

ANNUAL REPORT:

Cornwall Councillor Colin Martin

May 2024

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Contact Details:

If you would like to discuss any issues, please don't hesitate to get in touch.

My Council email is cllr.colin.martin@cornwall.gov.uk, but I do receive a large volume of messages, so if you want a response, please also contact me by phone or WhatsApp on 07734 434 164.

Online Newsletter:

You can see my latest newsletter by scanning this QR code or visiting: <https://www.seclibdems.uk/news/article/focus-leaflet-may-2024>



There are three big issues putting Councils across the country under strain, and all three of them have a disproportionate impact on Cornwall: Homelessness, Social Care and Education.

Homelessness:

Cornwall Council is currently providing “temporary emergency accommodation” for around 800 families who would otherwise be homeless. The Government only provides £15 per night, and the actual costs are usually much, much higher. This issue is particularly severe in Cornwall because local people looking for a place to live are in direct competition with holidaymakers looking for a place to stay. Around 10% of all homes in Cornwall are not homes at all, they are holiday accommodation. Around half of these are “second homes” (used only by the owner and their friends and family) and the other half are “short term rentals” (used by paying customers, e.g. through Airbnb).

In 2021, I brought a motion to Cornwall Council declaring a “housing emergency”. This led to a cross-party working group agreeing a list of measures to tip the balance of the housing market in favour of residential use and away from holiday use. Interestingly all of them are policies which the Liberal Democrats called for when we ran the Council, but the Conservative Government rejected. But now that the very same ideas are being put forward by a Conservative Council, the Conservative Government has agreed to most of them (albeit with some loopholes and delays):

- **Double council tax on second homes:** The law to enable Councils to charge double council tax was passed at the end of 2023, but Councils are required to give a year's notice to owners, so we cannot actually start charging the double tax until April 2024
- **Tighter definition of “business use”:** Business premises don't pay Council Tax, and owners of one small business property don't pay business rates either, thanks to “small business rate relief”, so there is an incentive for “second home” owners to pretend to be “short term rentals”. The old rule simply required a property to be “available for rent” 140 nights per

year, but this requirement could be met simply by creating a web-page advertising your property for £1,000 per night (which nobody would ever pay). New rules introduced in April 2023 require owners to provide evidence that they have actually had paying customers for at least 70 nights in the past year.

- **Registration scheme:** Hotels, pubs and B&Bs have to provide certificates for insurance, gas safety, fire safety and electrical safety, as well as paying for commercial waste collection. The same rules actually apply to short-term rentals, but websites like Airbnb don't ask for evidence, they simply tell owner to "follow local laws". In late 2023, a new law gave Councils a duty to set up a registration scheme to ensure that short-term lets are actually following the rules. Unfortunately, no guidance has yet been provided to Councils to enable them to set up these registration schemes.
- **Creation of a new "use class" for short-term rentals:** Currently any owner can convert a residential property into an Airbnb without any requirement for planning permission. So whilst thousands of new properties are built in Cornwall each year, there is no guarantee that they will be used as homes rather than for holidays. After decades of Lib Dem campaigning, the Government has now created a new "use class" for "C5 Short-term rental" to distinguish business properties from the residential "C3 Dwellinghouse". Unfortunately, the Government has initially made this a "permitted development right", meaning that owners don't need to ask for permission; they can simply notify the Council of the change. For this new use class to provide meaningful protection for Cornwall's homes, the Council will need to issue an "Article 4 Direction" to remove the permitted development rights, so that anyone wanting to convert a "dwellinghouse" to a "short-term rental" would have to submit a planning application. Cornwall Council is unlikely to be able to do this until it re-writes its "Local Plan" in the next 2-3 years, after which Lanlivery will probably need to update its own Neighbourhood Development Plan too. **So, although this new use-class will eventually be a powerful tool to prevent homes being converted to holiday accommodation, we probably won't be able to use it until 2028!** There is also a loophole for "second homes" which will continue to be classed as "Dwellinghouse".
- **Small Business Rate Relief:** The Government currently pays approximately £22 million per year to Cornwall Council so that owners of short-term rentals don't have to pay any Business Rates. The Liberal Democrats argue that taxpayers' money shouldn't be subsidising these businesses when there is such a shortage of homes for people to live in. We are calling for the Government to exclude short-term rentals from Small Business Rate Relief, and then give the spare £22 million to Cornwall Council. This would be revenue-neutral for the Treasury, but would help the Council to cover the cost of temporary emergency accommodation, building more affordable homes and improving household energy efficiency. Unfortunately, this policy is not currently supported by the Government, so I will be bringing a motion to Cornwall Council later this month to ask Councillors of all parties to support it.

Social Care:

The average age of the UK population is increasing, so the cost of providing adult social care is increasing too. Around half of those receiving care pay out of their own pockets, whilst half are funded by the Council. Because Cornwall is such a wonderful place to live, many people choose to retire here after spending decades paying their taxes to a different Council elsewhere, so the burden of funding falls harder on Cornwall Council than on many others.

The shortage of affordable housing also makes recruitment difficult, because many people simply cannot find anywhere to live in Cornwall on the low wages paid by the care sector. Anyone wanting to work as a carer can earn the same money outside Cornwall where housing costs are lower.

Most care is provided by “domiciliary care workers” who travel from house-to-house, but this is more expensive in rural Cornwall than it is in more urban areas where travel times are shorter.

When the Council cannot provide care packages, people end up stuck in hospital, which in turn creates long delays for every other part of the system, from waiting lists for planned operations, to waiting times in the Emergency Department, to response times for ambulances.

The Government has acknowledged that the Local Government funding formula discriminates against rural areas like Cornwall, and has repeatedly promised a review, but so far this has not happened.

The cost of Adult Social Care for Cornwall Council is now £240 million per year, which equates to over £1,000 out of every household’s Council Tax bill. This obviously doesn’t leave much money for anything else!

Education:

When a child has Special Educational Needs or Disabilities (SEND), they are entitled to an “Education, Health and Care Plan” (EHCP) which spells out the extra support they need.

Schools are required to cover the first £6,000 of these costs, and the Council is required to pay the rest. However, the amount the Council receives to cover these costs is set by central Government and does not increase in line with the increasing number of EHCPs. This has left Cornwall Council with a shortfall of approximately £30 million. Over the next three years, this figure is expected to increase to £78 million. The Government’s solution has two parts:

- 1) Create a “statutory technical override” which means this figure is excluded from our published budget. In other words, the Council has a “hidden overdraft”. This “overdraft facility” is due to expire in 2026, at which point the Council would be legally obliged to cut funding for other services to balance the books.
- 2) With this in mind, the government has given Cornwall Council £1m to spend on “identifying efficiencies and new ways of working” to close this £78m gap...

If a child’s needs cannot be met by their mainstream school, the Council is obliged to fund a place in “alternative provision” or “special school”. Places in these schools can cost in excess of £80,000 per child.

The Council also has an obligation to fund the cost of home-to-school transport for these placements. Whereas most mainstream home-to-school transport is via school buses (which can carry over 50 children each), most children in alternative and special provision travel by taxi either because they live a long way from the school or because they are unable to cope with crowded buses. The cost of home-to-school transport is putting strain on every council in the country, but again Cornwall’s rurality makes it much more expensive to provide the same basic service.

There are many theories as to why the number of SEND children is increasing:

- Social media is causing mental illness
- News about climate change and global conflicts are causing anxiety and depression
- Today’s teenagers were born in the years after Surestart children’s centres were axed
- Two years of COVID lockdowns created social anxiety

- Families struggling to cope with the cost of living are having to work longer hours so have less time to spend with their children or are living in more stress-filled households
- An increasing number of children are living in poverty or insecure accommodation, both of which are known to affect mental health
- Every secondary school in Cornwall used to have a “Clinical Associate Psychologist” who could provide prompt mental health support, so that only the most serious cases needed to be referred to NHS specialist services. Unfortunately these NHS posts are no longer funded, so there are more students on the CAMHS waiting list, meaning that everyone has to wait longer before receiving treatment.
- Mainstream schools have had their funding effectively frozen whilst teachers wages have risen, meaning that there is less money available for teaching assistants and other pastoral support which previously enabled schools to meet emerging Special Educational Needs “in house”. Without this support, more problems are building up to crisis point before they are addressed, by which point they are too severe to deal with in the mainstream setting.

Council funding:

The combination of these three factors has left Cornwall Council with a budget gap of £20 million in 2024/25, which will be met by using up reserves. This is not a sustainable solution, and the gap next year is projected to be £68 million. The (Conservative) Deputy Leader of the Council has written to the Secretary of State, saying ***“it is evident that Government intervention to avoid the financial abyss faced by the sector is now of critical importance and once again I implore you to take swift and decisive action to enhance the final Local Government Settlement while you still have the chance”***.

Unfortunately, in April’s budget, the Chancellor announced that overall departmental spending would increase by just 1% per year over the next five years. But the Government has also promised above-inflation increases in spending for the NHS and the Ministry of Defence. This means that “unprotected departments” (including Local Government) will actually have their budgets cut by around 4% per year.

Even more worryingly, the Labour party (which is likely to be in Government by the end of this year) has said that it will follow the same spending plans, so it looks like residents of Cornwall will continue to see their Council Taxes rise whilst services are reduced.

In 2018, the Local Government Minister (Rishi Sunak) promised that the funding formula which disadvantages rural areas like Cornwall would be reviewed by 2019. The Government has now confirmed that this will not take before the next general election.

Potholes:

In January, the Government announced an extra £3.5 million for Cornwall for road resurfacing and pothole repairs in the new financial year. The Council responded by cutting the amount of its own money being put into that budget by £3.5 million.

So, the grant helped to fill a fraction of the hole in the Council’s finances, but not any of the holes in our roads. The total budget for road resurfacing and potholes is £24 million. The estimated backlog of repairs is £294 million. At this rate, even if no new potholes appeared, it would still take over twelve years to repair the faults which already exist!

I believe that the lack of maintenance of gullies and drains is a major factor in the rapid deterioration of our roads. The budget for maintaining and improving highway drainage is £3.5m. The council has

not even attempted to calculate how much it would cost to bring them up to spec or to upgrade them to cope with our changing climate.

Road safety:

Recent deaths on local roads have highlighted the lack of structure in the way serious and fatal incidents are communicated to the community. A five-year-old child lost their life on Penpillick Hill, but I have had no contact from Council Officers. All I know is what I have heard in the media, on Facebook, and through talking to residents. I have asked officers to be more transparent and share as much information as possible about all serious accidents so that other road users are made aware of any potential hazards, and informed about what action is taken to prevent similar incidents occurring in future.

Grant Funding:

Funding for towns and parishes to invest in their local areas is split into a multitude of schemes, each with different criteria and administration processes (Shared Prosperity Fund, Community Capacity Fund, Community Levelling Up Fund, Community Infrastructure Levy, High Street Revitalisation Fund etc). This makes it very difficult for parishes (especially the smaller ones) to keep track of what is available, and to submit strong applications before the money is all gone. I have asked Cornwall Council's Localism team to create a single list which summarises all of the available funding so that it can be more easily understood and accessed.

Devolution:

Last year, after months of public debate, Cornwall Council decided not to sign up to a "Level 3" devolution deal. This would have given Cornwall more power over housing and public transport, as well as some extra funding, but all this power and money would have been put into the hands of a "Directly Elected Mayor", whilst locally elected Councillors would lose their power to hold this individual to account.

The Government decided that if we weren't prepared to accept a directly elected mayor, we could only have a "Level 2" devolution deal, which only gives us control of the Adult Education budget, a one-off grant for "Cornish Distinctiveness and Cornish Language", and the creation of a "Floating Offshore Wind Commission". Five months later I haven't heard anything from this commission. I don't know whether they have had any meetings or even appointed a chair...

After this disappointment, I have met with the leaders of all the other political groups to come up with our own "prospectus" of what we think real devolution for Cornwall should look like. This will be finalised and published in the next two months and we will call on all the national political parties to support it.

Localism:

In 2009 when Cornwall's district and county councils were merged to form a unitary Cornwall Council, assurances were given that local communities would not be forgotten. Nineteen "Community Network Areas" were created, and my Lostwithiel Electoral Division was part of the "St Blazey, Fowey and Lostwithiel Community Network".

This year, due to budget cuts, these nineteen networks have been replaced by twelve "Community Area Partnerships". Obviously the reduction in numbers means an increase in size, which leaves my parishes on the periphery of much larger areas. To make matters worse, my Electoral Division straddles the junction of three Community Area Partnerships:

- Lostwithiel, Lanlivery, St Winnow, St Veep, Braddock and Boconnoc are part of the “Cornwall South” partnership, which includes St Austell and Mevagissey, and stretches as far as Gorran and Grampound.
- Luxulyan is part of the “China Clay” partnership, which stretches as far as Summercourt.
- Lanreath is part of the “South East Cornwall” partnership, which runs all the way from Polruan the Fowey to the Tamar, encompassing Liskeard, Looe, Saltash and Torpoint.

Obviously covering such huge areas, the partnerships are less able to deal with local issues, so they have chosen to work on bigger topics such as affordable housing, climate change, transport connections and economic development.

One issue in particular which affects both the “Cornwall South” and “South East Cornwall” partnerships is road safety on the A390. You will probably know about serious and fatal accidents in your area, but sadly the truth is that there have been too many deaths and injuries along the entire length of this road from Truro to Gunnislake. I am hoping that by bringing together a large number of Cornwall Councillors as well as all the nearby Towns and Parishes, we will finally get Cornwall Council to take this issue more seriously.

Climate action:

It is now over five years since Cornwall Council declared a “Climate Emergency” and set a target for the whole of Cornwall (not just the Council) to be completely decarbonised by 2030. This was always going to be a stretch, and could only have been achieved if the Government had drastically accelerated its own plans and given Cornwall much greater funding and powers. This has not happened, so there is zero chance that the Cornwall will meet this 2030 target. Unfortunately, I feel that the Council’s approach to Climate Change is still too tokenistic, “doing what we can with what we’ve got” rather than “telling the truth about what needs to be done”. To address this failing, I have campaigned for a “Cornwall Climate Commission” to be created, to look at the big picture of what it would really take to get Cornwall to net zero. I am delighted that this campaign has finally succeeded and the Commission is set to start work in the next few weeks.

Farming:

Last month Cornwall Council debated a motion on food security. The authors of the motion claimed that the proliferation of solar panels on agricultural land are a threat to our food security and our important daffodil industry. Had they bothered to do their homework, they would have known that currently just 0.3% of Cornwall’s agricultural land is occupied by solar panels, and that even in the most extreme scenarios, this is only predicted to increase to 1.2%, so solar panels really aren’t a threat to our food security. Of course, fields planted with daffodils aren’t growing food, nor are fields planted with maize for bio-energy, or fields set aside for nature. Farmers have to make a living, and the Government has made it harder to export Cornish produce to Europe; harder to hire agricultural workers; and signed trade deals with Australia and New Zealand which allow UK farmers to be undercut by cheap imports produced to standards which would be illegal here. And of course the biggest threat to our food security is climate change, which can wipe out entire harvests through droughts, floods, fires and diseases.

Waste and recycling collections:

New bins have been rolled out across our area and the new collection arrangements are in place. Most people seem to be getting on OK, but if there are any issues, please call 0300 1234 141.

Separating out food waste will reduce the volume of waste being sent for incineration, and reduce carbon emissions. This reduction would be even greater if there were a suitable Anaerobic Digester in Cornwall, but for the time being, all this food waste is being sent to AD plants in Devon!

The Government has now banned Councils from charging fees for certain types of waste at our Household Waste Recycling Centres (such as plasterboard, tyres and asbestos), with the aim of making it easier for people to dispose of waste responsibly, thereby reducing the likelihood of fly-tipping. But Cornwall Council has responded by refusing to accept these forms of waste altogether at six of its sites (including Connonbridge and Bodmin). So, to take advantage of this new free disposal service, residents have to drive to St Austell, Saltash or Tintagel! I have of course objected strongly to this perverse decision. I have been told that this is just a six-month trial period, so I hope that the free service will soon be made available at all thirteen sites.

Lostwithiel Car Parking:

The availability of car parking spaces in Lostwithiel town centre is just as important for residents of the surrounding parishes as it is for residents of the town. Those living closest have the option to walk to the shops, GP, train station or community centre, but those living further away mostly have to travel by car. I recently met with representatives of Network Rail and Lostwithiel Town Council to discuss the possibility of the land next to Lostwithiel Railway Station being converted into a car park. Network Rail are open to this idea, but are not interested in running it themselves. They are happy to lease out the site at an affordable price, but another organisation would have to cover the cost of the development. Cornwall Council could afford to do this, but would then treat the car park as source of revenue to fill their empty coffers. Conversely, the Town Council would run it for the benefit of the community, but the cost of the development could be a big burden for a small organisation. I will do what I can to support this project in the year ahead.

Planning enforcement:

There continues to be widespread dissatisfaction at the time taken for planning enforcement cases to be resolved, and frustration at the lack of transparency in the process (which officers blame on GDPR rules). I have pressed senior officers to increase the number of enforcement officers, but they say they do not have the budget for this.

I have also spoken to the officers responsible for “Information Governance” and challenged them to find ways to provide more meaningful feedback to Councillors and local Councils within the constraints of the GDPR legislation.

Casework Assist:

Cornwall Councillors are increasingly being pressurised by senior Council officers to make all casework enquiries through the “Casework Assist” website. This is causing significant frustration and delays, as issues raised by Councillors are often marked as “closed” when a response has been issued, rather than when the problem has actually been solved.

Town and Parish Council Clerks should have access to Casework Assist, enabling them to report local issues without needing to go via a Cornwall Councillor. This should lead to swifter responses, but some Clerks are encountering the same problem described above. I (along with many other Cornwall Councillors) am pushing for improvements to the system so that all casework can be dealt with as effectively and reliably as possible.