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The Cornish Question: Devolution in the South-West Region

by Mark Sandford

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Contents

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Mark Sandford
5 July 2002

Executive Summary

— The South-West Region is diverse and contains a wide range of economic, social and cultural variety. There are no pre-set or 'obvious' boundaries which a regional assembly in the South-West Region must follow.

— There is a need for more research into the economy of the South-West Region, and greater detailed exploration into how it inter-relates with possible new democratic structures and what exists in the way of regional identity.

— The proposals made in the Government's White Paper, *Your Region, Your Choice*, allow for elected regional bodies which will have only limited influence whatever regional boundaries are used. It is therefore unlikely that assemblies covering any geographical area will be able to undertake high-profile capital-spending projects. A small population size should not be an insurmountable hindrance to regional government under these plans.

— The South-West Region has little in the way of regional identity: however, it appears that a stronger identity exists in Cornwall. Territorial identities need not automatically map directly on to government structures, but can be advantageous when creating new political institutions.

— Three models are suggested for elected regional government in the South-West Region. Model 1 is a single elected assembly for the entire region, as implied under the Government's proposals. Model 2 proposes one elected assembly for Cornwall and another elected assembly for the remainder of the South-West Region. Model 3 proposes a single elected assembly with a variety of special arrangements for Cornwall.

— A Cornish assembly, with the powers and functions proposed under the White Paper, would be administratively feasible. However, since very few government departments locate any staff in Cornwall at present, much governmental reorganisation would be required to achieve it. Under current Government plans its initial budget runs the risk of being very small, possibly in the region of £40 million.

— A unitary authority for Cornwall beneath a South-West regional assembly might strengthen Cornwall's voice in negotiations with that assembly, but would represent only a small difference from the current structure of local government. It is unlikely that a South-West regional assembly would be able to devolve responsibilities to Cornish local government under a Regional Assemblies Act.

— Model 3 suggests a variety of special arrangements for Cornwall within the context of a single South-West regional assembly. These include an executive office for Cornwall, a Cornish scrutiny committee (potentially with members co-opted from Cornish local government), a joint Strategy for Cornwall, and over-representation for Cornwall in the South-West regional assembly.

— This model would require further thought with regard to how a separate Cornish Office would contribute to the strategies and high-level targets that assemblies will have to meet. These could limit the Cornish Office's room for manoeuvre. The Cornish Office would be subject to similar budgetary pressures to those of a Cornish assembly.

— The decision to establish a Cornish assembly, if taken, should be subject to a referendum in Cornwall only.

— The claim that a Cornish assembly would not have enough ‘clout’ to make a difference is not clearly articulated. It is open to debate whether population size would be critical in attracting investment or negotiating with central government. Moreover, in

Introduction

The 1997 Labour Government took steps to devolve power to Scotland, Wales and Northern Ireland. The three devolved bodies received strong powers: legislative in the case of the Scottish Parliament and Northern Ireland Assembly, and secondary legislative in the case of the National Assembly for Wales. Though all three bodies have undergone a rough ride in their early years, they have established their democratic and organisational credentials.

Devolution to those parts of the United Kingdom which are outside of England had been a long-standing concern of the Labour Party. The first attempt to introduce a devolved Scottish Assembly and Welsh Assembly occurred under a Labour government in 1978. This had occurred in the light of a run of political success for the Scottish National Party and Plaid Cymru, and an apparent increase in national consciousness in Scotland and Wales.

The Labour opposition of the mid-1990s was motivated by different concerns. Broadly, they were disquieted at the ease with which the Thatcher and Major governments had been able to impose their will on large swathes of the UK which had not voted for the Conservative Party. The most potent symbol of national and regional resentment of this was the trialling of the Community Charge (the "poll tax") in Scotland, earlier than its introduction across the UK. The Labour Party began to draw on previously specialised constitutional concerns about the historical centralism of the United Kingdom's state apparatus. This was supplemented by discontent with an apparent lessening of democratic accountability due to the increase in the number of 'quangos', executive agencies which were not subject to direct democratic accountability. These elements of concern were particularly emphasised by the Liberal Democrats, potential coalition partners for Labour in the run-up to the 1997 General Election.

These concerns led to pressure for further devolution, or decentralisation, to the regions of England as well as Scotland and Wales. There had long been debate within Labour and the Liberal Democrats on the merits and possible functions and status of English regional governments. Proposals had been made by Labour in their manifesto for the 1992 General Election. These were sharpened up in 1995 by the publication of *A Choice for England*. This was a Labour Party consultation document, which proposed a framework of voluntary regional groupings in the standard regions of England, with an option available to create elected assemblies in those regions where the public demonstrated support. The proposals, which were the genesis of the existing structures of 'regional chambers', were firmed up by the publication of *A New Voice for England's Regions* in 1996.

At the same time, Labour created a Regional Policy Commission. It produced a report entitled *Renewing the Regions* (also known as the Millan Report), which made further specific proposals for the shape of the regional chambers. When introduced through the Regional Development Agencies Act 1998, these bodies had been significantly watered down from the Millan proposals. But their existence, and their prompt formation of partnerships with many

regional offices of government agencies, has boosted calls for further devolution to elected assemblies in England's regions.

The Government committed itself, in its manifesto for the 2001 General Election, to introducing elected regional assemblies where the electorate of any given region voted for one in a referendum. This commitment was kept by the publication, in May 2002, of *Your Region, Your Choice: Revitalising the English Regions*.[1] This White Paper set out in full detail the purpose, functions, budgets and constitutional structures of proposed regional assemblies.

Campaigning organisations

The Campaign for the English Regions (CFER) was formed in 2000 to make the case for devolution to the English regions. Five regional Constitutional Conventions are members: North-East, North-West, Yorkshire and the Humber, West Midlands, and South-West. These bodies were set up in 1999 and 2000: their purpose is to provide an open forum to discuss moves towards regional government in their respective region. A sixth is being set up in the East of England region.

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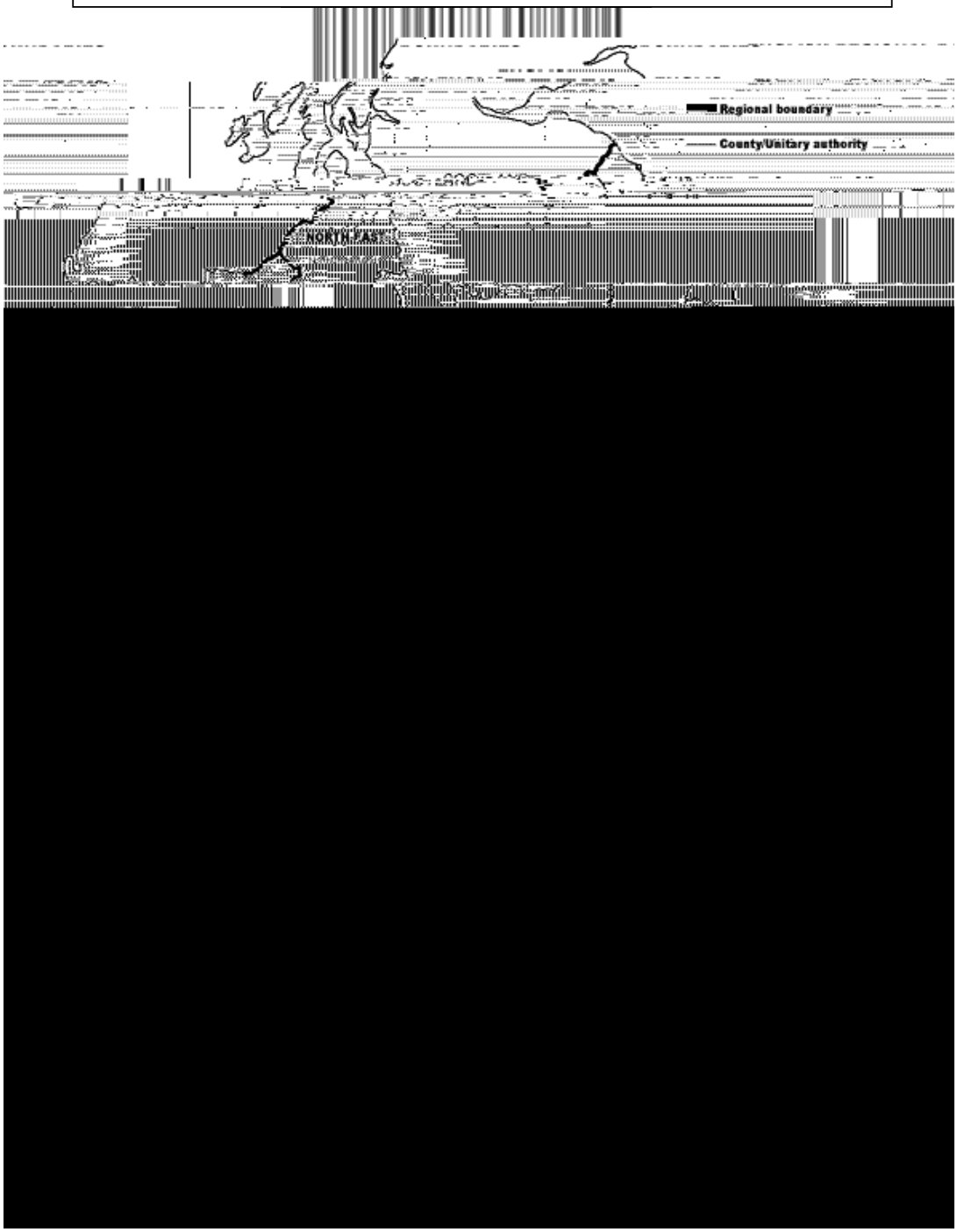
Map 1
Standard regional boundaries and local authorities in England



Also in existence, though not members of CFER, is the Cornish Constitutional Convention (CCC). Cornwall is, administratively, an English county and not a standard regional area: the CCC is the only one of the Constitutional Conventions which does not represent a standard region. The South-West Region is the only one of the Government standard regions so far where the existing regional boundaries have become a strongly contentious issue: other disagreements occur, but not with the force that is present in Cornwall.

The report

This report was commissioned jointly by the South-West Constitutional Convention (SWCC) and the Cornish Constitutional Convention (CCC) as a result of fundamental disagreements between the two Conventions over the appropriate form of devolution within their respective 'territories'. The Cornish Constitutional Convention supports a regional assembly for Cornwall alone. The South-West Constitutional Convention supports a single regional assembly for the standard South-West Region, with Cornwall remaining a constituent part of the region.

The report was commissioned to "address issues of contention" between the two Conventions. To that end, it will address the following issues:

— Chapter 2 gives an overview of, and maps the current structures of government in, the standard South-West Region and Cornwall.

— Chapter 3 examines the cultural background of both Cornwall and the South-West region, including comparison with European regions.

— Chapter 4 presents three models of devolution for the South-West Region. The use of the three models were agreed when the report was commissioned. For each, electoral structures, powers, functions, and modes of operation are discussed. For the purposes of the report, the powers and functions of proposed regional government as set out in *Your Region, Your Choice* is used.

— Chapter 5 examines the administrative and financial viability of each model.

— Chapter 6 examines the political issues surrounding each of the models, and the evidence available from opinion polls.

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exists support within Cornwall for a regional assembly on the standard Government boundaries, and there is support from outside Cornwall for a Cornish assembly.

This report does not aim to make the case for elected regional assemblies in England. It is assumed, for the purposes of the report, that that case has been made. Also, the cp 0 0 10.98 52ou0o2

Chapter 1: Principles of regional government

What are regions?

Questions of what regional government is for, what it should do, and what the rationale is behind regional boundaries, go to the heart of the issues examined by this paper. It would be difficult to come to any conclusions about the options open to the standard South-West Region without at least some basis in principle. That is difficult to find, because authoritative discussions of the purpose and function of regional government have been few and far between.

The word 'region' means different things in different contexts. Keating and Loughlin state that "spatially, it exists somewhere between the national and the local."[2] This statement sounds banal, but it reflects the fact that the definition of 'regional', in any given context, depends upon the definitions of 'national' and 'local'. In the English context, it normally refers to an area, consisting of multiple local authorities, which is used for administrative purposes for the organisation of particular functions which are not part of local government responsibilities. By this definition, England typically consists of between 4 and 15 regions. In recent years, government bodies have increasingly created separate divisions for Scotland and Wales alongside several English regions.

The viability of the possible regional structures discussed in this report rest in large part on the range of competences proposed for regional assemblies. As we argue below, the Government proposes regional assemblies which merely take over administrative functions without having the resources to assume a wider co-ordinating role.

Boundaries

> "The key to understanding the role of regional structures in British public administration to date [1995] is that they are primarily concerned not with the management of *territory* but the delivery of *functions*."[3]

Hogwood's exhaustive study, *Mapping the Regions*, demonstrates that there has never been a standard set of regional boundaries within the UK. Over the last 20 years, some regional boundaries have been more commonly maintained than others—for instance, Scotland and Wales, and the (standard) West Midlands, were used far more commonly than the boundaries now used for the South-East or the East Midlands. But otherwise the boundaries of departmental or organisational regions vary enormously.

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[2] Michael Keating, *The Political Economy of Regionalism*, ed. Michael Keating and John Loughlin, Frank Cass, London, 1997, p.17

[3] Brian Hogwood, *Mapping the Regions: boundaries, co-ordination and government*, Joseph Rowntree Foundation, 1995, p.1

to make perfect sense to everyone. Many geographical boundaries invite those close to one side of them to claim they should be on the other. For example, similarities can be identified between parts of North Cornwall and North Devon, but this does not prove that there should be no boundary between the two: nor, indeed, do claims of Cornish separateness *prove* that there should be one.

What is regional government for?

The White Paper indicates the Government's ideas on the purposes of regional government on several occasions:

> "It is vital to give real economic power to the regions to enable them to improve regional prosperity."[6]
>
> "We are…offering people living in England the chance to choose whether to establish an elected assembly for their region, to provide greater accountability for the decisions that affect them."[7]

Any model of regional government for the standard South-West Region will need to match these aspirations.

It is a feature of the White Paper that its bold rhetoric was not matched by the powers and budgets on offer to elected regional assemblies. The functions that are proposed for decentralisation are discussed in more detail in Chapter 4. For the present chapter it is noted that the functions proposed are of a specific type. Regional assemblies will take over administration functions of other bodies, rather than having extra funds and capacity to drive forward innovative projects or schemes. The Government's proposed model of regional assembly amounts primarily to a reform of administrative structures. For many campaigners the democratic accountability achieved thereby is a gain in itself. But very little new money will be on offer to regional assemblies, and most of their inherited budgets will inevitably be spent on their inherited responsibilities. They will not, under the model set out in the White Paper, have the flexibility or clout to engineer substantial visible change in the short to medium term.

The resulting small quantity of budget can become a gap in quality of what the regional assembly can achieve. It is unrealistic to expect the proposed English regional assemblies to undertake the capital spend and large-scale economic co-ordination roles that are available

after the introduction of an elected assembly. Devolution to an elected assembly is

However, the White Paper does state that “there are likely to be further proposals for the decentralisation of responsibilities to assemblies as time goes on.”[9] Chapter 5 examines the potential effects of devolution of the powers and budgets of further regionally-based executive agencies, which have not been included in the current proposals, on the three models proposed.

[9] DTLR / Cabinet Office, op. cit., paragraph 4.6

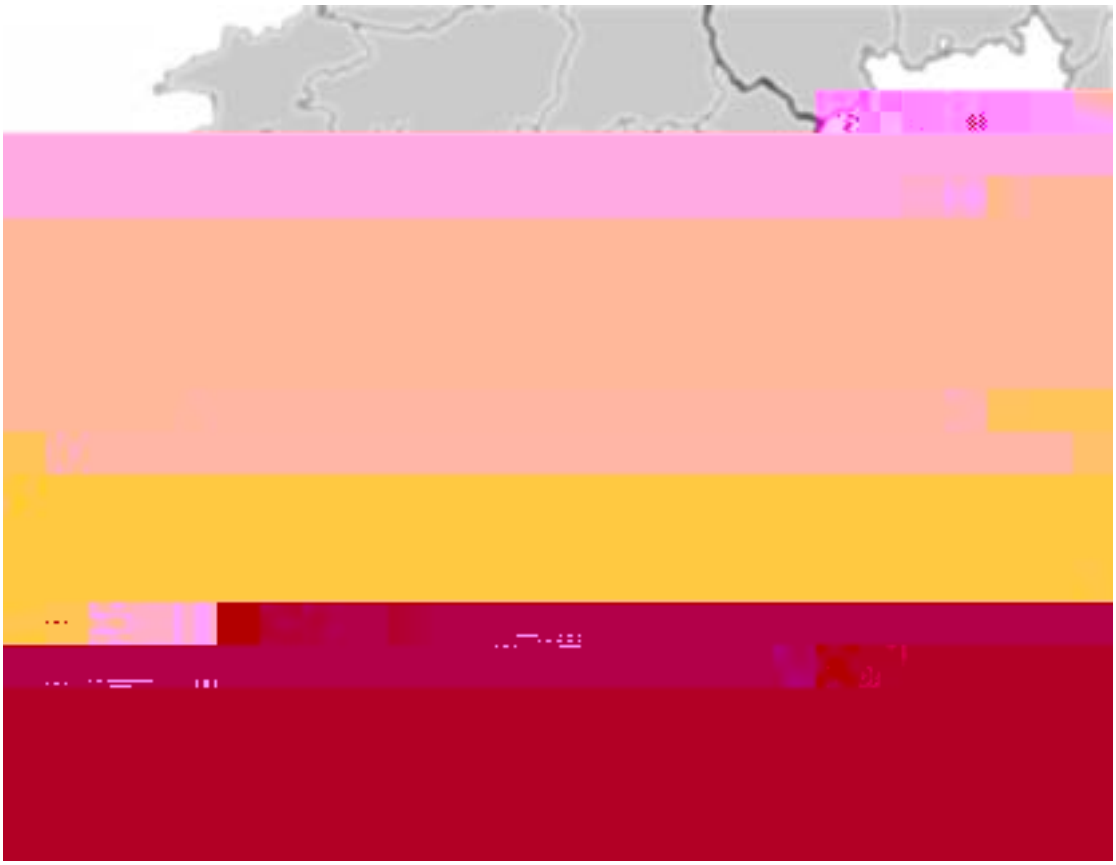
Chapter 2: An Overview of the South-West Region

To provide context for the political issues examined by this report, this chapter summarises the standard South-West Region in political, geographical and economic terms. In order to simplify the analysis of these issues in later chapters, this chapter is divided into two separate sections, one for the standard South-West Region, and one for Cornwall itself. This structure should not be taken as an indication that the report assumes that a firm dividing-line exists between the two.

Geography

The South-West Region has the reputation of being one of the more distinctive, and probably the most diverse, regions of the UK. In terms of land area it is the largest of the English regions. Geographically, much of it forms a peninsula (of which Cornwall is the tip) stretching away from England into the Atlantic Ocean, giving it some 700 miles of coastline. The northernmost tip of the region is closer to Scotland than to the westernmost tip. A variety of names is used to describe it, such as ‘Wessex’, ‘the West’ or ‘the West Country’ (though none of these represent defined sub-regions). Much of the region is comparatively remote from both London and the large cities of midland and northern England. Its boundaries are with the South-East, and with the West Midlands and Wales.

The region contains some 4.9 million inhabitants, with a population density below the English average. It is predominantly rural, and polycentric: its largest city is Bristol (500,000 inhabitants), followed by Bournemouth, Plymouth, Swindon (200-250,000), Bath, Gloucester, Cheltenham, Exeter and Torquay (100,000), and Taunton and Weston-super Mare (50,000). Considerable in-migration from elsewhere in the UK has taken place in recent decades: evidence suggests that the perceived high quality of life is a significant driver of this. The above-average ratio of retired people in the region is a probable consequence of this trend.



industries in the 1970s and 1980s. Traditionally the economy has focused around agriculture, fishing and tourism: lately, the financial and legal service industries have established a significant presence in the northern part of the region, particularly around Bristol, Bath and Swindon. Most regionally-based central government departments are based in either Bristol or Exeter.

The quality of the region's environment is recognised as an economic asset for the region, attracting tourism, heritage employment, and people of working age generally. There exist "significant areas of international and national designations for nature conservation and landscape".[10]

The high ratio of retired people and a high rate of second-home ownership are symptoms of an economic dilemma. The region's environmental quality is instrumental in attracting in-migration and making the region an attractive place to live and work, but the desire to preserve this quality can lead to the obstruction of substantial industrial or infrastructure development.

There is also "a perceived gradation in economic fortunes from the prosperous north and east [of the region] to the less affluent west partly due to different economic structures and degrees of accessibility".[11] Although the RPG goes on to point out that this is a simplistic picture, there is some truth in it—and Cornwall, being furthest west, suffers particularly strongly, as demonstrated below in table 2.4. But the gradation applies within Devon, Somerset and Dorset: economic problems are not confined to Cornwall. And there exists serious deprivation within the large urban areas, Plymouth, Bournemouth and Bristol.

Cornwall qualified for EU Objective 1 funding in 1999: the programme will last from 2000 to 2007. Some £600m of investment into five areas became available. These are: Small and Medium Enterprise and Micro-Business Support, strategic investments, developing people, community economic development and rural structural adjustment, and regional distinctiveness. The Objective 1 programme is managed from GOSW's Plymouth office. Regional Planning Guidance states that "Objective 1 status gives Cornwall and the Isles of Scilly the opportunity to promote sustainable economic growth, to restructure the area's economy creating wealth, stemming decline and retaining distinctiveness."[12]

Regional Planning Guidance

The September 2001 Regional Planning Guidance divides the South-West region into four sub-regions. These are Northern (Avon, Gloucestershire and north Wiltshire); South-East

[10] South-West Regional Assembly, *Regional Planning Guidance*, 2001, p.9

[11] Ibid., p.10

[12] Ibid., p.36

(South Wiltshire and Dorset); Central (East Devon, Somerset); and Western (Cornwall, north

councils. There are 51 parliamentary constituencies, of which 5 are in Cornwall, and seven seats in the European Parliament operated on a region-wide party list constituency.

The pattern of party strength diverges from that in Parliament as a whole, because of the strength of the Parliamentary 'third party', the Liberal Democrats. The South-West, and Cornwall, have long been considered to be their stronghold. During the mid-twentieth century, when the then Liberal Party held 10 Parliamentary seats or less, some were almost always in Cornwall or the South-West. Currently, the Liberal Democrats hold 15 seats in the region, Labour 17, and the Conservatives 19. An electoral map would reveal an apparent strengthening of Liberal Democrat support as one travels further west. Labour Party seats are concentrated in the urban areas: it is rare for Labour to win a rural seat in the South-West Region.

A similar party structure exists in local government. In Devon, Somerset, Dorset and Wiltshire, and many of the unitary authorities, power moves between the Liberal Democrats and Conservatives. Gloucestershire has a strong Labour Party contingent. Unitary authorities vary between Labour (Swindon and Bristol), Conservative (Plymouth, Torbay and Bournemouth) and Liberal Democrat (Poole, Bath & North-East Somerset, and South Gloucestershire). Cornwall County Council, and its district councils, contain strong Independent representation.

The results of the 1999 European elections are shown in Table 2.1. On a turnout of only 24%, the Conservatives won four seats, whilst Labour, the Liberal Democrats, and the United Kingdom Independence Party won one each. The latter enjoys relatively strong support in the South-West Region, as does the Green Party. The Liberal Party has a small local presence, and Mebyon Kernow, the Cornish nationalist party, regularly takes part in Cornish elections, occasionally winning seats.

Table 2.1: European election results, 1999, South-West constituency		
Party (seats won)	**Votes**	**Percentage**
Conservative (4)	434,645	41.7%

Table 2.2: Current regional strategies	
Strategy	**Produced by**
Regional Economic Development Strategy	RDA with Regional Chamber
Regional Planning Guidance (RPG)	Regional Planning Body
Regional Transport Strategy	Part of RPG
Regional Cultural Strategy	Regional Cultural Consortium
Sustainable Development Framework	Sustainable Development Round Table
Regional Housing Strategy	Regional Housing Forum
Regional Waste Strategy	Part of RPG
Framework for Employment and Skills Action	Learning and Skills Councils, Employment Service, RDA

The SWRA has the largest membership (117) of the Regional Chambers. 79 members are local authority councillors. Each of the 51 principal councils (i.e. counties, districts and unitaries) is allocated one member, with the remaining 28 used as 'top-ups' to achieve overall political proportionality. The 'top-up' councillors mostly come from authorities with larger populations. The remaining 38 members are 'social and economic partners', drawn from business, the voluntary sector, environmental groups, and trade unions.

The SWRA is chaired by a Conservative Party local councillor. There are four vice-chairs, one from each of the three parties and one from the social and economic partners. It has a budget of some £1.3m: of this, £500,000 comes from the Office of the Deputy Prime Minister,[18] and the majority of the remaining £600k derives from local authority subscriptions.

South-West Regional Development Agency (SWRDA)

The South-West Regional Development Agency was set up in 1999 under the Regional Development Agencies Act 1998. Most of its initial functions and budget lines were derived from a number of predecessor bodies, most notably English Partnerships and the Rural Development Commission. Its budget in 2001-02 was some £95 million. Its head office is in Exeter, with other offices around the region in Plymouth, Truro, Poole and Bristol. It has a

[18] This budget was previously provided by the Department of Transport, Local Government and the Regions.

board of 13 members appointed by the Secretary of State. Board members must have experience of "some matter relevant to the functions of the Agency"[19].

SWRDA must produce a Regional Economic Development Strategy, and submit it for approval by SWRA. If approval is not forthcoming further work must be done, but the two organisations have a close relationship which aims to prevent conflict. SWRDA's role is chiefly as a grant-giver and aid-provider to regional businesses, regenerating and improving infrastructure rather than actually carrying out development work itself.

Table 2.3: Executive agencies in the South-West region	
Body	**Coterminosity of boundaries compared with standard South-West region**
Arts Council of England	Standard
Countryside Agency	Standard
English Heritage	Standard
English Nature	Standard
English Tourist Board	Standard
Environment Agency	Standard minus Gloucestershire and Swindon
Forestry Commission	Standard
Highways Agency	Standard
Housing Corporation	Standard in practice—though formally a single region for South-East and South-West
Learning & Skills Councils	Six sub-regions: Avon, Devon & Cornwall, Dorset, Somerset, Wiltshire, Gloucestershire
National Health Service	A single region for South-East and South-West, plus 3 Strategic Health Authorities in the South-West
Resource (Museums, Archives and Libraries Council)	Standard
Small Business Service (Business Link)	As Learning & Skills Councils
Sport England	Standard

Executive agencies

There are a variety of executive agencies in the South-West Region. Most follow the standard boundaries of the Region, though with exceptions (shown in Table 2.3). Most of them already have joint working relationships with the three regional organisations (SWRA, SWRDA and GOSW) listed above.

Cornwall

Cornwall is at the furthest point of the South-West peninsula. Like many parts of the South-West Region it suffers from many economic and social problems, though they are often more

starkly evident there. It is a predominantly rural area, though containing substantial industrial decay from the decline of the once-widespread tin industry. Local poverty is complemented by a large tourist industry, leading to a high rate of second-home ownership and a serious problem of seasonal unemployment. Low wages and high house prices are the norm. Considerable inmigration has taken place in the last 50 years, though in Cornwall in-migrants of working age tend to outnumber retired people.

Economic indicators comparing the seven counties of the South-West Region frequently show Cornwall finishing not only seventh but a poor seventh. This is demonstrated in Table 2.4.[21] These high-level indicators demonstrat

Table 2.4: Intra-Regional socio-economic comparisons in the South-West Region								
	UK	SW	Bristol & Bath	Cornwall	Devon	Dorset	Glos.	Somerset

An analysis commissioned by the South-West Regional Development Agency identified seven economic sub-regions within the standard region.[22] Of these, Cornwall was the only one which directly corresponded to a county area. The report stated that "zones have been defined that are essentially economic sub-regions, each…exhibiting varying degrees of economic integration and similar economic characteristics".[23] This report groups South-East Cornwall with the remainder of Cornwall in terms of economic activity, rather than with Plymouth.

The Isles of Scilly, some thirty miles west of Cornwall, has its own unitary authority for a population of 2,000. For most local service provision they co-operate with Cornwall County Council. Economically they share Cornwall's problems of peripherality and focus on tourism and the environment.

Government Offices

It is unusual for Cornwall to have its own branches of central government institutions. For instance, none of the institutions listed in Table 2.3 above use Cornwall as an English region for the purposes of service delivery. More common is a region corresponding to, or similar to, the South-West Region. This lack of institutional presence would cause difficulties for the setting-up of a Cornish Assembly, a problem which will be examined in chapters 4 and 5. However, in the last few years there has been a limited trend of 'institutional drift' towards Cornwall. GOSW and SWRDA both now have small branch offices in Truro. Also now being set up is Creative Kernow—sponsored by South-West Arts—and Heritage Kernow, sponsored by English Heritage and others. These are branch offices rather than independent organisations.

Cornwall shares the problems of geographical peripherality of the South-West Region, but to a greater degree: transport infrastructure becomes poorer the further west one travels. This is of particular importance with regard to location of institutions of governance: the poor quality of road and rail transport, abetted by the terrain, means that many of the dominant towns of the South-West Region are further away from Cornwall than they 'appear' on a map. Exeter to Truro takes over two hours by train, and more by road. Bristol is almost 200 miles away. Hence, the many Exeter-based administrative offices covering Cornwall are located an unusually large distance, in time, from much of Cornwall.

For the same reason few administrative offices are located in Cornwall in order to cover a wider area, which contributes to a lack of administrative presence in Cornwall. Few regional administrative offices exist in other parts of the standard South-West region, such as Wiltshire, Gloucestershire, and North Devon. But Cornwall, being poorer and more peripheral, would stand to benefit more sharply if this situation were altered.

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[22] See Pieda Consulting, *Spatial prioritisation: an executive summary*, Reading, 1998

[23] Pieda Consulting, op. cit., p.2

Politics

The County Council is unique compared to English counties in that it still has a large Independent representation (25 out of 79), alongside a strong Liberal Democrat and small Conservative and Labour presences. Similar patterns exist on its six district councils, whilst the Isles of Scilly council is fully Independent. Independents, however, do not stand in Parliamentary elections. The UK Independence Party in 2001, and the Referendum Party in 1997, won higher than average support in Parliamentary elections. The nationalist party, Mebyon Kernow, occasionally wins district and county seats.

Conclusion

The South-West Region is a diverse region economically and socially. As the largest region in England, any future regional assembly covering the area of the seven counties will have to deal with very different sub-regional issues; Devon has discrete problems of its own, and

Chapter 3: Devolution and culture

This chapter examines the cultural foundation of the case for devolution for both the South-West Region and Cornwall. By 'cultural foundation' is meant distinctiveness which characterises any of the regions which are the subject of the present report, and how that cultural foundation should or could relate to the form of devolution which takes place.

Cultural foundation of political structures

Concepts like 'culture', 'nationality', 'ethnicity' and 'identity' are frequently used to justify the geographical extent of political structures. The use of these concepts, and combinations of them such as 'national identity', as bases for political structures is taken for granted in Europe. But this is, in fact, a modern European phenomenon. There is an extensive sociological literature on the rise of nationalism and the nation-state in modern Europe, and the role of ethnicity and identity in the creation of nation-states.

Culture and identity are largely created rather than inherent, from a pre-existing set of cultural symbols which act as 'raw material'. Englishness, or German-ness, or any other identity, is constructed through according particular importance to different cultural symbols. Those symbols, and the importance accorded to each of them, may vary within the 6he geogrhich ar. It]can4beeajustfu whourc maycal 22.208 0 TD1140013 Tc0.0052 Tw[(European capitt

This strong statement refers to 'stateless nations' such as Scotland, Brittany, and Catalonia, but can be applied (less strongly) to traditional regional identities. Its implication is that, where possible, formation of new regional governments should make use of existing identities. There are affinities between the mobilisation of social capital described above and the commercial concept of 'brand loyalty'.

The claim that a distinctive identity means that a region, or sub-region, deserves regional government finds further support in European regions. In Italy, for instance, there are 5 'special regions', which have substantial legislative powers and administrative autonomy, and 15 weaker 'ordinary regions'. Each of the five special regions is culturally distinct: Sicily and Sardinia have long had autonomy/independence movements, whilst the other three (Trentino-Alto Adige, Valle d'Aosta, and Friuli Venezia-Giulia) contain linguistic minorities. Similarly, Catalonia, Galicia, and the Basque Country were the first Spanish regions to achieve autonomy, in the late 1970s, and did so on the basis of their status as 'historic nationalities'. Belgium has two regions, Flanders and Wallonia, based on ethnic and linguistic divisions (with a third region for the capital, Brussels).

But the practice of matching regional governments to regional identities is not a normative one. It is not necessarily the case that where one finds an identity, one must create a region. That assumption derives from the theories of nation-state referred to above: the reasoning is that if a 'nationality' should have its own state, then a distinctive region or 'national minority' should have its own autonomous region. Such ideas are not without foundation—national minorities frequently do want autonomous regions and national governments often find it convenient to grant them—but neither are they immutable principles for the organisation of regional government.

Depth of identity

A further factor in regional devolution is depth of identity. In the UK, the Scottish Parliament has legislative powers, whilst the National Assembly for Wales has only secondary legislative powers (commonly referred to as 'executive devolution'). The rationale behind the differences was that the Scottish 'desire' for self-government was stronger than the Welsh. That belief appeared to be confirmed by the 1997 referendum results, in which the National Assembly for Wales received a 'yes' vote from 50.3% of the Welsh electorate, whilst the Scottish Parliament won the support of 74% of Scottish voters.

The implication of these gradations is that the stronger the regional identity, the more autonomy should be available. This process is marked in Spain's continuing devolution programme, where the 'historic nations' of Catalonia, Galicia and the Basque Country insist that, whatever powers are available to other regions, they should have more by virtue of their stronger identity.[26] These gradations, though, are based on the shared assumption that

[26] This is known as the 'hecho diferencial'. It is a political issue, not one existing in constitutional law.

What role, therefore, should cultural foundation and identity play in the creation of a region? Though it cannot be regarded as a necessary component of a successful regional government, a strong regional identity, on balance, ought to be an advantage for a fledgling regional-level institution, not least in establishing its credibility with its electorate. The availability of a distinctive regional 'brand' can also be an advantage in economic development. Sturm suggests that economic modernisation initiatives in Germany have found this to be the case:

> "Regional support must be able to count on 'motivational resources', that is, support given freely or cost-efficiently by the local people, because not only do they identify with their region, they are also ready to do something for its future…. Motivational resources…cannot stand too much frustration and should therefore be given a clear framework with regard to the tasks to be fulfilled and the time this is going to take."[29]

This suggests that where territorial identities exist, boundaries ought to follow them if possible.

European regions

The pattern of European regional boundaries is diverse. Often, distinctive regional identities are accorded their own regions. Moreover (importantly for the case of Cornwall) this does frequently lead to regions of anomalous sizes and shapes. In Germany, Hamburg and Bremen, both cities of just under 1 million inhabitants, have their own regional governments. This reflects their historical 0.20at is,

national politics between regions in the different countries of Europe. The shape of regional government relates to national political issu

regional identity around which the necessary forces could be mobilised".[33] But no Devon-and-Cornwall identity has emerged as a result of these efforts: if anything, Cornish identity has strengthened.

The variety of names shows that the South-West Region is not clearly defined. But equally, the wealth of uses of the various terms (all of which relate to 'west-ness') demonstrate an awareness that a distinct area exists, albeit with uncertain boundaries.

In 2000 the first 'cultural strategy' for the South-West Region was produced, by the Regional Cultural Consortium, Culture South-West. This is an umbrella group established in 1999 to provide co-ordination of cultural funding in the region. The strategy was a largely aspirational document, and it made no comments about elected regional assemblies. But it did note that the South-West was "a region of regions".[34] There was no common culture uniting the seven counties of the standard region; distinct cultures were a feature of the sub-regions (here including Cornwall).

Cornwall

To the CCC, the existence of a sense of Cornish identity is close to indisputable. Indeed, the first sentence of the preface of Payton's seminal work *The Making of Modern Cornwall* reads "Why is Cornwall different?"[35]**,** suggesting that the existence of 'difference' is taken for granted. This view holds that Cornwall is akin to Wales: it is not a part of England but has its own, Celtic, ethnicity, culture, and language.

Unlike the nations of Scotland and Wales, Cornwall's distinctiveness has been ignored by the UK and by Westminster and Whitehall during modern history. Much of this may be due to Cornwall's small size (one-sixth of the population of Wales), its propensity to vote for neither Labour nor the Conservatives, its lack of a successful nationalist party, and its distance from centres of economic power.

There is considerable sociological and political writing on Cornwall, dwarfing that available for the South-West. Considerable arguments are made for the existence of a distinctive identity. Features of the claimed Cornish identity include rugby football, Cornish pasties and other foods, brass bands, wrestling, a revived Bardic tradition, and the shared heritage of the Cornish language and tin mining. Cornish politics, with continued strong Independent representation and a nationalist party, is also distinctive.

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[33] eds. Stanyer et al, p.71

[34] Culture South-West, *In Search of Chunky Dunsters: A cultural strategy for the South-West,* 2000, p.13

[35] Philip Payton, *The Making of Modern Cornwall*, Dyllansow Truran, 1992, p. ix

Cornwall was once a distinct cultural and political entity. The *Historical Atlas of South-West England*[36] analyses place-names in Devon and Cornwall, and finds place-names of Celtic origin to be overwhelmingly located in Cornwall. Conversely, place-names of Anglo-Saxon origin are overwhelmingly in Devon, though a small concentration can be found for a few miles into North-East Cornwall. The authors conclude that a 'political separation' between 600 and 1100 was the cause. The continued use of the Cornish language, plus the natural boundary of the river Tamar, kept Cornwall very distinct until around 1750.[37]

There is a tendency outside Cornwall to dismiss a distinctive Cornish culture as having died with the Cornish language in the late 18th century. One respondent from outside Cornwall characterised this viewpoint:

> "People don't take it [Cornish identity] seriously. People think it's a joke, and being Irish, I'm sensitive to that…. In Bristol there's no anti-Irish prejudice because they reserve all their hatred for the Welsh, often on the basis of total ignorance of the culture…. And something similar probably happens towards Cornwall."

This view is abetted by the concentration of attention within Cornish scholarship on portrayals of Cornish industrial history, discussions of ancient institutions, and disputes about the true shape of the Cornish language.[38] Little work has been done on the nature of Cornish identity which is not from a Cornish perspective, but at the same time little interest has been shown in Cornish identity by government. The prevalent opinion amongst policy-makers, politicians and academics outside Cornwall appears to be that Cornwall is a county which is part of the South-West Region.

Some fear of unleashing an irrational 'nationalism' is also detectable: there appears to be a belief that a Cornish regional body would become preoccupied with arcane cultural issues at

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[36] eds Roger Kain and William Ravenhill, *Historical Atlas of South-West England*, University of Exeter Press, Exeter, 1999. (Ironically, "South-West England" in this title refers to Devon and Cornwall!)

[37] During the Middle Ages, the Stannary Parliament made Stannary Law which applied to 'Cornish tinners' (though the law's jurisdiction often applied more widely than simply to miners). The Parliament and Law have never been formally repealed, though they have been unused since 1752 and 1896 respectively. The existence of the Duchy of Cornwall was once of constitutional significance, but it is now essentially a commercial organisation.

[38] The Cornish language has been undergoing a revival throughout the 20th century. Since historical records of its use are relatively rare, some vocabulary has been 'reconstructed' through comparison with its closest relatives, Breton and Welsh. This has led to repeated disputes over spelling, grammar and vocabulary: three systems of grammar and vocabulary have been in use. At the same time, numbers fluent in the language have never risen above 2000, though popular knowledge of the language also survives through dialect and place-names. *Cornish Studies*, the journal of the Institute for Cornish Studies, exemplifies the issues referred to: in the second series, some 50% of all articles relate either to events before 1900 or to the Cornish language.

the expense of economic and social ones. An example of this is a press release by the Cornish Labour Party regarding the possibility of a Cornish assembly:

The regional arts board, South-West Arts, has set up a form of sub-agency for Cornwall called 'Creative Kernow'. This is a 'one-stop shop' created to help arts within Cornwall to be more coherently advised, funded and promoted. It will not take on executive and budgetary functions from South-West Arts. The step resulted from pressure from a variety of individuals and organisations within Cornwall, over time, asserting that Cornish culture was sufficiently different to merit separate consideration within South-West Arts.[41] The fact of this pressure suggests that concerns about a distinctive Cornish culture are not imaginary.

Comparisons of Cornish identity

Little sociological or comparative work has been done on Cornish identity or self-definition. Aldous and Williams carried out a survey in 2000 which showed 30% of Cornish students aged 16-18 self-identifying as Cornish and some 60% as English (with the remainder as 'other'). There was an increase in Cornish identification further west into Cornwall. [42]

A survey was carried out in 2002 by Golley Slater, consultants hired under Cornwall's Objective 1 programme. In a sample of 719 adults, this found that 35% self-identified as Cornish, 33% as British and 27% as English. The high self-identity of 'British' instead of English is also found in the northern regions of England, as well as in Scotland and Wales.

These two surveys alone cannot be evaluated conclusively, but observations can be made. On the one hand, it would be very surprising to obtain comparable results from any English county—few would be likely to identify with Yorkshire, for instance, *over against* England. On the other hand, these results reveal levels of self-identity somewhat lower than those found in the devolved nation of Wales. The Welsh Election Survey of 1979 found 57% of respondents self-identifying as Welsh, 34% as British, and only 8% as English.[43]

assembly and South Wales another.[44] This suggestion related to the economic and cultural differences between North and South Wales. Arguments over the distinctions between North and South Wales resurfaced in the 'no' campaign during the 1997 devolution referendum.

On the other hand, those campaigning 'yes' in that referendum did so on the basis (often felt to be so self-evident that it was not made explicit) that Wales was indeed a nation—or at the very least, 'different' from the rest of Britain—and therefore deserved devolved government. Both sides, in effect, shared the view that a form of self-government was linked to a particular notion of identity.

However, this does not automatically mean that Cornwall is entitled to an assembly in order to allow its identity to strengthen just as Wales's did. Fevre and Thompson (1999) remark that it is commonplace for academic writing to assume that regional or national grievances must be justified, even if the evidence for their prevalence amongst the population at large is scant. Much writing on Wales has explained away lack of Welsh identity as a form of 'false consciousness', whilst asserting that any evidence of Welsh identity, however debatable, was a portent of the future. In other words, it was assumed that Welsh identity would increase over time and that this would be both 'right' and beneficial.

Conclusion

There is a strong case to be made that a distinctive Cornish identity exists. The levels of self-identity shown in the surveys described, plus the distinctive features outlined, suggest a regional identity that may be qualitatively different from any other in England. If 'depth of identity' were to automatically map directly on to strength of political devolution, it is likely that a Cornish Assembly could expect fewer powers than Wales or Scotland, but a South-West regional assembly would have very thin powers indeed. Elcock and Parks (2000) suggest:

> "Where a region has a mainly cultural basis supported by some functional viability, the case for regional autonomy will be strong and the region definite. Conversely, where a region's main *raison d'être* is functional, even if it has some cultural support, the case for autonomy is likely to be less watertight."[45]

The culture of the South-West Region is not distinctive enough that there is a clear boundary separating the region from the remainder of England. There is clearly something there, not strong enough to become a 'mainly cultural basis' for regional devolution, but present nevertheless. Of the two categories in Elcock and Parks's statement it falls firmly into the latter.

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[44] Osmond (1985), p.251.

[45] Howard Elcock and Judith Parks, "Why do regions demand autonomy?", *Regional and Federal Studies 10:3*, Autumn 2000, p.104

Table 4.2: Influencing functions of regional assemblies	
Function	**Nature of function**
Business support	Consultation by Small Business Service
Skills	Draw up Framework for Regional Employment and Skills Action Appoint two members to every local LSC board. LSCs to consult Assembly on plans, and have regard to Assembly's plans (statutory)
Planning	Power to request call-in of major projects by Secretary of State if not consistent with Regional Spatial Strategy
Transport	Advise on allocation of money to local transport plans (Government Offices) Make proposals to Highways Agency and Strategic Rail Authority: consultation by those bodies
Lottery funding	Appointment of members to regional awards committees
Culture	Regional Cultural Strategy, to be followed by Arts Council, Sport England and tourist authorities
Public health	Health Improvement Strategy with Regional Directors of Public Health
Environment	Appointments to Environment Agency's regional committee[47] Right to consultation of and by Environment Agency, Countryside Agency, English Nature
Crime reduction	Local crime reduction partnerships and drug action teams to consult Assembly on their strategies.

Elected regional assemblies will also be obliged to create ten strategies, listed in Table 4.3:

[47] Environment Agency regions are entirely different from the standard regions, being based on river basins; it is not clear, therefore, how this proposal is to be implemented.

Table 4.3: Strategies for an elected regional assembly[48]
Regional Economic Development Strategy
Regional Spatial Strategy (replacing RPG)
Regional Transport Strategy
Regional Cultural Strategy
Sustainable Development Framework
Regional Housing Strategy
Regional Waste Strategy
Framework for Employment and Skills Action
Health Improvement Strategy
Biodiversity Strategy

Models for the South-West

The following three models suggest possible means of application of the Government's proposals to the South-West Region.

Model 1

Model 1 is a South-West regional assembly, covering all seven counties. Local government in the region would be reorganised into a unitary structure. There would be some 20-22 single-member constituencies and 10-12 seats available in a 'top-up' constituency covering the entire region.

An approximate budget likely to be initially available to Model 1 is shown in Table 4.4. The figures shown are based on budgets currently available for each function currently proposed for elected regional assemblies. The White Paper proposes that each budget should be separately allocated, and the several figures should be rolled into a single block grant. This method of funding is similar to the Standard Spending Assessment, the current formula for local authority funding allocations.

[48] DTLR / Cabinet Office, 2002, *Your Region, Your Choice*, box 4.1, p.36

Table 4.5: Expenditure in 2001/02 on programmes for which a Cornish assembly and an elected regional assembly for the remainder of the South-West Region would take

common. A unitary authority is perceived as a way of solving both of these problems at once.

It has been suggested that a South-West regional assembly could devolve some of its own responsibilities, with regard to Cornwall, to a unitary authority in Cornwall. However, for this to be possible, a future Regional Assemblies Act would need to include a power for elected regional assemblies to delegate functions to local government. No such power is proposed in the White Paper. The Government could draw up such a power to be applied solely to Cornwall, though this might lead to controversy.

It is inescapable that a unitary authority for Cornwall would remain a form of local government, and would not represent a step change in the power available to be exercised over Cornwall from within Cornwall.

Devon and Cornwall

Since the establishment of the regional bodies described above, there has been some drift in the private and voluntary sector toward establishing regional boundaries that are coterminous with the standard ones. However, it is appropriate to note one common deviation: that is the grouping of Devon and Cornwall separately from the remainder of the standard South-West region. This has occasionally been advanced because of the geographical size of the standard South-West region, and the extra distance of Devon and Cornwall from the economic centres of the remainder of England

The new Strategic Health Authorities and the local Learning and Skills Councils both operate a Devon-and-Cornwall level structure: so do the police force and ambulance service, normally conceived of as local government services. The Liberal Democrats' regional organisation is based on Devon and Cornwall alongside the remainder of the standard region. The West Country Development Corporation was established over the two counties between 1992 and 1996. There also exists a Devon and Cornwall Business Council, whose chief executive told the author:

> "Nothing would cause us to change the geographical coverage of the Devon & Cornwall Business Council, which has not been based upon any administrative, political, cultural or sentimental criteria—but simply the unique strategic infrastructure problems constraining economic development in a lowly-populated extended peninsula (problems shared equally by the counties of Devon and Cornwall)."[53]

This regional pattern is commonly referred to as the "5+2" pattern—i.e. one region for the five counties (Gloucestershire, Wiltshire, Dorset, Somerset and the former Avon) plus one for Devon and Cornwall. With a combined population of some 1.6 million, Devon and Cornwall was apparently considered to be "big enough" to form a region by the Millan Report of 1996:

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[53] Telephone interview followed by e-mail correspondence, February 2002.

"In the South-West, Devon and Cornwall have a distinct identity from the rest of the region and we are minded to propose a separate chamber corresponding to the new GOR office in Plymouth."[54]

In practice it seems very unlikely that a region for Devon and Cornwall would be considered by the Government, and it would certainly not be accepted by many people in Cornwall.

Model 3

In legislative terms this model is an equivalent structure to that suggested under model 1: a seven-county assembly for the South-West Region, with the same powers, functions, and electoral arrangements. But included in this are several institutional arrangements

and would have the right to replace the Executive Member if he or she so wished. There are party complications: if the governing party(ies) held no seats in Cornwall, a non-Cornish assembly member would have to be appointed as Executive Member for Cornwall.

A scrutiny committee for the Cornish Office would need to be created. This Committee would meet perhaps fortnightly, as in the existing devolved assemblies. This mirrors the arrangements for the Welsh Office at Westminster before devolution. But the Welsh Affairs Committee normally consisted only of Welsh MPs. It would be impossible to follow this precedent under the Government's current plans. Whilst Wales has 40 MPs, in a South-West regional assembly of 25-35 members Cornwall will have 2-3 assembly members (one of whom may be the Executive Member for Cornwall).

The numbers on this proposed committee could be made up either by non-Cornish assembly members, or by co-option of local government councillors from Cornwall. The White Paper proposes to permit co-option of members on to regional assembly committees, possibly with voting rights. The political proportionality of the committee would need to be addressed: the convention is that political proportionality matches that of the overall assembly. This might be difficult in this case, as Cornish political balance is quite different from that of the South-West Region as a whole.

2) Cornwall could be over-represented in the South-West Region assembly terms of seats—just as Scotland and Wales were pre-devolution (and still are) at Westminster.

also clarify the difficulties, if they exist, with running 'regional-level' issues in a territory the size of Cornwall.

Referendums

The creation of any regional assemblies will be subject to a referendum of the relevant electorate. Under models 1 or 3 above, the electorate of the South-West Region would vote in a single, standard-region-wide referendum. But how would a referendum be held if two assemblies were proposed, as under model 2?

In principle, the creation of one regional assembly should not be subject to a veto power from another region. There are very few international examples of referendums on a geographical area's constitutional status being subject to formal or *de facto* veto by other geographical areas. The matter is complicated, and politicised, by the possibility (examined further in Chapter 6) that, in a referendum across the South-West Region, Cornish 'no' votes could be decisive in a rejection by the electorate of a South-West regional assembly.

It follows that, if a referendum takes place on a Cornish assembly, it should take place in Cornwall only, and should not be linked to a referendum in, or about, the standard South-West region. This may be somewhat controversial, but alternatives are not appealing:

— **A single referendum for the South-West Region: if a 'no' vote was received, a single referendum in Cornwall**. The arithmetic of this could allow Cornish 'no' votes to prevent any devolution in the South-West Region, then to vote 'yes' for a Cornish Assembly. This would be unfair to supporters of a regional assembly in the South-West Region.

— **A single referendum with multi-question option in Cornwall only**. This would permit a three-way choice in Cornwall only. The choice would be: a Cornish assembly, a South-West regional assembly, or no assembly. In the RSWR only the latter two choices would be available.
This allows both support for a South-West regional assembly and a Cornish Assembly to be expressed. But it would be unfair for inhabitants of the RSWR to vote on devolution without knowing whether Cornwall is 'in' or 'out'. Arithmetically, it would be unclear whether a majority in the six counties outside Cornwall, or in all seven counties, of the South-West region, was required. If Cornwall voted for its own assembly, but votes for a South-West regional assembly in Cornwall were critical in obtaining a majority for a South-West regional assembly, a paradoxical situation would result.

Conclusion

This chapter has mapped out the legal and electoral processes, and governmental structures, around three possible models of devolution to the South-West Region. Prediction of possible future constitutional situations is not an exact science; this chapter is the first and not the final word on the issues.

Chapter 5 looks in more detail at how the different administrative models proposed here would work in practice. It should be noted here that it is possible that initial decisions made may have a lasting effect on the various options set out above. For instance, if a South-West regional assembly were created and a unitary authority for Cornwall also created, this would pose problems for a future move to a Cornish assembly if that came about. Alternatively, it would be *theoretically* possible—though unlikely—for the remainder of the South-West region to vote for an assembly and for Cornwall not to, which would create an anomalous situation. This serves as a reminder that the issues under discussion have few simple answers.

Chapter 5: Viability of regional assemblies

This chapter explores the possible administrative, economic and financial consequences of the three models of regional devolution described in Chapter 4. Several interviews were carried out with senior officers in regional executive agencies in the South-West, and in local government in Cornwall, to explore the issues raised in this chapter.

This chapter represents a set of tentative explorations rather than confident predictions. It is near-impossible to make predictions about the medium- to long-term consequences of constitutional change: nothing that is stated here should be taken as certain or inevitable. Political issues will be perhaps more vital in the eventual choice of model, but for the purposes of this discussion they are held in suspense until Chapter 6.

Finance

The financial powers of elected regional assemblies are, in many ways, as important as their functions. Without serious money, and at least some flexibility over how it is spent, no regional assembly will be able to effectively discharge whatever responsibilities it is given, and thereby to add value to government in England.

The comparatively small size of assembly budgets under the models sketched out in Chapter 4 (which assumed that regional assemblies would take the form set out in the White Paper) has already been referred to. This is mitigated somewhat by the freedom to move money around as the assembly sees fit, within the context of negotiated performance measures.

But the budget likely to be available to a Cornish assembly under Model 2, in Par-Kernow, [illegible]

These problems remain whichever of the three mo

Were further proposals to be made for dece

end be a matter for the politicians elected to the assembly to decide how faithfully the model was followed.

Strategies

Decisions would have to be made about how to handle the ti7kdasategies hasembly towillave to bewrite

It should be noted, however, that the majority of executive agencies which might be proposed under a further 'round' of decentralisation are concerned almost exclusively with research, strategy, and the allocation of funds. Bodies like the Countryside Agency, Environment Agency, and Highways Agency make grants to more local organisations—in the Environment Agency's case via local offices—to deliver their programmes. A Cornish Office would therefore need the capacity to draw up effective strategies for these bodies, but few changes would need making to the delivery mechanisms, which are already local.

The existence of a Cornish Office under this model would be useful if, after the establishment of a regional assembly for the South-West, a decision was taken to create a separate Cornish assembly. The relevant administrative apparatus would already be in existence in a single office, and disruption would be correspondingly less.

Model 2

This model proposes a Cornish assembly alongside a South-West regional assembly which covers the remainder of the standard region (RSWR).

Generally, the same comments apply to the proposed assembly for the RSWR as apply to the assembly proposed under Model 1. This model of assembly would have few problems setting up, running, and functioning. The only obstacle would be the disruption resulting from the administrative reorganisation necessary to create a Cornish assembly.

A Cornish assembly would face three difficulties. The first is the administrative reorganisation required to bring regional-level functions, currently exercised outside Cornwall, under the control of a Cornish assembly. This would require relocation of at least several dozen staff, and would lead to some organisational upheaval, which would interfere with the making and delivery of policy, and which is likely to cost a comparatively large amount of money. Cornwall has a low starting-point in terms of 'administrative presence', with almost all the regional-level administrative offices which deal with Cornwall being located outside the county.

There would also be a question as to whether those functions that remained outside the control of both a Cornish assembly and an RSWR assembly ought to continue to be administered on the basis of the standard South-West region. Some of these functions already have field offices in Cornwall. But the prospect of two regional assemblies 'nesting' in a single Government Office region might lead to conflict. The 'field offices' remaining outside regional control might be expected to follow conflicting strategies from the two assemblies, for instance. In a sense these kinds of tensions are part of political life, but the prospect of enhancing their chance of occurring could be a deterrent to central government seriously considering establishing a Cornish assembly.

Secondly, the model would require that Cornwall County Council cease to exist in its present form. It would be illogical for two bodies to run side by side, covering the same geographical area. It could either be merged with the Cornish assembly, or reorganised into two or three unitary authorities. It is unlikely that six unitary authorities, on the boundaries of the present districts, would be permitted: they are far smaller than the average English unitary authority in population terms.

A merger between a Cornish assembly and Cornwall County Council would be impossible without legislation. County councils have no power, under the 1972 Local Government Act, to merge with another body. Theoretically the

There are a number of possible means of solving these problems using legislative smoke and mirrors, some of which are listed in Appendix 2. But the need for such complex solutions, and the potential uncertainties listed in the previous paragraph, would deter the Government from considering any of them. The only practical means of achieving a merger of assembly and county council would be to pass a specific Bill for a Cornish assembly in Parliament.

Such a bill would face two serious problems. It is unthinkable that the Government would find legislative time for it before the next general election in 2005-06. It could be introduced as a Private Member's bill, but government support would be required to pass it, and that is unlikely to be easily forthcoming in view of the Government's current position.

Therefore, the creation of 2 or 3 unitary authorities seems the most likely prognosis for local government reorganisation under this model.

extra staff being needed. In turn, this points to the prospect of higher administrative costs under this model.

In terms of the transition to a Cornish assembly, time and money would be required for administrative reorganisation, to move staff (both geographically and organisationally) from their present positions into it. Inevitably there will be some loss of personnel in such a process. In many respects a Cornish assembly staff would have to rapidly readjust, as some of the agencies which a Cornish assembly would 'take over' do not have a staff division which deals with Cornwall alone. One would have to be created from scratch whilst maintaining ongoing programmes. Time would also have to be spent breaking down regional data, currently collected only on the basis of the standard region, into Cornwall and RSWR (remainder of South-West region) categories. This report cannot estimate the cost of the adjustment process, but the time and money involved would be a discouragement to the Government.

Delivering functions

Similar comments apply to those made on the Cornish Office proposed under Model 3. It seems that functions such as those of the Regional Development Agency and the allocation of housing funding could be handled fairly easily by a Cornish assembly. Their functions are data analysis and disbursement of funds. Subject to the caveats about the need for extra staff due to the small size of the assembly, those functions should be exercisable.

The issue of low staffing levels in a small assembly becomes more acute with regard to functions such as tourism and arts, which attract smaller staffs and budgets. For the most part, again, these regional functions consist of disbursement of funding to other organisations. Again, the comments made under Model 3 above apply: there might be a need for extra staff, leading to extra costs, simply in order to run an effective organisation. Secondments from local government could offset this problem to some extent.

If extra staff, leading to higher running costs, were required, this could lead to claims that Cornwall was being revealed to be 'too small' to have its own regional authority, as it was showing diseconomies of scale. If such problems did emerge, the decision as to whether they constituted insurmountable obstacles would be essentially political. The Government would need to decide whether to maintain a Cornish assembly under these circumstances: this is not a choice that can be made on a neutral basis.

Elected assemblies will be offered an array of strategy-making powers, in many important areas of policy in which executive powers and budgets will not be on offer to them. It is not clear how much scope there will be for assemblies to exercise influence through strategic powers: in most cases, they will not have direct control over the means of delivery. This could be a problem for a Cornish assembly if the relevant delivery mechanisms were based, as many public-sector authorities for Cornwall currently are, outside Cornwall. The priorities of a Cornish assembly in health, biodiversity, transport, and employment and skills might

automatically be ignored by central government. In Canada, the tiny province of Prince Edward Island (population 113,000) enjoys a comparatively large voice when its representatives attend Premiers' Conferences (of all the provincial prime ministers).

In terms of economic aid and inward investment, there is more room for doubt about the possibilities of a Cornish assembly. This rests principally on the small budgets suggested under Model 2 in Chapter 4. For example, an economic development budget of some £20 million per annum would not go far; it would be able to attract very few major investment projects to Cornwall. A Cornish assembly could still play an important role co-ordinating other public and private investment. But that implies that there is a strong case for a significantly larger budget than suggested in Chapter 4—bearing in mind that the figures in Chapter 4 are a model only and not necessarily accurate—in order to enable a Cornish assembly to make a significant impact in the area of economic development.

Cornwall's peripherality must also be taken into account. Its geographical position on the Atlantic edge of Europe means that it is a long way from significant European markets. Smaller regions in the 'heart' of Europe would derive much advantage over Cornwall from their geographical position. Cornwall has long suffered from poor transport and communication links in any case, but improvement of those could not be *relied* upon to entirely remove this problem. One respondent summed up this viewpoint in the phrase "Geography has always defeated Cornwall". At the same time, the South-West itself could

Chapter 6: Politics and regional government

The issues addressed by this report, concerning appropriate forms of regional government in the South-West region, are quintessentially political. Politics will be the primary source of decisions for the future governance of the region, and politics will play a major role in determining which arguments have the most influence.

The political interests of the Government are likely to be the most influential. The South-West Constitutional Convention and the Cornish Constitutional Convention have only limited lobbying power. It is clear that the Government's policy on regional government in England is a top-down one: it has been guided almost exclusively so far by the internal dynamics of the Cabinet and by the Government's overall political programme. Although the Conventions both represent important elements of public and institutional opinion, neither has the leverage with which to ensure that the Government takes their views on board.

The position of the South-West Constitutional Convention (SWCC)

The SWCC takes as its geographical extent the Government's standard South-West region, known locally or regionally as the 'seven counties'. These are: Gloucestershire, the former Avon, Wiltshire, Dorset, Somerset, Devon, and Cornwall. This region, with a population of just under 5 million, is used as the standard by most regional offices of Government departments (see table 2.3).

The SWCC was launched in May 2001. It has attracted support from the Labour, Co-operative, Liberal Democrat, and Green parties, and is chaired by Bishop Michael Langrish of Exeter. Conservative members have acted as observers but there has been no official party involvement.

The SWCC's arguments against a regional assembly for Cornwall are threefold. Its small population size, of just under 500,000, is one-third of the population of Northern Ireland (which is currently the smallest region of the UK). It is claimed that economies of scale gained through carrying out functions at a 'regional level' would be lost in such a small region.

It is also argued that Cornwall would benefit economically from being part of a large and successful region, able to lobby successfully for inward investment and government funding. Governments and multinational companies could more easily ignore the voice of a Cornish assembly, representative of only 500,000 people and covering an area with a very weak economy.

Moreover, it is argued that as Cornwall is the far end of a peninsula, many issues of public policy relating to it are inevitably connected to decisions which will be made outside Cornwall. Examples given by respondents include waste strategy—Cornwall is currently

very short of capacity to store waste. Also mentioned was the need to improve trunk roads in the Somerset area to improve communications between Cornwall and the rest of the UK. Respondents stated that a Cornish assembly would lose leverage over these fundamental decisions by not being part of a South-West assembly. As a Cornish assembly's only boundary would be with the South-West, this is a particularly vital source of power.

Secondly, there is a fear that Cornish opposition to an assembly for the standard South-West Region could prevent any devolution in the South-West Region. This relates primarily to winning a referendum for a South-West regional assembly.

The section on opinion polls, shows the available evidence on public attitudes. The few polls available show wide variations in results, and cannot be regarded as indicative. In the South-West Region, the lack of regional identity (examined in Chapter 3) and the strength of Conservative support (as well as support for the UK Independence Party) indicate that a considerable proportion of the electorate will vote 'no' in a referendum. It is also generally expected that a regional referendum will attract a low turnout.

If much of the Cornish electorate chooses to vote 'no' in a referendum on a South-West regional assembly, therefore, the prospect of winning that referendum recedes still further. It is conceivable that Cornish 'no' votes could tip the balance in rejecting a South-West regional assembly. The SWCC therefore opposes campaigning efforts which might increase the likelihood of that result.

Thirdly, the SWCC argues that the Government will not countenance creating a regional assembly for the area of a single county. Implicit in the concept of regional assemblies is the concept that existing county areas are too small, by population or area, to carry out certain functions. Permitting one county area to opt out of that rule would imply that the Government's case for creating regional assemblies on the standard boundaries was flawed or arbitrary. Theoretically the Government could assert that Cornwall was an exception to the rule for the remainder of England: but there is no indication that it is willing to do so.

Given that opposition to, and lack of interest in, regional government remains high amongst business, the media, and the public, the strength of this argument should not be under-estimated. The Government would be very reluctant to set a precedent by showing willingness to reconsider regional boundaries in the South-West. The 'regional agenda' in general would be compromised by the creation of a Cornish Assembly:

> "The argument against this [a Cornish assembly] concerns not Cornwall itself but the possible knock-on effect. How many other county councils, seeing a possibility of boosting their own power and prestige, would suddenly begin to argue that 'Borsetshire', too, was a historic and unique cultural entity?"60

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60 Stephen Tindale, *Devolution on Demand: options for the English regions*, IPPR, 1995, p.17

The need to create administrative structures in Cornwall was also raised in chapters 4 and 5. This is rarely cited by 'opinion-formers' as an argument against a Cornish assembly, but carries weight: the necessary reorganisations would take time and money, which would divert attention from the process of decentralisation itself.

The prospectus also proposes local government reform, to follow the establishment of a Cornish assembly. It suggests the use of the Single Transferable Vote (STV) in Cornish assembly elections: this is partly due to maintain the tradition of independent politicians within Cornwall, who would stand a greater chance of election under STV. A Cornish assembly would have around 45 members—larger than the numbers currently proposed by the Government for regional assemblies.

No doubt mindful of criticisms about Cornwall being 'inward-looking' and 'cutting itself off' under a Cornish assembly, the CCC has emphasised the need for, and desirability of, partnership with other regions and agencies in its literature. The CCC insists that the decisions to work together with others should remain with a Cornish assembly in the first instance. The need for influence over infrastructural decisions in the South-West cited above would be achieved through political negotiation.

There has been no clear sign that the Government is willing to alter its position, permitting regional assemblies to be established only in the standard regions, as a result of CCC campaigning efforts.

The Government's position

The UK government's policy on elected regional assemblies is essentially top-down. Much of the White Paper, *Your Region, Your Choice*, is a series of trade-offs between sceptical Cabinet ministers. There are good reasons for the Government to control the agenda tightly. There is a fear that the establishment of elected regional assemblies will be perceived as a distraction from the Government's main aim of reforming public services. There is also considerable opposition on principle, from the Conservative Party and a proportion of the public, to regional government in England. The Government is reluctant to invest much political capital, or become embroiled in heated public debate, on a subject which *appears* to be of low salience at present. Its decisions on elected regional assemblies derive from national political priorities first and a commitment to extending democracy second.

The Constitutional Convention

assemblies would produce much more heat than light and produce little better a result than the existing pattern. The question of Cornwall is the only boundary dispute to have attracted a vocal campaign, but it is not the only potential dispute in England. The status of Cumbria, which is in the North-West but was for many purposes part of the North-East until recently, is open to question. Peterborough, Bournemouth, North and North-East Lincolnshire, and the southern part of Teesside are four further examples of potential boundary disputes.

The Government has given hints that it may be open to persuasion on the subject of boundaries. A Labour Party policy document published in May 2001 stated:

> "Our preference is to stay as close as possible to the Government Office/RDA boundaries, but we recognise the need for some flexibility."[61]

However, the White Paper appeared to indicate a retrenchment of the Government's view of boundaries, and population, covered by an elected regional assembly:

> "These regions…are a credible size to support a regional assembly…. Regions based on these boundaries are large enough to take a strategic view between the national and local levels and to add real value without undermining the role of local government."[62]

> "The Government has not completely ruled out in the longer term the possibility of adopting boundaries for regional assemblies that do not follow the existing boundaries...[but] in the short to medium term, we do not plan any changes."[63]

With a population of only 480,000, Cornwall is frequently described as being 'too small' to become a region. Frequently, little attempt is made to back such claims up, other than to point out—correctly—that a Cornish assembly would be an anomaly in the context of current plans for English regional assemblies. It is also correctly asserted that many European regions have no regional identity yet still achieve success.

UK governments are not known for their willingness to concede special case status, especially when carrying through potentially controversial policies such as the establishment of elected regional assemblies. To establish a Cornish assembly, extra work would need to be done and the administrative reorganisations already referred to would need to be proposed. Most critically, permitting a single county to become a region would beg the question of why all counties could not become regions, strengthening the hand of opponents of elected regional government and potentially throwing the Government's policy off course. The disruption and difficulty of these problems would be strong deterrents to Government approaching the issue at all.

If events led to a special Bill for a Cornish assembly, it would symbolically class Cornwall as a ‘special case’ region, just as the Greater London Authority did for London. This could circumvent the possibility of Cornwall setting a precedent for a very small, county-area regional assembly.

European experiences do not indicate that national governments in general are keen to establish regions which are anomalous in national terms. The Italian ‘special region’ of Valle d’Aosta, cited previously on account of its very small population, was created in 1948 in response to the (real or perceived) threat of annexation of the territory by France. The German Land of Saarland, with a population of 1 million, owes its separate existence partly to its status as a demilitarised zone—and not being part of the West German *Bund*—until 1959.

Special arrangements under Model 3

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The political consequences of the proposals for a Cornish Offi48T, madeunder Model 3

'semi-detached' by the South-West regional executive, but instead seen as an integral part of the functioning of the assembly.

Opinion Polls

The political positions of the major actors are not fundamentally affected by the few opinion polls that have been carried out. These polls are described below, but come with a health warning. They reveal contradictory and counter-intuitive results when figures for different regions are compared; and they were conducted at a time when public awareness of the issues surrounding regional government was low, and knowledge about the Government's intentions was nil.

A survey carried out by MORI in March 1999 asked a variety of questions in advance of the first elections to the Scottish Parliament and National Assembly for Wales. This poll showed that 86% of respondents from the South-West region were aware that they lived in the South-West standard region.[65] The average across England was 78%.

47% of respondents in the South-West region supported an elected assembly for the South-West, but 39% opposed it. 72% of respondents agreed that a regional assembly for the South-West "would look after the interests of this area better than central government", but 50% believed that "A regional assembly would lead to more bureaucracy than the present system of government in this region".

Respondents were also asked to agree or disagree with the statement "This region is too divided for regional government to work well". 37% of respondents in the South-West agreed, but 44% did not agree. This is represented as a 'net disagreement' of 7%. This compares with a net agreement with the statement of 10% from respondents in Yorkshire and Humberside, and a net disagreement of 12% from respondents in the South-East. Intuitively, the former might be expected to be more likely to disagree and the latter to agree that their region was divided.

A poll by the Joseph Rowntree Reform Trust in October 2000 was similarly inconclusive, showing 31% support for an elected regional assembly in the South-West Region and 34% for one of "appointed business and local government representatives".[66] A further poll, by the BBC, in September 2000, revealed that 40% of respondents in the "South-West" (here, Devon and Cornwall) and 39% of "the West" (Somerset, Gloucestershire, Avon and Wiltshire)

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[65] See http://www.mori.com/polls/1999/ec990308.shtml. The question asked was: "England is divided into several regions for the purposes of administration of government services. Can you tell me which region you think you are in?"

[66] For details of these opinion polls, see John Tomaney and Peter Hetherington, *Monitoring the English Regions*, Constitution Unit, November 2000, p.14-16.

favoured an elected assembly for the given region. The non-standard regions used in that poll are the BBC's own regions.

A further BBC poll in March 2002 investigated instead the standard regions. It showed 61% of people in the South-West Region supported a South-West regional assembly. Similarly

closer in time. Once the implications of the proposals in the White Paper become clearer, public attitudes may firm up.

76The aim of this report is not to reach a conclusion about whi

However, questions remain to be answered about how far a Cornish assembly would rely upon the co-operation of the remainder of the South-West, particularly in issues such as transport planning and waste strategy. Different assertions are made from each point of view on these issues. Would a Cornish assembly have greater voice with which to negotiate with an RSWR assembly over critical policy issues, or would Cornwall County Council do so more effectively from within the South-West on these is-operati69d a Corbeen TDssible vt prm

Bibliography

Philipa Aldous and Malcolm Williams, “A Question of Ethnic Identity”, *Cornish Studies 2:9,* 2000

Denis Balsom, “The Three-Wales Model”, in ed. John Osmond,

Appendix 1: Terminology

Term	Meaning
Cornwall	Cornwall and the Isles of Scilly

Appendix 2: Merging a Cornish assembly and Cornwall County Council

Possible solution	Problems

4. Replacing the County Council with a residuary body	
The County Council could be legally abolished by Statutory Instrument, in favour of a residuary body, and its functions transferred to the Regional Assembly. This is possible under the 1992 Local Government Act s.22; the provisions were intended for abolition of counties under the Local Government Commission review.	This would be a very unusual way of achieving the desired end. It could lead to legal complications and possibly to transforming the districts into unitary authorities. The Government would be unwilling to create unitary authorities which have such low populations.

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