

From: Linden Kemkaran, Leader of the Council  
Amanda Beer, Chief Executive

To: Kent County Council - 19 March 2026

Subject: KCC Position on the Government's Foundation Strategic Authority Expression of Interest Invitation

Classification: **Unrestricted**

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### **Summary:**

On 12 February 2026, Ministers wrote to all council leaders inviting areas without an existing devolution agreement to submit expressions of interest (Eol) in establishing Foundation Strategic Authorities (FSAs), with responses to be reviewed from 20 March 2026. This report sets out the Leader's position, communicated directly to Minister Fahnbulleh by letter of 11 March 2026, that Kent County Council (KCC) is unable to submit or support an Eol at this time.

### **Recommendations:**

The County Council is asked to:

- 1)** Note the Leader's decision not to submit, or support the submission of, an expression of interest for a Foundation Strategic Authority for Kent and Medway at this time.
  - 2)** Note that KCC officers will continue to support joint working and planning across LGR and devolution with all Kent and Medway councils, notwithstanding the Leader's position on the Eol.
  - 3)** Note the Leader's call on the Secretary of State to bring forward the final LGR decision for Kent and Medway significantly ahead of the current mid-July 2026 timetable.
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### **Introduction**

1.1 On 12 February 2026, Ministers Miatta Fahnbulleh MP (Parliamentary Under Secretary of State for Devolution, Faith and Communities) and Matthew Pennycook MP (Minister of State for Housing and Planning) wrote to all council leaders, mayors, and chief executives across England. The letter announced two policy steps: first, a non-statutory consultation on the geographies for Spatial Development Strategies (SDSs); and second, an invitation to areas without an existing devolution agreement to submit expressions of interest (Eol) in joining a new wave of Foundation Strategic Authorities (FSAs).

1.2 The Ministers stated that FSAs would hold devolved powers over local transport and skills and would be responsible for delivering the area's SDS where boundaries were coterminous with the FSA. The Government presented FSAs - as non-mayoral Combined or Combined County Authorities - as a stepping stone towards full mayoral devolution. Ministers confirmed that responses would be reviewed from 20 March 2026, and that Eols must have the support of all relevant authorities and meet the criteria in the English Devolution White Paper.

1.3 Critically, the ministerial letter stated that the Government does not regard Local Government Reorganisation (LGR) as a barrier to conversations about FSA establishment. This represents a significant shift from the position previously communicated to Kent and Medway by MHCLG, which had consistently linked devolution progress to the completion of LGR and made clear that only successor unitary council(s) could request or consent to the creation of a new strategic authority.

## 2. The Context for Kent and Medway

2.1 Kent and Medway was not selected for inclusion in the Government's Devolution Priority Programme (DPP) in January 2025. Following that decision, and acting on MHCLG's then-clear advice that devolution would only follow LGR, the KCC Reform administration developed its preferred LGR option — Option 1A: a single unitary council for Kent and Medway, with three constituent 'area assemblies'. Option 1A is one of five options currently subject to MHCLG consultation, with a final decision expected by mid-July 2026.

2.2 KCC's business case for Option 1A reflects the Reform administration's support for greater devolution to Kent and Medway. However, it explicitly rejects the assumption that devolution can only be achieved through an additional Strategic Authority layer. KCC's position is that a single unitary council operating at the Kent and Medway scale could itself be designated the strategic authority for the area, and could receive and discharge devolved powers efficiently and effectively, without the additional cost and governance burden of a separate FSA.

## 3. The Leader's Position: Declining to Submit an Eol

3.1 The Leader wrote to Minister Fahnbulleh on 11 March 2026 to set out KCC's position in response to the ministerial invitation. The Leader confirmed that, whilst there is considerable appetite across all councils in Kent and Medway for greater devolved powers, this request is not one that KCC is able to support in the current circumstances. The letter was sent to the Minister ahead of the 20 March 2026 review date.

3.2 The Leader's core reasoning is set out below:

- **Policy inconsistency.** Until 12 February 2026, MHCLG's position had been unambiguous: devolution would not be on offer until sufficient progress had been made on LGR, and only the successor unitary council(s) could request or consent to the creation of a new strategic authority. This was the settled position since Kent and Medway was excluded from the DPP in January 2025. It was on this

basis that the KCC Reform administration built and submitted the business case for Option 1A. The Leader considers that this significant change of policy direction, issued whilst the LGR consultation remains live, represents an inconsistency that carries considerable risk.

- **Risk to Option 1A.** The Leader's view is clear that any decision by KCC to submit an EoI for an FSA - whether unilaterally or jointly with other councils - would undermine the business case for Option 1A. Option 1A proposes that a single unitary council for Kent and Medway could itself operate as the strategic authority, making a separate FSA unnecessary and duplicative. Supporting an EoI would contradict this core argument and would compromise KCC's position in a live statutory consultation process.
- **Integrity of the consultation.** The MHCLG consultation on LGR options for Kent and Medway is still live. Residents, businesses and partners across the area have submitted responses in good faith on the basis of the options as presented, including Option 1A. The Leader considers that acting to undermine Option 1A during this consultation period would be a serious breach of faith with those respondents and with the integrity of the consultation process itself.
- **Cost to the taxpayer.** KCC's position is that establishing a separate FSA would place additional governance demands and costs on the Kent council taxpayer that a single unitary council could avoid. The Reform administration's preference is to maximise devolved powers through the most efficient institutional structure, not to add a new layer of strategic authority.

#### **4. Relationships with Other Kent and Medway Councils**

4.1 The Leader has been explicit that KCC's decision is not intended to fetter the ambitions of other councils in Kent and Medway that may wish to pursue an EoI. KCC wishes to remain a good and constructive partner to all councils across the area. Existing strategic relationships and joint working have remained strong throughout the LGR process, even where councils disagree on preferred options. KCC officers will continue to support joint working and planning arrangements across LGR and devolution matters, notwithstanding the Leader's decision on the EoI.

4.2 The Leader's letter makes clear that KCC's position is not a permanent refusal to engage with devolution for Kent and Medway. Once the Secretary of State has made the final LGR decision, the position on an FSA EoI can be reconsidered in light of the outcome. KCC officers will continue to engage constructively with MHCLG, partner councils and other stakeholders in the interim.

#### **5. Conclusion**

5.1 The Leader's decision not to support an EoI for an FSA at this time reflects the KCC Reform administration's commitment to Option 1A, the integrity of the live MHCLG consultation, and the need to protect the interests of Kent council taxpayers. The decision is not a rejection of devolution but a response to the sequencing and assumptions behind the Government's latest invitation, which represent a significant departure from the policy position previously communicated to Kent and Medway.

5.2 The most direct route to resolving the current impasse is for the Government to accelerate its LGR decision for non-DPP areas. The current mid-July 2026 timetable places councils, staff, service users, and residents in unnecessary uncertainty. The Leader calls on the Secretary of State to bring that decision significantly forward, and the County Council is asked to note that call.

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## **6. Recommendations**

6.1 The County Council is asked to:

- 1) Note and endorse the Leader's decision not to submit, or support the submission of, an expression of interest for a Foundation Strategic Authority for Kent and Medway at this time.
  - 2) Note that KCC officers will continue to support joint working and planning across LGR and devolution with all Kent and Medway councils, notwithstanding the Leader's position on the EoI.
  - 3) Note the Leader's call on the Secretary of State to bring forward the final LGR decision for Kent and Medway significantly ahead of the current mid-July 2026 timetable.
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## **7. Report Author:**

David Whittle - Director of Strategy, Policy, Relationships & Corporate Assurance

## **8. Appendices:**

Appendix 1: Letter from Ministers Fahnbulleh and Pennycook to all council leaders, 12 February 2026 (MHCLG).

Appendix 2: Letter from the Leader of Kent County Council to Minister Fahnbulleh, 11 March 2026.