

Mr Max Caller CBE  
Chair  
The Local Government Boundary  
Commission for England  
14<sup>th</sup> Floor  
Millbank Tower  
Millbank  
London SW1P 4QP

**Your ref:**

**My ref:** JP/AP/AM/TD/BE/JK/SM/DC/HLJ

**Date:** 4 December 2015

Dear Max

### **Re. Cornwall Council – Electoral Review**

We write further to your visit to Cornwall with Professor Colin Mellors, Deputy Chair and Jolyon Jackson CBE, Chief Executive, on 23 November 2015.

The meeting was at your request and clearly the main purpose was to inform the Council that the Local Government Boundary Commission (LGBCE) would be undertaking an electoral review in Cornwall which would be concluded in time to be implemented for the next unitary elections for Cornwall Council scheduled for May 2017.

We are sure you could tell from our robust response that not only were we surprised by this announcement but we were, and remain, unanimously opposed to a review taking place in such an unreasonable timescale.

The LGBCE's Policy and Research Officer, Michelle vonAhn, wrote to the Council on 21 May this year, seeking clarification as to the electoral imbalances which you referred to at our meeting. As requested, we replied on 3 June indicating that it was unlikely that those imbalances would change within the foreseeable future. If it was your intention, on receiving such a response, to commence a review in accordance with your statutory responsibilities, it is regrettable that we were not formally advised of this in writing back in June. At least we would have been 5 months further ahead in what, even then, would have been a challenging timetable.

We appreciate you making every effort to meet with us personally to make your announcement but a letter advising us of your intention would have better fulfilled the 'earliest opportunity' for notification which is what you state you will do at paragraph 4.3 of the LGBCE's Technical Guidance ('the Guidance').



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It is hard to escape the conclusion that the LGBCE's decision to commence the review now stems from the Cornwall Devolution Deal. You hinted as much by your reference to our desire 'to streamline the Council'.

We would remind you that in terms of strengthening governance, our statement in respect of a boundary review at paragraph 52 of the Deal is as follows:

'Cornwall Council will take forward a Council boundary review. This boundary review is expected to reduce the number of local councillors and will be taken forward by the Boundary Commission. This review will commence in 2017.'

In signing the deal, the Government clearly accepted that statement and, before 23 November, there was no indication from the LGBCE that they disagreed with the proposed timing.

We accept that the criteria for initiating a review of Cornwall Council's electoral arrangements are met in accordance with paragraph 2.5 of the Guidance. However, we note also that local authorities which meet those criteria will 'at some point' be included in the review programme. It is clear, therefore, that the LGBCE has reasonable discretion as to when it undertakes a review and we would argue that the time available and the scale of the task must be significant factors which the LGBCE considers when determining the right time to include a review in its work programme.

We would also refer you to the criteria set out at paragraph 2.16 of the Guidance which the LGBCE will apply in initiating a review. These include the following:

'Support(ing) Councils in making changes intended to improve their effectiveness and ability to represent fairly the people of their area';

The Council is committed to working with the LGBCE to achieve this but is not convinced this will be fulfilled if the review takes place in such a challenging timescale.

'Hav(ing) regard to Council's electoral timetable, endeavouring to complete reviews within a reasonable period in advance of elections. So far as is possible, we will seek to make electoral change orders around six months in advance of the election in which the changes to electoral arrangements will be implemented'.

This will not be achieved on the basis of your own provisional timetable.

We had a useful discussion at our meeting around identifying the optimum Council size for Cornwall. We believe we made a strong argument that imposing an electoral review



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for implementation in 2017 was a lost opportunity to achieve a Council size in 2021 which better reflects the appropriate size of Cornwall Council in the context of the changing face of the public sector in Cornwall which will result from legislative change and through implementation of the Cornwall Devolution Deal.

In contrast, we believe you felt we exaggerated the process required and that Council size could be determined from debate over a 'heavy duty weekend'. We consider that full consultation with the public, partners and stakeholders will not only lead to a better-improved and more inclusive outcome but is more in line with the 'well-reasoned proposals' which paragraph 4.11 of the Guidance emphasises that we should submit.

Once Council size has been determined, we will be faced with devising a set of boundaries for the corresponding number of divisions which will, based upon past experience, be complex and extremely challenging. In 2009, with a longer period in which to conduct the review for the new unitary Council, the LGBCE ran out of time and asked Electoral Officers to fix the boundaries on the basis of draft proposals in order that elections could take place broadly in line with the final recommendations. This demonstrates that the timescales are challenging both for the LGBCE and the Council.

In conclusion, we would make the following additional comments:-

- Some electors will be voting in a different electoral division for Cornwall Council for the third time in succession
- We do not believe that there are any other electoral reviews scheduled to be completed in time for implementation in May 2017 which have not already started
- The outcome of our meeting was reported to a meeting of Full Council on 24 November and there was unanimous opposition to the imposition of such a difficult process in such a constrained timescale

We recognise that it is the LGBCE's decision to initiate an electoral review in Cornwall and if such a review is imposed in the provisional timescale set out we will, of course, co-operate fully in the interests of achieving the best outcome for Cornwall and its electorate.

However, we are united in our belief that the review will be rushed, that it will put an unfair strain on our electoral team and officer resources and the opportunity to have a full and inclusive debate within Cornwall as to its democratic future will be lost and that 'effective and convenient' local government in Cornwall, which are the criteria you work to, will not be achieved.



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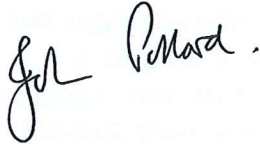
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A Review in your timescale will mean that an important opportunity will be lost.

We would respectfully ask you to reconsider your decision.

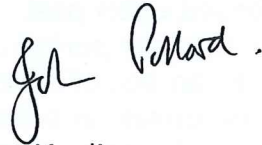
Yours sincerely



John Pollard  
Cornwall Council Leader



Adam Paynter  
Deputy Leader and Group Leader – Liberal Democrats

pp 

John Keeling  
Group Leader - Conservative



Tim Dwelly  
Group Leader – Labour



Andrew Mitchell  
Group Leader – Independent

pp 

Steph McWilliam  
Group Leader – UKIP



Dick Cole  
Group Leader – Mebyon Kernow

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Bob Egerton  
Group Leader – Non Aligned Group

Cc: David Cameron, Prime Minister  
Greg Clark, Secretary of State for Communities and Local Government  
Steve Double, MP, St Austell and Newquay  
George Eustice, MP, Camborne and Redruth  
Scott Mann, MP, North Cornwall  
Sheryll Murray, MP, South East Cornwall  
Sarah Newton, MP, Truro and Falmouth  
Derek Thomas, MP, St Ives



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