

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