



PLEASE NOTE THAT PRAYERS WILL BE HELD AT 4.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.

THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE BY NO LATER THAN 4.45PM.

Dear Sir/Madam,

You are summoned to attend a Special Meeting of the Borough Council of Newcastle-under-Lyme to be held in the **Queen Elizabeth II & Astley Rooms - Castle House, Barracks Road, Newcastle, Staffs. ST5 1BL** on **Wednesday, 2nd September, 2026** at **5.00 pm**.

B U S I N E S S

1 APOLOGIES

2 DECLARATIONS OF INTEREST

To receive declarations of interest from Members on items contained within this agenda.

3 LOCAL GOVERNMENT REORGANISATION

(Pages 3 - 10)

Yours faithfully

Chief Executive

NOTICE FOR COUNCILLORS

1. Fire/Bomb Alerts

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs.

Fire exits are to be found at the side of the room leading into Queens Gardens.

On exiting the building Members, Officers and the Public must assemble at the statue of Queen Victoria. DO NOT re-enter the building until advised to by the Controlling Officer.

2. Mobile Phones

Please switch off all mobile phones before entering the Council Chamber.

3. Notice of Motion

A Notice of Motion other than those listed in Procedure Rule 14 must reach the Chief Executive ten clear days before the relevant Meeting of the Council. Further information on Notices of Motion can be found in Section B5, Rule 4 of the Constitution of the Council.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

To: The Worshipful the Mayor of the Borough of Newcastle-under-Lyme
Cc: Monitoring Officer & Chief Executive

Request for a Special Meeting of the Council pursuant to Constitution B4, Procedure Rule 2.4

We, the undersigned Members of Newcastle-under-Lyme Borough Council, being not fewer than five Members, formally request that the Mayor convenes a Special Meeting of the Council to consider the Council's response to the Ministerial announcement of 16th July, relating to Local Government Reorganisation.

Reasons for urgency

The announcement by the Labour Government regarding Local Government Reorganisation in Staffordshire will fundamentally alter or extinguish the Borough Council as a separate authority and transfer its powers, assets, liabilities, staff and democratic mandate into a successor authority.

Such a decision would represent an existential change to the future of local government in Newcastle-under-Lyme and would have profound implications for local representation, service delivery, governance, finance and the identity of the Borough.

It is essential that all elected Members are afforded the earliest opportunity to debate the implications of any Government decision in a public Council meeting, to express the views of their constituents, and to determine the Council's response.

The next ordinary meeting of Council is not scheduled until 30th September 2026. Waiting until that date would risk prejudicing the Council's ability to respond to any Government announcement, to obtain timely legal advice, and to preserve any legal remedies available to the authority. Judicial review proceedings are subject to strict and short timescales and any delay could materially affect the Council's position.

In these exceptional circumstances, we submit that the matter cannot reasonably await the next scheduled meeting of Council and therefore warrants the calling of a Special Meeting.

Signed:

Andy Fear	
Mark Holland	
Simon Tagg	
Sue Beeston	
Joan Whieldon	

Motion to the Special Council Meeting

Council Response to Local Government Reorganisation Proposals Affecting Newcastle-under-Lyme

Council notes that:

1. The Labour Government's programme of Local Government Reorganisation will result in the abolition of Newcastle-under-Lyme Borough Council and its incorporation within a larger unitary authority.
2. Such proposals would have far-reaching implications for local democracy, community identity, financial resilience, service delivery and local accountability.
3. A number of local authorities elsewhere in England have already pursued or considered judicial review proceedings in relation to Local Government Reorganisation decisions where concerns have arisen regarding the lawfulness of decision-making processes, the adequacy of consultation, the reasoning for decisions, financial assessments, or compliance with statutory requirements.
4. Judicial review claims must be brought promptly and are subject to strict legal deadlines.

Council further notes:

1. That no decision has yet been taken by Newcastle-under-Lyme Borough Council regarding any legal challenge.
2. That it is essential that Members receive independent legal advice on all available options before determining the Council's response to any Government decision.

Council therefore resolves:

1. To instruct the Chief Executive and Monitoring Officer, in consultation with Group Leaders, to obtain urgent independent counsel and specialist local government legal advice on:
 - the lawfulness of any Local Government Reorganisation decision affecting Newcastle-under-Lyme;
 - the prospects of a judicial review or other legal challenge;
 - the likely costs, risks and benefits of such proceedings;
 - any relevant procedural deadlines.
2. To authorise the Monitoring Officer to take all necessary protective procedural steps to preserve the Council's legal position pending consideration of that advice.
3. That the legal advice, together with recommendations, be reported to Members at the earliest practicable opportunity.

4. To authorise the Chief Executive and Monitoring Officer to open urgent discussions with Staffordshire County Council and any other affected local authorities regarding potential joint legal action, including the possibility of participating in, supporting, or joining any judicial review proceedings relating to Local Government Reorganisation affecting Staffordshire.
5. That the Chief Executive & Leader of the Council write to the Secretary of State seeking full disclosure of the reasons, evidence and assessment underpinning any decision affecting Newcastle-under-Lyme Borough Council.
6. That this Council reaffirms its commitment to protecting effective local representation and ensuring that any reorganisation affecting Newcastle-under-Lyme is lawful, evidence-based and in the best interests of residents.

Proposed: Simon Tagg

Seconded: Mark Holland

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Council notes that:

- i. On 16 July 2026, four days before the change of Prime Minister and Secretary of State for Housing, Communities and Local Government, the Labour Government announced its decision, subject to the necessary legislation and parliamentary approval, to reorganise local government in Staffordshire and Stoke-on-Trent into two new unitary authorities, including a North Staffordshire authority comprising Newcastle-under-Lyme, Stoke-on-Trent and Staffordshire Moorlands. This will result in the abolition of Newcastle-under-Lyme Borough Council as a separate local authority and has far-reaching implications for local democracy, community identity, financial resilience, service delivery and local accountability.
- ii. In a statement made to the House of Commons on 16 July 2026, the Labour Member of Parliament for Newcastle-under-Lyme, Adam Jogee MP, said of his government's decision: *"The announcement today and the proposals in it are completely unacceptable. I reject them in the strongest terms ... It is utterly unacceptable and a disgrace..."*
- iii. In the same statement, another Labour Member of Parliament representing part of Newcastle-under-Lyme Borough, David Williams MP, signalled his support for Local Government Reorganisation by saying: *"...Can the Secretary of State please outline, in simple terms, how reorganising our local councils will benefit residents across Stoke-on-Trent North and Kidsgrove..."*
- iv. The third Labour Member of Parliament representing part of Newcastle-under-Lyme Borough, Leigh Ingham MP, has made no public statement regarding the abolition of Newcastle-under-Lyme Borough Council.
- v. Since taking office, the Prime Minister, the Rt Hon Andy Burnham MP, has continued to pursue a wider programme of devolution and local government reform. On 11 August 2026, it was reported that, in response to media questioning, the Prime Minister had expressed his support for Local Government Reorganisation, saying: *"It's obviously a change that's about improving the effectiveness of local councils and consolidating their resources... It is a nettle, I would say, that's got to be grasped..."*
- vi. Following reports concerning the Prime Minister's position on Local Government Reorganisation, the Leader of the Council issued a public statement on 14 August 2026, having previously written to both the Prime Minister on and the Secretary of State for Housing, Communities and Local Government, the Rt Hon Angela Rayner MP, on 22 July 2026 setting out the Council's objection to the decision and seeking direct engagement with the Government.
- vii. A number of local authorities elsewhere in England have pursued or considered judicial review proceedings in relation to Local Government Reorganisation decisions where concerns have arisen regarding the lawfulness of decision-making processes, the adequacy of consultation, the reasoning underpinning decisions, financial assessments or compliance with statutory requirements. Any

application for judicial review must be brought promptly and is subject to strict legal deadlines.

Council further notes:

- i. That, immediately following the Government's decision, the Leader of the Council requested on 20 July 2026 that urgent independent specialist legal advice from King's Counsel be obtained regarding the Council's position and the potential for legal challenge.
- ii. That the Monitoring Officer formally instructed independent King's Counsel on 24 July 2026 and that this advice had been commissioned before this Special Meeting.
- iii. That independent King's Counsel's advice has now been received and a briefing of this advice has been arranged for Members for the purposes of considering the Council's position at this meeting.
- iv. That Council notes the advice of independent King's Counsel, that further information should be sought from the Secretary of State about the details behind the decision.
- v. That pursuing legal proceedings to judicial review could expose the council to a potential six figure sum in its own legal costs, which does not include any costs incurred by the Government or other parties which the Council could potentially be ordered to pay should proceedings be unsuccessful.
- vi. That any decision concerning legal proceedings must therefore take proper account both of the Council's duty to protect the interests of Newcastle-under-Lyme and of its responsibility to safeguard public money and frontline services.

Council therefore resolves:

- i. To endorse the action already taken by the Leader, Chief Executive and Monitoring Officer to obtain urgent independent King's Counsel and specialist local government legal advice concerning:
 - a. the lawfulness of the Local Government Reorganisation decision affecting Newcastle-under-Lyme;
 - b. the prospects of a judicial review or other legal challenge;
 - c. the likely costs, risks and benefits of such proceedings; and
 - d. any relevant procedural deadlines.
- ii. To authorise the Monitoring Officer in her role as solicitor to continue to take all necessary and proportionate protective procedural steps to preserve the Council's legal position following consideration of that advice.
- iii. To note that the independent legal advice requested has now been received and considered by Members at this Special Meeting, and to require any subsequent

or supplementary legal advice and recommendations relevant to the Council's position to be reported to Members at the earliest practicable opportunity, subject to the preservation of legal professional privilege where appropriate.

- iv. To endorse any discussions already commenced by the Chief Executive and Monitoring Officer with Staffordshire County Council and other affected local authorities concerning potential joint legal action, and to authorise those discussions to continue, including consideration of the possibility of participating in, supporting, joining or otherwise engaging with any judicial review proceedings relating to Local Government Reorganisation affecting Staffordshire, where consistent with the independent legal advice received and the interests of the Council.
- v. To note the correspondence already sent by the Leader of the Council to the Prime Minister and the Secretary of State for Housing, Communities and Local Government and to authorise the Chief Executive and Leader of the Council to continue to seek from Government full disclosure of the reasons, evidence and assessments underpinning the decision affecting Newcastle-under-Lyme Borough Council, and responses to the specific financial, service and governance concerns raised by the Council.
- vi. That this Council reaffirms its commitment to protecting effective local representation and ensuring that any reorganisation affecting Newcastle-under-Lyme is lawful, evidence-based and in the best interests of residents.

Proposed by Cllr Jonathan Gullis

Seconded by Cllr Graham Shaw

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