



Ministry of Housing,
Communities &
Local Government

Summary of the Local Government Reorganisation Process

The Local Government and Public Involvement in Health Act 2007 (the 2007 Act) provides the statutory process for making structural changes to councils. This document explains how this process works with specific reference to the current invitation to all councils in two-tier areas and small neighbouring unitary authorities to develop proposals for unitary local government. Broadly, the stages are:

1. **Stage one: Inviting unitary proposals.** [Invitations](#) went to the 21 two-tier areas and their neighbouring small unitary authorities and included statutory guidance pursuant to the 2007 Act, specifying criteria for establishing new unitary authorities and matters that should be taken into account. Councils must have regard to the criteria and guidance, including the specified deadline for proposals.
2. **Stage two: Submission of formal unitary proposals.** As specified in the invitation, each council can only make one formal proposal for unitary local government, and a proposal can either be submitted individually by a council or jointly with other councils that were invited. To meet the terms of the invitation, the proposal must be for the whole of the area concerned and provide the information requested in the invitation. The Secretary of State can decide to take forward proposals that are submitted by areas with or without modification. If councils within an area cannot agree on a single proposal and want to submit separate proposals, our preference is for these to be submitted together, as a single submission for the area, which includes all proposals being put forward by councils, and is supported by a shared evidence base used by all proposals. This ensures all proposals are underpinned by the same robust evidence and analysis.
3. **Stage three: Statutory consultation.** The Government will carry out a statutory consultation in accordance with the requirements of the legislation, which is that the Secretary of State must first consult any council affected that has not submitted the proposal, as well as any other persons considered appropriate, before a proposal can be implemented. For Surrey, where proposals have already been submitted, the statutory consultation is published and accessible on gov.uk, alongside a list of the statutory consultees for that area and links to the proposals. The consultation is also clear that the views of any persons or bodies interested in these proposals are welcome.

4. **Stage four: Decision to implement a proposal.** Once a statutory consultation is concluded, Ministers will decide, subject to Parliamentary approval, which, if any, proposal is to be implemented, with or without modification. In taking these decisions, Ministers will judge proposals in the round against the criteria. In making a decision, Ministers will have regard to all the representations that were received, including the consultation responses, and any other relevant information available to Ministers. The decision taken by Ministers will be subject to collective agreement across Government.

5. **Stage five: Making secondary legislation – the Structural Changes Order (SCO).** Once a decision is taken on which proposal to implement, the Department will prepare the necessary legislation (the SCO) for Parliamentary approval. The SCO establishes the new single tier of local government in the relevant area and makes provision to abolish the predecessor councils. It will replace any currently planned elections with new elections for the new councils with appropriate wards/divisions for these new elections, amend the terms of office of current councillors as required, and give any preparatory functions needed. This means, for example, any councillors elected in local elections in May 2026 will be elected for a normal term but, if the council is abolished during that term through the reorganisation process, their terms would be reduced in this legislation. The Department will work with the current councils during the preparation of the legislation, seeking input on specific matters which might include names of the new councils, transitional arrangements and electoral arrangements:
 - a. **The Order:** will specify arrangements for the first elections for the new unitary council/s, councillor numbers, the functions the new council has in the transition period and establish suitable governance arrangements for the transition period before new councils go live, by giving powers to the relevant executive or joint committee overseeing the transition. The Order is subject to the affirmative procedure and usually takes six to nine months to prepare and take through Parliament, depending on the complexity of the Order, provision of necessary information by the councils and recess periods.
 - b. **Elections:** Typically, the first elections to new unitary councils take place on electoral arrangements specified in the SCO, and which are built using a mixture of existing wards, divisions or, in some cases, parishes. The names of wards/divisions and the numbers of councillors to be elected are also specified in the legislation. After the first elections, it is usual for the LGBCE to undertake an electoral review to put in place longer-term arrangements. A councillor can stand in elections for the new unitary authority at the same time as serving their term in the existing council. If elected to the new unitary council, this will be for a new term as set out in the SCO. They can simultaneously serve out the remainder of their term as a councillor for the existing local authority until such time as the existing local authority is abolished – this may be a reduced term, or in some cases their term may be extended to provide for the transition.

- c. **Transition period arrangements:** The SCO will specify the governance arrangements for the new unitary councils in the transition period i.e. what sort of transition body will be in place during the transition period until predecessor councils are abolished and new unitary councils go live.
6. **Stage six: Transition period:** Once the SCO has been made, the existing councils carry on delivering services and fulfilling their duties until vesting day, while preparing to transfer all assets, functions and staff on vesting day when the predecessor councils are dissolved and the new unitary authority takes on the legal duties and powers for providing local government to the area. The relevant transition body will focus on getting ready for the go-live day for the new unitary authority and will be responsible for taking any decisions relating to the preparation for new unitary authority to be safe and legal on day one. MHCLG will require an Implementation Plan from the relevant transition body, which will set out what steps and decisions the body needs to take in order for the new unitary council to be ready for vesting day.

Key implementation issues likely to be included in the Implementation Plan include council tax harmonisation and preparing for the aggregation (and potentially disaggregation) of services. Generally applicable regulations are in force that provide a framework for implementation matters, including financial issues such as council tax harmonisation, staffing, disputes and continuity between existing and new councils. Additional secondary legislation will likely be necessary during this period, known as 'mop up' legislation, to make any area specific amendments in legislation that are identified in the implementation due diligence process as areas prepare for vesting day. This could include amending board memberships, pensions legislation, setting a new Housing Revenue Account and ceremonial arrangements. During the transition period, the Minister can also decide to direct the new authority to give them a role in decision taking in the predecessor councils (a section 24 direction).

7. **Stage seven: New unitary authority goes live.** This is vesting day. While preparatory work may start with the development of proposals and continue through the process, a minimum of around a year is allowed to enable safe and legal transfer of key services from the point the legislation is made, to when the new unitary council/s goes live. Elections to the new unitary councils, in the transition year ahead of vesting day, aid a safe and legal transition by ensuring those who will be responsible for governing the new authority/ies are accountable for decisions on transition arrangements. We are aiming for new authorities to go live on 1 April 2027 (for Surrey) and 1 April 2028 (for other areas) depending on the proposals received – 1 April start dates are necessary for financial arrangements.

Timetable

8. An indicative timetable for Local Government Reorganisation is as follows. This is subject to a number of external factors. The Government remains committed to ending two-tier local government in England in this Parliament, and to move to new structures as soon as practicable.
9. For Surrey, we anticipate that a decision on which proposal to implement could be announced after the House returns from the Conference Recess in October. This would allow the necessary secondary legislation to be finalised in the autumn, so as to be laid in the House in the New Year, and then made in March, subject to Parliamentary approval. This would allow for elections to the new unitary authorities on 7 May 2026, and for those elections to be the only elections in Surrey. The new authorities would then go live on 1 April 2027.
10. For the six areas in the Devolution Priority Programme, we anticipate that following final proposals being submitted at the end of September, a consultation could be launched in November, to close in the New Year. Following this, decisions on which proposal to implement could be announced by March, before the period of sensitivity for the May local elections. Secondary legislation would then be prepared, to be laid in the House, ideally before the summer recess. The legislation could then be made in the autumn, subject to Parliamentary approval. This would allow for elections to the new unitary authorities on 6 May 2027. The new authorities would then go live on 1 April 2028.
11. For the remaining 14 areas, we anticipate that following final proposals being submitted at the end of November, a consultation could be launched in the New Year, and it would likely close after the local elections in May. Following this, decisions on which proposal to implement could be announced before the summer recess. Secondary legislation would then be prepared, to be laid in the House after the summer recess. The legislation could then be made, subject to Parliamentary approval. This would allow for elections to the new unitary authorities on 6 May 2027. The new authorities would then go live on 1 April 2028.