

A photograph of three people (two men and one woman) sitting around a table in a modern office or cafe at night. They are looking at laptops and talking. The background is dark with city lights visible through the windows. The word 'geldards' is written in white lowercase letters in the top right corner.

geldards

Geldards Public Sector: Local Government Reorganisation

5th August 2026

Linda Jones, Director of Law and Governance, Westmorland and Furness Council

Clare Hardy, Geldards

Agenda

- Local Government Reorganisation – Update
- Guidance
- Structural Changes Order
- Key Issues
- Insight into reorganisation in Cumbria

Local Government Reorganisation Invitation

- Criteria for proposals for reorganisation
- A proposal should seek to achieve for the whole of the area concerned the establishment of a single tier of local government.
- Unitary local government must be the right size to achieve efficiencies, improve capacity and withstand financial shocks.
- Unitary structures must prioritise the delivery of high quality and sustainable public services to citizens.

Local Government Reorganisation Invitation

- Proposals should show how councils in the area have sought to work together in coming to a view that meets local needs and is informed by local views.
- New unitary structures must support devolution arrangements.
- New unitary structures should enable stronger community engagement and deliver genuine opportunity for neighbourhood empowerment

Local Government Reorganisation Decisions

- Surrey – 11 councils replaced by 2 new unitary councils
– Established from 1 April 2027
- Essex, Southend-on-Sea and Thurrock – 5 new unitary councils
- Hampshire, Isle of Wight, Portsmouth and Southampton
– 5 new unitary councils
- Norfolk – 3 new unitary councils
- Suffolk – 3 new unitary councils

Local Government Reorganisation Decisions

– July 2026

- Gloucestershire -1 new unitary
- Derby and Derbyshire - 2 new unitaries
- Warwickshire - 2 new unitaries
- Worcestershire - 2 new unitaries
- Oxfordshire – 3 new unitaries
- Hertfordshire – 4 new unitaries

Local Government Reorganisation Decisions

– July 2026

- Leicester, Leicestershire and Rutland – 2 new unitaries
- Nottingham and Nottinghamshire – 2 new unitaries
- East Sussex and Brighton and Hove – 2 new unitaries
- Staffordshire and Stoke-on-Trent – 2 new unitaries
- Lancashire, Blackburn with Darwen and Blackpool – 4 new unitaries
- Kent and Medway – 4 new unitaries

Local Government Reorganisation Decisions

– July 2026

- Devon, Plymouth and Torbay – 4 new unitaries
- Lincolnshire, North Lincolnshire and North East Lincolnshire – 4 unitaries
- No decision announced on reorganisation for:
 - Cambridgeshire and Peterborough
 - West Sussex
 - Decisions expected by October 2026

Recent Guidance

- Sector support
 - [Local government reorganisation: guidance on sector support - GOV.UK](#)
- Staffing issues
 - [Local government reorganisation: staffing issues guidance - GOV.UK](#)
- Adult social care, public health and children's services
 - [Local government reorganisation: supporting adult social care, public health and children's services - GOV.UK](#)
- Local Government Pension Scheme administering authorities
 - [Local Government Pension Scheme administering authorities: local government reorganisation - GOV.UK](#)

Implementing local government reorganisation

– Key Legislation

- Local Government and Public Involvement in Health Act 2007
- Local Government (Structural Changes) Transfer of Functions, Property, Rights and Liabilities) Regulations 2008
- Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008

Implementing local government reorganisation

– Key Legislation

- Local Government (Structural Changes) (Finance) Regulations 2008
- Local Government (Structural Changes) (Transitional Arrangements) Regulations 2008

Structural Changes Order

- Made under section 7 Local Government and Public Involvement in Health Act 2007
- Implements proposals for local government reorganisation

Structural Changes Order - Contents

- Establishment of single tier of local government
 - New areas and councils
 - Abolition of existing local government areas and councils
- Electoral arrangements

Structural Changes Order - Contents

- Implementation
 - Additional function of existing councils: preparing for and facilitating the economic, effective, efficient and timely transfer to the new council, of their functions, property, rights and liabilities
 - Establishment of joint committee
 - Joint committee must prepare and keep under review an implementation plan
 - Joint committee must formulate proposals for code of conduct to be adopted by shadow authority

Structural Changes Order - Contents

- Implementation
 - Joint committee must formulate implementation team
 - Existing councils must consult and co-operate with one another and with the shadow authorities in order to secure the economic, effective, efficient and timely transfer of functions, property, rights and liabilities; and exercise their functions so as to further the purposes of the structural changes order

Structural Changes Order - Contents

- Shadow authorities
 - Must create shadow executives
 - Must adopt code of conduct
 - Must appoint head of paid service, monitoring officer and chief finance officer
 - Must formulate proposals for members allowances
 - Must keep implementation plan under review
 - Have other functions relating to preparation for assumption of full functions and powers

Key Issues

- Governance
 - Constitution
 - Ensuring all necessary decisions are taken
- Assets
- Employees
- Shared services
- Finance

Key Issues

- Information
- Litigation
- Branding and communication
- Culture



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Local Government Reorganisation

**Linda Jones Director of Law and Governance and Monitoring
Officer**

5th August 2026

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7 Councils in Cumbria, disaggregation of the County Council and aggregation of 6 Districts Councils and transfer the Cumbria Fire and Rescue Service to the Office of the Police, Fire and Crime Commissioner.

Programme Scope

The scope of the Local Government Reorganisation (LGR) programme was to replace the six District, City and Borough Councils (Carlisle City, Copeland District, Allerdale Borough, Barrow-in-Furness Borough, Eden District and South Lakeland District Councils) and Cumbria County Council with two unitary councils and transfer the Cumbria Fire and Rescue Service to the Office of the Police, Fire and Crime Commissioner.

All seven councils contributed to an implementation reserve of £18.9m to fund the programme.



The vision for LGR in Cumbria was to:

- Create two new unitary authorities that are able to operate safely and legally from Day 1 – April 1, 2023.
- Create conditions for the new organisations to transform and improve outcomes for residents, businesses, partners and the environment on a journey which is likely to take five to seven years.
- Create governance structures that enable the two new councils to raise ambitions and become more successful, so the economy is transformed and the opportunities and life chances of all residents are significantly improved.
- Create new ways of working that deliver local, responsive, accessible, high quality services efficiently and in collaboration with our communities and partners.



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Governance

Officer Governance

- The Programme was governed by a Programme Board which included all current Chief Executives and the Chief Fire Officer.
- The Theme Boards, the Day 1 Board and the Unitary Boards all fed in to the Programme Board, reporting by exception.
- A Day 1 Board managed the interdependencies across Themes and provided oversight of the whole programme.
- Unitary Boards for Cumberland Council and Westmorland and Furness Council and the Fire Programme Board focussed on organisation specific priorities and requirements.

Elected Member Governance

- Members from the previous Councils provided oversight through the Cumbria Leaders Oversight Forum.
- When elected, shadow authority members provided guidance and oversight through a joint Members Implementation Board.
- The unitary Councils held monthly Shadow Executive (Cumberland) and Shadow Authority (Westmorland and Furness) Cabinet meetings, focussing on council plans and budgets as well as programme performance.
- The programme was also monitored through regular sovereign Council and Shadow Authority Overview and Scrutiny Committees.

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Delivery Approach

- The programme was split into seven Thematic areas, each managed by a Theme Board.
- Within Themes, work was split between workstreams and captured in individual delivery plans.
- The programme initially identified over 2,500 Day 1 requirements. Following review and assessment to keep only requirements for the new authorities to be safe and legal, the number was reduced to 204.
- Completion of these requirements was broken down to 1,285 milestones over three levels and were achieved by over 4,700 actions.
- The overall programme was supported and managed by a dedicated PMO team, utilising automated reporting to enable daily tracking of progress against delivery plans, Day 1 requirements and milestones.



Table showing the number of Day 1 Requirements and Milestones by each of the 7 Theme Boards

Theme Board	Corporate and Enabling	Customer and Digital	Finance and Commercial	Fire	ICT	People	Place	Total
Day 1 reqs.	69	10	29	36	16	28	16	204
Milestones	330	47	75	90	583	93	67	1,285



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The timeline



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FROM MINISTERIAL DECISION TO DAY 1

1 year 9 months

Secretary of State's invitation of **9 October 2020** to submit proposals -In essence the Council had approximately 4 weeks to submit an Outline proposal and a further 4 weeks to submit a Full Proposal.

On **22 February 2021**, Ministers launched a consultation on all 4 proposals submitted. Opened 22 Feb 2021
Closed 19 Apr 2021.

21 July 2021 Minsters decision 2 Unitary Councils an East and West Unitary. **NB Judicial Review by Cumbria County Council.**

Draft structural changes Order laid in Parliament **24th January 2022** [Draft Cumbria \(Structural Changes\) Order 2022 - Hansard - UK Parliament](#) and that it will include provision for appropriate transitional arrangements, including for elections in May 2022 for the future unitary councils and for those councils to assume the full range of local authority responsibilities on 1 April 2023, when predecessor councils would be abolished. Order made 17th March 2022 and **came into force 18th March 2022** [The Cumbria \(Structural Changes\) Order 2022](#)
[1st March 2023 The Local Government \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2023 No. 187](#)

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FROM MINISTERIAL DECISION TO DAY 1

1 year 9 months

Consequential Order – Mopping Up Order

Section 24 Direction Local Government and Public Involvement in Health Act 2007

Joint Committees stood up within 14 days of the 18th March 2022 (**14 days of the order coming into force**)

Elections 5th May 2022 (33 wards and 65 members)

Shadow Authority and Year commenced 4 days after the elections, 9th May 2022 ending immediately before 1st April 2023

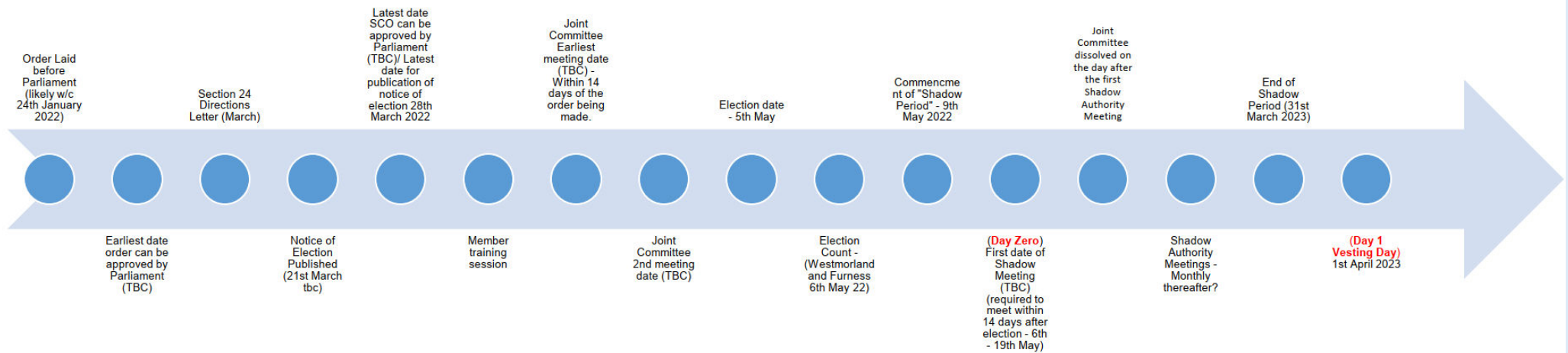
Day 1 Vesting Day – Westmorland and Furness 1st April 2023 and all sovereign councils abolished

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Timeline





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Pre Structural Changes Order – Get ready



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TIP 1 : PRE STRUCTURAL CHANGES ORDER

Provisional views will be sought from Councils on:

- Authority Names
 - Electoral matters – number of councillor, warding proposals, election cycle
 - Appointments – implementation team senior leadership structure and role holders
 - Joint committees – representation and leadership
 - Implementation approach and transition plan
-
- **So get ready now why wouldn't you ?**
 - **Decide how you will make the decisions, we did a Leaders response and sought to get the Groups to also agree, they made their own submissions.**

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TIP 2 : MOPPING UP / CONSEQUENTIAL ORDER

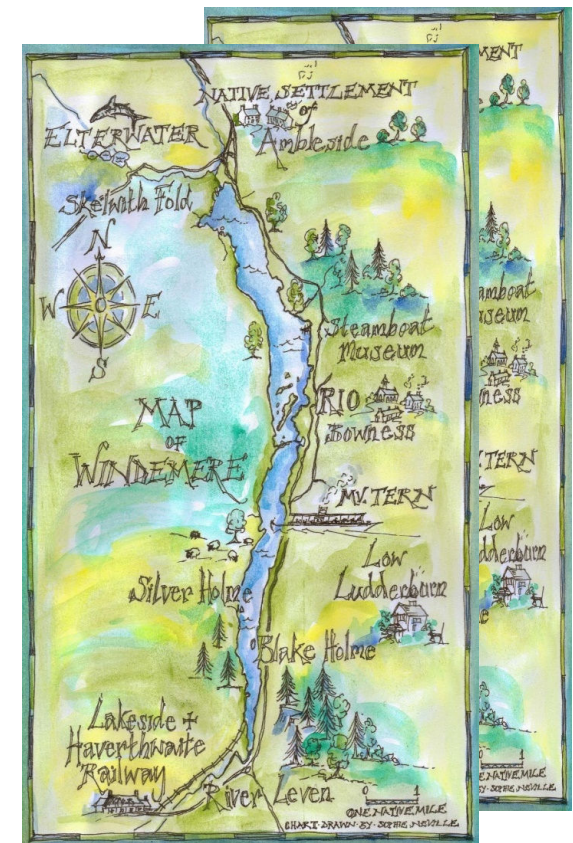
Think about matters that are relevant to your area that may need to be covered.

Lake Windermere

1975 Agreement

Lake Admin Committee 16 District Councillors – 8 Town Councillors
Section 10 Local Authorities (Functions and Responsibilities) Regs 2000
– The management of the Lakebed is not an executive decision. “*The functions of South Lakeland District Council in relation to the management of land at Lake Windermere pursuant to an agreement dated 1st April 1975 between that Council, Windermere Parish Council and Lakes Parish Council are not to be the responsibility of an executive of the District Council.*”

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Lake Windermere

Our Terms relating to the Consequential Order

As a result of specific mention in Local Authorities (Functions and Responsibilities) Regs 2000, our proposed terms are:-

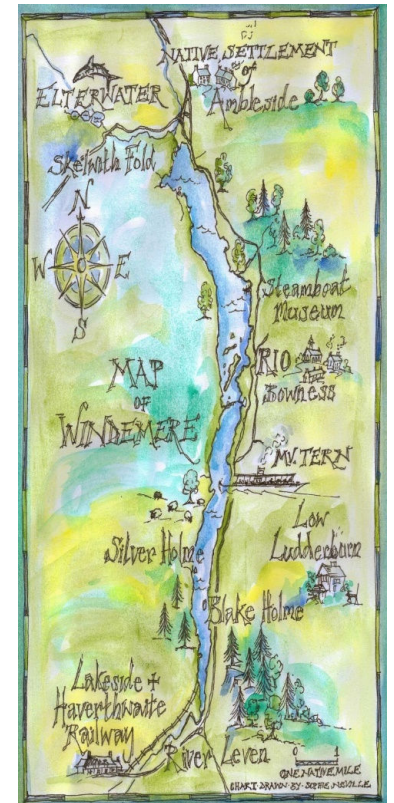
Express reference of the lakebed transferring to the successor authority.

Express provision for management of the Lakebed to be by way of Lake Administration Committee to ensure Windermere and Bowness TC and Lakes Parish have continued involvement in management of the lakebed.

Expressly refer to a 2/3 and 1/3 split of membership to Lake Admin Committee – ie to replicate the current split of 16 district councillors and 8 town councillors.

Charter Trustees and Pension Fund also in the Order

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TIPS - Collaboration is key

- 2. Select a Lead MO to Chair regular MO meeting we met monthly, we used these meetings and went from monthly to fortnightly then weekly- 7 MO's -Not for the faint hearted, Sovereign Council MO role, LGR Lead, plus Interim MO (3 roles) as it progresses.**
- 3. Invite Lead Civil Servant to the meeting to provide an update, this was invaluable, E.g Early influence on the pre draft SI (name of council / number of members/ number of wards)**
- 4. Agree an approach to Joint Instructions, select a firm or firms to support as required, lead authority will lead on meetings, payments etc.**
- 5. I set up a project approach to Governance and our Legal, Democratic, Elections and Coroners work streams**

Hard when it affects your job, but you need to work as a team and stick together!

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JOINT COMMITTEES , ELECTIONS and SHADOW AUTHORITIES DAY ZERO to VESTING DAY



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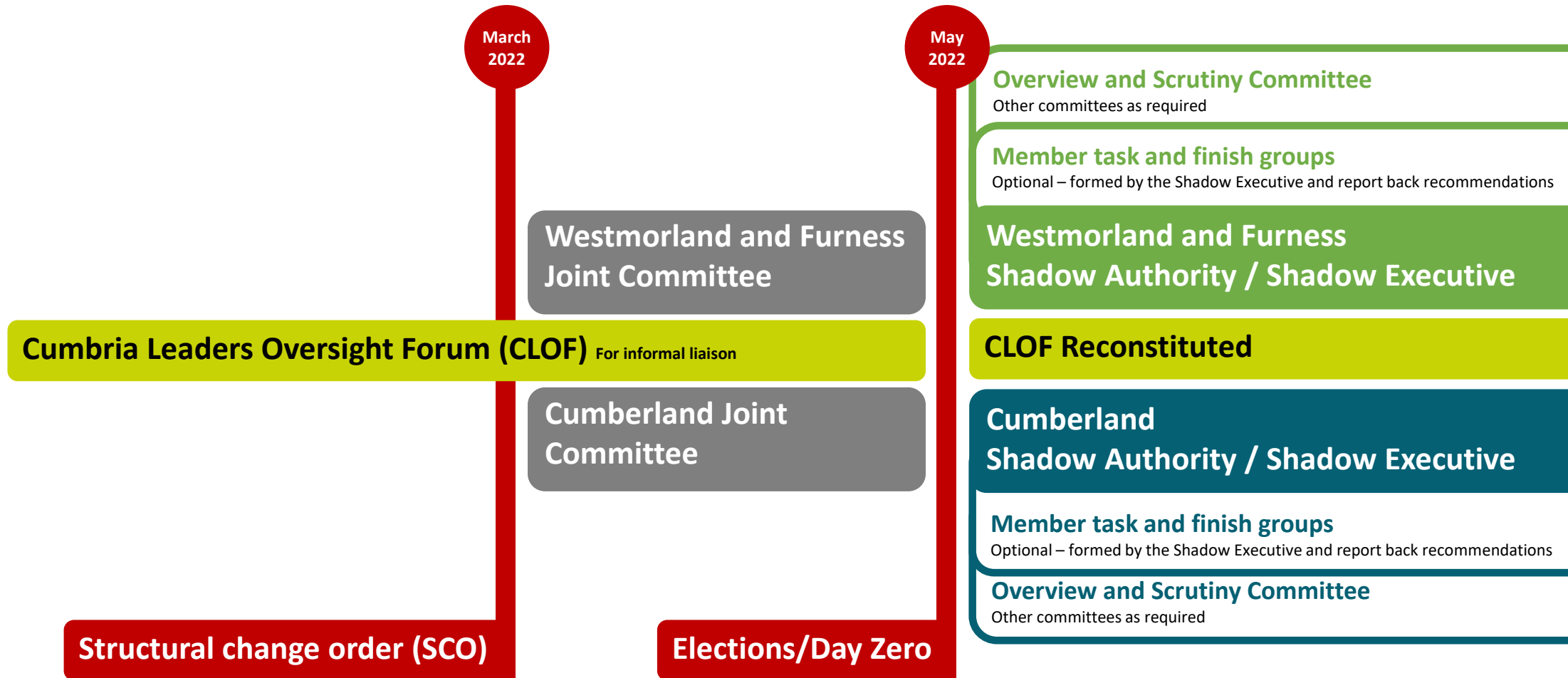
Overview

What I will cover on more detail

- **The planning and activity day 1 to vesting day**
- **An explanation of Joint Committees their role(s) ,functions and membership**
- **Elections, and early planning for Elected members (Induction)**
- **An overview of Shadow Authorities , their role (what they will do and what they will not do), Shadow Authority, Shadow Authority Executive and Scrutiny.**

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Democratic Governance to May 2022





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Structural Changes Order (SCO)

Joint Committees – What does the SCO require?

- There was a duty on the County Council and Districts to form Joint Committees within 14 days of the order coming into force. Cabinet and Council agreed to the formation and terms of reference, CC (1) executive member and no political balance applies, Districts (1) Executive member and political balance applies.
- 2 Joint Committees one for Cumberland and one for Westmorland and Furness, one of the Districts hosted it.
- Membership of the Joint Committees was 12 (3 from the CC and 3 from each District)
- Joint Committee dissolved following first meeting of the Shadow Authority
- Express Duty to Co – operate.

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Joint Committee- functions executive and non executive

Functions of the Joint Committees and agreed terms of Reference

- Must form a single implementation team within 21 days of the SCO coming into force to assist it in its role and discharging functions.
- Prepare, keep under review and revise an implementation plan/ timetable to cover transfer Functions, property rights liabilities. In addition the budgets and plans to facilitate on and after the 1st April 2023 the transfer of functions.
- Formulate proposals for Member Codes of Conduct , recommendations for Members allowances and a constitution for adoption by the Shadow Authorities.
- To make recommendations to the Shadow Authorities on the appointment of Interim Statutory Officers.
- To recommend adoption of the shadow authority's constitution

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Joint Committee- functions

29th March 2022

11th April 2022

10th May 2022

Recommendations to the Shadow Authority on:

- Member allowances – independent remuneration panel
- Implementation Plan and Team
- Interim Statutory Officer outcome of recruitment and appointment (3 stat officers)
- Budget
- Calendar of meetings 9 (monthly executive meetings and quarterly Shadow Council meetings) O and S every 8 weeks.
- Members code of conduct

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Election

5th May 2022

5 year term of office including Shadow Year

65 councillors for Westmorland and Furness

46 for Cumberland

These councillors will be elected for a 5 year term of office, the first year on a Shadow Authority that will oversee the planning and preparation for the new unitary council, followed by four years on Westmorland and Furness Council and Cumberland Council.

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Members

Legalities

- **Successful candidate letter to be signed**
- **Political Group forms to be signed**
- **Declaration of acceptance of office to be signed**
- **Declaration of Interest forms**

Welcome Process

We held an Induction day.

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SHADOW AUTHORITIES



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9th May 2025 Shadow Period commenced

First meeting had to be held within 14 days of the Election

Need to select a venue (we rotated around the area)

Need a Chairman

Need a Leader and Executive

Need Scrutiny, Standards Committee, Independent Remuneration Panel, Senior Appointments Committee Panel task and finish scrutiny groups.

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Shadow Authority Priorities

Important business to conclude before the 1st April 2023, including adopting a Constitution (we used Geldards)
A Code of Conduct, appointing a Leader and Cabinet

Designation of Interim Officers followed by permanent appointments to key statutory positions so that the Shadow Authority can legally operate and will take decisions to prepare for the running of all services currently carried out by the County, borough and District Councils from 1st April 2023.

This to include the production of an implementation plan to help the smooth transition to the new Councils, with the goal of ensuring continuity of services for local communities and the setting of a budget for the first year of the new authority.

The sovereign councils still existed, therefore they were responsible for the delivery of services, the Shadow Authority having no responsibility. Members needed to understand that and not usurp sovereign roles.

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The role of Officers of the Shadow Authorities

Interim Statutory Officers – CEX / S151/ MO (remain employed by their sovereign councils)

Permanent Statutory officers and any other staff to be employed (will be employed by a host Council)

Returning Officer role will be included as part of the new interim Heads of Paid Service for the time being

Reporting Roles

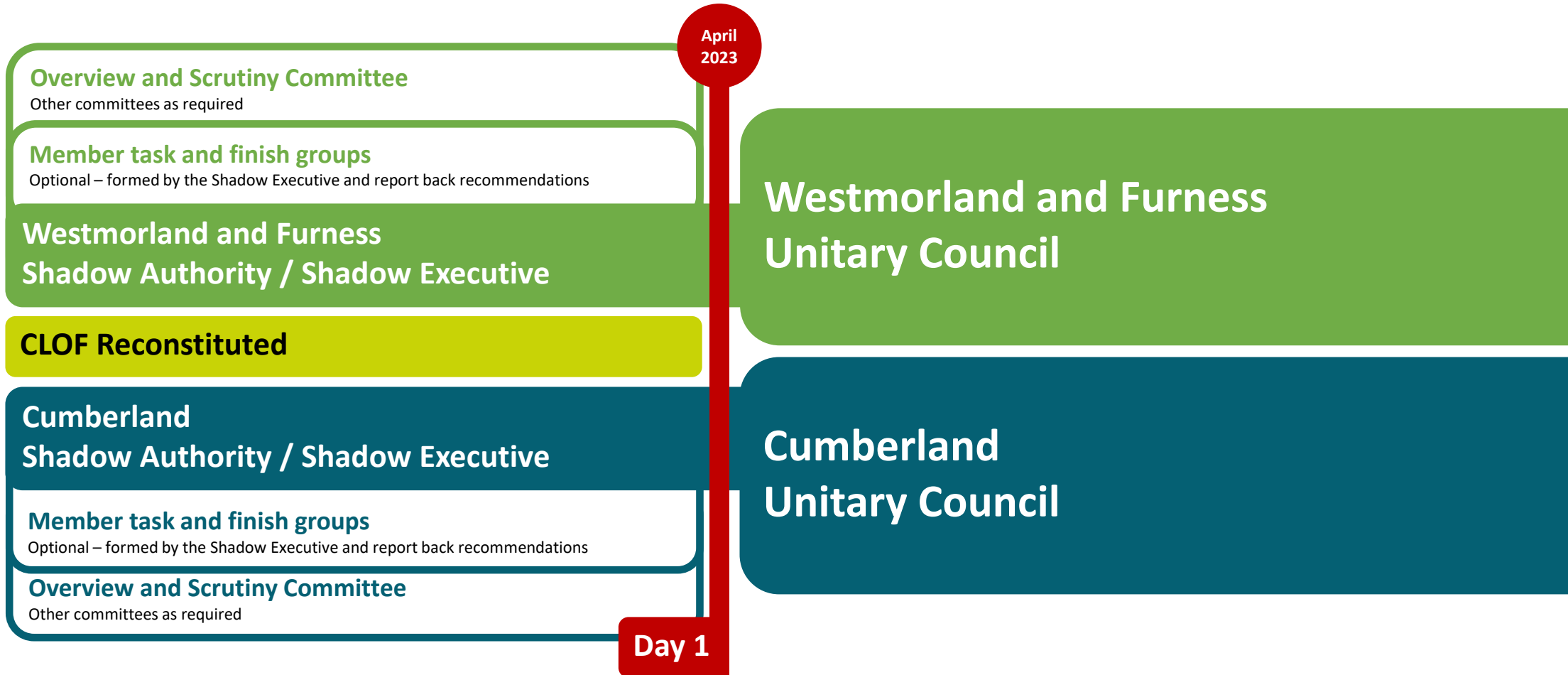
Programme Director

Implementation Team

All sovereign councils must co operate in relation to LGR with each other and the Shadow Authorities (SCO)

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Democratic Governance to April 2023





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The role of the Shadow Authorities and its members

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Preparation for the assumption of local government functions and full local authority powers from the 1st April 2023

Prepare Budgets , setting the Council tax, adopting policies and plans required to be in place by 1st April 2023

Adopting and Changing the constitution

Adopting a scheme for members allowances

Conforming the appointment or designation of the interim acting or permanent head of paid service , chief finance officer, monitoring officer and returning officer

Liaise with all other local authorities in its area to ensure continuity of public service delivery on or after the 1st April 2023 and thereafter

Shadow Authority members are directly accountable to their constituents for the running of the Shadow Authority

Members work closely with officers in developing policies and strategies to give direction to the Shadow Authorities vision and perform functions outlined in the SCO and consequential orders

Members will ensure that services are delivered in accordance with the Shadow Authorities wishes

A Chairman and Vice Chairman will be appointed at the first meeting of the Shadow Authority

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What the Shadow Authority will not do

It will have no responsibility for service delivery

It does not have the full range of committees eg Planning

It cannot exercise powers that incur expenditure or acquire liability

without the prior consent of the County Council or District Council if the matter relates to their responsibilities

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Shadow Authority Executive

Leader appointed at the first meeting of the Shadow Authority

Powers and functions are limited

The Shadow Executive will take all decisions including key decisions which it is required by law or because the Shadow Authority has decided to delegate the matter to the Shadow Executive.

- work closely with officers in developing policies and strategies to give direction to the Shadow Authorities vision and perform functions outlined in the SCO and consequential orders.
- Make recommendations to the Shadow Authority on the setting of the budget for 2023/24
- Consider to example blue prints and recommend them to the Shadow Authority
- Consider matters delegated to it under the constitution
- Consider financial , capital strategies prior to consideration by the Shadow Authority
- **Key decisions** – to be entered on the Forward Plan to cover a 4 month period the shadow Authority will set the definition and threshold.

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Shadow Authority Scrutiny

To support and challenge the Shadow Executive as it builds the capacity of the new authority and prepares for vesting; (e.g consider governance, risks / build a competent and robust MTFP/ first annual budget)

Carry out separate duties to sovereign council scrutiny , and to what scrutiny will look like at the new authority once it vests;

Prepare and shape the vesting day scrutiny arrangements

Develop a work programme

Make recommendations remembering this will be a new authority that they are shaping

Call in unlikely

We didn't have any task and finish groups and did all work via the Committee

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Standards Committee and Senior Appointments Committee

Standards Committee

Shadow Authorities need to adopt a member code of conduct at their first meeting

To meet s27 and s28 of the Localism Act 2011

The Committee would deal with any complaints about shadow members

Senior Appointments Committee

Responsible for the selection process for the appointment and making recommendations to the Shadow Authority of the Head of Paid Service, the S151 and MO. We had to do that by 22nd Dec stated in the SCO.

Dealing with any disputes raised relating to any policies and procedures of the Shadow Authorities.

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Ohand then there is the Legal, Democratic and Elections work to also deliver getting reading for Day 1.

Including the Seal – don't forget to have one done for Day 1

That's for another day 😊

Work Package – Service Scope

Key Information

Scope

- Legal Services
- Governance and Democratic Services including Scrutiny
- Elections

NB (Some teams have DPO / SIRO Information Governance and Member Support, CC has **Coroners** within Legal Services these staff are included in figures)

- *Start thinking about your new Council constitution now would be my advice*

Legal Services - The 'core business' of a local authority legal department is to provide corporate and operational legal advice and assistance. Directing council employees in the legal preparation of policies and strategic planning, handling litigation, writing legal documents/ contracts providing advice about all social and commercial legal matters . The **Monitoring Officer** role is a statutory role which is responsible for corporate governance arrangements. The MO may report on matters he/she believes are, or are likely to be, illegal or amount to maladministration; is responsible for matters relating to the conduct of Councillors and officers; is responsible for the operation of the Constitution. **Governance and Democratic Services teams** providing support to Councillors, officers and members of the public on the Council's decision making processes. Providing support to Councillors to ensure they are able to undertake their roles effectively. The teams often also include **member support development and training** .**Elections teams** are responsible for the provision of a comprehensive Electoral Registration and Election Management. Different operating models and structures are in place across Cumbria. Approx 172.9 FTE for Cumbria (NB includes coroners services 23 FTE/ Information governance teams 7 FTE and some member support and civic teams) .

Key Issues

- Early resolution of the Hosting arrangements for Shadow Authority and Joint Committee required
- Early resolution of ICT systems for Democratic and Legal requirements meeting early in New Year.
- Staff retention during a period of change
- Need to clarify the PEOPLE and PLACE requirements and work stream's
- Full time project management support required to accelerate work streams in readiness for Joint Committee and Shadow Authority requirements

Interdependencies

- IT work stream – Legal case management system / Democratic Services system / Hosting Arrangements /Election Management Soft ware / website
- There are significant interdependencies PLACE and PEOPLE and other Themes all have aspects of Legal work.
- Coroners n the PLACE theme but currently managed by CC Monitoring Officer
- We identified **14** work streams



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Useful Links

[Cumbria Unitarisation \(including a proposal involving the City of Lancaster\) - Ministry of Housing, Communities and Local Government - Citizen Space](#)

[Consultation on proposals for locally-led reorganisation of local government in Cumbria, North Yorkshire and Somerset - GOV.UK](#)

<https://www.gov.uk/government/consultations/proposals-for-locally-led-reorganisation-of-local-government-in-cumbria-north-yorkshire-and-somerset/outcome/consultation-response-summary-local-government-reorganisation>

[Cumbria decision](#)

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Thank you



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Thank You

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