

**Report to:** Cabinet

**Date of meeting:** 24 September 2025

**By:** Chief Executive

**Title:** Local Government Reorganisation: Proposal for a single tier of local government across East Sussex

**Purpose:** To seek Cabinet approval of the full proposal for a single tier of local government in East Sussex following discussion at Full Council, prior to submission to Government by 26 September 2025

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## **RECOMMENDATIONS**

Cabinet is recommended to:

- 1) Consider the business case setting out the proposal for a single unitary council for East Sussex, based on a Continuing Authority model, (Appendix 1) and approve its submission to Government by 26 September 2025.**
- 2) Agree to request Government to cancel or postpone the county council elections scheduled to be held in May 2026.**
- 3) Delegate to the Chief Executive, in consultation with the Leader of the Council, authority to finalise and submit the business case setting out the proposal and a covering letter formally requesting the cancellation or postponement of the county elections and for the County Council to have Continuing Authority status; and**
- 4) Note the next steps in the process.**

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## **1. Background**

1.1 In December 2024 the Government published its English Devolution White Paper which, alongside setting out Government's ambitions in relation to devolution, announced a programme of local government reorganisation (LGR) for two-tier council areas and some existing unitary councils. Following the publication of the White Paper, Sussex and Brighton (covering the areas of East Sussex, West Sussex, and Brighton & Hove), alongside five other areas nationally, were approved to be part of the Devolution Priority Programme (DPP). The DPP programme enabled these areas to fast-track their plans for the creation of new Mayoral Strategic Authorities and for LGR.

1.2 On 5 February 2025 the Minister of State for Local Government and English Devolution wrote to all District, Borough and County Councils in two-tier areas and some unitary councils issuing a statutory invitation for proposals for a single tier of government within their respective areas. The area that our invitation related to was the County of East Sussex (which includes Brighton and Hove City Council). The Interim Plan submitted to Government in March 2025 set out the East Sussex proposal for a single unitary council on the existing County Council boundary, whilst remaining open to other options should the Government indicate flexibility in the criteria, or if residents demonstrated a clear desire for us to consider an alternative configuration.

1.3 Those areas included in the DPP were required to work collaboratively to submit to Government, by 26 September 2025, proposals for the creation of unitary councils in their area. If accepted, elections to what will become the new unitary authority would be held in May 2027 to enable the transition to vesting day on 1 April 2028. Alongside the LGR work, the new Mayoral Combined County Authority will be created in February 2026 with elections for a Mayor taking place in May 2026.

1.4 The East Sussex District, Borough and County Council Leaders and Chief Executives meet regularly to oversee the LGR process, provide strategic direction, and ensure that work is co-ordinated. The principles of our agreed shared approach are:

- 1) This is a joint endeavour in which all Councils have a shared ambition to work collaboratively to co-design the new unitary authority, whilst acknowledging and respecting the corporate roles, responsibilities and risks of the current authorities.
- 2) We will work together to deliver proposals which are in the best interests of the whole area.
- 3) We will be evidence led.
- 4) We will learn from others' experiences of Local Government Reorganisation and Devolution.
- 5) Decisions made by all sovereign bodies until vesting day will have the interests of the future Council as an explicit consideration.
- 6) There will be full transparency over resources including transition funding and agreed allocations reflecting costs incurred.
- 7) There is a commitment to appropriate levels for decision making, engagement and local member roles including in non-parished areas.
- 8) There is a commitment to robust scrutiny arrangements in transition/formation and beyond.
- 9) A comprehensive workforce plan to provide maximum stability is to be created as a priority.

1.5 'One East Sussex', the business case setting out the proposal for a single tier of Local Government for East Sussex as a unitary council on the current footprint of the county council (Appendix 1), with Brighton and Hove City Council remaining unchanged, is underpinned by a clear evidence base. It is the only option for LGR in East Sussex that:

- Aligns with existing service delivery footprints (e.g. social care, education, public health).
- Minimises disruption to statutory services and partnerships.
- Builds on established collaboration across the six councils.
- Meets the government's population guidance and maintains a coherent geographic identity.
- Creates operational savings and avoids the substantial costs of disaggregation.

For these reasons 'One East Sussex' is the option proposed for submission to Government. The business case (Appendix 1) provides detail of the evidence base and modelling of other options. This modelling includes a two unitary option on the county footprint, which, as set out in the business case, was found to be significantly more costly due to disaggregation costs and is therefore not supported.

1.6 The proposal has been discussed by the East Sussex County Council (ESCC) Devolution and LGR Member Reference Group (11 September) and Full Council (24 September) and has been considered by the Leader as Lead Member for Strategic Management and Economic Development (15 September). Views of the Devolution and LGR Member Reference Group are set out at Appendix 2. The proposal is also being considered and discussed by all East Sussex district and borough councils throughout September.

1.7 There has been some engagement with Brighton & Hove City Council (BHCC) as proposals have been developed. BHCC consulted in August with their residents on 4 possible options to extend BHCC's boundary to include parts of the county in Lewes District. At the time of preparing this report we are not aware of whether BHCC will be submitting a proposal to move the boundary or indeed whether they will propose a model for the whole of Sussex as suggested in their interim plan. Having evaluated the potential impact, all the options moving communities in Lewes District into Brighton and Hove are strongly opposed by the East Sussex councils. An update on the latest position will be reported at the meeting.

## **2. Development of the Proposal**

2.1 The statutory invitation was issued to all the principal authorities in the County of East Sussex and therefore included BHCC. Government has expressed an expectation that one proposal is jointly submitted by all councils in the area of East Sussex. This issue is covered in the proposal.

2.2 In responding to the invitation to develop a proposal for LGR, the councils have had due regard to guidance from the Secretary of State as to what the proposal should seek to achieve and matters that should be taken into account in formulating a proposal.

2.3 LGR capacity funding from Government has been utilised to pay for external consultants to work with the six councils to deliver an evidence-led business case that follows Government criteria and guidance, and takes account of the outcomes from resident and stakeholder engagement, financial analysis, and the economic case for change. Consultants Roretti were jointly appointed by the six councils.

2.4 As part of the business case development the benefits, risks, costs and feasibility of a single East Sussex unitary council have been evaluated alongside other options, including BHCC consultation proposals. The business case recognises the importance of continuing to provide key services while the changes are being developed and implemented and clearly details how the six criteria set by government will be met. New authorities must:

- i. Be a single tier of local government for the whole of the area concerned.
- ii. Be the right size to achieve efficiencies, improve capacity and withstand financial shocks.
- iii. Prioritise the delivery of high quality and sustainable public services
- iv. Show how councils have sought to work together in coming to a view that meets local needs and is informed by local views.
- v. Support devolution arrangements.
- vi. Enable stronger community engagement and deliver genuine opportunity for neighbourhood empowerment.

### **Engagement**

2.5 Extensive engagement formed a key part of the process to ensure that local residents and other stakeholders views have been fully considered in the development of the proposals. This was undertaken using surveys (online and in paper form), focus groups and other face to face engagement opportunities. A significant number of key stakeholder groups, including all town and parish councils and other local public sector organisations, were also approached directly to respond to the survey. To add qualitative feedback a focus group was held in each of the five district and borough areas. This provided further, in-depth feedback from residents to inform the report. The councils each sought to determine whether there was sufficient support from local people and other partners / stakeholders to endorse the proposals under consideration.

2.6 Care was taken to involve as many groups and communities as possible given the timescales for business case submission, including local focus groups across East Sussex and countywide User Voice Groups. It should be noted that this will not be the only opportunity for engagement – there will be further detailed and meaningful engagement with residents and stakeholders beyond the submission of the proposal which will help shape the proposed new authority.

2.7 In light of BHCC's consultation activity in August, which was notified just before launch, a specific additional consultation exercise has been undertaken by Lewes District Council (LDC) and ESCC. This was carried out to seek the views of local residents about the options for expansion being suggested by BHCC.

2.8 The survey attracted 7,472 responses, with 86 per cent preferring no changes to the current boundaries of Lewes District, increasing to 89 per cent in the areas directly affected by the proposals. Strong representations for remaining in East Sussex have been made by the town and parish councils in the areas identified for BHCC expansion, on the grounds that no credible evidence had been produced to demonstrate that residents and businesses of those areas would be better off as part of a new geography than continuing to work within existing networks and partnerships.

2.9 Letters have been received from local MPs with their views that the county of East Sussex should remain whole, supporting a countywide unitary authority for reasons of size, cost, sustainability and community identity, and noting that this is the option that makes sense geographically, socially and politically.

### Working Groups

2.10 Officer working groups with representation from each of the six councils have assisted in ensuring the work was delivered within the very tight timescales required by central Government. Post-submission the working groups will shift their focus to preparing for transition. This will be on a tentative basis until Government feedback on the proposal has been received. Current working groups are finance, democratic services, assets, communication & engagement, and HR. Further groups will be set up as needed.

## **3. Next steps in the process**

3.1 Following submission of our proposal, the Government is expected (as has been the case recently with councils in Surrey) to undertake its own statutory consultation exercise. Following the statutory consultation, the Secretary of State may seek advice from the Local Government Boundary Commission for England and may decide to implement a proposal with or without modification, or to not implement any proposal for the area.

3.2 Following the announcement of government's decision, which is anticipated to be in March 2026, the process of dissolving councils and establishing new unitary councils will begin with the laying of a structural change order (made under the Local Government and Public Involvement in Health Act 2007) before parliament.

3.3 Assuming the proposals are to be implemented, the new unitary council would be expected to take on full council roles from 1 April 2028, with the transitional arrangements to be confirmed ahead of this once secondary legislation comes into force to enable this. Elections would be held in May 2027.

3.4 The Government postponed the May 2025 elections in a number of county areas (including East Sussex) in February 2025 to help manage demands. If the proposal is accepted by Government it would mean that elections to what will become the new authority will take place in May 2027 ahead of vesting day in April 2028. Given these circumstances, rather than conducting an election in May 2026 for Councillors who would in effect serve terms of less than one year, followed by another election in May 2027 for a substantially restructured Council of 100 members, it is recommended that the Government be formally requested to cancel the 2026 election. While it is recognised that postponing the election is a significant decision and should not be undertaken lightly, the justification for last year's postponement is even more pertinent to the 2026 elections. This is due to factors such as cost (which although reduced due to the Mayoral election taking place at the same time would still be significant), the demand on limited resources, the imminent transition of the Council to a new authority, and the logistical challenges of inducting new councillors who would soon face re-election, with a notice of election expected roughly ten months after they assume office.

3.5 Elections in Hastings Borough Council are also scheduled for 2026, and bearing in mind that this organisation will cease to exist in 2028 when it transitions into the new unitary it is recommended that support be given to any decision by HBC to request that their elections are cancelled.

3.6 The implication of LGR is that ESCC in its current form will not exist from 1 April 2028 (vesting day). The Government's expectation for a new unitary council being formed on predominantly the same footprint as one of the predecessor councils is that the transition process is done through the continuing authority route. The One East Sussex proposal developed in partnership with the District and Borough Councils is predicated on the continuing authority model underpinned by strong agreement and determination from all councils that we are creating a new unitary council.

3.7 This approach requires transferring only District and Borough staff (about 2,500), contracts, and property, not the County Council's larger workforce, including school based staff

(about 10,000) or assets. This minimises disruption, uses fewer resources, and lowers risks involved in moving back office systems. While it reduces transactional complexity for creating the new unitary, there is a concern that it could be seen as a County Council takeover and limit potential reorganisation benefits. However, all six councils have committed to collaboration and partnership in the interim plan, which helps address these concerns and supports the avoidance of missed opportunities.

3.8 In the event that a continuing authority model is agreed by Government following its consultation, the main transition function is initially discharged by the Implementation Executive and transfers to the Council's Executive following the 2027 elections.

3.9 Following submission of the proposal on 26 September 2025, communication and public engagement will continue with updates for residents, media work and briefings for stakeholders. Later in the year, printed information will be shared in community spaces such as libraries, leisure centres, family hubs, town halls, and there will be an opportunity to join an online public briefing session. There will be a programme of staff engagement via forums and online.

3.10 Recent guidance from the Ministry of Housing, Communities and Local Government (MHCLG) included several advice notes on the LGR process and timeline, financial decisions before LGR, and partnership working in social care in new unitary councils. The Government is clear that existing councils must be cognisant that some decisions could fetter the future decisions of new councils and they should therefore act accordingly. Examples of such decisions given in the advice notes are:

- sale and purchase of significant assets,
- transfer of local assets,
- entering into new contracts for service delivery including IT procurement,
- major organisational restructures and changes to staff terms and conditions,
- establishing companies,
- undertaking job evaluation,
- permanent appointments to senior positions,
- changes to unplanned borrowing and the spending of reserves,
- major changes to arrangements such as the local council tax support scheme and council tax exemption scheme.

3.11 The County Council is ensuring, in the way it operates, adherence to this guidance.

3.12 All of the East Sussex councils have responsibilities under the Equality Act 2010. Any change in how public services are delivered will have the biggest impact on those most reliant on them, who are often among the most vulnerable people in society and include people sharing one or more of the legally protected characteristics. If the proposal for the establishment of a single unitary council is accepted by Government, detailed implementation plans will be created. Equality impact assessments of these will set out both how the new council will continue to ensure it fulfils its legal requirements in relation to equality, diversity and inclusion, and will also include assessments of how each of the detailed plans are likely to impact people sharing different protected characteristics. There are potential equality and inclusion benefits and challenges in relation to this proposal, but at this stage with so much uncertainty over funding, structures, process and practical implications, it is not possible to assess specific impacts with confidence, nor to define appropriate mitigating actions. However, there are a range of issues (listed at Appendix 3) that the councils are aware of the need to consider.

## **4. Conclusion and reasons for recommendations**

4.1 In response to the Government's invitation for a single tier of local government, a proposal was developed with district and borough involvement. The six councils collaborated to create an evidence-based business case based on resident and stakeholder feedback, financial analysis, and economic considerations. This report summarises the development and recommends, for the reasons set out above and in the appendices, the proposal for a single-tier government in East Sussex.

4.2 Should the proposal and suggested timetable be accepted by Government with an election anticipated in 2027 it is recommended that the election in 2026 be cancelled due to cost, resource constraints, the upcoming transition to a new authority, and the short term that new councillors would serve before re-election.

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Local Members

All

Background Documents

- Letter from Minister of State for Local Government and English Devolution to East Sussex Council Leaders 5 February 2025 - [Letter: East Sussex and Brighton - GOV.UK](#)
- Interim Plan submitted to government 21 March 2025 - [East Sussex LGR Interim Plan](#)
- Letter from Minister of State for Local Government and English Devolution 24 July 2025 - [Local government reorganisation: letter to areas invited to submit final proposals - GOV.UK](#)