

Cornwall Council written evidence

English Devolution and Community
Empowerment Bill

Date 14/10/2025



Summary

As a mature unitary authority, Cornwall Council has a proven track record in pioneering rural devolution, securing powers over transport, education, renewable energy, and adult skills - delivering good growth for communities and businesses. Its distinct cultural, linguistic, and constitutional identity is formally recognised under international treaty through the Council of Europe's Framework Convention for the Protection of National Minorities (FCNM).

Cornwall is ready, willing and able to continue delivering good growth for the UK, but two issues stand in the way. Firstly, the **English Devolution and Community Empowerment Bill**, as currently drafted, prevents Cornwall from accessing the highest level of devolution without compromising its national minority status.

The Bill's continued promotion of regional Mayoral Strategic Authorities (MSAs) risks diluting Cornwall's representation and visibility, potentially breaching Articles 15 and 16 of the FCNM¹. The second issue is interlinked with the first, namely the termination of structural funding for Cornwall at the end of March 2026, which risks undoing the illusive economic growth UK plc desperately seeks and needs.

Cornwall has consistently rejected mayoral governance, opting for devolution arrangements that respect Cornish identity and our territorial integrity. Cornwall Council is calling for a Cornwall-only devolution settlement that provides SSs to support the good growth potential of Cornwall and safeguards Cornwall's unique cultural heritage and historic identity.

Background

1. Cornwall has been on a devolution journey since 2015. It was the first rural area, and second only to Greater Manchester in the country, to gain a devolution settlement over aspects of transport, education, renewable energy and economic investment.
2. This has resulted in significant achievements for the people and businesses of Cornwall across each area of the deal – from leveraging in significant private investment in public transport, through to energy efficiency improvement measures that are reducing heating costs for thousands of vulnerable households in Cornwall every year, and support to over 8,000 businesses through our celebrated Business Growth Hub².
3. An independent evaluation of devolution by Warwick Economics and Development (WECD)³ in 2021 found that Cornwall has one of **the strongest track records in using its devolved powers** to deliver tangible benefits: the

¹ Framework Convention for the Protection of National Minorities can be found here [here](#).

² The full Cornwall Deal Impact Assessment (2019) can be found [here](#).

³ Warwick Economics and Development (2021) *Evaluation of Devolved Institutions*. Final report. Available [here](#).

introduction of our Transport for Cornwall model resulting in an uplift in public bus patronage and satisfaction levels evidences the point.

4. The 2015 Deal devolved Cornwall 'managing authority' status to deliver EU funds locally- the **only UK region with such devolved control**. Between 2000 and 2020 this amounted to over €1 billion and delivered the A30 upgrades, Newquay airport improvements, the University of Exeter's Penryn campus, Cornwall College projects, Superfast Cornwall broadband roll out – and much more.
5. A recent study has shown that the economy of Cornwall and the Isles of Scilly has outgrown other comparable UK regions thanks to the impact of economic growth investment since 1998. The local economy is now £2.1 billion larger than if it had followed comparable growth rates⁴.
6. In 2017 Cornwall Council also secured the power to retain 100% of business rates generated in Cornwall – **we are the only non-mayoral authority to hold this rare form of fiscal devolution. And it remains one of few examples of fiscal devolution from central Government**.
7. In late 2022, Cornwall's proposed Level 3 Devolution Deal was agreed in principle but was ultimately rejected by the people of Cornwall. During the consultation period, a public engagement exercise identified a clear reluctance to introduce the unnecessary requirement for governance by a directly elected Mayor. Taking this feedback into account, Cornwall opted instead for a Level 2 devolution arrangement, which did not require a mayoral model. While the English Devolution Bill now proposes removing the mayoral requirement for individual councils, it continues to promote the mayoral model for combined authorities—an approach that remains deeply problematic for Cornwall given previous public sentiment.
8. In 2023, Cornwall gained a second devolution settlement over adult education, Cornish distinctiveness and the Cornish language. As a result, Cornwall already enjoys some of the benefits offered by the Bill for mayoral combined authorities.
9. Since then, the Council has focused on implementing every aspect of the Level 2 Deal, and is the first local authority to receive devolved powers and funding to deliver the Adult Skills functions across Cornwall. The Level 2 Deal also resulted in the signing of an MoU between the Government and the Council to strengthen Cornwall's involvement in the British-Irish Council—a body which brings together eight member administrations that comprise the British Isles.

⁴ Ash Futures (2024) The benefit of EU Structural Investment Funds for Cornwall and the Isles of Scilly. See [here](#).

The Bill and Cornish minority status

1. Cornwall is home to a unique language, a rich cultural heritage, a strong national identity, and a deep-rooted community spirit. Its distinct constitutional relationship with the Crown—anchored in the Duchy of Cornwall and the historic Cornish Stannary Parliament established in the 13th century—sets it apart from other regions.
2. These are not relics of the past but living traditions that continue to shape Cornwall's identity today. The **2021 Census recorded the highest number of people yet expressing their national identity, ethnicity, or main language as Cornish**, highlighting a growing recognition and pride in Cornish heritage. A recent Parliamentary petition to “Grant Cornwall nation status” attracted over 24,000 signatures, and a University of Exeter survey confirmed that Cornish identity is considered central to life in Cornwall.
3. The Cornish language (Kernewek) remains a significant cultural marker, with an estimated 400-500 advanced speakers and between 2,000 and 5,000 people able to speak some basic Cornish. All six of Cornwall's Members of Parliament took their Oaths of Allegiance to the Crown in Cornish. Through online learning programmes, community initiatives, and educational apps, Kernewek is now taught to over 4,000 pupils in more than 20 schools across Cornwall.
4. Recent years have seen significant progress: the Cornish Language was included in the 2024 Media Act—the first inclusion of Cornish in a major piece of UK legislation—and Cornwall has strengthened ties with other Celtic nations through the Celtic Forum, and the Cornwall-Wales Collaboration Agreement.
5. Cornwall's cultural and linguistic identity is formally recognised and protected by the Council of Europe through the **Framework Convention for the Protection of National Minorities (FCPNM)** and **European Charter for Regional or Minority Languages (ECRML)**. These instruments guarantee the rights and freedoms of the Cornish to express and develop their culture and identity, on a par with the UK's other Celtic peoples—the Scots, the Welsh and the Irish.
6. It was the last Labour government that secured **Objective 1 status** for Cornwall in 1997, successfully lobbying the European Commission to decouple Cornwall from Devon in recognition of “the very different economic conditions of the counties and Cornwall's sparsity of population, geographic peripherality and distinct cultural and historic factors reflecting a Celtic background”.
7. However, the current Labour government's **English Devolution and Community Empowerment Bill** fails to acknowledge the cultural and constitutional differences between Cornwall and the rest of England. It disregards Cornwall's unique heritage and risks breaching the Framework Convention as it applies to

the Cornish. Recognition of Cornwall's minority status is not symbolic—it is rooted in its distinct history, language, and identity. Undermining Cornwall's territorial integrity through governance structures erodes the very basis of that recognition.

8. As drafted, the Bill prevents Cornwall from accessing the highest level of devolution without compromising its national minority status. **Article 15** of the FCPNM⁵ is clear:

"The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them."

9. And **Article 16** states:

"The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention."

10. In its 2016 opinion on the UK, the Council of Europe Advisory Committee raised concerns about proposed boundary changes in Cornwall - specifically the "Devonwall" constituency spanning Cornwall and Devon - warning that **such changes could restrict Cornish participation and identity**:

"the Advisory Committee [...] wishes to draw the attention of the UK Government to the fact that Article 16 prohibits restricting the enjoyment of the rights of the Framework Convention in connection with the redrawing of borders."

11. The Committee also cited the Venice Commission's 2005 Guidance⁶ that electoral districts (their number, size, form and magnitude) may be designed with the purpose of enhancing minorities' participation in decision-making processes"⁷. **These principles apply equally to devolution structures**. The Advisory Committee urged the UK Government to:

*"ensure that any administrative and constituency border reform follows an inclusive process, which takes into account the presence of persons belonging to a national minority in the territory, their meaningful participation and respect for their rights"*⁸.

12. The Advisory Committee's language makes it clear that **compliance requires more than symbolic recognition** - it demands **structural protections that withstand boundary changes and governance**.

⁵ Available [here](#).

⁶ Venice Commission (2005) Report on Electoral Rules and Affirmative Action for National Minorities' participation in decision-making process in European Countries. Available [here](#).

⁷ Council of Europe (2017) Fourth Opinion on the United Kingdom. Available [here](#).

⁸ Ibid.

13. Yet Cornwall is now faced with a policy approach that compels it to join a regional Mayoral Strategic Authority (MSA) in order to access the highest level of devolved powers and funding. This would **dilute Cornwall's recognition as a national minority and risk erasing the institutional visibility needed for its language and culture to thrive.**
14. The UK Government has stated that: *"Cornwall's National Minority Status does not prevent it from partnering with neighbouring authorities and Government would ensure that this status would be preserved in any future devolution arrangement."*
15. A MSA is not a partnership - it represents **a fundamental constitutional and legal change**. Such a change appears **contrary to Article 16** of the Framework Convention, which prohibits measures that alter population proportions in minority areas and restrict associated rights.
16. The creation of a regional MSA with a population of 1.8 million would **significantly alter the demographic balance**. Based on the 2021 Census, 18% of Cornwall's population identified as Cornish. Within a regional MSA, that figure would drop to just 5.7% - a substantial reduction in representation and visibility.
17. As a result, we are stymied by a policy approach which compels Cornwall to join a regional MSA in order to secure the highest level of powers and funds to create jobs, build homes, keep communities healthy and provide support to those who need it most. Encompassing Cornwall into a regional MSA **dilutes its recognition as a national minority** and risks erasing the unique institutional visibility Cornwall needs for its language and culture to flourish.
18. On 22 July 2025, Cornwall Council passed a motion calling on the Government to formally recognise Cornwall as one of the five nations of the United Kingdom and to reaffirm its commitment to a broader and deeper devolution settlement based on a **Cornwall-only footprint**.
19. Other UK minorities - the Welsh, Scots, and Northern Irish - have devolved arrangements that reflect their historic nations, not shared cross-border authorities. Cornwall, recognised under the FCPNM, should be treated consistently, with **institutional arrangements that preserve its territorial integrity**.
20. Four of Cornwall's MPs spoke passionately on this matter in the House of Commons during the second reading of the Bill on 2 September. It was made clear that **any attempt to compel Cornwall to accept a joint mayor with Devon would be "insulting, unlawful and dangerous"**.

Conclusion

21. Cornwall's cultural, linguistic, and constitutional distinctiveness is not only a matter of local pride - it is a matter of international legal recognition. The Framework Convention for the Protection of National Minorities places a clear obligation on the UK Government to uphold and protect the rights of the Cornish people, including their ability to participate meaningfully in public affairs and maintain territorial integrity.
22. The English Devolution and Community Empowerment Bill, as currently drafted, risks undermining these protections by imposing governance structures that dilute Cornwall's visibility and representation, preserving Cornish minority status in name only while undermining it institutionally.
23. A regional Mayoral Strategic Authority would not only compromise Cornwall's national minority status, but also violate the principles enshrined in Articles 15 and 16 of the Framework Convention.
24. Cornwall must not be compelled to trade its identity for access to powers and funding that should be available to all communities on an equitable basis. A devolution settlement that respects Cornwall's unique status, preserves its territorial footprint, and enables meaningful participation is not only possible - it is essential.
25. Cornwall is not "just another English county" - it is a recognised national minority homeland. Unless amended, the Bill is in breach of the provisions of the FCPNM, as it offers no viable alternative route for Cornwall to access greater devolved powers beyond those already secured and successfully delivered. It is important to note that several of the powers Cornwall currently holds are reserved only for mayoral authorities—further underscoring the need for a distinct and tailored approach that reflects Cornwall's unique constitutional and cultural status.
26. We therefore call on the Government to amend the Bill to reflect Cornwall's constitutional and cultural reality, and to work with us to deliver a bespoke devolution arrangement that honours our past, empowers our present, and safeguards our future.