

4. A NEW FRAMEWORK OF GOVERNANCE

4.1 Overview

The proposed model for a new framework of local governance will see the county and district councils replaced by a single elected body complemented by enhanced arrangements for convening interests at a local community level and more powerful local town and parish councils.

The new authority will play a key role in delivering the aims and objectives of the Cornwall Strategic Partnership (CSP), the county's principal partnership organisation and will ensure that all public bodies align their principles at a strategic level. The leader and executive of the new authority will be expected to play a central role in a strengthened CSP, providing accountability, vision and leadership for its activities.

While in the first instance, we are constrained by existing electoral boundaries, the council will consist of 82 members (representing the current county council divisions), from which a strategic core – a leader and executive - will be elected. However, these divisions do not reflect local communities and there are concerns that this number will be insufficient to meet the increased demands on the work of councillors. We believe that approximately 100 members would be more appropriate, reflecting the dispersed rural nature of Cornwall. The council will set the key strategic policies and decide budget priorities. The executive will carry out all other functions that do not fall within the responsibility of any other part of the council. Local members will be responsible for leading their communities and shaping the future development of their areas. They will be able to scrutinise the executive and call in particular decisions. Local members and the executive will have enhanced powers to scrutinise other public agencies in Cornwall, whilst at the same time being held to account by their public sector peers.



Figure 1: A single council for Cornwall



The new authority will delegate some responsibilities to the local members, who will be encouraged to work together, and with public sector partners, to pool resources and meet local needs through a number of 'Community Networks'. It is also proposed that responsibilities will be devolved to the town and parish councils (see para 6.3, page 40).

It is not envisaged that this council will take the form of a traditional unitary authority – such a model would not be effective in Cornwall. Instead, the council will exercise leadership and oversee the 'unified' governance of the county, focusing its

attentions on the commissioning of key services and facilitating partnerships to identify local needs and oversee local delivery.

The establishment of a single authority in Cornwall will resolve the confusion and duplication of roles that is apparent in the county and district ward member system. Clarity and accountability will be enhanced further still if the small number of multi member divisions in Cornwall were removed. The new authority will seek to address this through a boundary review as soon as possible.

a strong sustainable community for one and all

Towards clearer community representation

The government is asked to consider this bid in the knowledge that Cornwall aspires to develop a framework of representation that is more closely associated with the felt sense of place of its people.

This approach is consistent with the Electoral Commission's emerging thinking regarding the statutory criteria used in electoral review policies and procedures. Like the Commission, and over one third of respondents to its electoral review consultation⁴, we believe that a balance needs to be struck between electoral parity, community identity and effective and convenient local government.

The new authority for Cornwall will seek to work with the government in refining its thinking on community – its nature and definition – and will assist the Boundary Commission in attempting to link this work with a review of the county's electoral divisions, number of members and method of election. This work will incorporate provision to establish single member divisions across Cornwall.

4.2 Political structure and member roles

The proposals outlined in this paper will deliver strong, stable, visible and accountable strategic leadership for Cornwall. The leader and executive will be indirectly elected and would serve for a four year term. This system will enable Cornwall to build upon its strong tradition of independent local politics and facilitate the promotion of councillors from all parties to the executive.



Directly elected executives

This proposal acknowledges the emphasis that the white paper places on directly elected models of leadership. The models described, however, lack flexibility and consequently stand at odds with Cornwall's unique cultural and political history. The new authority will engage with government on how an alternative approach to the direct election of strategic councillors, one that better reflects Cornwall's needs, could be developed.

Executive members will be assigned portfolios that reflect the importance of achieving agreed outcomes. Portfolios will be constructed to ensure that current district council services are not just attached to county council services and so lose both their strategic significance and their relevance to customers.

The model outlined above draws a distinction between strategic and local representation. Presently,

⁴ The Electoral Commission (2006) Electoral reviews evaluation. London: TSO

executive members find it difficult to divide their efforts between their strategic activities and the effective representation of their constituents. The new authority will provide administrative and professional support to executive members to assist them in discharging their strategic duties.

The leader and executive will be tasked with the following responsibilities:

- strategic leadership
- countywide service delivery,
- budget control,
- standard setting,
- external relationships and lobbying,
- local government performance, and
- representing the interests of Cornwall.



The non-executive members will constitute the pivotal link between the new authority and the people of Cornwall. They will be responsible for community leadership, sitting on regulatory committees (e.g. planning), scrutinising executive decisions, monitoring local performance, building partnerships and increasing capacity at a local level. They will have a delegated budget ('community fund') to enable local improvements in services, facilities and works. For more detail on the strengthened role of local members please see Appendix 1 – Delegation, Devolution and Decision Making.

Supporting Local Members

The proposed expansion of the local member role is both a challenge and an opportunity. Members will be required to spend more time on council business than is currently the case for the majority of backbenchers. They will be supported in their localities by:

- dedicated administrative staff
- Local professional officers helping with case work
- Greater opportunities for training and professional development and
- a level of remuneration that reflects their extended role.

4.3 Scrutiny

The new framework for scrutiny is based upon the following principles:

- robust arrangements for holding the executive to account,
- effective scrutiny of cross cutting issues and other public sector bodies,
- a stronger role for local members in policy development,
- clearly defined arrangements and responsibility for scrutiny of strategic issues,
- effective mechanisms for addressing community calls for action, and
- multi agency scrutiny of local issues within communities.

The framework includes two defined but interlinking levels of scrutiny: strategic scrutiny and community based scrutiny.

Local members will be supported by officers to convene a single strategic overview and scrutiny committee, an external scrutiny committee (which will fulfil the authority's statutory health scrutiny function) and a number of policy development boards (for example to reflect the LAA blocks). The membership of the strategic committee will be based on the chairs and vice chairs of the policy development boards, and will be tasked with considering the best approach to examining significant cross cutting themes.

The policy development boards will review executive decisions and the activities of other public sector organisations, and will assess performance against national outcomes, the LAA, the sustainable community strategy and other strategic plans.

A further number of working groups will be established to support the executive in reviewing policies and to take forward work in relation to specific issues.

The performance of the council will also be subject to scrutiny at a local level, by partners and the public. The community networks will be charged with considering local petitions and local performance indicators. The new authority will also seek to build on the local forums that are currently being developed by other public sector agencies in Cornwall (e.g. the health service are developing a number of 'LINK' groups) to scrutinise local decision making.

