

REPORT TO COUNCIL

Date of Meeting: Council 13 January 2026

Report of: Chief Executive

Title: Response to the Secretary of State's Letter regarding Local Elections in 2026

Is this a Key Decision?

No

Is this an Executive or Council Function?

The decision on holding elections lies with the government.

1. What is the report about?

- 1.1 The report asks Members to consider the invitation from Alison McGovern MP, Minister of State for Local Government and Homelessness, dated 18 December 2025, to the Leader of the Council, to make representations concerning the postponement of the 2026 local elections. The invitation letter can be found at Appendix A. A key excerpt is:

I am therefore inviting you, by midnight on Thursday 15 January, to set out your views on the postponement of your local election and if you consider this could release essential capacity to deliver local government reorganisation in your area and so allow reorganisation to progress effectively. For those who have already made their views known, we will be taking these into account.

2. Recommendations:

- 2.1 That Council notes the letter from the Secretary of State dated 18 December 2025 and considers its content.
- 2.2 That having heard the views of Members, the Leader responds to the Minister of State by 15 January 2026 on whether or not to request postponement of the local elections scheduled for May 2026.

3. Reasons for the recommendation:

- 3.1 Local councillors elected in May 2026 would serve for only two years before their role was abolished and the new authorities are established.
- 3.2 There is a risk that the Government consultation on LGR proposals may coincide with the pre-election period. This would potentially limit the council's ability to engage with communities about the LGR process.
- 3.3 Postponing the local election in 2026 would release staff diverted to run and support the elections process and, in particular, financial resources which could be applied to focus on the work required to prepare for the transition to new unitary councils. This includes, for example, work on governance, service design, budgets, workforce changes and data and technology as set out in Section 4.4 of this report.

4. What are the resource implications including non-financial resources:

4.1 The table below summarises the costs and resources required to deliver a local election. These costs do not account for the 5 FTE employees in the Elections Team. It should be noted that these costs are dependent on timescales and the laying of any Statutory Order in Parliament to postpone the elections.

Task	Target Date	Indicative saving if election is postponed
<u>Venues</u> The polling stations and count venue has been booked. 55 venues in total. The booking payments have not yet been made. Cancellation costs may be incurred.	Completed	£10,000 – not yet paid. Cancellation costs may be incurred.
<u>Staffing</u> There are approximately 450 roles needed to deliver a local election. This consists of polling staff, postal vote staff and count staff.	Recruitment process to start in mid-January 2026	£120,000
<u>Logistics</u> A logistics contractor is employed to assist with this and to work towards checking and repairing booths, placing orders for the hire of equipment, arranging schedules for delivery to polling stations and resourcing their additional staff. The cost of this is £30,000 and it is estimated that £10,000 would be payable if the elections were postponed.	Logistics arrangements agreed by mid-January	£20,000
<u>Publicity and Communications</u> Publicity and communications advising of forthcoming elections and the need to register to vote. This usually begins in late February 26.	Late February	Internal
<u>Printing</u> Poll cards, ballot papers and postal vote papers will need to be printed in advance. Arrangements will need to be made with the print providers. Proofs for poll cards and postal vote stationery will need to be finalised by early March 2026.	Proofs for poll cards finalised by early March 26	£15,000
<u>Postage</u> Poll cards and postal votes will need to be posted to electors.	Poll cards – w/c 23 March 26 Postal votes – 23 April 26	£100,000

4.2 The resources required to deliver an election equates to approximately 450 roles consisting of the polling station staff, count staff and postal vote staff. The cost of running the local election is approximately £265,000.

4.3 Based on what has happened in other areas, it is possible that the Statutory Order issued by the Government will also suspend by-elections. However, if there is a requirement to hold by-elections to replace any councillors that wish to stand down, the cost to hold a by-election will be approximately £20,000.

4.4 In preparation for the transition to the new unitary councils, guidance from the MHCLG, District Councils Network and learning from other unitary councils recommends that preparatory work starts immediately, ahead of any decision on the structure of local government in local areas in relation to the following:

- **Democracy and governance:** Developing the constitutions, establishing the leadership to steward the new organisations and running the elections for new councillors who will govern the new unitary councils. This also includes setting up shadow council arrangements as part of the transition.
- **Service design:** Developing the detailed future operating models that lay out how each service within each new authority will work.
- **Budgets and finance:** Apportioning the existing budgets to each new unitary in a fair and transparent way, as well as dealing with other key financial policies such as council tax harmonisation.
- **Workforce and organisational change:** Supporting the existing officer workforce with the changes and staff transfer to the new organisations. This will also entail other workforce considerations such as union engagement, staff consultation, redeployment issues, and culture and practice changes.
- **Data and technology:** Ensuring that all data we hold is accurate and complete, before it is safely transferred to the correct unitary. Managing the systems which hold this data and support service delivery falls within this element.
- **Procurement and contracts:** Identifying which contracts are novated to each unitary. This may involve contract variations and negotiations with suppliers, as well as preparation for decommissioning and re-procurement.
- **Partnerships:** Ensuring that the strong working relationships with partner organisations are maintained, as well as setting up new arrangements that align with both unitary aspirations and regional goals.
- **External delivery bodies:** Councils have set up a variety of delivery vehicles (arm's length companies and joint ventures) to support strategic objectives. We will need to work through decisions around the future of these vehicles and ownership of them.

4.5 This work will commence in January 2026; a meeting has been scheduled for Devon Chief Executives and MHCLG where expectations will be clarified.

4.6 Members should note that the work described in 4.4 makes no assumptions about the future structure of local government in Devon.

5. Section 151 Officer comments:

5.1 Postponing the 2026 local elections will avoid expenditure of approximately £265,000.

These funds would be available to be allocated to other projects (including LGR) or return to General Reserves.

6. What are the legal aspects?

- 6.1 Section 87 of the Local Government Act 2000 allows the Secretary of State to change the year of the electoral cycle when elections take place. In order to postpone or change the timing of a local election, the Secretary of State is required to make the change by way of secondary legislation.
- 6.2 In accordance with the letter issued by the Minister of State, the Secretary of State will evaluate any reasons put forward to postpone a local election and, if approved, a statutory instrument in the form of an Order will be made to reflect the Secretary of State's decision. There is precedent for this. Such an Order was made by the Secretary of State in 2025 in relation to a number of authorities where elections were suspended pending local government reorganisation and the transition to new unitary authorities. Similarly, elections were postponed between 2019 and 2022 under the previous Conservative government where councils were being abolished and new unitary authorities created.

7. Monitoring Officer's comments:

- 7.1 As Members will note, the Leader of the Council has received a request from the Minister of State inviting views on the postponement of the forthcoming local election and whether postponement '...could release essential capacity to deliver local government reorganisation...and so allow reorganisation to proceed effectively'. The letter goes on to state that where there are genuine concerns about capacity, then the Secretary of State will consider making an Order to postpone elections for one year.

8. Equality Act 2010 (The Act)

- 8.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:
 - eliminate discrimination, harassment, victimisation and any other prohibited conduct;
 - advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
 - foster good relations between people by tackling prejudice and promoting understanding.
- 8.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.
- 8.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.
- 8.4 In making the recommendations, no potential impact has been identified on people with protected characteristics as determined by the Act. The final decision will be made by the Secretary of State. Therefore, no equalities impact assessment is required. However, the

council acknowledges the potential for confusion if residents are not aware of or understand the reasons for a potential postponement and the mitigation for this will be to ensure clear communications with residents and voters.

9. Carbon Footprint (Environmental) Implications:

9.1 The way that an election is delivered is set out in statute. If it is decided to postpone the local elections there would not be a requirement for people to travel to and from polling stations, nor to print paper documents therefore there would be a lower carbon footprint.

10. Report details:

Background:

10.1 On the 26 November 2025, Exeter City Council Executive agreed the council's proposal for LGR Devon. Executive resolved to:

- i) agree the Draft Final Proposal for Local Government Reorganisation (LGR) in Devon;
- ii) support the creation of four proposed new unitary councils (the geographic details of which were outlined in the report) as follows:
 - a Unitary council for Exeter and surrounding parishes;
 - a Unitary council for Plymouth and surrounding parishes;
 - a Unitary council for Torbay and surrounding parishes; and
 - a Unitary council for the Devon Coast and Countryside.
- iii) agree to a Joint Submission with Plymouth City Council to present a shared Executive Summary with the two individual proposals as appendices. Members noted that Plymouth City Council supported this approach and their Cabinet agreed a similar recommendation at their meeting on 24 November 2025.
- iv) grant delegated authority to the Chief Executive, in consultation with the Leader, to make any further minor amendments to the LGR proposal prior to its submission to Government by 28 November 2025.

10.2 The council's final proposal for LGR in Devon was submitted to Government on 28 November 2025. This was submitted as a joint proposal with Plymouth City Council.

10.3 The Minister of State for Local Government and Homelessness then wrote to all Leaders of councils with elections in May 2026 where proposals for reorganisation have been submitted and decisions not yet taken.

10.4 The letter acknowledges that some councils have expressed concerns about their capacity to deliver a smooth and safe transition to new unitary councils, alongside running resource-intensive elections to councils who may shortly be abolished. The letter also acknowledges concerns expressed about the cost to taxpayers of holding elections to councils that are proposed shortly to be abolished.

10.5 The letter then goes on to invite, by midnight on Thursday 15 January 2026, councils to set out their views on the postponement of the local election and whether this could

release essential capacity to deliver local government reorganisation in their area to allow local government reorganisation to progress effectively.

11. How does this contribute to the council's Corporate Plan?

11.1 Consideration of the recommendation contained in this report will contribute to the council's priority of leading a well-run council.

12. What risks are there and how can they be reduced?

12.1 **Postponing elections could result in residents feeling disenfranchised by not being able to vote in May 2026.** This should be mitigated by clear communication to residents outlining if that is the view to be expressed to government, the reasons for the postponement and identified savings to be repurposed.

12.2 **Individual councillors may not wish to extend their current term beyond the usual four years and choose to resign.** By-elections will be held. If the Government decides to suspend by-elections, the council will seek advice on the procedure that will need to be followed.

12.3 **Senior officer capacity is overstretched because of critical LGR work in addition to business as usual.** Delaying elections would allow officers to focus on the next phase of LGR ensuring a smooth and successful transition to the new unitary authorities.

12.4 **Timing of the government consultation period on LGR may overlap with the beginning of the pre-election period which might impede the engagement process.** This should be mitigated by a clear communication strategy.

13. Are there any other options?

13.1 There is no recommendation for a decision in this report.

Bindu Arjoon, Chief Executive

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:

None

List of Appendices:

Appendix A: Letter dated 18 December 2025 from Alison McGovern MP, Minister of State for Local Government and Homelessness.