

Devolvyans Kernow:  
Kenedhel Hen a Vreten

Devolution for Cornwall:  
One of Britain's Oldest Nations

From Localism to Devolved Assembly



## A Guide to Images

Front: Newlyn Fishing Fleet, Goonhilly Earth Station  
Page 3: Cornish National Flag (St Piran's Banner)  
Page 5: Cheese Production at Lynher Dairies  
Page 7: Golowan Festival, Penzance  
Page 9: Spaceport Cornwall at Newquay  
Page 11: Clas Kernowek Lulyn (Cornish Class in Newlyn)  
Page 13: RFA Black Rover, Falmouth Docks  
Page 15: Wheal Jane Laboratory at Baldhu  
Page 17: Peter Lanyon Building, Penryn Campus  
Page 19: Carved Granite Pavement in Penzance

*Images courtesy of stevekrh19 on Freeimages.com, Lynher Dairies, Spaceport Newquay, University of Exeter, and Wheal Jane Laboratory. MPs portraits courtesy of parliament.uk and Anna Gelderd. All others copyright Andrew Climo.*

First published 2024 by the Cornish Democracy Unit at the Institute of Cornish Studies, University of Exeter.

© Copyright Andrew Climo and Garry Tregidga 2024

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior consent of the publisher and the copyright holder.

**Managing Editor Andrew Climo**  
**Consultant Editor Dr. Garry Tregidga**  
**Editor Serena Skerratt**

### Lead Contributors

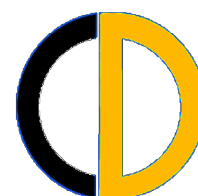
Stephen Horscroft FRSA  
Prof. Malcolm Williams FACSS

Printed by  
The Cornish Print & Sign Company,  
Trevena House, Trevena Terrace, Newquay, TR7 1LJ

ISBN  
978-1-83654-192-9

## Who we are

Cornish Democracy is a research unit within the Institute of Cornish Studies at the University of Exeter. Our purpose is to develop democratic capital within Cornwall, deepen participation, advocate for increased autonomy and develop Cornish institutions.



# MPs Foreword



We welcome this report as a helpful contribution to the case we are collectively making for Cornwall. The strength of our case should be recognised, not only because Cornwall is a distinctive powerhouse, but also because it is better placed to contribute more to the success of the UK economy, and the UK's celebration of cultural diversity, if it is granted the devolved powers we seek.

We believe that a devolved Cornish Senate would not only expand rather than contract Cornwall's options and horizons, but would also provide a stronger foundation for Cornwall to enter economic partnerships: Whether with Wales and South West authorities involved in offshore floating wind initiatives in the Celtic Sea; with authorities and regions working to resolve the transport challenges of areas perceived to be peripheral; or to inter-Celtic links with other nations and regions, promoting the diversity of cultures around the UK and in Europe.

Cornwall's six MPs are determined to press the case for devolution to Cornwall, and therefore of course, to respect the desire of the Isles of Scilly to decide whether or not it chooses to cooperate with Cornwall, and if it does, how much and in what way.

We are therefore grateful to The Cornish Democracy Unit for its helpful contribution to the discourse, evidence, and thinking behind this case.



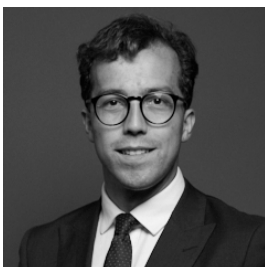
Anna Gelderd MP



Andrew George MP



Jayne Kirkham MP



Noah Law MP



Ben Maguire MP



Perran Moon MP

# Contents

<b>Introduction</b>	<b>5</b>
<b>Cornwall's Status Within the UK</b>	
<b>Cornwall's Aspirations</b>	
<b>Peripherality and Neglect</b>	<b>6-7</b>
<b>Cornwall's Needs</b>	
<b>The "Far, Far Away" Myth</b>	
<b>The "Too Small" Myth</b>	
<b>Comparison of Maritime Nations with Cornwall</b>	
<b>The Direction of Travel</b>	<b>8-10</b>
<b>Evolution of the Devolution Challenge</b>	
<b>Writing the Next Chapter</b>	
<b>The Welsh Precedent</b>	
<b>Action and Transformation</b>	<b>11-12</b>
<b>Seven Point Action Plan</b>	
<b>Cornwall 2030</b>	
<b>Powers, Competencies, Boundaries and Opportunities</b>	<b>13-14</b>
<b>Devolved and Reserved Powers</b>	
<b>Shaping the Assembly Government</b>	
<b>Democracy and Accountability</b>	<b>15-16</b>
<b>Assembly and Electors</b>	
<b>Assembly Operation</b>	
<b>Assembly Constituencies</b>	
<b>Conclusion and Findings</b>	<b>17</b>
<b>References and Further Reading</b>	<b>18-19</b>

## **Glossary of Terms**

DGH	District General Hospital
FE	Further Education
GOWA	Government of Wales Act
GVA	Gross Value Added (measure of prosperity)
HE	Higher Education
LEP	Local Enterprise Partnership
PCC	Police and Crime Commissioner

# Introduction



## Cornwall's Status Within the UK

At the distant Southwest tip of Britain lies Cornwall, one of the historic nations of Britain,<sup>1</sup> a constitutional Duchy with its own parliamentary system that continued to operate until 1752, in the reign of George II.<sup>2</sup>

Thought of by some as simply a 'tourist county', it played a lead role in the industrial revolution, was pivotal in the civil war between royalists and parliamentarians, and provided the minerals on which much of the wealth of the Crown has derived. It has a Celtic language, with a growing numbers of speakers.

The Cornish, one of the constituent nations of Britain, have lived in Cornwall for thousands of years, and are now recognised by the UK government as a national minority. But most parts of government are yet to respond to this increased recognition.

## Cornwall's Aspirations

Cornwall can be single-minded when facing challenges, even when the odds seem against it. It successfully secured its own Objective 1 funding,<sup>3</sup> lobbied for European Charter recognition for its language, and for its national minority.<sup>4</sup> It pursues every available option for devolution, either via the localism agenda or a bespoke devolved settlement.<sup>5</sup> Its status within the UK has been in question in the modern era, well before more recent devolution campaigns. For example, in 1889 Lord Salisbury referred to Cornish identity in relation to the UK, and the Kilbrandon Report of 1973 considered the broader constitutional status of Cornwall.<sup>6</sup>

There is widespread support for devolution for Cornwall. In 2003, Cornwall Council commissioned a MORI poll showing 55% of Cornish people favoured a fully devolved Cornish Assembly.<sup>7</sup> Conspicuously, the Cornish Constitutional Convention achieved national recognition when over 50,000 individually signed declarations calling for a Cornish Assembly<sup>i</sup> were handed to Downing St at Christmas in 2002.<sup>8</sup> This was the single biggest expression of support for a change to regional governance in British history.

There is widespread recognition for Cornwall's case. Lord Whitty, a previous Parliamentary Under-Secretary of State, recognised Cornwall had a "special case" for devolution,<sup>9</sup> whilst John Prescott said, "Cornwall has the strongest regional identity in the UK." Cornwall also receives support from its friends abroad, the devolved nations of the UK, and its large diaspora.<sup>10</sup>

### The 2002 Declaration

*"We, the People of Cornwall, must have a greater say in how we are governed. We need a Cornish Assembly that can set the right democratic priorities for Cornwall and provide a stronger voice for our communities in Britain, in Europe and throughout the wider world."*

This goal remains as relevant, reasonable and realistic now as it was in 2002.

*i The term 'Assembly' is used throughout this document, but it is used generically, in a very broad sense, and equally could stand in for Parliament, or Seneth, for example.*

# Peripherality and Neglect

## Cornwall's Needs

Cornwall endures a sustained inequality compared to its UK siblings, receiving less spent per capita across many services. The Cornish Constitutional Convention estimated an annual shortfall in excess of £100m in 2002. It has a low median wage, 87% of the UK average,<sup>11</sup> a long-standing problem, for which there are strong parallels with Wales and the Scottish Highlands.<sup>12</sup>

It also has a hard working population, with the **highest** workday population<sup>ii</sup> in England and Wales.<sup>13</sup> However, it has no say over most services and little ability to improve policing, hospital provision, social housing, the regulation of tourism, the Cornish language or protection of its unique Celtic heritage. Cornwall experiences a severe democratic deficit.

Problematically, the UK government recently indicated Cornwall should not be allowed to represent itself on the matter of its own language at the British-Irish Council.<sup>14</sup> This speaks to a deep seated problem at the heart of government relating to Cornwall, which is likely to be resolved only when Cornish matters can be championed effectively at ministerial level.

This issue needs tackling head-on and proactively. We recommend the creation of a senior post at the heart of government, a 'Minister for Cornwall', or its equivalent, whilst establishing alongside this, a 'Cornwall Office'. This follows the Welsh precedent, and allows issues such as the Cornish national minority and Cornish language to be resolved. It would create a focus for solving Cornwall's structural issues, and create the infrastructure for developing proposals for a devolved assembly and legislature.<sup>15</sup>

## The "Far, Far Away" Myth

The sun sets 22 minutes later in Land's End than in London, Penzance is 200 miles from Bristol and 120 from Exeter, and Truro is nearer to Dublin than London. It is a virtual island, with 690 kms of coastline. It is a land apart. But this geographic and cultural distinctiveness can lead to it being forgotten, misunderstood, thought of as a backwater, and thus at the end of the queue for a recognition, and by implication, a fair deal.

The people of Cornwall, obviously, do not want Cornwall to be at the end of the queue, but so far as those who contributed to *My Manifesto for Cornwall* are concerned, neither do they wish to be dependent on the Exchequer, or crucially, continual rounds of structural funding. This belief is reflected in text of the 2002 Declaration, when 50,000 separate declarations were signed and delivered by hand to Downing St. The people of Cornwall express their identity, confidently, symbolically, and un-self consciously, in every day life, through its vibrant and unique culture and language, from its unique festivals to bumper stickers. There is a 'can do', and self-sufficient mindset across Cornwall.

This land of peculiarly named saints, silver bands, male voice choirs, and ruined tin mines, is inclusive, strong willed and proud. Its identity is shaped by its geography, its Celtic roots, and history as an independent people. Cornwall's population is just 1% of the UK total, and whilst this may explain why it tends to be overlooked when it campaigns for a new settlement, it is not a 'good' reason.

*ii The workday population of an area is defined as all usual residents aged 16 and above who are in employment and whose workplace is in the area, and all other usual residents of any age who are not in employment but are resident in the area (UK Data Service).*

# Peripherality and Neglect



## The "Too Small" Myth

Cornwall's peripheral location, history, and peculiar constitutional status should, one might assume, be associated with distinctive, effective, right-sized government, echoing those of Scotland, Wales or Northern Ireland. But Cornwall has suffered an almost total loss of institutional mass since 1752. Over the decades there has been an almost total relocation of HQs, including the police, ambulance service, development agencies, social housing, and government departments, away from Cornwall. This leads to both detrimental service delivery and economic consequences.<sup>15</sup>

In the past, external bodies have been responsible for Cornwall's economic revival, headquartered in Bristol, Plymouth, Exeter, or elsewhere. These failed to improve either Cornish Gross Value Added (GVA) or wealth creation capacity. It is troubling that these bodies did not champion Cornwall's internationally-known brand, but instead marketed competing Southwest or Westcountry brands. This represents a significant policy conflict.

On the contrary, Cornwall needs an administration that:

- (i) Recognises the link between economic regeneration and civic life,
- (ii) Is active in Cornish institution building, and
- (iii) Is committed fully to Cornwall.

The root cause of this expatriation of capability appears to be a frequently deployed, entirely specious, argument that Cornwall is somehow 'too small' to be defined as a devolved region.

Objectively, Cornwall satisfies the necessary criteria. As with most other maritime nations and regions, it has a distinct history and culture. Its Atlantic Arc location also provides unique opportunities. By comparison, that better known but landlocked constitutional Duchy, Luxembourg, was only constituted as a nation in 1890. Although resource-poor, it has a similar population of 645,000 but has become very much wealthier.

### **"Crossing the border .. is like falling off an economic cliff."**

Quotation from Viscount Waverley, Hansard, 28 Feb 1997

- Just one District General Hospital for 570,000 people (norm: 250,000-350,000 per DGH). A population of at least 700,000 by 2050 is projected
- One arts university in Cornwall. Few STEM degree subjects available.
- No prison (Bodmin Gaol closed 1927).
- No civil senior service presence in Cornwall.
- Police service run from Devon: Loss of top jobs, control rooms, most technical and specialist services.
- PCC constituency of 1.8m people. Members of the Cornish public have little say on policing matters.
- Cornwall is archaeologically distinct and important but inappropriately protected (Royal Commission was in 1908): Many sites not listed; Inadequate and incorrect interpretation; Failures to take enforcement action; Heritage is managed from Bristol and Swindon.
- Still no regulatory action on Cornish language and Cornish national minority (treaty accessions in 2002 and 2014).
- Negligible change in GVA per capita excepting those arising from Cornwall's Objective 1 programme.

# The Direction of Travel

When the UK developed new arrangements for the nations and city-states of the UK, it explicitly accepted the argument of asymmetric devolution, and accepted differing regional strengths and weaknesses. This is a reasonable starting point for discussions on Cornwall's governance. There are compelling reasons to accept the strength of Cornwall's case, and the only barrier is institutional resistance.

Cornwall requires policies that are adapted for it. These are best developed in Cornwall, by a devolved body that understands Cornwall's place in the world, its unique strengths and opportunities, ready to step-up, adapt and remain flexible. This is a necessary prerequisite for Cornwall moving towards parity with its peers, a sample of whom are shown here.

## Comparison of Maritime Nations with Cornwall (2023)<sup>16</sup>

Name	Population	Geography	GDP (Nominal) <sup>iii</sup>	GDP (Purchasing Power Parity)
Iceland	350,000	Island	\$31.0Bn	\$26.1Bn
Belize	416,000	Coastal	\$3.3Bn	\$5.3Bn
Malta	470,000	Island	\$21.0Bn	\$31.7Bn
Brunei	492,000	Coastal	\$15.1Bn	\$35.2Bn
Cornwall (and Scilly)	575,000	Peninsula	\$19.7Bn	\$21.8Bn
Montenegro	600,000	Coastal	\$7.4Bn	\$17.1Bn
Suriname	647,000	Coastal	\$3.8Bn	\$11.8Bn
Estonia	1,194,000	Peninsula	£40.7Bn	\$57.4Bn
Cyprus	1,321,000	Island	\$32.3Bn	\$47.0Bn

## Evolution of the Devolution Challenge

Significant progress has been made since the Cornish Constitutional Convention published *Devolution for One and All* in 2002.<sup>17</sup> The Cornish language had achieved recognition in the UK's accession to the Charter on Regional or Minority languages in 2002,<sup>18</sup> and since then the Cornish national minority has been recognised under the Framework Convention on the Protection of National Minorities in 2014.<sup>19</sup>

In 2011, Local Enterprise Partnerships (LEPs) were created and were subsequently seen as part of the wider framework of devolution in England,<sup>21</sup> at which point Cornwall and the Isles of Scilly acquired its LEP. In 2015, Cornwall was also awarded the first non-metro devolution deal, allowing the creation of Transport for Cornwall ("Karyans rag Kernow"), and improving partnership arrangements across a number of services.<sup>21</sup>

<sup>iii</sup> Population and GDP figures provided by CIA World Factbook, 2024. 2023 GDP figures are estimates. 2002 Cornwall figures use an exchange rate £1.24/USD (2022), and the UK ratio of GDP ppp/nominal. Currencies are in dollars to allow wider comparisons to be made without further conversion.



# The Direction of Travel



These are modest wins, and Cornwall has moved on, outgrowing this very limited devolution deal, as the requirements for transformed governance have also expanded.<sup>22</sup>

There are also 'hot potatoes' that a UK government is not best placed to grapple with, but for which Cornwall-specific regulation might address or mitigate, such as: A lack of affordable homes;<sup>23</sup> tourism pressures; coastal sewage; dwindling local government receipts; an ageing population due to immigration; and stubbornly low wages.

The general sentiment is of a Cornwall constrained by policies that just don't 'fit', and, as a result, leading to increasing demands for greater autonomy. Meanwhile, there are simple solutions that seem tantalisingly 'just' out of reach.

A number of concepts for Cornish devolution have been advanced at different times. Irrespective of the detail, they lean towards wholesale transformation rather than tinkering. In a 2023 poll, there was also an unequivocal rejection of the mayoral concept, which is widely considered as a poor fit for Cornwall, its needs, and direction of travel. When examined in the round, the core issue is that Cornwall needs regulatory, as well as delivery, control, in particular policy areas, as well as greater fiscal autonomy. Furthermore, there is considerable public interest in Cornwall in policy innovation, and thinking 'outside the box'.

## Writing the Next Chapter

Cornish Democracy has recently published *My Manifesto for Cornwall*,<sup>30</sup> a collection of 35 short essays from a broad section of Cornish society, in order to understand perceived priorities for Cornwall. Excluding the matter of housing for a moment, which we shall come to shortly, the major topic groupings identified are:

- (i) Devolution for Cornwall,
- (ii) Protecting Cornish culture, identity and language, and teaching in schools,
- (iii) Environmental protection, food security, climate change, water, sewage, biodiversity, net zero,
- (iv) Addressing poor hospital infrastructure and health and social care outcomes, and
- (v) Lack of public transport access and integration.

## Concepts Advanced for Cornish Devolution

- A Crown Dependency<sup>24</sup>
- A Cornish National Assembly<sup>25</sup>
- Administrative Devolution (inc. Cornish Development Agency)<sup>26</sup>
- A Cornish 'Regional Assembly' (following John Prescott's 'Your Region, Your Choice')<sup>27</sup>
- Evolving extended 'localism' freedoms in the form enacted by Greg Clark's Localism Act<sup>28</sup>
- A Minister for Cornwall combined with augmented powers and responsibilities for Cornwall Council (proposed by Cornwall Council).<sup>29</sup>

# The Direction of Travel

Other areas of innovation mentioned include: Community infrastructure; community ownership; electoral empowerment; and participation in decision making. The issue of funding and a future fiscal settlement for Cornwall was often raised, but this is beyond the scope of this document.

Most contributors to *My Manifesto for Cornwall* agreed that more housing is needed, but this was very much **qualified** agreement. There is a strong view that existing local demand must be satisfied before that of in-migration from outside Cornwall, and that second home and holiday rental sectors should be tightly regulated, and taxed.

To explore this further, we conducted an initial analysis of the link between housing and economic growth. We found that housing growth of 59,000 units<sup>31</sup> has not improved GVA per capita, and neither has an additional 37,000 jobs (2004 to 2023).<sup>32</sup>

We also found there are around 24,300 holiday let properties in Cornwall, up 30% on 2019, and approximately 13,000 second homes registered in Cornwall. This is nearly 5% of the total housing stock, nearly five times higher than the average across England. Meanwhile median wages are stuck at just 87% of the English average (2023),<sup>33</sup> whilst significant housing growth further stresses Cornwall's limited services. Thus, the strategy of using housebuilding to improve economic performance is, at the very least, questionable.

Moreover, the relationship between housing, population, economy and local government revenues is complex. In the near future we propose to publish a specific document on this topic relating to both Cornish and UK policy needs.

## The Welsh Precedent

The Cornish language acquired official status in 2002, and the Cornish national minority received protection in 2014, yet inexplicably, there has been neither regulatory progress nor, apparently, action planning. The reasons for this seem to be attributed, at least in part, to the lack of a government unit charged with dealing with Cornish affairs, and no one individual responsible for taking action. There is also no equivalent to a Cornwall Parliamentary Committee, and thus no obvious focus for Cornish issues to be discussed, which may also have contributed to inaction on Cornish Language, National Minority, and devolution issues.

There are obvious parallels between Cornwall now and Wales in the 1960s, just before the Welsh Office was created. This was created to prepare Wales-specific legislation, liaise with Whitehall, and oversee implementation.<sup>35</sup> The Cornish case is almost identical, and a Cornwall Office would fulfill the same functions and meet the same needs.

## The Next Steps for Cornish Devolution

The Government needs to move rapidly on the issues of Cornish heritage, identity and language (2002 and 2014 Treaty Accessions). This could be achieved either via the localism framework or alternative routes such as Orders in Council and/or hybrid bills.<sup>34</sup>

Some aspects of devolution such as the protection of the natural and historic environment, some net zero measures, regulation of transport, tourism, second homes, social housing and rental sectors, may be within the scope of the Cities and Local Government Act 2016.

# Action and Transformation



Initially, Wales acquired limited and bespoke powers, after which the Government of Wales Act 1998 eventually emerged.<sup>36</sup> Since time would be needed to bring a Cornish Assembly to fruition, even if agreed to immediately, interim legislative support would still be required via a Cornwall Office or its equivalent, to:

- (i) Resolve outstanding actions under the two relevant Council of Europe Charters,
- (ii) Take advantage of new devolved freedoms as they become available,
- (iii) Take action on specific aspects of the Cornish housing crisis,<sup>37</sup>
- (iv) Work on building Cornish institutional capacity, and
- (v) Liaise with central government on drafting Cornwall-specific legislation and amending regulations.

## Upping the Pace

Legislating to protect the Cornish language and Cornish national minority is an urgent matter. A fledgling Cornwall Office and the role of Minister for Cornwall is a plausible mechanism to progress these issues.

Implementation of a Cornish language and history curriculum and devolving heritage agencies to Cornwall may take longer, but a firm schedule is still needed.

Cornwall Council may 'host' these functions until transferred to a Cornish Assembly.

The following seven-point plan is practical and, we contend, uncontentious. Its purpose is to take initial action and create a 'foundation layer' on which further devolution can be built. It should not be considered 'instead of' a fuller programme of devolution.

## Seven Point Action Plan

1. Develop an effective ministerial linkage with Cornwall, by creating a 'Minister for Cornwall', or its equivalent, reporting to the Deputy PM,
2. Create a fledgling Cornwall Office in Cornwall, reporting to the Minister, to progress legislation on the Cornish Language and National Minority, liaise with Cornwall Council, and press forward with further administrative devolution,
3. Draft a Cornish Language Bill: Progress through parliament, or use Orders in Council. Address the requirements of the Charter on Regional or Minority Languages,
4. Draft a Cornish National Minorities Bill to address the requirements of the Framework Convention on National Minorities, inc. protection of Cornish heritage and monuments, education, and transfer powers from Historic England,
5. Secure Cornwall's presence on the British-Irish Council and other UK-wide bodies (note the exclusion of Cornwall on the matter of its own language),<sup>38</sup>
6. Secure ministerial agreement on: (i) devolution of regulation and policy of the housing rental sector, tourist accommodation and second homes, (ii) making use of existing 'localism' freedoms, amending council tax and business rates, and (iii) providing the freedom to transition from traditional fiscal year budgets to revolving budgets,<sup>39</sup>
7. Establish either a formal or informal parliamentary 'Cornwall Committee' to investigate Cornwall-related issues and advise government. An All-Party Committee may be desirable, but Cornwall has just six MPs, which implies a more flexible approach may be needed as to the status and composition of any committee.

# Action and Transformation

## Cornwall 2030

Short term objectives are important, but as the 2002 Declaration for a Cornish Assembly stated, an elected Cornish assembly, able to set democratic priorities, should be a core requirement. Moreover, one may argue persuasively that the lack of Cornish electoral input into policy and delivery is the least satisfactory element of the present settlement, and that any new body should have both executive and legislative powers. Taking into account the combined contributions to *My Manifesto for Cornwall*, its purpose would be to:

- Provide a far greater degree of autonomy for Cornwall in key policy areas, to enable a close fit of policy to local circumstances, and improved accountability,
- Improve the quality of life for Cornish residents, by:
  - Addressing health inequalities, reducing journey times to hospitals, extending community health programmes, and by decentralising facilities
  - Transforming the social housing, rental, and affordable housing sectors so Cornish residents can live and work within their coastal or inshore community
  - Proactively protecting Cornwall's precious environment, improving enforcement action in cases of planning breaches and pollution, and enhancing the status and extent of Cornwall's protected onshore and coastal areas
  - Supporting communities by (i) redeveloping the public sector estate, including safe, inclusive, open spaces, and (ii) building third sector capacity so it can support community energy and health initiatives.
- Achieve GVA and public service parity with the rest of the UK, by:
  - Raising Cornwall's GVA per capita, addressing educational inequalities, low incomes, and issues arising from the low skill and seasonal work economy
  - Developing technical capacity, leadership managerial skills across a range of services, improving their contribution to GVA, and developing opportunities for bought-in services to be located within Cornwall
  - Improving Cornwall's share of capital investment by developing hospital, education, and transport infrastructure, taking into account Cornwall's wider contribution to the Exchequer, and enabling economic growth
  - Locating government functions to Cornwall, and consolidating with delivery functions already based in Cornwall
  - Relocating services to Cornwall, combined through horizontal, rather than vertical, integration, including emergency services, and an integrated health and social care system.
- Enhance Cornwall's standing and visibility among the UK's nations and regions,
- Enhance Cornwall's position with respect to other Atlantic Arc nations and regions.

As we shall see, these aspirations also align and agree with the devolved and reserved powers model enjoyed by the devolved nations.

# Powers, Competencies, Boundaries and Opportunities



## Devolved and Reserved Powers

It may not be greatly important how Cornwall achieves its Assembly, or the precise model that is deployed. Since the reserved powers model is the only form of devolved legislature currently in use within the UK, we have applied it as our starting point in relation to Cornwall. Used for Scotland, Wales and Northern Ireland, it has proven its utility and relative simplicity, whilst also providing a clear dividing line between those non-reserved powers being devolved, and those powers retained at the centre.

Other approaches may also be feasible. For example, these might include an ad-hoc solution incorporating metro-style deals, with further bespoke powers added, such as relating to the Language, the National Minority, and regulation of the housing sector. However, there is a risk this arrangement may become unwieldy and difficult to manage. Another approach may be to create a 'light' version of the Wales Act 2017, using the same principles, but with more limited powers. There are other propositions, but we have not explored these in detail at this time.

Most of Cornwall is likely to greet a more substantial devolution deal positively, if it is perceived as eliminating quasi-regional and unaccountable bodies who add little value, whilst also providing greater autonomy. Reconnecting Westminster and Whitehall directly to Cornwall may be seen as important, a matter also discussed in relation to improving Cardiff-London linkages.<sup>40</sup> Topics discussed with us in correspondence include policing, the courts, low pay, broadcasting, and the management of offshore fisheries. Government may wish these to remain reserved in Cornwall's case, although the lack of Cornish-only broadcast media is a significant issue, and for which early action is appropriate. But even where powers are reserved by Westminster, administrative devolution would still be desirable, providing Cornwall with a degree of administrative control. In cases of uncertain responsibilities, one may assume an equivalent to the 'five tests' used in the Welsh case to determine whether a power is devolved or not (Section 108 of GOWA).<sup>41</sup>

Where devolution is administrative rather than legislative, direct ministerial approval for amendments to regulations or Orders in Council may be used to bring about change, such as proposals for (i) de-merging the police to recreate a Cornwall Police Service, (ii) the development of a prison for Cornwall, including for female prisoners, as their nearest prison is 200 miles away, and (iii) the creation of a Cornish Lithium Wealth Fund. For completeness, the competences implied by the 'standard' reserved model are:

- Agriculture, forestry, food standards, animal health, rural and agricultural grants,
- Coastal protection, inshore fisheries, fish industry management, coastal safety,
- Economic development, business support, small business development, tourism, industry, regional development, employment services, structural and other funds,
- Education at all levels, training and skills development, HE and FE strategic provision, Cornish language, history, and identity in schools, early years provision,
- Environmental protection, conservation, water, flood defence, transport, highways, town and country planning, neighbourhood renewal, waste management and health and safety, protected natural environments,
- (Limited) fiscal powers inc. stamp duty, landfill tax, council tax, business and domestic rates, capital borrowing, receipts for a proportion of income tax and VAT, such as that raised by tourism,

# Powers, Competencies, Boundaries and Opportunities

- Health and social care services inc. contractual payments, health education, training and preventive programmes, management of strategic health and trust functions, children and young people, social inclusion, and integrated health and social care,
- Housing, building standards, social and rental sector housing, building schemes, brownfield allocation, planning inc. regulation and enforcement, Use Class definition,
- Local government, boundary commission functions, organisation and reform of local government, devolution to towns and parishes, governance and standards, community development, neighbourhood liaison and civic capacity building,
- Magistrates, youth justice, probation, emergency services (exc. police),
- Sport, leisure, media, arts, galleries, performing arts, culture, museums, libraries, Cornish language, heritage protection, ancient monuments, historic buildings,
- Democratic and administrative services inc. audit, staffing, legal, legislation, treasury, statistical, audit, valuation, Assembly and Executive support services.

## Shaping the Assembly Government

Whichever powers and competences are applied to a Cornish Assembly, further opportunities should flow from building the new administration from scratch. Adopting Civil Service practice for establishing new units would ensure the Cornish Office and subsequent Cornish Assembly Government is neither an ad hoc extension of local government, nor an outgrowth of the relevant donor agencies. Since the Assembly Government would have defined boundaries, clear goals could be set, eliminating duplication, waste, gaps and overlaps, and creating a right-sized and correctly shaped unit from the outset.

The Cornish economy would benefit from the relocation of roles to Cornwall. This was estimated in 2002 to be c.£60m p.a., although this appears a significant under-estimate. Pro-rata, 800-900 staff would be involved, using Welsh Civil Service figures as a basis for calculation. The Assembly 'civil service' would also include senior roles and provide the means to create local career pathways within the wider HM Civil Service.

Taking historic environment as an example: Historic England, English Heritage, Cornwall Archaeological Unit, and related local government functions could be brought together. This would improve operational effectiveness, integrate operations with regulation, discharge regulatory responsibilities for listing and enforcement, and meet the requirements of the Framework Convention, through signage, interpretative information, and educational support. It would also greatly enhance cooperation with the voluntary and community sector. Other areas for transformation could include transport, environment, health and social care, and would similarly involve removing duplication, reducing costs, improving response times, improving the contribution to Cornwall's GVA through re-shoring, and contributing to Cornwall's overall workforce up-skilling.

The Assembly may decide to either procure services from existing or new providers, based in other administrative centres, or other regions, create links with regions with similar issues, or develop other relationships. This may be crucial where Cornwall's brand provides an 'edge', such as collaboration with the other Atlantic Arc regions and nations. Whatever it decides to do, it should have the ability to make decisions in Cornwall's best interests, and 'think outside the box'.

# Government and Accountability



## Assembly and Electors

Uncalled for aphorisms often abound, such as ‘politicians are in it for themselves’ and that ‘local government is incompetent’. But as we discussed earlier, in Cornwall, background noise is augmented by a genuine perception of peripherality and neglect, the lived experience of poor services, a lack of influence, and a visible lack of investment in hospitals, education, and transport. This sentiment may explain, partly, why Cornwall voted for Brexit, despite extensive previous EU funding. Moreover, in 2009 Cornwall also lost its District Councils.<sup>42</sup> Although far from perfect, they provided a valuable link with communities and neighbourhoods. This may have heightened the view that people have almost no input into decision making, and that a complete reset is needed.

Cornwall not only needs devolution *from* the UK downwards, but downwards to its localities, so a more structured approach should be considered towards districts, towns and neighbourhoods. Whilst a Cornish Assembly would paint the broad strokes of policy, economy and service provision, the details would still need filling in locally. As a framework, we suggest: (i) formal engagement mechanisms at the level of towns and wards, (ii) a policy of increased engagement with communities, (iii) allowing electors into the Assembly building, providing visits and exhibitions, (iv) a continuous programme of democratic outreach activities, and (v) greater engagement of voters in infrastructure and service design, beyond simple ‘consultation’. Given recent events, such as Brexit and the rise of the far right, greater democratic engagement may be more necessity than choice.

The Cornish Constitutional Convention previously suggested a permanent, deliberative, ‘Civic Forum’. We fully endorse this, whilst additional functional devolution should also take place from Cornwall’s unitary authority to towns and parishes, who should be considered as partners of the Assembly, rather than subordinates or competitors.<sup>43</sup>

Finally, there is the matter of how Assembly Members (AMs) are perceived by the electorate. Unlike councillors, who are part-time, AMs must be seen to be representative of, and committed to, their locality and their constituents: Full time; competent; free of conflicts of interest; and truly representative.

The Assembly should adopt the highest standards. If AMs are considered to have failed in their duties, then the power of recall should apply. AMs should not be permitted to double as councillors or MPs, or hold second jobs.

Improved quality of representation implies a proportional electoral system with sufficient geographic granularity, and in due course, we shall be producing a document on the use of proportional systems. Briefly, recent experience in Scotland has shown that as result of using the STV system for local elections, most voters now express support for more than one party, disproportionality has been significantly reduced, and representatives are far more likely to be the consensus choice.<sup>44</sup> Similar outcomes should occur in Cornwall’s case.

### The Assembly Member

- Full time AMs, not permitted to also be an MP or councillor
- No conflicts of interest allowed
- Receives high quality training
- Scrutinises executive and holds to account through scrutiny committee membership
- Represents locality and electors, reports back to electors actively, and must respond to constituents needs
- Proportionally elected, and can be recalled for poor performance

# Government and Accountability

## Assembly Operation

In order to create a strong link between government and people, and for an Assembly to operate effectively, an Assembly requires sufficient Assembly Members (AMs). This is necessary to provide sufficient executive members and backbenchers for scrutiny committees. Crucially, every AM must have sufficient time to work on behalf of their constituents. Reducing the number of AMs merely to make the Assembly look like 'good value for money' is likely to be a false economy, potentially destroying credibility, even before it starts to operate.

If the Welsh model is taken as a starting point, there would be 60 AMs and 12 executive members (assuming 12 committees) and 48 backbenchers. If one were to have a committee size of 12 members, then AMs would need to attend three committees each. One should note that the number of AMs scales with the number of committees and AM's workload, not the population size.

## Assembly Constituencies

Whilst one might have constituencies of any shape or geographical extent, it would be logical to map these to the six Westminster constituencies, allowing a direct link between MPs and AMs to form. Cornwall's constituencies also very roughly match those of the previous District Councils, so this approach may also ameliorate the perception of a loss of local input resulting from their demise. Six constituencies of ten members would provide for strong proportionality, particularly if a Hare or Droop system were used.<sup>45</sup> Alternatively, a system using 12 constituencies of five members might be used, providing more granular geographic focus, although at the cost of a loss of proportionality. This may be a topic for a *Commission on Cornwall* to consider in due course.

Name	Senedh Kernow - The Assembly of Cornwall
Legislature Type	Executive and Parliament Implementation Stage 1: Secondary legislation and power of opt-out Implementation Stage 2: Primary legislation
Term of Office	Four years with dissolution on vote by 2/3rds of members
Legislative Process	First reading, scrutiny stage, final stage, amendments
Executive Type	Cabinet with First Minister, Deputy FM, and Ministers, elected by Assembly
Assembly Members	60 Members elected by STV (Droop) from multi-member constituencies
Committees	Scrutiny Committees responsible for scrutinising the executive and holding it to account, with investigatory powers, and power to call witnesses. Advisory Committees responsible for providing information, advice and guidance.
Structure	Assembly of Cornwall (Members) Assembly Government (First Minister, Ministers and Counsel General) Civil Service (Serves devolved administration; Part of HM Civil Service; Permanent Secretary directed by Cornish ministers, responsible for devolved departments)



# Conclusion and Findings



In conclusion, there is a crisis of governance for Cornwall, where long-standing and important issues remain unaddressed, whilst on the other hand there is a strong entrepreneurial tradition and can-do attitude yet to be fully tapped.

There is chronic under-funding in relation to the England average, and UK norm, and a striking lack of investment in physical infrastructure, exacerbated by demands on services due to a rapidly growing population and seasonal tourism pressure. This is exemplified by having just one District General Hospital (DGH) for its 570,000 population, almost no university support for STEM subjects, and poor transport infrastructure, particularly in North Cornwall.

There is a lack of institutional memory, where the lessons of the last 20 years appear forgotten, and the long-standing aspirations for a substantial devolution settlement are going unrecognised.

Regulations relating to the Cornish language, national minority, and identity should have been put in place long ago. These are matters on which the UK is bound by Council of Europe charters. Twenty-two and eight years respectively have passed since treaty accession, with no substantive progress. Something is clearly 'broken' in government in respect of Cornwall.

The longer term needs addressing, and progress needs to be made towards an assembly for Cornwall, for which there is cross-party and broad-based civic demand. Since this is a form of legislature, even if it concerns initially only secondary legislation, a cabinet and assembly structure is required rather than mayoral devolution.

Cornwall has a Celtic language, unique constitutional status, a national flag, historically, the power of veto over English legislation, and its own kings. Few if any regions of Europe have such a strong identity whilst lacking a significant degree of autonomy. This is anomalous.

Cornwall's poor fiscal deal needs addressing. It hosts no major public service HQs apart from Cornwall Council, it has no police control centre, and no senior civil service presence. It contributes through taxation to the economic well-being of places that are comparatively affluent: Providing funding for administrative centres in Bristol, Plymouth, Exeter, and Swindon, in return suffering a corresponding loss of influence, income, and institutional mass. With a GVA per capita of just 74% of the UK norm, this is quite iniquitous.

It faces challenges: All of which are surmountable. Cornwall attracts tourists, by no means the only employer, but the resulting employment is low-wage, low skill, seasonal, and insecure. Wages are low, yet house prices are high, due to mass in-migration. Its mineral wealth is immense, but none of the profits flow back to communities. It has a unique and important heritage, but it continues to be eroded. These issues are only likely to be resolved by bodies based in Cornwall, but these need to be accountable to the people of Cornwall. This requires action to develop relevant government institutions and decision-making capacity in Cornwall.

One might anticipate a reluctance to allow Cornwall some freedom of action, but equally, the status quo of inaction and neglect is unsustainable. To square this circle, we recommend the creation of a new formal post to facilitate change, along the lines of a 'Minister for Cornwall', reporting to the Deputy Prime Minister. We also propose the creation of a Cornwall Office, following the precedent of Wales in the 1960s. The Minister's role would be to promote legislation or regulation on the matters outlined in this document, advocate for Cornwall, and crucially, champion institution building, unlocking Cornwall's potential in the process. These steps should be seen in the context of creating a durable devolved settlement for Cornwall. This document is a call to action.

# References and Further Reading

1. Richard Follett. 'The UK's Forgotten "Fifth Nation"'. Accessed 11 September 2024. <https://www.bbc.com/travel/article/20210606-cornwall-the-uks-forgotten-fifth-nation>.
2. Cornwall Historic Buildings Preservation Trust. 'The Stannary History of Old Duchy Palace'. CBPT (blog), 27 October 2023. <https://cornwallbpt.org.uk/the-stannary-history-of-old-duchy-palace/>.
3. 'Objective 1 Funding (Hansard, 11 January 2000)'. Accessed 11 September 2024. <https://api.parliament.uk/historic-hansard/westminster-hall/2000/jan/11/objective-1-funding>.
4. GOV.UK. 'Cornish Granted Minority Status within the UK'. Accessed 11 September 2024. <https://www.gov.uk/government/news/cornish-granted-minority-status-within-the-uk>.
5. 'Devolution - Cornwall Council'. Accessed 11 September 2024. <https://www.cornwall.gov.uk/people-and-communities/cornwall-devolution-deal/>.
6. Garry Tregidga. 'Salisbury to Kilbrandon: Historical Perspectives on Cornish Democracy'. *Cornish Democracy: Studies of Governance and Identity*, 2023, 23–39.
7. Ipsos Mori. 'Attitudes to Regional Government in Cornwall: Summary Report - Research Study Conducted for Cornwall County Council', February 2003.
8. 'TENTH ANNIVERSARY OF THE PRESENTATION OF A PETITION FOR A CORNISH ASSEMBLY - Early Day Motions - UK Parliament'. Accessed 11 September 2024. <https://edm.parliament.uk/early-day-motion/43627>.
9. 'Devolution: England - Hansard - UK Parliament'. Accessed 17 September 2024. <https://hansard.parliament.uk/Lords/2001-03-21/debates/21e700bd-1ed1-4450-8293-97f7f6b71073/DevolutionEnglandhighlight=devolution>.
10. Kelly Trelease. 'Diaspora Network for Cornwall, UK – Creating Connections across the Globe for Cornwall's Business Community.' Cornwall Trade and Investment, 5 March 2024. <https://cornwallti.com/2024/03/05/diaspora-network-for-cornwall-uk-creating-connections-across-the-globe-for-cornwalls-business-community/>.
11. Phoebe Lawlor, Malcolm Williams, and Joanie Willett. 'The State of Cornwall: What We Currently Know about Our Socio-Economic Landscape ~ An Studh a Gernow : Pyth Yw Aswonny's Lemmy'n Adro Dh'Agan Tirwedh Socio-Erbysek'. *The Institute of Cornish Studies – Social and Economic Research Unit Fondyans Studhyansow Kernewek – Unsys Hwithrans Socy'al Hag Erbysek*, 2022.
12. Hansard, Lords. 'Lords Hansard Text for 28 Feb 1997 (170228-14)', 1997. [https://publications.parliament.uk/pa/ld199697/ldhansrd/vo970228/text/70228-14.htm#70228-14\\_spnew4](https://publications.parliament.uk/pa/ld199697/ldhansrd/vo970228/text/70228-14.htm#70228-14_spnew4).
13. Stephen Horscroft. 'Super-Regions or Cornwall and Scilly: Competing Notions of What Constitutes a Region'. *Cornish Democracy: Studies of Governance and Identity*, 2023, 116–43.
14. Charlotte Becquart. 'Government "didn't Allow" Cornwall to Attend Languages Summit'. *Cornwall Live*, 30 September 2021. <https://www.cornwalllive.com/news/cornwall-news/uk-government-didnt-allow-cornwall-5991332>.
15. Andrew Climo. 'Towards a Legislative Settlement for Cornwall: A Review of Legislation from the Nations of the UK and a Road Map for Next Steps'. *Cornish Democracy: Studies of Governance and Identity*, 2023, 188–212.
16. Climo, op. cit., p193
17. Andrew Climo, ed. 'Devolution for One and All'. *Cornishassembly.Org. Cornish Constitutional Convention*, 2002.
18. England, BBC News. 'Cornish Language "to Be Recognised"'. *Bbc.Co.Uk*, 2002. <http://news.bbc.co.uk/1/hi/england/2144523.stm>.
19. GOV.UK. 'Cornish Granted Minority Status within the UK'. Accessed 11 September 2024. <https://www.gov.uk/government/news/cornish-granted-minority-status-within-the-uk>.
20. 'FDC0036 - Evidence on Devolution in England: The Case for Local Government'. Accessed 25 September 2024. <https://committees.parliament.uk/writtenevidence/48273/html/>.
21. 'CORNWALL DEVOLUTION DEAL IMPACT ASSESSMENT'. *Cornwall Council*, 2019. <https://www.cornwall.gov.uk/media/1hsg2rpq/cornwall-deal-impact-assessment-final.pdf>.

# References and Further Reading



22. GOV.UK. 'Cornwall Devolution Deal'. Accessed 11 September 2024. <https://www.gov.uk/government/publications/cornwall-devolution-deal.20>.
23. Tanya Gold. 'From Second Homes to Food Banks, Cornwall Is a Land of Widening Extremes'. *New Statesman* (blog), 29 December 2022. <https://www.newstatesman.com/long-reads/2022/12/from-second-homes-to-food-banks-cornwall-is-a-land-of-widening-extremes>.
24. Philip Payton. 'The Stannaries and Duchy: Institutions of Independence?' *Cornish Democracy: Studies of Governance and Identity*, 2023, 10–22.
25. Cornish Constitutional Convention, *op. cit.*
26. Andrew Climo, ed. 'Devolution for Prosperity'. *Cornishassembly.Org. Cornish Constitutional Convention*, 2004.
27. Andrew Climo, ed. 'The Case for Cornwall - Cornwall's Response to the Government's Devolution White Paper Your Region, Your Choice'. *Cornish Constitutional Convention*, 2002.
28. UK Parliament. 'Cities and Local Government Devolution Act 2016'. Text. Statute Law Database. Accessed 12 September 2024. <https://www.legislation.gov.uk/ukpga/2016/1/contents>.
29. 'New Proposed Cornwall Devolution Deal Announced - Cornwall Council'. Accessed 11 September 2024. <https://www.cornwall.gov.uk/council-news/council-budgets-and-economy/new-proposed-cornwall-devolution-deal-announced>.
30. Garry Tregidga and Andrew Climo, eds. *My Manifesto for Cornwall*. Institute of Cornish Studies Cornish Democracy Unit, 2024.
31. DCLG. 'Net Additional Dwellings, Table 122: Net Additional Dwellings by Local Authority District, England 2001-02 to 2022-23', November 2023.
32. ONS. 'Annual Population Survey'. *Nomis*, n.d. Accessed 20 September 2024.
33. ONS Housing Analysis Team. 'Subnational Estimates of Households by Tenure, England, 2012 to 2021', n.d. Accessed 21 September 2024.
34. Climo (in *Cornish Democracy*), *op. cit.* p207.
35. J.C.Banks. *Federal Britain*. Harrap, 1971, p156.
36. Government of Wales. 'Law Wales - Government of Wales Act 1998', 2016. <https://law.gov.wales/constitution-government/devolution/gowa-98/?lang=en#/constitution-government/devolution/gowa-98/?tab=overview&lang=en>.
37. Gold, *op. cit.*
38. Tregidga (in *Cornish Democracy*), *op. cit.*, p4
39. Horscroft (in *My Manifesto for Cornwall*), *op. cit.*, p62
40. 'Chapter 5: Devolution Boundaries [HTML] | GOV.WALES'. Accessed 11 September 2024. <https://www.gov.wales/independent-commission-on-the-constitutional-future-of-wales-final-report-chapter-5-html>.
41. 'Devolved Areas | Law Wales'. Accessed 11 September 2024. <https://law.gov.wales/constitution-and-government/law-making-wales/devolved-areas>.
42. Whitehouse, Richard. 'Council's First 10 Years: The Controversies, Conflicts and Cannes Trip'. *Cornwall Live*, 29 March 2019. <https://www.cornwalllive.com/news/cornwall-news/cornwall-councils-first-10-years-2697087>.
43. Joanie Willett. 'Sharing the Knowledge Around: Cornwall, the Economy, Devolution, and the Potential of Parish Councils'. *Cornish Democracy: Studies of Governance and Identity*, 2023, 103–15.
44. Cromar, Chris. 'Report Shows Benefits of Proportional Representation in Local Elections'. *Public Sector Executive*, 27 April 2022. <https://www.publicsectorexecutive.com/articles/proportional-representation-local-elections-council-democracy-voting-scotland>.
45. 'Hare vs Droop: How to Set the Quota under STV'. Accessed 25 September 2024. <https://www.electoral-reform.org.uk/finding-the-finish-line-how-to-set-the-quota-under-stv/>.

Devolvyans Kernow:  
Kenedhel Hen a Vreten

Devolution for Cornwall:  
One of Britain's Oldest Nations

From Localism to Devolved Assembly

*Devolvyans Kernow, Devolution for Cornwall* explores the process of devolving powers to Cornwall. A seven-point plan is proposed to extend Cornwall's powers relating to housing, protections for the Cornish language and Cornish national minority, and then examines subsequent steps towards a fully devolved administration.

Cornish Democracy is a research unit within the Institute of Cornish Studies at the University of Exeter. Our purpose is to develop democratic capital within Cornwall, deepen participation, advocate for increased autonomy and develop Cornish institutions.

