The quorum arrangements will be prescribed in the Orders and Regulations and each voting members will have one vote.

The Bill will provide, subject to other specific arrangements, for SAs to make decisions by a simple majority wherever possible. This is different to the present position which often requires unanimous or two thirds approval. The voting arrangements of existing CAs and CCAs will remain until further secondary legislation is made for each. It would add new sections into the 2009 Act and 2023 Act which would provide as follows:

- any decision of a non-mayoral SA is to be decided by a simple majority of the voting members present and voting on that question at a meeting of the SA,
- any decision of a mayoral SA is to be made by a simple majority of the voting members present and voting on that question at a meeting of the SA, which must include the mayor, or the deputy mayor acting in place of the mayor. If there is no mayor, then a decision must be made by a simple majority.

The Mayor would not have casting vote except where otherwise provided, for example, it is currently proposed that the Mayor will have a casting vote in relation the Local Transport Plans, the Community Infrastructure Levy and also in relation to Spatial Development Strategies under the provisions in the Planning and Infrastructure Act 2025.

There is likely to still be some debate around these provisions as the Bill progresses through the parliamentary process.

The role of the Mayor

The government had been very robust about the devolution of powers to SA and, in particular, the increasing role the Mayor will have as part of their new enhanced framework. However, the recent announcements by government to delay the election of Mayors in four of the six devolution priority programme areas to 2028 and that any new SAs would need to be foundation SAs for a period of time first before a Mayor can be elected, does suggest a slight rolling back on this.

In addition to the specific functions allocated to the Mayor under the areas of competences, the Bill proposes a number of new more general powers and functions:

- An extension of the General Power of Competence to Combined Authorities and Mayors.
- A power to convene which will enable Mayors to convene local partners to address local challenges together with duty on local partners to respond to a Mayor's request when they make use of the power to convene;
- A duty to collaborate ensuring that Mayors have a formal process by which they can collaborate with neighbouring Mayors to deliver projects and strategies together

As well as the appointment of political advisors as currently provided for in the legislation, clause 9 of the Bill also enables the Mayor to appoint up to seven commissioners in respect of each of the areas of competence.

> "It is important that Mayors, strategic authorities, local authorities and relevant stakeholders work together to put in place robust governance arrangements"

board and it should be clear what functions and powers each are responsible for and how decisions are to be made.

The relationship between strategic authorities and local authorities, old and new

The relationship between the SAs and its constituent local authority is critical to ensure decision making can be undertaken effectively. Councils and SAs have distinct but complementary roles and collaboration is of vital importance to ensure delivery of a devolved administration that secures investments, meets local priorities and improves living standards of local people.

It is important that Mayors, strategic authorities, local authorities and relevant stakeholders work together to put in place robust governance arrangements that are compliant with the current legislative framework and the new legislation which is coming forward. The parties should establish a shared ambition with a clear understanding of the respective roles and responsibilities of constituent councils and the SA and how these relate to the shared ambition together with a recognition that these may change overtime.

Relationships should be built across and through the organisation including with councillors and officers at different levels.

Communication and regular dialogue between the SA and its constituent local authorities is key throughout the decision making process and factoring in discussions and briefings in advance of any key decisions can be really helpful to enable members to be fully informed and involved in the process rather than some feeling like they are just there to rubber stamp it at the end which can hold up decision making.

As local government reorganisation moves forward, maintaining strong communication and building relationships will be particularly important as the proposed new makeup of the Constituent Councils evolves and the new shadow unitary authorities are established to try and ensure there is a smooth transition on vesting of the new unitary authorities to minimise, as far as possible, any impact on the SAs key priorities and decision making processes.

Committees and advisory boards

Like local authorities, SA are legally required to have an Overview and Scrutiny Committee and an Audit Committee.

Overview and Scrutiny Committees have statutory powers to scrutinise decisions the SA is planning to take and those decisions that it has already taken. The Audit Committee is responsible for overseeing financial reporting, risk management, and internal control practices.

The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 makes provisions for the membership and voting arrangements of the Overview and Scrutiny Committees and the Audit Committee.

In addition, SAs, like local authorities, can arrange for the discharge of any of their CA functions by a committee, a sub-committee or an officer of the authority in accordance with ss101 and 102 of the Local Government Act 1972. SAs are not able to arrange for the discharge of any functions which are mayoral functions.

The Orders and Regulations of each individual SA may however provide for joint committee and provide that the Mayor may enter into arrangements jointly with the Combined Authority, the constituent councils and other local authorities in accordance with section 101(5) of the Local Government Act 1972 for the discharge of the general functions of the Combined Authority which are exercisable only by the Mayor.

Advisory boards could also be established to provide advice, recommendations and support to the CA, the Mayor and any committees but these would be advisory only and have no decision making powers.

The Constitution should include Terms of Reference for any committee or advisory

Tiffany Cloynes is a Partner and Head of Local Government at Capsticks, Rebecca Gilbert is a Principal Associate at Capsticks, and Megan Tam is a Senior Associate at Capsticks.

Reorganisation: The legal tech perspective

Tanya Corsie of Iken examines the practical impact of local government reorganisation on legal teams, arguing that alongside governance and workforce change, technology will be critical to a smooth transition.

We've all been here before, haven't we?

Let's be very clear here, local government reform is not a new concept and many of our clients have been through several iterations across the decades including: the creation of unitary authorities; shared service arrangements (and subsequent political separation and demerging); the establishment of combined authorities and mayoral models; and, in some cases, the commercialisation of legal teams with a handful of breakout alternative business models still in play.

However, the main drivers for significant reform remain the same- reduced budgets, cost efficiencies, more connected and interconnected services and the demand for increased transparency regarding decision-making.

Local Government Reorganisation (LGR) is often treated as a structural or political exercise. In practice, it becomes an operational stress test, and legal teams are usually the first to feel the strain.

Clarity of vision, a defined set of values and a demonstrable purpose (the 'Why' for Simon Sinek fans) helps to offset some of the fear uncertainty experienced during the creation of any 'new' local/unitary/combined authority. Across local government, three consistent pillars underpin reorganisation at this level:

- Governance & Law
- People & Process
- Technology & Tools

Local government lawyers sit at the heart of each of these pillars, uniquely placed to advise, to shape and to help implement the widespread changes required such as:

- Governance and constitutional design
- Employment law and workforce transition
- Property, asset and land transfers
- Procurement and contract novation
- Data sharing and information governance considerations

The sheer volume, variety and complexity of work created by LGR on top of the day to day statutory and constitutional obligations requires legal teams to make the most of their available technology.

Why technology gaps surface first in legal teams

The technology challenge within local government is significant, with IT teams struggling to connect disjointed systems and manage complex and long-term supply chains. Numerous stress points surfaced during the early response to Covid-19 where there were too few laptops, completely insufficient network bandwidths to cope with a remote workforce and limited software solutions available via remote access.

In recent years, many local authorities have rebuilt their IT from the bottom up and have adopted a cloud-first approach to procuring software such as case management, e-bundling, workflows and time recording.

Across the sector, conversations between legal teams and IT colleagues consistently surface the same core requirements:

- Single sign-on / multi-factor authentication
- Use of latest encryption protocols
- Audit trails
- Privacy and data sovereignty considerations

- **Accessibility**
  - Ease of use
  - Responsive design
  - Adherence to Web Content Accessibility Guidelines (WCAG)
- **Flexible**
  - Device agnostic
  - Works equally well for remote as well as on site workers
- **Affordable**
  - Transparent pricing model
  - Benefits of scale
- **Regular product and security updates**
  - Configurable but not bespoke
  - Automatic updates
  - Sector specific product roadmap
- **Connected**
  - Utilises infrastructure or tools already in use throughout the authority
  - Ability to interact with other tools
  - Applies to more than one department

There is also more for Senior Information Risk Owners (SIROs) and Information Security Officers to worry about, with high profile ransomware and cyber-attacks on the increase. Legacy solutions and unsupported systems and infrastructure are taking time and significant budget to replace, whilst human error remains one of the most significant security threats. Developing robust policies, well planned infrastructure and system architecture, as well as implementing quality software solutions, provide local authorities with the foundations for improving service delivery, connecting disjointed services and identifying nuanced and detailed information. These benefits can then be leveraged to create better informed and/or expedited decision making, improving transparency, reporting and communications.

Why local government lawyers are already practising legal operations

However, there is good news for local government legal teams – you're already sophisticated technology users, and for once, it's even better news for those of us who have been around the block a few times- all of those years perfecting your dictation skills means that you are primed and ready to unleash yourself into hands free document drafting via Office 365 and Copilot or your equivalent. Furthermore, you already have the concise and optimised wherewithal to refine research prompts with your AI tool(s) of choice.

> "Without always realising how they got there, legal teams are often at the forefront of technological and organisational change. Those experiences mean they are well placed to lead the charge during local government reorganisation."

Case management remains the epicentre of your legal technology ecosystem, incorporating your email & document management, matter management and access controls, configurable workflows, monitoring & reporting and time recording & billing. However, there are a variety of additional technologies that legal teams have been using for a number of years: law libraries and forms; electronic court bundling; portals; licensing systems; complaints systems; planning and land registry systems and many more specialist tools that your teams access on a daily basis.

Without realising how you got there, legal teams are often at the forefront of technological and organisational change and can utilise those learned experiences and lead the charge on LGR:

- You are experts at implementing and amending complex processes and utilising workflows to maintain consistency during high volume and/or high-risk work
- You provide high quality information/data on organisational risk
- You are consummate professionals at creating new policies and evaluating risk
- You work to conflicting deadlines and can prioritise accordingly
- You understand better than most, how much work your team can deliver and how much additional resource you need if the volume of work increases – you have the data to back that up (thank you time recording!)
- Training and continuous learning is an embedded trait
- You use the best tools at your disposal to manage your work

AI governance: Moving beyond 'policy, purpose, pilot'

There's a lot of noise about the use of AI in local authorities and some good progress is being made on citizen-facing services in particular. However, the wider rollout of organisation-wide tools such as Copilot or ChatGPT remains sporadic at best- Policy | Purpose | Pilot is the most common approach across the sector. Many authorities are finding that this can limit practical adoption within legal teams. Something we explore in more detail in our recent analysis of AI governance in the public sector.

The wider industry trend of legal ops would arguably be a more implementable approach, where experts (internal or external) utilise APIs to link disparate but compatible systems together and push and pull relevant data to and from the correct source – this would minimise duplication of data entry and help organisations nudge towards that holy grail – that long-sought 'single source of truth' for matters, risk and organisational reporting. This is the discipline which could then create connected systems, streamline services and improve data visualisation and reporting – and would be of itself a game changer for local authorities.

Enough of the theory, it's time to eat the frog

So now that we've established that local government lawyers embrace technology, LGR could lead to one of these technology driven challenges for local authority legal teams:

1. Implement a case management system from scratch, migrating data from multiple legal teams
2. Migrating data from other authorities into your existing system
3. Migrating legacy data into an archive

"The migration from South Northants was really easy... considering the large number of files and documents, the downtime really wasn't long... We can set up our own users now, which means we don't have to involve IT at all." Judy Goodman, West Northamptonshire Council

The data decisions that shape reorganisation outcomes

Experience across multiple reorganisation programmes shows that there are several critical data decisions that need to be made upfront (client structure, naming conventions and reporting outputs need to be considered):

- Matter naming conventions and file referencing protocols – this is especially crucial if different approaches have been used. There is often a de-duplication exercise to ensure that there aren't any conflicts
- Matter/case types – alignment and/or consolidation to facilitate
- Time recording activities
- Rates tables (internal and external)- to reflect new working arrangements
- Contacts and parties
- Users, teams and the associated access controls
- Retention guidelines (archiving and destruction) – do they need to change to adhere to changes in legislation/ constitution/policy
- Templates and precedents
- Open | Closed | Archived cases and documents, workflow data, time records and billing information
- Workflows and processes – were these established because of constraints on legacy systems and how best to consolidate for upmost effectiveness

Top tips:

- If you have the luxury of implementing a new system, set it up to optimise your workstreams and reporting now, don't focus on the past, it will cost you dearly.
- Think about what you need to migrate across into your new system – we usually advise authorities to only bring Open and Closed data and documents as standard – your archived data can be stored in a less interactive (more cost effective) state.
- One of the toughest implementation decisions relates to historic user data as this is held at matter, document, time and charges level – your supplier's data migration experts can guide you through this minefield. (Most authorities take current users only and historic team members are effectively anonymised).

Data migration is a crucial aspect of implementing a new case management system, but here are some other considerations:

- Change management and communication with incumbent and new team members is crucial – a consultancy period ahead of the implementation is advisable – allow challenge and innovation. Creating an internal project team is a good way to keep momentum going and typically attracts greater buy-in from all users.
- Consistency is crucial – it will take time for people to unlearn the old way of working and form new habits – stay focused, embed good practice, celebrate small wins. Some of our clients create an internal MS Teams channel as part of the Go Live process to help share good practice, provide structure and guidance and resolve smaller teething issues.
- These types of project involve three main entities: your Legal Team | your IT Team | your Case Management Provider – all three groups must work together to ensure success. It's common for a project manager to be present from IT and one from your case management supplier but all too often, the legal team's representative is trying to project manage a complex implementation on top of their day job, which doesn't set them up for success.

Why shared learning determines the success of reorganisation

The best part about LGR is that many of you have been through this before – leverage your network, share best practice and forewarn your peers of the pitfalls and cliff edges you've experienced previously.

Work with suppliers and partners who can support and advise you, and most importantly engage with your team, including them in decisions on how best to support your organisational goals and objectives.

Here at Iken, we've been working closely with our clients over the last 20 years to help them respond to widespread change and the technology challenges these far-reaching decisions entail.

LGR will of course be transformative and complex for those authorities in the midst of the furore and will take creativity, compassion and collaboration from leaders and their change-makers.

Circling back to those three pillars of Governance, People and Technology – local government lawyers provide the essential framework to navigate through what lies ahead. Technology that works with local government lawyers, intuitive, secure and designed around how they actually work, will help drive those changes and free lawyers to focus on strategy, governance and good practice – follow us, reach out directly or connect with us if you need to talk through any major technology conundrum.

Technology and lawyering go hand in hand – good technology enables great work. Knowledge is power.

Tanya Corsie is the Chief Executive Officer at Iken Business Ltd.

A return to Regional Police Authorities?

The planned abolition of Police and Crime Commissioners by 2028 signals a major shift in police governance, but key questions remain over the role, powers and boundaries of the proposed Policing and Crime Boards. *Vanessa Cooper and Amy Stokes* of TLT explore the structural and legal uncertainties facing police forces.

The UK Government's plan to abolish Police and Crime Commissioners (PCCs) by 2028 raises some fascinating – and, given the limited details and lack of legislation so far, uncertain – questions about what comes next.

In areas where PCC powers can't be transferred to elected Mayors, new Policing and Crime Boards will be established. These will bring together council leaders and 'co-optees' (who will bring expertise) to oversee local police forces. The Home Office's recently published white paper 'From local to national: a new model for policing' confirms that the duties and responsibilities of the Chair and Crime Leads for the Policing and Crime Boards will be set out in statute where appropriate.

The governance challenge

Here's where things get complicated. By 2028, around 13 elected Mayors are expected to exercise PCC powers, covering 15 police force areas. That still leaves most areas – 27 police forces – without an elected Mayor. Key to the government strategy will be the "optimal configuration" of police forces, subject to an independent review, which will report in the summer of 2026. This does mean some forces will be governed by an elected Mayor and some by a Policing and Crime Board.

For those areas/forces that will have a Policing and Crime Board, the governance arrangements, authority and relationship between the new boards and Chief Constables remain unclear. The white paper confirms the Policing Protocol will be overhauled to clarify this relationship, although the Policing and Crime Boards are expected to have "broadly the same" powers as a directly elected Mayor. The complications extend beyond simple structures. In many cases, police force boundaries don't align neatly with the new strategic authorities. For example, some police force areas are split across two or three new strategic authorities. The white paper confirms that there will also be simplified powers for the Home Office to alter force boundaries, which will facilitate fewer forces, as proposed by the white paper. Without doubt, there will be significant change on the horizon for most, if not all, police forces.

This creates a real governance headache. Once the review and further legislation are published, we will know more. However, whatever the review concludes, new governance will still need to be developed to ensure a smooth handover to Policing and Crime Boards and newly elected Mayors.

Employee transfers

One of the most pressing practical concerns is: what happens to staff currently employed by PCC offices? The people working in these offices, such as policy advisors, finance officers, communications staff, and administrative personnel, have built up expertise in police governance over the past decade.

The new Policing and Crime Boards will still require staff, leadership and administrative support. But the transition raises significant questions about employment continuity, institutional knowledge retention, and staff morale. TUPE regulations will presumably apply, but staff transfers are rarely straightforward.

Different local authorities have different pay scales, pension arrangements and working cultures, and not all PCC functions are currently embedded within local authority structures. There is also the question of who the new employer will be. The board itself? A host authority? Or a shared services arrangement across several constituent councils?

The complexity also means that, even where TUPE applies, roles may not map neatly into equivalent positions. Staff will want certainty about where they will sit in the new structure but without clarity, the risk of losing valuable staff and experience is high.

The 'double transition' risk

Some argue that PCCs should have remained in place until devolution arrangements were settled. Proceeding with the abolition of PCCs in 2028 could mean some staff are transferred first to a Policing and Crime Board in 2028 and then transferred again when a mayoral structure is later created. We know that effective governance requires stable institutions retaining experienced staff with clearly understood lines of accountability, and that everyone needs to know the scheme of delegation for timely decisions to be made and enacted. It is this that enables police services to be efficiently and effectively delivered.

Looking ahead

Strong governance will be critical from day one. New Policing and Crime Boards will need:

- Robust governance structures that avoid operational disruption
- Clear schemes of delegation
- Well-defined relationships with chief constables
- Unambiguous lines of accountability.

We have seen firsthand, based on our experience from the implementation of PCCs under the Police Reform and Social Responsibility Act 2011, that clear and robust governance is critical to enabling smooth organisational change with minimal disruption to the essential day-to-day work of police forces.

Drawing on this experience, together with our governance, employment, regulatory and broader expertise in supporting forces, we can help the new Policing and Crime Boards to operate efficiently and effectively, delivering strong outcomes for policing and the communities they serve.

TLT is developing practical guidance, template governance documents and targeted support to help forces and authorities navigate this change with minimal disruption and cost. We would welcome a conversation about how we can support you through this transition.

Vanessa Cooper and Amy Stokes are Partners at TLT.

Vanessa Cooper

Amy Stokes

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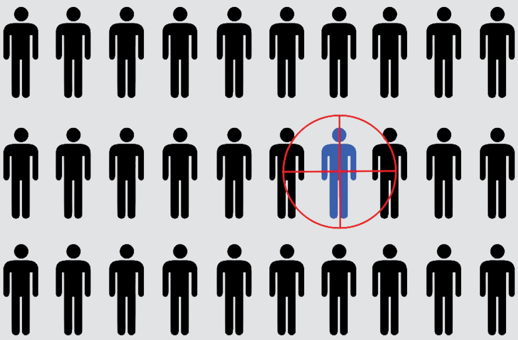

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