



PRIMED FOR SUCCESS

Cornwall Council
Strategic Governance Review

Report of the
Governance Review External Group (GREG)

September 2016

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FOREWORD

In undertaking our review, we were determined to focus on providing an analysis and set of recommendations which are forward looking. We wanted to help put Cornwall in the best position possible over the coming years to take advantage of opportunities, respond to challenges and maximise the resources and assets of the whole system and place.

To achieve this, our evidence gathering had two clear lines of enquiry - **how is governance working in Cornwall today and what should governance look like in 2021 to help Cornwall achieve its ambitions?**

To help position our report and recommendations, we have attempted to summarise all that we heard about what an 'ideal' Cornwall would be like in 2021:

A VISION OF CORNWALL IN 2021...

A prosperous Cornwall that is resilient and resourceful. A place where communities are strong and where the most vulnerable are protected.

Cornwall Council is providing clear and decisive leadership, working collaboratively with a range of public, private and voluntary sector partners both within and beyond Cornwall to deliver a clear, compelling and ambitious long term Strategy for Cornwall. Excellent citizen, community and business engagement at every level means all assets and resources are maximised for the benefit of local areas and Cornwall as a whole.

The six principles of good governance are fully adhered to, ensuring that everyone is clear who is accountable for what, how decisions are made and how people are held to account.

The strength of leadership and the robustness of the governance framework has given Government confidence to devolve further powers and funding. This has kept Cornwall in the leading pack of areas benefitting from devolution.

Public services in Cornwall are substantially integrated, designed around the needs of individuals who welcome the improvements and many are delivered locally via a vibrant and evolving network of town and parish councils working together with other local organisations.

Councillors at all levels are passionate advocates for their communities, for Cornwall as a place and for the public sector organisations which they represent.

Cornwall's innovative approach to engaging and involving businesses and residents, particularly young people, in their local areas and the running of the Duchy is recognised nationally and internationally as best practice. The majority of residents feel that they can inform local decision making and satisfaction with the Council is above the national average and increasing year by year.

We strongly believe this is a vision that can be realised by Cornwall over the next few years given the unparalleled challenge and opportunity posed by both central Government and the Local Government Boundary Commission for England, coupled with the passion for Cornwall and for change that was evident during the course of our Governance Review.

Members of the independent Governance Review External Group



Jacqui McKinlay (Chair)



Oliver Baines



Andrew Campbell



Jane McCloskey

PREFACE

In July 2015, an agreement on a historic Cornwall Devolution Deal was announced by the Prime Minister. It was the first rural Devolution Deal to be agreed and Cornwall continues to be the devolution flag bearer for non-metropolitan areas.

In signing the Deal, the Government recognised that Cornwall has further devolution ambitions as set out in the seminal Case for Cornwall.

However, the Government also made it clear that realising the aspirations in the Case for Cornwall will be predicated on strengthening local governance in a way that would meet its ambition for visible and accountable public sector leadership that enables residents to understand who is taking local decisions and the rationale behind them.

This presents the Council with a once in a decade opportunity to develop and implement a new model of governance over the course of the next four years which supports Cornwall's aspirations for greater devolved responsibilities and autonomy – in other words, Case for Cornwall and Brexit ready. It also demonstrates to the Local Government Boundary Commission for England that the Council has taken seriously the challenge to undertake a fundamental review of its governance, upon which the delay in implementing the electoral review until 2021 was based.

It is evident that whilst some parts of the country are focused on exploring local government reorganisation, the Government is ready to work with those areas that speak with a single and coherent voice – like Cornwall and Greater Manchester - as vanguards of repurposing and reinventing public services for the 21st century.

With that in mind and with the support of the Council, the Leader appointed an independent Governance Review External Group (GREG) to advise the Council's Constitution and Governance Committee on a governance model that is fit for purpose and fit for the future.

Over the course of five Inquiry days, the GREG gathered views from just over 100 people. This was achieved through interviews with representatives of key partner organisations, local councils, Members and officers within Cornwall Council, national organisations able to share best practice in governance from other parts of the country and internationally, and members of the public via an online facility to submit views.

GREG members also attended the Cornwall Executive Group and one of the Council's 'Who Decides' public engagement events to listen to the views expressed within those forums.

Members of GREG were impressed by the level of engagement and openness during the evidence gathering and would like to pass on their thanks to all those who attended the Inquiry days for the time given.

This report outlines the findings and recommendations of the Governance Review External Group.

EXECUTIVE SUMMARY

Cornwall has a lot going for it. It is the only place in the country, so far, with a comprehensive Devolution Deal that does not require a directly elected Mayor.

The Council has strong relationships with a number of its partners, particularly with other public sector bodies – in large part due to the efforts being made by both Members and officers to build and strengthen these relationships.

The Council has highly committed Councillors, working hard for their communities and a strong officer cadre. It has a good financial grip and has coped well with the cuts to budgets demanded of it over the past few years.

But these strengths do not quite translate into the Council being as strong as it could or should be if it is to grasp further devolution opportunities and not become the poorer from the decision to leave the EU. The stakes have never been higher, nor the scale of the opportunity that presents itself to Cornwall.

We do not believe the issues currently highlighted need to be addressed with the introduction of a Mayor, but it is clear that a core failure is the lack of over-arching strategic vision for Cornwall behind which people across all sectors can unite.

We heard many times some puzzlement from Councillors and officers that the Council was not as highly regarded as they would expect.

Some of this is down to the need to enhance the professional communications effort. There is however a strong perception among local partners that the Council only seeks their views at a late stage of policy development or decision making, in the hope those partners will rubber stamp the Council's view, rather than engaging them more intensively and creatively from the outset.

For all the strengths of working in collaboration with other parts of the public sector, the history of collaboration with the private and voluntary sectors and local councils is weaker. Some of this poor public perception is down to the way in which Cornwall Councillors, many of whom are also local Councillors, feel free to openly criticise the way in which decisions are made and implemented by Cornwall Council.

Within the Council, the large proportion of 'backbench' Councillors has led to an unhealthy feeling of marginalisation and disengagement from decisions made by the Executive.

Our recommendations are intended to help enhance the strengths and minimise the weaknesses we and others have identified. Our hope and desire is that our recommendations will:

- Lead to the Council having an enhanced strategic role, building on its unique position by setting the agenda and speaking for Cornwall on all issues. This would see Cornwall and Cornwall Council growing their reputation nationally; setting the economic, environmental and social agenda for Cornwall with the business community; helping to transform and make public services more responsive; and ensuring that all places and communities across Cornwall share in the benefits of growth
- See Cornwall Council working more collaboratively with, and influencing, other councils and public bodies in the South West on cross border issues such as health, transport, and economy and skills
- Change perceptions in Cornwall about the Council, with more positive recognition from the public, the press and Councillors themselves for its successes and much more proactive engagement and involvement of residents and private and voluntary sector organisations in setting the strategy and making decisions to help Cornwall prosper
- Make clearer distinctions between the strategic role of the Council and the enhanced role of town and parish councils under double devolution in addressing local concerns
- Help all Cornwall Councillors in a new structure, once the conclusions of the Boundary Commission's Electoral Review are known, to feel ownership of the way all decisions are made by the Council and their role in systematically scrutinising, challenging and contributing towards policy development and decision making
- Help relieve Cornwall Councillors of the outmoded working patterns and substantial time commitments thereby increasing the proportion of young and working people within the Chamber
- Ensure that Cornwall prospers and becomes a model for other areas, throughout England, to emulate.

With these six principles of good governance acting as ‘way markers’ and a clear commitment to looking at all aspects of governance (e.g. behaviours, skills, communications), we are confident that you are well placed to incrementally develop and implement a ‘whole system’ governance model that will deliver the vision of a prosperous, resilient and resourceful Cornwall.

SIX PRINCIPLES OF GOOD GOVERNANCE

Civic leadership

Ensuring Cornwall’s governance model provides effective place-based leadership.

Leadership that enables the development of a unified vision for Cornwall coupled with a governance model that ensures effective and accountable delivery of this vision.

Effective decision-making

Ensuring Cornwall’s governance model supports high quality decision-making processes that go beyond discovering the preferences of various stakeholders.

Establishing sound arrangements for the development of deliberative local democracy.

Transparency and efficiency

Ensuring Cornwall’s governance model makes it clear (to other councillors, professionals and the public at large) who is making decisions, on what issues, when, why and how. Transparency is fundamental to building trust and confidence in the political process, and ensuring efficiency.

Accountability

Ensuring Cornwall’s governance model enables decision-makers to be held to account. More specifically, putting in place sound arrangements to ensure that there is effective scrutiny of decision-making by those seeking to hold the executive to account (non-executives, the public, other parties).

Public involvement

Ensuring Cornwall’s governance model provides effective public involvement in decision-making. Creating a devolved governance structure that ensures there is proper public debate about important public policy choices. The processes of decision-making need to ensure the inclusion of citizen voices.

Business engagement

Ensuring Cornwall’s governance model provides effective involvement of local business interests and the role of the Local Enterprise Partnership (LEP) is crystal clear.

THE CASE FOR CHANGE

How business is done within an organisation and place is as important as the systems and processes that exist to guide decision-making.

The values, behaviours and skills of the people working in any organisation or environment are critically important to achieving effective governance and improved outcomes. Trust, positive relationships, strong leadership and ownership from the top are essential for any governance structure to work.

We can all recall examples where this doesn't exist and the negative consequences. In the case of Cornwall Council we found that leadership and ownership from the top were highly regarded.

Many partners praised the positive relationships that exist with the Leader of the Council and the Chief Executive and the work that has taken place in recent months to improve the ways that organisations in Cornwall work together.

“We’ve had a very positive relationship with the Council since it became a unitary authority.”

Ross Williams, Director, Creative Kernow Ltd

Many however described the Council as difficult to access. Some described a need to ‘wade’ through the organisation to find the person or service that could help them. That said, most described their experience as positive once they had made contact.

From our observations at public meetings and conversations with town and parish councils, at a local level, there is a need for some significant investment in rebuilding trust and positive

relationships between the Council and the communities it serves.

We witnessed members of the public and town and parish councillors being highly vocal in their criticism of the Council at the Who Decides event we attended and understand that this was mirrored in the other six events hosted by the Leader and Deputy Leader. Taken together with the evidence from the contributors at the Inquiry days, we observed deep rooted opinions that the Council does not care about its communities, that it makes decisions in its best interests rather than for the wider good, and perceptions that the Council takes the side of developers over communities.

In contrast, within the Council, we witnessed a genuine desire to do the very best for Cornwall and its communities – Members passionate about their local areas, officers driven to provide high quality services.

“We are a much better council than people out there think we are.”

Douglas Scrafton, Cornwall Councillor

The disparity is striking between the Council's strong reputation and performance at a national level (and to a substantial extent, echoed by partner organisations we spoke to) and the views of local communities and their representative groups.

Our evidence suggests that the good work going on within the Council is being strongly undermined by deficiencies in working relationships and engagement with local communities.

This is something that needs to be addressed as a priority.

To illustrate the point, it is evident that Cornwall Members have a deep sense of pride in representing their locality first and foremost, Cornwall second and the Council a distant third.

We witnessed that Cornwall Councillors are hugely passionate and positive about their local areas, keen to be informed and involved and want to be valued. We were somewhat surprised however by the apparent lack of ‘corporate loyalty’ amongst some Members who are openly critical of the Council and seemingly feel free to speak from a position of independence from the organisation.

From a reputational perspective, this lack of loyalty publicly damages the reputation of the Council and possibly the Council’s ability to attract people to become employees or elected Members. We noted that there appears to be no consequences for such behaviour or indeed recognition that Members have a role to play in resolving problems the Council is faced with.

The political culture within the Council has tended to be one of coalition and consensus-building politics, which can sometimes lead to paralysis and/or lack of challenge. Having a pragmatic approach is not necessarily negative, but without clear strategic guidance, individually made decisions can offer a limited sense of purpose and at worst are contradictory.

There is a risk that this culture can hold Cornwall back from being a dynamic part of the modern United Kingdom, with some in the private sector believing that Cornwall is not ‘open for business’, due to a resistance to growth.

THE NEED FOR A UNIFIED VISION AND STRATEGY FOR CORNWALL

“Is there a vision that collectively Cornwall can buy in to?”

Steven Ford, Cornwall Deal Programme Lead, Cornwall Council

Throughout our review we have been struck by the genuine commitment and passion for Cornwall shown by all those we have met whether from Cornwall Council, partner organisations, local councils or the public. There is an undoubted shared sense of wanting to do the very best for the area and its communities.

What was less clear, and what risks a division between organisations and communities, was a shared sense of how this was going to be achieved.

Our inquiry failed to deliver evidence that there is a clear view across Cornwall’s public, private and voluntary sectors of where Cornwall wants to be by 2021 and beyond and the top priorities needed to achieve this.

Whilst at an organisational and partnership level, strategies are in place, there is no mechanism to ensure that these all align towards a common shared vision. As a result, decision making can be ad hoc or opportunistic rather than considered and local priorities can override strategic ambitions.

There is a compelling case for the Council and partners to develop a clear and agreed narrative in response to priorities for Cornwall.

The implementation of a shared Strategy for Cornwall has clear advantages:

- The determination of priority goals for the residents of Cornwall as a whole
- The opportunity to build and unite behind common goals through shared ownership of the strategy
- The sharing of intelligence between partners to support evidence based decision making at all levels

- The consideration of financial implications across the sector for the good of residents, for example with the response to business rates retention
- Utilising and enhancing the multi-skilled nature of public servants

The harnessing of partners for improved delivery of services to help address the financial challenges in all parts of the public sector will continue to be a significant factor for years to come. Cornwall Council and its partners need to make the very best use of their shared resources and to collectively target the issues that matter most to Cornwall, especially pre and post Brexit.

The Government's plans for local authority funding to be replaced by local retention of business rates will potentially have a significant impact for Cornwall.

Whilst many local authorities will see financial benefits of this policy, Cornwall's ability to raise income through business rates is limited by the prevalence of small businesses in the area and the absence of large scale industry. Yet we saw no evidence of a clear, single narrative on Cornwall's growth agenda.

How Cornwall responds to this change of Government policy will be critical to its future and we therefore support the idea of Cornwall acting as a rural pilot to test the new local retention of business rates scheme.

This will also enable the increasing importance of business rates to be aligned to the Cornwall and Isles of Scilly Local Enterprise Partnership (LEP) strategic growth plan.

Looking to 2021, there will be a legitimate question about the role and influence of business given that the private sector will increasingly be funding public services. This will necessitate a much stronger voice for the business community in local decision making and quite rightly it is one of the guiding principles of good governance that Cornwall needs to adhere to.

Another important strategic issue is the role of civic society which will need to play a greater role as we look to 2021 than it does today. Cornwall's active voluntary sector and the high levels of volunteering within communities provide a fantastic foundation to build upon.

Understanding the potential that the sector could bring, developing skills within the sector to help them deliver public services, and identifying what resource organisations in Cornwall can invest in the sector, all need a 'whole' Cornwall approach.

EVIDENCE BASED STRATEGY

A number of witnesses lamented the Council's reduction in investment in research and intelligence which had been appreciated as a central resource for organisations across Cornwall.

Emerging work through the Cornwall Executive Group to develop a shared intelligence resource was seen as a constructive development.

The proposition of the Council working in partnership with the business community and higher and further education in scenario planning around big upcoming issues (such as how Cornwall can create its own business rates solution) is positive. The evidence based working practices of relevant partners are there to be harnessed. This would help seek out innovative solutions which could be demonstrated to central Government as best practice for local authorities.

For a Strategy for Cornwall and other future plans to be supported by both organisations and communities, it needs to be established on a robust evidence base.

OWNERSHIP OF STRATEGY

Our experience was that the 'local place' in Cornwall crowds out strategy.

The approach of Cornwall Councillors demonstrated this: passionate and proud of their local areas but in some cases with little or no shared sense of the wider Cornish strategy or how their local areas would benefit from its delivery.

All Members need to be part of the shared vision for Cornwall. The strategic position on issues such as growth and commercialisation will have implications for their communities for which they need to serve as advocates.

ENGAGEMENT AND COMMUNICATIONS

Public perception

The perception of the Council within Cornwall is an issue which needs to be addressed as a priority.

The evidence we gathered indicated that there is much work to be done to build understanding and trust between the Council and the communities it serves.

A strong view emerging from local councils and members of the public who contacted us was that communities do not feel listened to. Many considered that public consultation is little more than a box-ticking exercise which does not allow for any genuine influence over outcomes. The feeling of being ‘done to’ rather than ‘with’ is a recurrent theme.

A number of the witnesses we spoke to believed that the Council’s decision making processes lack transparency. This was seen as breeding a sense of mistrust and scepticism about whether decision making was ethical.

There were calls for better demonstration that decisions were well informed and based on local knowledge and evidence.

The way that the Council consults communities also received criticism.

There was a perceived arrogance in the Council’s approach of organising public meetings for its own purposes and expecting the public to attend and listen. Instead, it was felt that the Council should be going out to communities and groups to invite views and input and have an ongoing dialogue.

Use of technology, social media and online forums was also highlighted as a means of gathering views from a wider representation of demographics. A common view from within the organisation and those outside, was that the Council officers need to get out amongst communities more. There was a strong sense of enthusiasm to develop closer links to the public amongst the officers that we spoke to.

Young People

Young people currently feel distant from the Council and decision making.

Current systems of engagement were described as designed by and working for an older generation.

“The current system is designed by and works for the older generation a bit more than the younger generation. It shouldn’t stop working for that older generation, but there should be new processes that bring young people into it.”

Jack Satterthwaite, St Austell Youth Council Chair

New processes are needed to get younger people involved.

Town and Parish Councils

Town and parish councils articulated how they felt that they should exist to gather local opinion and feed this into Cornwall Council. Instead they perceived a completely top down approach with very little opportunity to have influence.

The importance of recognising the need for engagement with particular groups of service users or communities of interest was also highlighted and suggestions were made that groups of town and parish councillors could play a role in helping to reshape the delivery of Council services, as being piloted by the Cornwall Association of Local Councils and the planning service.

Engagement

The area of concern amongst some partners was that the Council fails to engage with them at an early enough stage and instead focuses on getting issues well developed “in house” before inviting input. Earlier involvement at more of a developmental stage is needed if there is to be shared ownership of the outcome.

Despite the work of the Council’s communications team receiving praise from a number of witnesses, deeper, more cultural attitudes in the way that the Council communicates and engages were felt to be harming relationships, particularly amongst town and parish councils.

Looking to some international models of governance could present some mechanisms to help Cornwall achieve greater trust and involvement by the public. Two examples that Cornwall could explore include the participatory budgeting approach of Porto Alegre and the ‘crowdsourced’ politics of Reykjavik which were presented to us at our third Inquiry Day and which are case studies set out in Appendix 3.

The public are failing to see the link between good things happening in Cornwall and the Council’s role in making them happen.

Media

The Council’s relationship with the media is viewed as generally negative. The Council is often absent in positive news coverage despite being a significant part of the success. The public are failing to see the link between good things happening in Cornwall and the Council’s role in making them happen.

The Council’s image is further weakened by the fact that it often has little or no profile or recognition in some major community and cultural events and activities despite being a major contributor.

“We launched the Man Engine yesterday, a fantastic cultural project. I looked at all the coverage and we’re completely absent, but we’re the commissioner of that work and a principal funder.”

Julie Seyler, Culture Programme Manager, Economic Development & Culture, Cornwall Council

We heard examples of events visited and enjoyed by vast numbers of the public, which were substantially funded by the Council but which featured no acknowledgement of the Council’s involvement. Reasons were cited as organisers not wishing the event to be associated with the Council and fear within the Council of criticism about spending of public funds.

CONCLUSIONS

Culture

Changing the culture in Cornwall Council is essential to improving governance.

There is an imperative need to focus on cultural change. There are several areas that need developing in this regard:

- The levels of trust between all tiers of government, partners, officers and Members
- Confidence in the organisation
- A thought process that looks at the 'bigger picture' including the whole of public and private sector delivery in Cornwall, rather than just Council services

To achieve this will require a new and different approach to strategic, organisational and local governance.

Members and officers need to share a sense of corporate loyalty to the Council, recognising that they are all part of the same organisation and all accountable for its successes or failures.

There is a sense of defensiveness in the way that the Council communicates – getting all its own ducks in a row before venturing out. The organisation – Members and officers – should recognise that it is an award winning Council, doing great things and it should have more self-confidence in defending its decisions and celebrating its successes and investments.

This comes back to having a clear and shared strategy for Cornwall which articulates the vision, approach and priorities and which is based upon a transparent, evidence-based foundation.

The process of developing this should be an opportunity to build trust with the public, proactively engaging with communities in order that they have a genuine chance to influence the outcome and be advocates for its implementation.

We firmly support progression of the joined up approach to research and evidence. Full advantage should be taken of the data-led experience in the NHS and expertise in partners such as the academic institutions and work should take place to quickly respond to the collective need for better insight.

Public engagement

The Council needs to review its public interface.

It needs to adopt a totally different approach to public engagement, going to where the people are rather than traditional 'town-hall' talks. Use of social media and other online platforms should be extended to ensure that a wider demographic has the opportunity to have input. Opportunities to build greater interaction between officers and local communities should be explored.

Further work should be done to look at how the Council and its partners can maximise research capability and identify means of gathering customer insight.

A more frequent residents' survey should be considered together with the accelerated development of a more agile residents' panel.

We do not have the evidence to conclude whether the Council's consultation arrangements are tokenistic, as perceived by many we spoke to, or whether the issue is more about timing and the way that results are, or are not, communicated.

Either way, there is a need to revisit how consultations are undertaken to ensure that there are clear standards for doing so and that best practice is shared. The Council needs to be able to demonstrate a clear narrative as to how they have listened to views and how this has influenced the resulting actions.

The Council should explore the feasibility of introducing innovative ways of engaging the public in decision making, as a means of signalling a step change in its approach to public involvement.

Town and parish councils

Relationships with town and parish councils need to be strengthened. Cornwall Councillors and local councillors need to work together as a partnership with a shared sense of responsibility for their area. Further work is needed to explore mechanisms to strengthen two way and constructive dialogue.

RECOMMENDATIONS

Work with key partners and stakeholders to develop a clear and shared long term Strategy for Cornwall, which articulates the vision, approach and priorities and which is based upon a transparent, evidence based foundation.

Culture change is essential to improving governance - the imperative should be on developing more trustworthy and open relationships between partners, officers, Members, local councils and public, with the aim of encouraging an 'all in it together approach', whereby partners get involved with strategic decisions at the earliest opportunity.

Members and officers need to develop and demonstrate a sense of corporate loyalty and pride in the Council, recognising the great work it does and having more self-confidence to defend its decisions and celebrate its successes.

Implement an evidence based approach to ensure robust decision-making.

Undertake a review of the public interface with the aim of using social media to reach and engage more; foster a culture of meeting people where they are based, rather than inviting them to Council-organised events.

Develop a residents' panel that can be used more frequently than the rigid biannual residents' survey.

Develop a clearly defined and collective narrative to explain the importance of business rates income in relation to the Local Enterprise Partnership's growth strategy.

STRATEGIC LEADERSHIP AND GOVERNANCE OF CORNWALL

Collaborative working is a real strength in Cornwall and clearly valued by the Council and its partners. Cornwall Council is viewed by partners as having a key role in driving and co-ordinating this collaborative approach.

There are many and varied positive examples of excellent partner working across Cornwall's public sector. The Cornwall Executive Group brings together senior executives across Cornwall's key organisations. Relationships between partners are good and there is a clear sense of engagement and a desire to work together.

Officers we spoke to within organisations viewed the Cornwall Executive Group positively and saw it as providing senior level officer leadership and buy in. Sub groups which focused upon shared intelligence and housing were also seen as an effective way of coordinating activity at a strategic level across organisations.

The biggest challenge moving forward is the ability of partners to work towards the needs of Cornwall as a whole rather than those of constituent organisations and/or their officers and Members.

"It's not ok for a chief executive or department head to make a decision that saves them some money, without saying 'where does this fall across the public sector as a whole?'"

Ian Smith, Chief Executive,
Cornwall Voluntary Sector Forum

Many of the witnesses that we spoke to described the need to move away from decisions being taken by organisations in isolation which result in negative consequences for another. One participant summed it up well in describing the need to hold people to account on 'how taxpayers' money is saved', not just 'organisational savings'.

At a national level, Cornwall is perceived more strongly when organisations speak as one rather than as individual entities. This was demonstrated by Lord Heseltine's praise for the singularity of voice from Cornwall in relation to the Growth Deal and from reaction to Cornwall's approach to developing the Sustainability and Transformation Plan for health and social care.

"As part of the process for our local growth fund submission, we had a challenge session with Lord Heseltine. The first thing Lord Heseltine said was "how refreshing that your local authorities trust you... to come in front of us to argue the case for Cornwall and the Isles of Scilly as that singular voice. How refreshing that it is business doing that. Well done local authorities.""

Sandra Rothwell, Chief Executive,
Cornwall and Isles of Scilly LEP

Recent examples where organisations have stood together for the benefit of Cornwall rather than taking an organisational perspective have helped to cement relationships. Health colleagues told us how much they appreciated the Council's stance in standing 'shoulder to shoulder' with them over the financial challenges they face. The development of secondments of workforce between the Council and partner organisations was also cited as a very positive way of building a more joined up approach.

"Cabinet Members are incredibly approachable, very sensible and very willing to have honest conversations with us. They are really willing to work with us, and stand with us."

Jackie Pendleton, Interim Managing Director, NHS Kernow

Many partners expressed a clear view that, as we look towards 2021, there is a need for a combined public service model which sets the strategic direction based on the overall needs of Cornwall rather than based on the focus of individual organisations.

"The analogy I use is an Icebreaker, you've got to have a thing at the front that creates a path, what happens in its wake and behind it doesn't need such careful management or planning. But a line of least resistance has to be created."

Adam Birchall, Property Forward Planning Manager, Cornwall Council

Differing governance structures were seen as a barrier preventing the level of integration and sharing of resources that are needed to bring about the transformation required in Cornwall's public sector. Shared resources and shared accountability were described as critical to helping people on the ground.

"There are maybe ten to twenty people in similar roles with similar responsibilities, often looking for answers to the same questions."

Dr Robin Kirby, Strategic Advisor to the Vice-Chancellor, Falmouth University

The outward facing role of the strategic boards and partnerships, such as the Health and Wellbeing Board, was well regarded, however within the wider governance context there were concerns about accountability, transparency and access.

Despite the chairs of the Boards and the Leader of the Council meeting on an informal basis periodically, views were expressed that there is an immediate challenge to achieve a greater degree of synergy in the governance and work of the main three Boards (the Local Enterprise Partnership, the Local Nature Partnership and the Health and Wellbeing Board).

There is understandable and widespread confusion about strategies, with conflicts between priorities fed by competing strategies - a gap between strategy, policy and delivery was described.

The need for closer working and collaboration between the Boards, the Council and other key stakeholders was apparent from many we spoke to. National policy direction also makes the need for the organisations to work in closer collaboration all the more critical - business rate retention will necessitate a shared vision around growth and the integration agenda cannot succeed without joined up strategy and prioritisation.

CONCLUSIONS

It is clear that, at an operational level, collaborative working across public sector partners in Cornwall is working well and improving; the Cornwall Executive Group is held in high regard. This is to be welcomed. But it is not enough, for two reasons:

- The good work of the Cornwall Executive Group needs to be complemented, and led, by political direction.
- To work effectively this political direction needs to be provided in a way that has legitimacy and authority.

In order to address these deficiencies, we recommend Cornwall should establish a Cornwall Leadership Board - chaired by Cornwall Council's Leader – that brings together the non-executive leaders of Cornwall Council, the Council of the Isles of Scilly, key partner organisations and strategic partnerships to start to develop a single unified vision and Strategy for Cornwall.

In terms of the governance options available to give legitimacy and authority, in other parts of the country, devolution deals have been accompanied by the establishment of Combined Authorities, comprising public sector leaders and chairs of Local Enterprise Partnerships, to which powers and funding previously held by Government is devolved.

We are not proposing that such a Leadership Board necessarily becomes a Combined Authority – whether such a body needs to be established will doubtless be the subject of discussions with the Government and the Isles of Scilly in the light of any proposals for further devolution deals.

But we are of the view that the existing devolution deal, and the need for Cornwall Council to take a leading role in setting the strategy of the Duchy as a whole, means that the case for a Leadership Board is already strong.

Whatever mechanism is created, it must have legitimacy and powers to make a difference or it could drift into a well-meaning 'talking shop' which is always seen as of secondary importance compared to the individual organisations and their decision-making processes.

The Leadership Board should have a sharp focus on the priority issues that need to be tackled together.

Formal scrutiny of the Leadership Board would need to be established in parallel, including co-opted membership reflecting the Leadership Board membership.

RECOMMENDATIONS

As a priority, we recommend establishing a Cornwall Leadership Board (CLB) to formally bring together the political leadership of Cornwall and the Isles of Scilly Councils, the Chairs of the key strategic partnerships and the non-executive Chairs of partner organisations (e.g. the Clinical Commissioning Group).

The Board would be tasked with developing a Strategy for Cornwall and ensuring its adoption and delivery through the organisations and partnerships represented on the Board and on the existing Cornwall Executive Group.

In parallel, establish scrutiny arrangements as a means of holding the Board to account.

ORGANISATIONAL GOVERNANCE OF CORNWALL COUNCIL

A consistent view throughout our evidence gathering was that it takes more than a good governance structure to have effective governance – the wrong organisational culture has the ability to make a great structure fail, whilst a positive environment could operate effectively despite a more challenging model.

EXECUTIVE ARRANGEMENTS

As we look towards 2021, the aspiration has to be to develop a model of governance that both satisfies the six principles of good governance and fits the collaborative, locality driven environment that thrives in Cornwall.

In tandem with the Who Decides events, our evidence gathering looked at the following options:

- The strong leader and cabinet model, as in place currently
- The committee system, as used previously within a number of the former district councils that joined together to form the unitary authority
- The mayoral model
- Other variations and alternatives

STRONG LEADER AND CABINET

As was the case in the 2012 Governance Review, the existing strong leader and cabinet model was found to receive the highest level of support of the options explored, although many considered that current arrangements require further modification.

The Cabinet was generally seen as working effectively and we heard a great deal of support, particularly amongst partners, for the portfolio holders, who were viewed as accountable, approachable and supportive. There was a shared view that the Leader and Cabinet model made decision-making more streamlined and dynamic than had been experienced under the committee systems of the past.

However, it is clear that the biggest concern about the current model is the significant disparity between the perceived importance and value of the role, and general involvement and fulfilment of Cabinet and of non-Cabinet members.

“It feels like a few are making decisions for the rest of us.”

Sue Nicholas, Cornwall Councillor

The responsibilities of portfolio holders were considered by some to be too big and beyond what could reasonably be expected of one person. By contrast, suggestions were also made that Cabinet members' roles should be widened further to enable a more cross cutting approach to be taken across portfolio areas and to have specific areas of geographical responsibility.

It was felt that there should be more portfolio holders to spread this workload but it was recognised that this was not currently possible due to legal limitations on the size of the Cabinet.

Meanwhile, there is a clear sense amongst a significant number of non-Cabinet members that their role is marginalised, with little opportunity for influence and a feeling that they are being 'done to' rather than being part of the decision-making process. This is clearly leading to a feeling of disengagement amongst some Members which has the potential to severely impact the effectiveness of the organisation as well as having serious future implications for attracting and retaining councillors.

“I stood for election so I could bring change, improvement and make a difference. I've failed on every one of those counts, because I've not been allowed to”

Ian Thomas, Cornwall Councillor

Together with the other tiers of the current governance structure, existing arrangements were seen by some as unwieldy. Some Members also felt that officers have too much influence and that there is a need to review the scheme of delegation.

It was noted that, under the Council's Constitution, the Leader of the Council is re-elected annually.

Whilst many felt that this provided reassurance that an ineffective Leader could be replaced, the counter argument is that this perhaps fails to demonstrate to the outside world the stability of leadership that may be seen as a prerequisite for further or more substantial devolution to Cornwall.

...there is a clear sense amongst a significant number of non-Cabinet members that their role is marginalised

COMMITTEE SYSTEM

We heard mixed views on the committee system. Some felt that the model provided for wider involvement of Members which would tackle the current perceived disparity between the importance and influence of the Cabinet and backbenchers. It was also felt that committees could offer greater and better balanced political representation and may be seen as more transparent to the public.

There was a strong counter view, including from many who had experienced the model within the former district councils in Cornwall, that given the scale and complexity of the responsibilities of Cornwall Council, that decision making would be slowed and that competing views would detract from achieving a single accountable voice. Additionally, the level of public engagement and scrutiny associated with the committee system was considered to be weaker.

DIRECTLY ELECTED MAYOR

The perceived need for a mayoral model by local government more widely, is based around the argument that greater powers are more likely to be devolved from central government to a local authority area which operates a mayoral system. However, there is a rationale that Cornwall has already achieved the devolution of powers and funding without a Mayor and may win even more devolution without a Mayor.

“Government wants a leader who is visible and accountable.”

Cornwall Councillor John Pollard, Leader,
Cornwall Council

Given the importance of this issue to the future of Cornwall and therefore to this Review, we considered the full range of pros and cons, as identified to us, in relation to the idea of an elected mayor for Cornwall:

Pros

- Recognised and has status nationally
- Has the potential to attract a more substantial devolution deal impacting more public services
- Provides stability, consistency and accountability in driving vision and strategy over a four year term
- A role wider than the Council and released from the pressure of leading the Council and its politics
- Potentially greater ability to represent beyond Cornwall’s boundaries
- Directly accountable to the electorate

Cons

- Cornwall’s position following the first Devolution Deal would suggest that the Government will do business with Cornwall without the need for an elected mayor
- Potentially difficult to achieve buy-in given that there is little Member or partner appetite for a mayor – and there isn’t strong support from the public
- Countervail that fixed four year term could be a problem if there is dissatisfaction with the mayor
- Concerns that a mayor would be likely to represent a specific issue or viewpoint, potentially marginalising other important issues
- Potential conflict between the Mayor and the existing political networks in Cornwall, so unhelpfully increasing the complexity and fragmentation of political leadership in the Duchy

Overall, there was a lack of appetite for a mayoral model in our evidence gathering. Many failed to see what a mayor could achieve over and above the strong leader model, and many felt that it would diminish the collaborative approach that exists in Cornwall.

Where there was support for a mayor, this was generally in the context of it being a means to an end in terms of achieving greater devolution or because of a general dissatisfaction with the Council and current governance arrangements.

On balance, we did not think that the case for a mayor was sufficiently strong at this stage for a change of this magnitude to be recommended. We are of the opinion that a strong leader model, engaging with private, public and voluntary sector bodies can deliver many of the benefits of the mayoral model, without the disruptive change and risk of fragmentation that would occur with the introduction of a mayor.

But the case for a mayor could and should be revisited if and when

- a the size and scope of future devolution deals is known and a clear statement from government indicates that any such deals are dependent on Cornwall adopting the mayoral system or
- b the Strong Leader and Leadership Board model we recommend elsewhere in this report does not deliver the benefits that we are confident will ensue.

Many failed to see what a mayor could achieve over and above the strong leader model, and many felt that it would diminish the collaborative approach that exists in Cornwall.

AN ALTERNATIVE APPROACH

We heard a number of suggestions for alternative governance approaches based on changes to structures and methods of working. It was recognised that, to a greater or lesser extent, all of these are dependent upon legislative change.

We received evidence on the Assembly model. Under this approach, the Assembly would set the high level strategic direction based on local priorities. Up to four 'unitary style' councils would work under the Assembly and local councils would manage issues beneath this. The model was described as being more outward looking, able to promote and sell Cornwall.

Another approach discussed was the introduction of a split between strategic and local Member roles. This would seek to address the breadth of the role of Members and the potential tension between the role as local divisional Member dealing with day to day issues and concerns of their local community and as a strategic Member required to take decisions based on the greater good of Cornwall as a whole.

We heard a number of suggestions that there should be a smaller number of councillors with a specific focus on strategic issues which would enable other Members to concentrate on their local role. The general view of Members we spoke to was that they are comfortable with the existing dual perspective and that the two sides of their role are complementary.

A more community based model of governance based on an increased role and powers for Community Networks was also suggested.

Community Network Areas and the role of Panels were discussed widely and will be explored in more depth later in this report. There were views that an alternative model could be developed based on these Panels with area based decision making and budgets. There were also conflicting views that a system of area committees had been trialled in the past and was not found to be effective.

Whilst outside of the scope of our work, suggestions were made that the Council should review electoral arrangements including reducing the voting age, the introduction of rolling annual elections and local powers over voting systems.

CONCLUSIONS

Cornwall needs a strong leader - a leader who is able to drive the development of a shared vision and strategy, and sell and deliver this vision to all parts of Cornwall and outside. They must be able to engage with all stakeholders from all sectors and facilitate difficult decision-making.

We concluded that, on balance, there is not currently enough compelling evidence or argument in favour of an elected Mayor for Cornwall.

The strong leader model will continue to serve Cornwall well and would be strengthened further if the Cornwall Leadership Board is established and this Board is chaired by the Council Leader thereby becoming the strong, single voice for Cornwall.

Although we understand the contrary arguments, we believe that a Leader elected for four years, unless the required steps are taken to remove them under the Constitution, sends a stronger message to the public that there is longer term stability of leadership in Cornwall.

RECOMMENDATIONS

Retain the 'Strong Leader and Cabinet' model of governance.

Revisit the mayoral model if and when the scale of devolution on offer to Cornwall warrants a more fundamental consideration of this option and the mayoral system is seen as a precondition to a Deal being concluded or if the strong leader model is insufficient to make the Leadership Board model work effectively.

To provide consistency, stability and a clear message to Cornwall and beyond, that (subject to the existing rights to remove within the Constitution) the current arrangement of the Leader of the Council being elected annually should cease.

POLICY DEVELOPMENT AND SCRUTINY ARRANGEMENTS

The Council's Cabinet is supported by nine Policy Advisory Committees (PACs) based on themes correlating to Portfolio areas. Originally, there were ten PACs which aligned to each of the Cabinet Portfolios but the responsibilities of the Health PAC were subsequently included within the Terms of Reference of the Health and Adult Social Care Overview and Scrutiny Committee.

These were established in response to the 2012 Governance Review although, with the benefit of experience, it is clear that the PAC system is not widely perceived as having effectively addressed the deficiencies identified in 'backbencher' involvement in policy development. Equally, it is perceived as having undermined the strengths of the previous well-regarded overview and scrutiny function.

"Scrutiny needs to be strengthened. I am not a fan of the PACs we've got at the moment, they are a little bit too compliant; they need to be more challenging."

John Keeling, Cornwall Councillor

Each PAC consists of ten members and meets on a six weekly cycle. The intention is for them to fulfil a policy development and pre-implementation scrutiny role. The PACs are purely advisory with no decision making powers – that lack of understanding and embedded purpose manifests itself in the attendance which in the case of some of the PACs was reported to be patchy, at best.

The scrutiny function at Cornwall Council is made up of two committees – the Health and Adult Social Care Overview and Scrutiny Committee and the Scrutiny Management Committee.

Both operate select committees which allow Members to find out more about an issue, by talking to witnesses and pulling together specific evidence.

We looked at how well these arrangements are operating, both from the perspective of organisational effectiveness and Member engagement.

POLICY ADVISORY COMMITTEES (PACS)

The overwhelming view from Members, officers and external partners who provided evidence to us was that the PAC arrangements are not working effectively and are heavily reliant on a diminishing officer capacity.

Whilst it was acknowledged that certain PACs do function well and the opportunity they provide for early engagement was valued, the general consensus was that they have created a significant bureaucratic burden which is a vast draw on both Member and officer time whilst achieving only very limited influence.

Some saw their role as scrutiny but felt that the committees 'lacked teeth' to scrutinise properly; others considered it to be policy development.

There was also considered to be a degree of overlap between the functions of the different committees resulting in arguments about areas of responsibility.

"I am not convinced the PAC system has worked as effectively as it might have done - that may be the people in post or it may be the lack of understanding of their roles."

Mike Eathorne-Gibbons, Cornwall Councillor

We heard from Members that some PACs suffer with issues of low attendance and difficulty in identifying agenda items. Levels of interaction between PACs and Cabinet were described as inconsistent, although we noted that individual Cabinet Members were praised by many as engaging well with the PACs.

Whilst it was evident that there was a genuine desire amongst Members for the PAC system to be effective and that they have made significant efforts to make them work, most Members we spoke to concluded that the previous policy development and scrutiny arrangements had provided a more effective, influential and engaging model.

SCRUTINY

In common with the PACs, the changes to scrutiny arrangements brought about in response to the 2012 Governance Review were seen as a retrograde step.

“Systematic challenge is not robust enough.”

Cornwall Councillor John Pollard, Leader, Cornwall Council

We heard views that the scrutiny management process is not embedded and that the focus is often about individual issues rather than taking a holistic or fundamental approach.

There was widespread support for stronger systematic scrutiny and suggestions that there should be scrutiny for each main function of the Council and potential for developing scrutiny arrangements at a local level. Scrutiny of place was also seen as an important role, for example focusing on a particular town or area.

Views were mixed on whether scrutiny committees should have a dual role also focussing upon policy development. Some felt that this was a conflict of interests, however, others reflected on how well the combined role had worked previously with committees able to drive policy development and ensure, through scrutiny, that this was being delivered effectively and achieving the results needed for Cornwall.

There was widespread support for stronger scrutiny and suggestions that there should be scrutiny for each main function of the Council and potential for developing scrutiny arrangements at a local level

CONCLUSIONS

There is strong evidence that the PAC system is not working based on a majority view from Members, officers and external partners. They create confusion and fault lines between policy development and scrutiny and where decisions are made.

Although the creation of PACs was well intentioned and some are working effectively, there are too many of them, creating a costly overhead to the Council and getting in the way of streamlined governance.

We therefore support a reform of current arrangements which would result in fewer committees with terms of reference which clearly set out a combined policy development and scrutiny role.

There is clear support to strengthen existing scrutiny arrangements and we would agree with the view that there is no incompatibility between a dual policy development and scrutiny function. We would also recommend that the Council looks to broaden the use of co-option on the new committees so that the organisation benefits from the wealth of expertise that exists in Cornwall.

Aligning the committees to Directorates would provide a clear, logical and workable organisational approach but it is essential that work programmes are not dominated by inward looking issues – they must be informed by a clear view of resident priorities and evidence.

How this aligns with the role and work of the statutorily prescribed Health and Adult Social Care Overview and Scrutiny Committee and the Health and Wellbeing Board will have to be considered.

Support should also be considered to ensure that Chairs and Members are fully equipped to undertake effective scrutiny. Generic training such as questioning skills, as well as topic specific support should be offered.

It is essential that the new committees have the ability to establish work programmes based on issues that really matter to Cornwall – without meaningful areas of work and outcomes that make a difference, the pattern of disillusionment will continue.

Those work programmes should be evidence based and developed in a collaborative environment involving the executive and senior officers.

RECOMMENDATIONS

Replace the existing Policy Advisory Committees and the Scrutiny Management Committee with a small number of directorate or theme based committees, with a larger membership, equipped to both undertake scrutiny and contribute to policy development.

Consider greater use of the legislation that allows the co-option of non-elected members from partner organisations to the new committees.

Future committee work programmes to be informed by a clear view of resident priorities, tackling issues that matter to Cornwall.

CORNWALL COUNCILLORS

“We are at the cusp of a new generation... It’s a different conversation now to what it was five years ago, and completely different from what it was ten years ago”

Paul Masters, Director of Economy, Enterprise and Environment, Cornwall Council

MEMBER ROLE

The role of Members has evolved considerably over recent years.

We were struck by the level of commitment demonstrated by Members and their desire and drive to do the very best for the communities they represent.

The role of a Cornwall Councillor is unequivocally a challenging one.

“Councillors used to do for, and then with, now it’s about how can I create the conditions for people to do it for themselves. It’s a very big shift of what we’re asking of Councillors.”

Joyce Redfearn, Chair of the Cornwall and Isles of Scilly Transformation Board, NHS Kernow

Members are required to be dual hatted – serving both as a local champion for their community and as a strategic leader focussing on the needs of Cornwall as a whole. Sometimes there will inevitably be tensions between these two positions.

The Members we spoke to talked at length about their role within communities. This appears to be extremely ‘hands on’ with much time spent responding to queries and problems about issues in their area.

This ‘hands on’ role, more often than not, meant that Councillors felt that their more strategic role on Cornwall Council, including examining the impact of policies on particular places and translating Council strategy to their localities, tended to get squeezed out by addressing local queries and problems.

Linked to this, in their strategic role, Members are involved in complex decision-making often requiring different skills, knowledge, use of evidence and expertise than they deploy in local settings.

We were not convinced from the evidence we heard that Members receive enough support to help them manage these two very different roles.

Previous Member induction arrangements were described as a huge download of information focused primarily on Council services rather than their role as a councillor and the culture of the organisation.

WORKLOAD AND WAYS OF WORKING

What Members all agreed upon was that they are kept busy.

Some had been recording their hours as part of the electoral review and had found they were working 45 hours or more a week. Those responsible for rural areas made the point that they spend a significant amount of time travelling to reach all parts of the communities they represent, some supporting up to 7 parish councils.

“The number of meetings often called at short notice or with single item agendas on different days of the week make it difficult for a member who has other commitments to participate. We squander our own time as well as that of officers. It is also more difficult to keep an eye on important things that are happening because we are wading through treacle with so much paperwork.”

Fiona Ferguson, Cornwall Councillor

Members told us that they feel an expectation from their constituents that they will be on hand 24 hours a day, seven days a week to deal with telephone calls and reports of problems. Planning casework was described as taking up a great deal of their time and some reflected that they took away issues from meetings that should really be addressed by the relevant officer because they had a sense of responsibility to see that the issue was properly dealt with.

We heard one suggested solution that there is a need for a radical look at the Member role possibly based on a three day week to ensure that the role can attract those with other work commitments. However, most Members felt that this was unworkable and at odds with public expectations around accessibility.

We observed parallels between Members' description of their time and that expressed by partners – in both cases a sense of being overwhelmed by trying to solve the symptoms of issues rather than having the time to step back and tackle the cause.

Member time in attending meetings in Truro appears to be another contributing factor. The PAC system was acknowledged as resulting in a significant volume of meetings, often with relatively slim agendas and meetings not organised on the same day of the week. Informal briefings were considered to be useful but another significant draw on Member time which one Member suggested could be more usefully provided as a webcast or podcast.

Despite Cornwall's significant geography, we noted that very limited use is made of technology to reduce the amount of Member time spent travelling to meetings.

REPRESENTATION

The importance of attracting young people into local politics was widely recognised. The Council provides support to Youth Members of Parliament through an independent organisation and to a number of Youth Councils.

We heard about the excellent example of Luxulyan Parish Council which had invited an interested Youth Council member to sit in on their meetings and who had subsequently been co-opted as a parish councillor when he reached 18.

Members also reflected on the role that they could play in developing relationships with schools in their areas to get younger people more aware of and interested in local politics.

COUNCILLOR NUMBERS

In looking at the evolving role of Members, and mindful of the ongoing Electoral Review, it was inevitable that many of our Inquiry sessions would touch on the subject of the number of Cornwall Councillors that will be required in 2021.

The Cornwall Devolution Deal, agreed in 2015, stated that **“a key ambition of Government, through Devolution Deals, is to strengthen governance in local areas. Building on the significant Governance reform in 2009, where Cornwall moved from seven local authorities to one local authority, Cornwall Council will take forward a council boundary review. This boundary review is expected to reduce the number of local councillors and will be taken forward by the Boundary Commission.”**

We heard a suggestion that the number of Councillors could be halved. Others suggested that a reduction in numbers by around a third would be practicable. The overwhelming majority of Councillors, however, thought that current numbers were about right.

As a matter of urgency, there is a need to explore and implement low-cost and easy to access IT solutions which allow Members to get involved in Council business without the need to travel, particularly to Truro.

CONCLUSIONS

Member role

Clarity is needed on the role and support for Members to adapt to new ways of working. Members' strategic responsibilities and those in their locality should be specifically articulated through a clear role profile developed potentially in partnership with the authors of the 21st Century Councillor. Both aspects should be recognised as important and be valued, however, the strategic role should have primacy.

Induction and training should serve to reinforce this and focus on expectations regarding behaviours, values and priorities.

Workload and ways of working

The prevailing view of Members is that their first role is to look after the people who put them in that position. However, as budgets are reduced and demand for services increase, that position and the way that Members are currently operating are arguably not sustainable.

Support should be given to Members to help them develop a more enabling role - making a transition away from “doing for people” to a more facilitating role – signposting to a solution rather than being responsible for identifying it and making it happen. This will help to create the conditions for people to be able to do more things for themselves and enable communities to build resilience.

As a matter of urgency, there is a need to explore and implement low-cost and easy to access IT solutions which allow Members to get involved in Council business without the need to travel, particularly to Truro.

Representation

Councillors should be encouraged to develop links with schools in their areas as a means of increasing young people's knowledge and interest in local politics.

Councillor numbers

It is outside the scope of our review to make a recommendation as to what the best number of Councillors should be. That is being considered through a separate review of electoral arrangements within the Council and is ultimately a matter for decision by the Boundary Commission.

Both in our own review and that in 2012, we have been struck by the current size of the Council, notwithstanding the introduction of Policy Advisory Committees following the 2012 review, leaving many Members feeling marginalised, in search of a role and not sufficiently engaged.

Irrespective of the governance model adopted and its success or otherwise in addressing backbench disengagement, a system based on a Cabinet of 10 and 113 others has inherent problems of alienation which were identified in 2012 and are still being aired today.

Furthermore, the impact of double devolution and the more strategic role for Cornwall Council, leads us to consider that it will require substantially fewer Members to function effectively. These issues will doubtless be explored by the Boundary Commission.

RECOMMENDATIONS

Clarify the Member role through the development of a new role profile for the 2017 and 2021 intake that sets out the range of future responsibilities as highlighted in the 21st Century Councillor Publication.

Ensure that the Member role profile recognises the value and importance of both locality and strategic responsibilities.

Support Members to move the role away from an obligation to identify and personally solve all problems to developing community resilience alongside local town and parish councils.

Improve induction and training to add focus to role and culture.

Explore and implement low-cost, easy access IT to reduce Member travel time.

Encourage Members to develop improved links with schools to increase young people's knowledge and interest in local politics.

Promote the co-option of Youth Councils to town and parish councils.

LOCALITY WORKING

Community Network Areas and Panels were established following the formation of the unitary council to preserve and enhance links with local communities.

Throughout the course of our Inquiry days, and almost without exception, the principle of locality working and engagement was supported. However, there were widespread concerns and a lack of understanding about the purpose and effectiveness of the current arrangements.

The 19 Panels have all been allowed to evolve according to local circumstances and it was recognised that some work better than others. This was seen as a reflection of local circumstances and need, rather than as a consequence of the way that Panels operated.

“In terms of localism and the networks, they don’t exist now in the way they were first envisaged.”

Jeremy Rowe, Cornwall Councillor

Positive aspects were identified as networking opportunities, information sharing and partnership working. The role and approach of Community Link Officers was also praised although the confusion around a consistent role and purpose of Community Networks meant confusion over the specific responsibilities of those Officers.

“Panels are far less formal than say, a Cornwall Council Committee, which allows us to be much more flexible, can react much quicker to local issues and also to being the point of contact from Cornwall Council to the communities, especially the Town and Parish Councils.”

David Read, Community Link Officer, Cornwall Council

However, there was a deep sense of frustration that the Panels have very limited influence given the absence of a clear formal role, delegated powers or devolved budget.

“The majority of the Community Networks get together and debate local issues, but don’t feel they can implement decisions there.”

Matt Barton, Assistant Head of Strategy and Communications, Cornwall Council

Some Panels were viewed as more of a disseminator of Cornwall Council information than sharing and tackling local issues. In the worst cases they were perceived as little more than a ‘talking shop’.

The potential of the Panels however, was recognised by many. There is evidence to suggest how that potential can be realised.

Even determination of how a relatively small allocation of the Council’s £800k Local Devolution Fund to each Community Network Area was spent, has enabled Panels to demonstrate a positive impact upon services. With access to an annual devolved budget, Panels could potentially match fund external sources of funding and lever even more money into their areas.

“What communities value is when projects come out of the Network Panels.”

Charlotte Caldwell, Community Link Officer, Cornwall Council

The ability to influence policy making through genuine engagement was also seen as an important opportunity. Some felt that the Panels had the potential to serve as the final arbiter of planning and licensing decisions although it was recognised that this would require legislative change and reallocation of budgets.

Whilst most Panels were considered to have a good relationship with their respective town and parish councils, levels of engagement vary. The same can be said for Cornwall Councillors, some of whom do not attend meetings on a regular basis or at all.

Comments were made that the Network areas fail to reflect natural community geographies and that this is an obstacle to engagement and ownership.

Views on the future of the Panels tended to fall into two camps – one that the Panels should be disbanded having been in place now for seven years and still having generally not found their identity; the other that the Panels have real potential but need to be given a more formal decision-making role and accompanying resources.

We were not convinced that the Council is currently clear about what it wants from the Panels.

Potential was seen to strengthen the relationship between the Panels and the Council. Suggestions included the ability for Panels to formally refer issues to the Council where they could not be addressed locally and a more collaborative approach to setting agendas to ensure that town and parish councils have the opportunity to influence issues discussed.

The involvement of wider partners so that the Panels bring together representatives of all organisations serving the area was also felt to be important. This would potentially provide for a local mirroring of our proposals for a new strategic Cornwall Leadership Board.

Potential was seen
to strengthen the
relationship between the
Panels and the Council.

TOWN AND PARISH COUNCILS AND 'DOUBLE DEVOLUTION'

Successful collaborative working between Cornwall Council and the 197 town and parish councils and 16 parish meetings is going to be intrinsic to Cornwall's future. As Cornwall Council moves through double devolution towards a more strategic role, it is essential that town and parish councils are more adequately equipped to fulfil aspects of local service delivery.

Our evidence suggests that there is currently some distance to go in achieving this.

Only a very small number of town and parish councils were able to take up our invitation to share views with us. Those who did, raised concerns about the level of engagement from the Council, a lack of opportunity to 'feed upwards' rather than a top down Council-led approach and the view that devolution of services has been based very much on the Council's terms. Their perception was that town and parish councils are being passed things the Council doesn't want and that responsibilities were being 'dumped' on them without the necessary resource.

Despite that view, the councils voiced enthusiasm for devolution, recognising that the varying size and circumstances of councils impacted the degree of services they could take on.

"There was a slow start; it was like trying to push a closed door, to get devolution... [but] we're working now with Cornwall Council very, very well for devolution and to ensure it is sustainable."

Councillor Grenville Chappel,
Falmouth Town Council

We heard from a number of witnesses about the scope for tension between smaller rural and larger urban councils over devolved functions. A councillor of a small, rural parish council described how its size made it impossible to consider taking on anything other than small scale operations such as public conveniences.

However, leisure facilities used by the community in the neighbouring town had been devolved to the local town council and they had no ability to influence these. Conversely, we heard an example of a town council seeking funding from its neighbouring rural parishes to enable the devolution of library facilities, which was met with very little support.

Another concern of some town and parish councils was their capacity and lack of infrastructure to take on devolved services. The need for greater training, resources and recognition of the voluntary nature of their members were also highlighted.

We heard that a number of local councils have vacant seats which they are unable to fill and others are finding it hard to afford the cost of running an election. We also heard about some really positive examples of smaller parishes clustering to achieve capacity to take on services from Cornwall Council.

The importance of genuine partnership working between the Council and town and parish councils was emphasised by many. Both sectors need to invest in developing a relationship that enables them to play their complementary roles effectively in serving local communities.

Maintaining good lines of communication is critical, as are maximising opportunities to work together on strategy development to enable a shared vision and message to the wider community.

Positive practical suggestions were made around the inclusion of town and parish councils in the induction process for new Cornwall Councillors.

CONCLUSIONS

Community Network Panels

The Council needs to decide how serious it is about Community Network Panels. It cannot continue to invest in an arrangement that is not working. A commitment needs to be made to either define and strengthen the status of the Panels or to abolish them.

Whilst there is merit in local areas determining how they want the Panels to operate and the resulting flexibility, this needs to be as part of a consistent view of their importance and governance role.

There is an urgent need for clarity about their purpose and role in order to consider providing greater empowerment, ownership, promotion and support. This work is needed particularly with regards to commissioning, influence, budgets, decision making powers and capacity building.

The number of Panels and the geographical areas covered by those Panels should also be reviewed to identify what provides the most workable arrangement from a Council and locality perspective.

Consideration should be given to allocating the senior officers that comprise the Council's Corporate Leadership Team with a 'stewardship' responsibility for a Community Network Area; this would sit alongside their functional responsibilities to ensure that strategic direction translated to delivery on the ground.

Agreement of devolution deals should be a genuine two-way process

Double devolution

There is a need to recognise that, in some areas, local devolution will work and, in others, it will not. The current view of 'not everywhere, not at the same time' is the right one.

There is also a clear case for the unitary, town and parish councils to be working together more closely to explore what is right for that area in terms of devolution.

Clustering of councils could be one option or Community Network Panels could provide a ready-made platform to facilitate that discussion. The localised structure should also be responsible for ongoing performance monitoring of devolved services – recognising, of course, that Cornwall Council will still have a role in accordance with its statutory responsibilities.

A more proactive approach needs to be taken to grasp the full potential and benefits beyond devolving a few services. The Council should approach devolution from a place-shaping perspective rather than a series of ad hoc arrangements.

Devolution needs the right infrastructure, capacity and capability to make it succeed. Work needs to be done by the Council to ensure that there is proper capacity; without this it will fail. There should be clear criteria in relation to 'fit for purpose' before devolution deals are agreed.

Cornwall Council's role is to build capacity, although it does not necessarily need to provide the support directly itself. Parallels may be drawn with infrastructure support for the voluntary and community sector.

Agreement of devolution deals should be a genuine two-way process where towns and parishes should be able to request powers from the Council and other public sector organisations (e.g. Police) and should be encouraged to do so.

The high levels of volunteering in Cornwall and the active community of leaders involved in local groups and activities, but not necessarily part of the political establishment, is a real strength.

That energy and commitment should be harnessed. Opportunities to use co-option to attract such energy into town and parish councils should be actively encouraged.

RECOMMENDATIONS

Community Network Panels

Given Cornwall Council's double devolution ambitions and the growing importance of town and parish councils in service delivery, we recommend the Council urgently review and clarify the purpose, role and geographic areas of the Community Network Panels. If this fails to deliver a defined and strengthened role for the Panels, we would suggest that they should be abandoned.

Consider allocating responsibility for overseeing the operational relationship and linkages with a locality / Community Network Area to members of the Corporate Leadership Team.

Double devolution

Cornwall Council's approach to double devolution needs to be focused more on comprehensive 'place shaping' packages.

If there is not enough capacity within a parish area to undertake a devolved service, devolution to a clustering of local councils should be considered.

We recommend the localised structure be responsible for ongoing performance monitoring of devolved services with Cornwall Council only monitoring performance for those services for which it retains a statutory responsibility that cannot or has not been devolved

Cornwall Council to lead on the capacity building role amongst town and parish councils.

A more balanced two way dialogue is needed to enable town and parish councils to request the devolution of powers from Cornwall Council and partners.

CROSS-BORDER WORKING

During the course of our Inquiry Days, we heard evidence on a number of issues which we have collated under the heading of ‘Cross-border working’.

The first issue was the governance around, and level of, collaborative working between Cornwall and its neighbouring authorities.

Positive examples of joint working between Plymouth City Council and Cornwall Council were cited e.g. the Tamar Bridge and Torpoint Ferry Joint Committee and the Peninsula Rail Partnership.

We also heard about the development of further inter-authority arrangements between Cornwall Council and the Council of the Isles of Scilly, building on the existing sharing of Service provision.

“We agreed to start a proper strategic relationship with Cornwall. This is particularly important with the background of devolution discussions that are going on, but also the various cuts that are coming down the line.”

Theo Leisjer, Chief Executive,
Council of the Isles of Scilly

There was also reference made to the strong relationship between the Cornwall and Isles of Scilly LEP and the Heart of South West LEP.

However, the evidence was that the relationships were more pragmatic than based on a clear strategic narrative, particularly in the relationship between the Devon local authorities and Cornwall Council.

“We are at the point now where we can move forward together but we must have the right narrative.”

Tracey Lee, Chief Executive, Plymouth City Council

The second issue was the engagement between partner organisations covering a geographical area larger than Cornwall and Cornwall Council. Although generally positive, there was concern about clarity of access points and how quickly partner organisations could engage with key Members or officers.

The third issue links to the marginalisation issues referred to in other sections of this report. Members from the South-East and North of Cornwall feel disengagement based partly on their geographical distance from Truro but also because many of the services that are key to the lives of their constituents are based in or provided from Devon and they have little or no involvement with, or influence over that service provision.

“One of the big issues that comes up in the Council Chamber is that Cornwall Council is too Truro centric and doesn’t deal with the particular issues in say, South East Cornwall.”

Kate Kennally, Chief Executive, Cornwall Council

CONCLUSIONS

As referred to previously in this report a pragmatic approach to the cross-border relations and issues of mutual interest between Cornwall and its neighbouring authorities can work but it should be in the context of an overarching strategic narrative that recognises collective priorities.

This would address the 3 or 4 key strategic issues which are both significant and cut across geographical boundaries in terms of the residents they serve and/or have impact upon.

It would be hoped that a Strategy for Cornwall would be drafted and based on more formalised engagement between the Cornwall Leadership Board and equivalent senior level governance structures within neighbouring authorities.

It should be fairly straightforward to improve the levels and clarity of engagement between Cornwall Council and those bodies or organisations which co-ordinate or provide services across a wider area. Again, this may be solved partially through the potential membership of the Cornwall Leadership Board.

There is an opportunity through addressing the governance of arrangements for services based in or provided in Devon which have a significant impact on residents in Cornwall, to also address the feeling of disempowerment of local Members in the North and South East of Cornwall.

RECOMMENDATIONS

For the benefit of residents, establish more formalised and transparent governance arrangements with local authorities in Devon which enable the key significant issue of common interest to be addressed in a more strategic way.

Identify and clarify the key access points within Cornwall Council for bodies and organisations which serve a wider area than Cornwall.

Explore the potential for local Members in the North and South East of Cornwall to have more formal involvement with and/or influence over the provision of services based in Devon.

APPENDIX 1

Governance Review External Group (GREG) Terms of Reference

The Cornwall Devolution Deal, the Local Government Boundary Commission for England Electoral Review and the changing faces of public sector funding and service delivery compel the Council to undertake a fundamental review of the governance arrangements of the organisation and the wider public sector in Cornwall.

This is with a view to establishing a governance framework and infrastructure that is robust, efficient and flexible enough to respond to an evolving public sector environment.

The large scale governance review undertaken by the Council during 2012 involved an independent External Group of three lay people appointed by the Council reporting to Members. This second GREG is closely aligned to the previous one in purpose and size. It will be supported by the Governance Review Steering Group with additional support and input from the Local Government Association and the Centre for Public Scrutiny.

GREG will act as a sounding board and critical friend on behalf of the Constitution and Governance Committee for the development of proposals for the Council's governance arrangements and broader governance for the public sector in Cornwall, testing those against the evidence base collected and principles of good governance.

It will report to Full Council through the Council's Constitution and Governance Committee.

KEY TASKS

- Gathering evidence to enable an understanding of the existing governance environment in Cornwall
- Understanding the context of how future governance arrangements may be impacted by factors including current and future devolution, the Local Government Boundary Commission for England electoral review, the changing faces of public sector funding and service delivery both locally and nationally.
- Carrying out inquiry days, the purpose of which will be to hear and review evidence on the Council's and other governance arrangements from the public, Cornwall Council Members, stakeholders and other interested parties, including town and parish councils, the National Association of Local Councils and the Cornwall Association of Local Councils.
- To report back to the Constitution and Governance Committee and the Electoral Review Panel (attending meetings where possible) as appropriate, on the outcomes of the inquiry days or other evidence gathering exercises, along with any views on the information received.
- To select, design and implement other means of gathering evidence.
- To provide support in any other strands of work which need to be undertaken for the purposes of the Governance Review.
- To engage with such groups, boards or other forums as the Governance Review Steering Group or Constitution and Governance Committee may suggest with a view to maximising the value of complementary pieces of work, such as the electoral review.

APPENDIX 2

Contributors

Centre for Public Scrutiny

Ed Hammond

Chartered Institute of Public Finance and Accountancy

Sean Nolan, Associate

Coastline Housing

Allister Young, Chief Executive

Cornwall and Isles of Scilly Local Enterprise Partnership (LEP)

Sandra Rothwell, Chief Executive

Clare Harris, Employment and Skills Manager

Matt Silver, Business & Stakeholder Relationship Manager

Cornwall Association of Local Councils

Sarah Mason, County Executive Officer

Cornwall Chamber of Commerce

Kim Conchie, Chief Executive

Cornwall College

Mark Williams, Director Apprenticeships and Work Placed Learning Projects

Cornwall Council

Cllr Andrew Mitchell

Cllr Andrew Wallis

Cllr Ann Kerridge

Cllr Armand Toms

Cllr Bert Biscoe

Cllr Bob Egerton

Cllr Carolyn Rule

Cllr David Ekinsmyth

Cllr Dick Cole

Cllr Douglas Scrafton

Cllr Fiona Ferguson

Cllr Gary King

Cllr Geoff Brown

Cllr Ian Thomas

Cllr Jeremy Rowe

Cllr Jim Candy

Cllr Joanna Kenny

Cllr John Coombe

Cllr John Fitter

Cllr John Keeling

Cllr John Wood

Cllr Jude Robinson

Cllr Judith Haycock

Cllr Julian German

Cllr Loic Rich

Cllr Loveday Jenkin

Cllr Malcolm Brown

Cllr Michael George

Cllr Mike Eathorne-Gibbons

Cllr Mike Eddowes

Cllr Paula Dolphin

Cllr Rob Nolan

Cllr Roy Taylor

Cllr Sally Hawken

Cllr Sue James

Cllr Sue Nicholas

Cllr Vivian Hall

Kate Kennally, Chief Executive

Paul Masters, Director of Economy, Enterprise and Environment

Cath Robinson, Director of Communities & Organisational Development

Trevor Doughty, Director of Education, Health & Social Care

Jack Cordery, Head of Children's Early Help, Psychology and Social Care Services

Paul Walker, Chief Fire Officer

Allan Hampshire, Head of Public Protection & Business Support

Julie Seyler, Culture Programme Manager, Economic Development & Culture

Rachel Bice, Strategic Environment and Waste Manager

Steven Ford, Cornwall Deal Programme Lead

Adam Birchall, Property Forward Planning Manager

Stephen Foster, Communities Area Manager

Mark James, Communities & Devolution Manager

David Read, Community Link Officer

Charlotte Caldwell, Community Link Officer
 Anna Druce, Community Link Officer
 Julian Commons, Antisocial Behaviour Team Manager
 Beverly Hill, Devolution, Consultation and Engagement Specialist
 Simon Deacon, CORMAC Operations Director
 Anita Searby, Democratic Team Leader
 Carolyn Cadman, Corporate Organisational Development Manager
 Jen Fishwick- Hannaford, Cabinet and Civic Office Manager
 Richard Williams, Head of Information and Governance
 Matt Barton, Assistant Head of Service for Customers and Communities (Strategy and Communications)
 Phil Mason, Head of Planning and Enterprise

Cornwall for Change

Paul Dyer
 Orlando Kimber

Council of the Isles of Scilly

Theo Leijser, Chief Executive

Creative Kernow Ltd

Ross Williams, Director

Department of Communities and Local Government

Paul Rowsell, Deputy Director

Devon and Cornwall Police

Chief Supt Jim Pearce

Falmouth Town Council

Councillor Grenville Chappel

Falmouth University

Dr Robin Kirby, Strategic Advisor to the Vice-Chancellor

Governance Review Panel 2012

Martin Parker, co-opted Member of Cornwall Council's Standards Committee and Former District Auditor

Gwinear Gwithian Parish Council

Councillor Michael Roberts

INVOLVE

Simon Burall, Director

Local Nature Partnership (LNP)

Matthew Thomson, Co-Chair
 Kevin Gaston, Co-Chair

Mebyon Kernow

Cllr Dick Cole, Party Group Leader

Member of Parliament

Scott Mann, Member of Parliament for North Cornwall

National Association of Local Councils (NALC)

Dr Jonathan Owen, Chief Executive
 Charlotte Eisenhart, Improvement and Development Manager

New Local Government Network (NLGN)

Claire Mansfield, Head of Research
 Kathinka Lyche, Researcher

NHS Kernow

Iain Chorlton, Chair
 Jackie Pendleton, Interim Managing Director
 Joyce Redfearn, Chair of the Cornwall and Isles of Scilly Transformation Board

Penzance Town Council

Hester Hunt, Town Clerk

Plymouth City Council

Tracey Lee, Chief Executive

Police and Crime Commissioner

Andrew White, Chief Executive

Duncan Walton, Treasurer

Royal Cornwall Hospitals Trust

Ethna McCarthy, Director of Strategy and
Business Development

St Austell Youth Council

Jack Satterthwaite

St Newlyn East Parish Council

Cllr Mrs Christine Vaughan

Truro and Penwith College

Martin Tucker, Director

Voluntary Sector Forum

Ian Smith, Chief Executive, Cornwall Voluntary
Sector Forum

APPENDIX 3

Case studies of resident participation

REYKJAVIK, ICELAND - DIGITAL DEMOCRACY ONLINE PLATFORM

What is it?

- Official online channel for a citizens consultation forum – “Crowdsourced ideas”
- Public can rank ideas and add amendments
- Top 5 ideas at the end of each month discussed at city council

Why?

- Loss of confidence in politicians post financial crash, initiative to bring democracy direct to the public
- Extremely high internet usage in Reykjavik (over 70% for above 65 year olds, 100% of 16-24)

Has it been a success?

- 60% of citizens have used the online platform
 - €1.9m spent on over 200 projects based on ideas from citizens
 - Strong public support for the platform
-

PORTO ALEGRE, BRAZIL - PARTICIPATORY BUDGETING

What is it?

- Civic Leadership from directly elected Mayor with executive power
- 50,000 people participate each year in deciding 20% of city budget

Why?

- Helps tackle: power concentration, resource waste, political affairs and corruption
- To improve social inclusion and equity

Has it been a success?

- Since start: \$700 million worth of investments developed
- 70 further Brazilian cities adopting the participatory budget system
- Massive rise in public involvement – citywide assemblies near capacity
- Long public consultation process to allocate resources
- Priorities have huge range between demographics/classes due to inequality in region

