

**Climate Transition, Corporate
and Environmental Services
Policy Advisory Committee**

19 March 2025

**Local Government Reorganisation – Interim
Submission**

Timetable	
Meeting	Date
Climate Transition, Corporate and Environmental Services PAC	Wednesday 19 th March 2025
Cabinet	Wednesday 19 th March 2025

Will this be a Key Decision?	No
Urgency	The report needs to present the most up to date position on Kent’s proposed Interim Plan Submission response to Government’s statutory invitation concerning Local Government Reorganisation which will become available after the deadline for report publication.
Final Decision-Maker	Cabinet
Lead Head of Service	Chief Executive
Lead Officer and Report Author	Chief Executive
Classification	Public
Wards affected	All

Executive Summary

This report sets out the context and considerations for the proposed interim plan submission from the county of Kent made in response to a statutory invitation for proposals from The Minister for Local Government and English Devolution for Local Government Reorganisation (LGR).

The invitation, which is included as Appendix A, encourages all councils in an area to put forward a single proposition in accordance with the guidance provided and to meet six criteria. The purpose of the interim plan submission is to demonstrate progress on developing proposals. At this stage government has recognised that it may be the case that the interim plan submission describes more than one potential proposal, if there is more than one option under consideration. This is currently the position in Kent. This stage is not part of the government's formal decision-making process. Government officials will provide feedback on our plan to help support us to develop final proposals.

Maidstone Borough Council decisions concerning changes to local government structures reside with the Executive with responsibility allocated to the Leader. On this occasion a decision concerning whether to support the interim submission will be sought from the Cabinet as a whole. The views of the Climate Transition, Corporate and Environmental Services Policy and Advisory Committee are being sought in advance of this. In addition an all member briefing is to be held on 17th March 2025 to inform and seek feedback from all councillors.

Purpose of Report

Consideration of recommendations to Cabinet concerning Kent's submission of an Interim Submission with respect to Local Government Reorganisation in the county.

This report asks the Committee to consider the following recommendation to the Cabinet

1. That the Cabinet notes the statutory invitation to councils in Kent to put forward a proposition for Local Government Reorganisation across the county including the guidance, criteria and timescales for this submission
2. That the Cabinet notes the progress on development of a Kent proposition for local government reorganisation
3. That the Cabinet agrees the proposed Interim Plan Submission as set out in appendix B
4. That the Cabinet agrees the proposed Supplementary Submission as set out in Appendix C
5. Subject to recommendations 3 and 4 being agreed, that the Cabinet agrees to give delegated authority to the Chief Executive in consultation with the Leader of the Council to consider and agree any further refinement of the interim plan submission before 21st March 2025, provided that this does not materially change the submission.

Local Government Reorganisation – Interim Submission

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Corporate Strategy objectives are:</p> <ul style="list-style-type: none"> • A high-quality place adapted for a changing climate • Resilient Communities • Quality homes for all • Fairer economy for people and planet <p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, Local Government Reorganisation when it goes ahead will lead to reconsideration of the vision and priorities for what is now Maidstone borough and may materially change how services are delivered.</p>	Chief Executive
Risk Management	<p>The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council’s Risk Management Framework. That consideration is shown in this report at section 5. We are satisfied that the risks associated are within the Council’s risk appetite and will be managed as per the Policy.</p>	Chief Executive
Financial	<p>The government’s proposals for local government reorganisation have very significant and wide-ranging financial implications. These are alluded to in the proposed Interim Plan Submission, but more work will be required in preparing a final submission to establish the implications for Kent and for Maidstone.</p> <p>At its meeting on 19 February 2025 Council set aside £100,000 for a Devolution / Local Government Reorganisation Project Fund which has covered work on reorganisation to date. Further approval will be sought from members if subsequent work on the final submission requires any expenditure in addition</p>	Section 151 Officer & Finance Team

	to this amount.	
Staffing	We will need access to extra expertise and capacity to deliver the next stage of developing a proposition and business case for LGR in Kent. An initial financial allocation of £100k has been agreed for 2025/6. Resources are also being sought from Government to fulfil this.	Chief Executive
Legal	Acting on the recommendations is within the Council's powers as set out at Part I of the Public Involvement in Health Act 2007 - authorities have a power to respond to invitations by making proposals for unitary local government. This is an executive function by virtue of the Local Government Act 2000.	Deputy Head of Legal Partnership
Information Governance	The recommendations do not impact personal information the Council processes.	Head of Insight Communities and Governance
Equalities	The recommendations do not propose an immediate change in service therefore will not require an equalities impact assessment.	Ellis Mallett, Research & Policy Officer
Public Health	We recognise that the recommendations will not negatively impact on population health or that of individuals.	Christine Browne, Health Policy Officer
Crime and Disorder	There are no direct Crime and Disorder implications. The interim plan submission primarily focuses on the structural and administrative aspects of local government reorganisation. The detailed implications for Crime and Disorder would likely be addressed in later stages, particularly when specific proposals and operational plans are developed.	Martyn Jeynes, Community and Strategic Partnership Manager.
Procurement	On accepting the recommendations, the Council will work with other councils across Kent to procure a strategic partner to provide capacity and expertise for development of the final business case for LGR in Kent.	Head of Service & Section 151 Officer
Biodiversity and	The implications of this report on biodiversity and climate change have been considered and there are	Shelley Wilcken, Biodiversi

Climate Change	no immediate implications on biodiversity and climate change at this stage.	ty & Climate Change Manager
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2. INTRODUCTION AND BACKGROUND

2.1 The purpose of this report is to invite the Climate Transition, Corporate and Environmental Services PAC and subsequently Cabinet to consider the proposed interim plan submission from the county of Kent made in response to a statutory invitation from The Minister for Local Government and English Devolution and decide whether Maidstone Borough Council will support it. The report sets out the context for this submission and an evaluation of it from a Maidstone borough council perspective.

Background

2.2 The English Devolution White Paper, published in December 2024, sets out the government’s plans to widen and deepen devolution across England, providing mayors with unprecedented powers and funding and hardwiring them into the way government works. It also outlines how the government intends to rebuild and reform local government, as the foundation for devolution, reset the relationship between central and local government, and give communities stronger tools to shape the future of their local areas, while improving accountability and building capacity across the local government sector.

2.3 The White Paper sets out the government’s objectives for Local Government Reorganisation. The aim is to have a universal model of unitary councils across England. This is because the government believes that unitary councils can lead to better outcomes for residents, save significant money which can be reinvested in public services, and improve accountability with fewer politicians who are more able to focus on delivering for residents. The White Paper announced that the government would facilitate a programme of local government reorganisation for two-tier areas, and for unitary councils where there is evidence of failure or where their size or boundaries may be hindering their ability to deliver sustainable and high-quality public services.

2.4 The Minister for Local Government and English Devolution has subsequently invited proposals for reorganisation including in Kent and Medway. In his statutory invitation of 5th February 2025, the Minister set out the criteria for these proposals and the timescales. The letter is attached as Appendix A to this report.

Developing proposals for reorganisation

2.5 The Government has encouraged all councils in Kent to make every effort to work together to develop and jointly submit one proposal for unitary local government across the county. This may be for one or more new unitary councils and should be complementary to devolution plans. For

Kent this means 14 councils working together – Kent County Council, Medway Unitary council and our 12 district councils. This is being conducted through the Kent Leaders’ regular meeting supported by the Joint Kent Chief Executives’ Group.

- 2.6 Proposals must address six criteria, each with several elements – which require that
1. A proposal should seek to achieve for the whole of the area concerned the establishment of a single tier of local government.
 2. Unitary local government must be the right size to achieve efficiencies, improve capacity and withstand financial shocks.
 3. Unitary structures must prioritise the delivery of high quality and sustainable public services to citizens
 4. Proposals should show how councils in the area have sought to work together in coming to a view that meets local needs and is informed by local views.
 5. New unitary structures must support devolution arrangements
 6. New unitary structures should enable stronger community engagement and deliver genuine opportunity for neighbourhood empowerment.

Timelines and next steps for interim plans and full proposals

- 2.7 The Government has asked that an interim plan be submitted on or before 21 March 2025 in line with the guidance set out in the Minister’s letter. They expect that this should set out progress on developing proposals in line with the criteria and guidance. The expectation is that one interim plan is jointly submitted by all councils. At this stage government has recognised that it may be the case that the interim plan describes more than one potential proposal, if there is more than one option under consideration. This is currently the position in Kent. This stage is not part of the government’s formal decision-making process. Government officials will provide feedback on our plan to help support us to develop final proposals; they have indicated that they will take great care over this so that, amongst other things, they do not pre-determine the eventual outcome of decisions of the Minister and Parliament.
- 2.8 Any full proposal for Kent needs to be submitted by 28 November 2025. The timescales for other parts of the country are different – final proposals for Surrey are to be submitted by May 2025 and for areas on the Devolution Priority Programme by September 2025. After submission the Minister will decide whether to implement the proposals with or without modification or alternatively not to go forward with what is proposed. If he decides to implement any proposal, and the necessary legislation is agreed by Parliament, the Government will work with Kent councils to move to elections to new ‘shadow’ unitary councils as soon as possible as is the usual arrangement in the process of local government reorganisation. The indicative timescales shared by officials is for elections to shadow authorities in 2027 and for the newly vested unitary councils to commence in April 2028.

Kent's Interim Plan Submission

- 2.9 The proposed foundation interim plan submission for the county of Kent is attached as Appendix B to this report. It describes the approach being taken by our 14 Kent councils, recognises that several options are being considered and sets out the current scope of the evidence that is being considered in applying the criteria and following the guidance issued by the government to enable the options to be evaluated further. The aim is to make a submission that all 14 councils are prepared to support. Given the short timescale since the statutory invitation was extended to Kent, and that work on developing the proposition is on-going (and will continue after the submission) work on the interim plan submission is also on-going and consequently there may be changes made up to the date of submission.
- 2.10 The Policy Advisory Committee and subsequently the Cabinet will be updated at their meetings in case any changes have been made. A delegation to the Chief Executive, in consultation with the Leader, is also sought to manage circumstances where it may be necessary to consider and agree any further refinement of the submission before 21st March 2025, if this does not materially change the submission.
- 2.11 The key points to note are that the submission
- Emphasises the commitment of Kent Councils to a unitary structure being implemented across Kent with effect from 1 April 2028 and with elections being held in 2027.
 - Invites the government to explore with Kent councils how our submission for LGR can be aligned with an accelerated timetable for devolution (ideally to align with the timetable for LGR) to facilitate local service reform. It notes that with a number of unitaries with populations of roughly comparable size, the barrier identified to Kent being on the Devolution Priority programme has been addressed.
 - Identifies several significant barriers and challenges where further clarity or support would be helpful including those associated with the channel ports, operation Brock and the consequences of crossing of the channel by small boats and the high number of unaccompanied asylum-seeking children, challenges to housing delivery, financial challenges including how legacy debt is managed, equalisation of council tax levels and structural financial deficits
 - Explains that at this stage Kent has not concluded on a single proposition but is working towards achieving this; Kent is clear that we would not collectively support either fewer than three or more than four unitary councils within the county given the criteria set out by the government, the population of Kent (current and future projected) and various other factors including identity, economic geographies, travel to work areas, public sector alignment, the resilience of service delivery and the need for appropriate political representation.

- Covers strategic financial issues including debt, council tax levels and harmonisation, and exceptional financial issues arising from demand pressures including those unique to the Kent geography most notably relating to children's services including unaccompanied asylum seeking children, and the need to reach a point of clarity concerning future treatment of grants allocated to particular places eg as a result of deprivation and how Housing Revenue Accounts are managed going forward.
- Refers to representation, localism and councillor numbers. Applying Local Government Boundary Commission for England guidance on councillor numbers would result in significantly different ratios from that currently seen in our districts - for a three unitary model, the crude ratio would be 6,333 electors to each councillor and for a four unitary model, the ratio would be 4,750 (based on the LGBCE guidance of a maximum of 100 councillors per unitary). Whatever the geography finally adopted Kent has committed to design mechanisms that enhance and amplify democratic representation and reference is made to community governance reviews. The submission emphasises that we are keen that staff and councillors in any new Councils would be sufficiently representative of our diverse communities – and encourages the government to be mindful of the diversity of Kent's population in determining unitary geographies alongside financial viability.
- Highlights the need for clarity about spatial planning and application of the NPPF identifying a need for early discussion with the government about how we manage the transition from existing Local Planning Authorities to new ones and how we maintain the relationships with Homes England on garden community delivery.
- Notes that in terms of engagement to date, Kent councils already have mechanisms in place to promote ongoing dialogue with other public sector bodies with lead representatives from Kent Police, the Police and Crime Commissioner, Kent Fire and Rescue Service, DWP and Health all attending meetings of 'Joint Kent Chief Executives'. In addition, all councils have undertaken staff and councillor engagement, and many have utilised existing forums to engage residents, partners and businesses. In terms of messages that are emerging, partners are keen to be engaged meaningfully in the process of local government reorganisation, to explore how any changes could promote a whole 'systems thinking' approach and promote a preventative agenda and to ensure that public sector investment is most efficiently made with delivery geographies aligned to the best extent possible. Engagement with staff has led to some concerns being expressed about uncertainty, capacity, potential conflicts between doing the right thing for current organisations whilst protecting the position of new organisations, skills shortages and issues with recruitment and retention.

- The complexity of transition from current to future Local Plans and the need for early engagement with the government on this topic is highlighted; the need to maintain collaboration with Homes England throughout is stated
 - Funding support is sought to develop the business plan for the final submission and for the anticipated shadow authority.
- 2.12 The proposed supplementary submission (appendix C to this report) sets out possible unitary council geographies based on having 3 or 4 unitary councils (with one and three options respectively) and a wide range of data enabling initial assessment according to the criteria set out by the Government. This includes high level data showing the balance of population, resources and funding sources for each unitary in each model. The outputs from initial high level financial modelling based on publicly available information is also set out.
- 2.13 The analysis in the appendix implicitly demonstrates the complexity of the analysis and judgements needed to come to a balanced conclusion on the number and shape of future unitary authorities in the county.
- 2.14 In discussion with colleagues across Kent MBC has expressed its initial preference for the 3 unitary model described in the appendix, has been collaborating with Sevenoaks, Tonbridge and Malling and Tunbridge Wells to this end but recognises that further work is needed before a conclusion can be reached.

3. AVAILABLE OPTIONS

3.1 The options are

- Option A – support the interim submission from Kent to the government concerning local government reorganisation as set out in Appendices B and C.
- Option B – support the interim submission subject to changes identified by MBC members.
- Option C – do not support the interim submission and take no further action.
- Option D – do not support the interim submission and make an alternative submission.

3.2 It is recommended that MBC agrees to Option A.

3.3 In terms of Option A the interim submission at Appendix B accurately reflects the work in progress in the county and, in terms of informal soundings through the Kent Leaders meeting, commands support from other Kent councils. The technical appendix set out in Appendix C to this report responds positively to the government's request for an evidence-based submission; this appendix also accurately reflects the fact that several options are currently under consideration and how preparations are

currently being made to evaluate the options in line with the Minister's criteria.

- 3.4 In terms of Option B, it is recognised that the Interim Submission reflects work in progress and that at this stage Kent's proposition is not set in stone ie there will be many more opportunities for additional evidence, judgement and opinion to be taken into consideration and potentially for other options to come forward before the final submission on or before 28th November 2025. It is therefore suggested that at this stage, MBC recognises the importance of as united a submission from Kent as possible, that MBC has already influenced the submission and being so close to the deadline for submission to suggest any further significant change could be counterproductive.
- 3.5 Option C would only be appropriate if MBC cannot support the Interim Submission and wishes to remain silent concerning its preferred way forward.
- 3.6 Option D would require MBC to step out of line with respect to the rest of Kent and mean that an alternative submission be quickly prepared and agreed upon. This would be difficult to achieve within the deadline and contradict the informal contributions from MBC into the process to date.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is suggested that Option A is the best way forward at this moment in time because supporting the interim submission alongside other councils in Kent would enable Kent to move forward with a common commitment to the broad shape of local government reorganisation and potentially development of a single preferred proposition to be submitted in November 2025. MBC has fully participated in pan-Kent discussions to date both politically and in terms of technical work, is cognisant of the complexities around achieving sufficient consensus for a single Interim Submission and contributed to the preparation of it. The benefit of also supporting the technical appendix is that this provides an initial response to several of the criteria in the Minister's statutory invitation, demonstrating progress to date on the key analytics.
 - 4.2 Once the submission is made feedback and support towards a preferred proposition and final business case will be provided by the Ministry for Housing, Communities and Local Government. There will remain a need for the 14 Kent councils to work collaboratively and constructively together to co-design the future arrangements for local government in Kent. With what we know now the Government's intentions for reorganisation of local government in England are clear and unwavering. Therefore, there is merit in ensuring that the best proposition is prepared and change undertaken at pace such that collectively we are both doing the "right thing" and minimising and mitigating for uncertainty both in terms of service delivery to the public and our staff.
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5. RISK

- 5.1 In terms of the overall context for the interim plan submission considered in this report Local Government Reorganisation would bring with it multiple significant risks arising from the creation of unitary councils and the concomitant disaggregation of KCC services and merger of district council activities with each other and integration with services from the county and Medway councils. The risks arise from the complexity and amount of change to be achieved in a short period of time. The Government has highlighted the potential opportunities and benefits in its White Paper on English Devolution and reemphasised these in their statutory invitation to Kent authorities to put forward a proposition for LGR. Similar change has been made in other parts of England and therefore Kent has the benefit of lessons learned including recently in Cumbria, Somerset, Buckinghamshire and Yorkshire.
- 5.2 The overarching risk of insufficient funding for local government and the inexorable rise in statutory demand led services including children's and adults' social care, services for people with special educational needs and disabilities and housing and consequent risk to funding for all other services remains. The proposed Interim Submission highlights some of these challenges and others that are unique to Kent arising from the channel ports and unaccompanied asylum-seeking children. Development of Kent's final proposition gives an opportunity to put forward innovation to help manage these challenges.
- 5.3 Notwithstanding the risks arising from the current operational environment for local government and reorganisation in this context – the risks associated with making an interim submission are low. The submission will enable the county to get feedback and understand how best to satisfy the government's requirements while endeavouring to use local knowledge to do the best for Kent's communities.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 There has been extensive consultation with the Leaders of the 14 Kent councils in preparation of the Interim Submission for Local Government Reorganisation set out in Appendices B and C. There has been some initial engagement with partners across the public, education and voluntary sectors.
- 6.2 In advance of PAC and cabinet there will have been two MBC all members briefings, the first on 6th January 2025 and the second on 17th March 2025. The Leader and Chief Executive have ensured that Group Leaders have been briefed regularly since January by means of a fortnightly meeting on the topic of LGR. Feedback has informed MBC's contribution to the Kent wide debate.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

7.1 The intention is for an Interim Plan Submission to be made to MHCLG concerning Kent's current position on preparing for LGR by the deadline of 21st March 2025. Subsequent action will be dependent on feedback. This will be communicated once it has been received.

8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A: Letter of 5th February from the Minister for Local Government and English Devolution
 - Appendix B: Kent Interim Plan for Local Government Reorganisation
 - Appendix C: Supplementary Submission
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