

# URGENT ACTION REQUIRED: TO AVERT A MAJOR PLANNING CATASTROPHE

## FOR THE URGENT ATTENTION OF:

Chief Executive Officer, Cornwall Council, Kate Kennally

**Copy to:** Head of Internal Audit, Holly Sykes

**Our electronic correspondence address:** [cornwall@sevenconcernedcitizens.co.uk](mailto:cornwall@sevenconcernedcitizens.co.uk)

Date 1<sup>st</sup> November 2023

## **RE: REGIONAL EMERGENCY RESPONSE to DECLARED CLIMATE CRISIS**

### **A. FORMAL NOTICE TO RECTIFY - MAJOR ORGANISATION FAILURES**

In 2019 Cornwall Council declared a 'climate emergency' of such gravity as to initiate accelerated plans and aggressive targets for CO<sub>2</sub> reduction measures. Four years on, the momentum of policy rollout for this 'declared emergency' is rapidly accelerating.

We are a group of concerned Cornish citizens (see addendum) **seeking assurance** that the organisation system of Cornwall Council and its partners is **'fit for the purpose'** of emergency planning, in part, relating to the climate emergency.

Taking this opportunity, **we inform you that Torbay and Devon Councils have been formally placed on a notice of urgent rectification concerning organisational failures, defects and gaps associated with the planning and execution of their responses to the 'declared climate emergency'**. Highlighted are significant strategic risks relating to the threat of considerable harm to the wellbeing of the region and its people from the councils' own organisation and management system.

Please note that the issues identified also specifically concern the regional Devon, Cornwall and Isles of Scilly climate change efforts and recent consultations.

Therefore, to avoid such a planning and policy related catastrophe in Cornwall we hereby **formally notify you, your board members and internal audit that urgent and immediate rectification action is necessary.**

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### **B. FINDINGS FROM FREEDOM OF INFORMATION REQUESTS**

**This letter serves as an executive summary of the findings presented in a 56 page report** (accompanying this letter). The report is the result of a series of freedom of information requests made concerning the management and organisation pertaining to the climate emergency declaration and response.

Please note that electronic report copies supported by two explanatory videos can be viewed on [www.sevenconcernedcitizens.co.uk](http://www.sevenconcernedcitizens.co.uk) .

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The findings highlight **significant institutional failures, deficiencies and gaps** relating to the strategy and organisation approaches surrounding the climate emergency and accelerated carbon reduction plans. These can be grouped into the following five categories:

- Advisory
- Institutional bias and pre-determination
- Strategy & planning
- Organisation systems
- Audit & governance

Notably, four years since declaring ‘an emergency’ audit, advisory and governance systems have all failed to identify, intervene and address these issues. **This constitutes a major failure of the non-executive function of the council and is strongly evident at Cornwall Council.**

Three root causes of the failures are suggested, namely:

- Organisation complexity
- Strategic risk management
- Organisation design & development

In essence, Cornwall, Devon & Torbay Councils are operating together with their regional partners through an organisation system with capabilities that have not been designed or developed to effectively tackle the complex nature of the ‘declared emergency’. Advisory, audit and governing systems have repeatedly failed, over four years, to identify, intervene and correct the issues. The primary failures are institutional blind spots in strategic risk management and a category of internal risk relating to perceptions, patterns of thinking, organisational processes and design.

To address these organisational failures and deficiencies it is necessary to undertake informed and urgent strategic re-appraisals of:

1. The climate emergency & net-zero policy
2. Council advisory and audit needs
3. Open & independent validation of our report and its findings
4. The emergency planning, capability & execution system
5. Effectiveness of the councils non-executive function to govern emergencies

Finally, the report offers suggestions and an initial pathway towards fast-track rectification which include:

- Appointment of an independent & ‘process mature’ inclusion advisor / facilitator
- Engaging advisors with opposing views relating to climate change
- Scenario planning
- Commissioning thorough risk, value, impact and option assessments

**These are necessary and critical precursors to rigorous strategic planning and decision making that then properly informs balanced public / councillor consultation.**

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Furthermore, by adopting these suggestions there is a positive opportunity for Cornwall Council to become a leader / pathfinder demonstrating **'critical voice' inclusion**.

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### **C. URGENT ACTION REQUIRED**

**The momentum of policy rollout for this 'declared emergency' is rapidly accelerating.**

Therefore, the gravity, urgency and emergency nature of rectification should overshadow all other risks and executive level concerns across Cornwall Council at this time.

To avoid further escalation measures, from us, we request that within 20 working days that you supply details of how you intend to address this situation taking account of and making provision for:

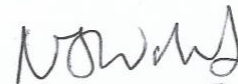
- a) The issues identified, and suggestions offered in our report.
- b) Escalation with immediate effect to the highest / most appropriate levels of governance and public scrutiny.
- c) It is in the public interest to have **full transparency** and therefore a **direct, open and 'informed public engagement'** with the auditors and their advisors throughout the rectification process, the scoping of proposals and corrective monitoring.
- d) **To avoid organisational inertia**; supply proposals and assurances that appropriate and timely action will be taken and maintained without the unfortunate need for additional escalation measures, by us and the wider public, to hold the council, its executives and officers personally to account.
- e) A reminder that as public servants; you have **a responsibility first and foremost to cause no harm**, to act objectively using the best evidence without discrimination, bias or pre-determination solely for the public interest and the needs of the people of Cornwall. There is a duty of care on public authorities and their officers to consider or think about how their policies, organisation systems and decisions affect the people and the wellbeing of this region (*see addendum item 4*).
- f) Furthermore, we strongly suggest that Cornwall Council urgently requests from your audit partner (a) a formal **'Advisory Notice'** and (b) a **'Public Interest Report'** pertaining to the issues raised in this letter and accompanying 56 page report.


Our objective, as concerned citizens (*see addendum*), is to inform and support the council, their officers, councillors and partners. Our intention is to avert an imminent planning and organisation related catastrophe associated with emergency declarations, strategic planning and execution, in part related to the 'declared climate emergency'.

On behalf of the rapidly growing numbers of informed and concerned citizens across this region, we look forward to receiving your response.

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Signed by seven concerned citizens living in Cornwall:


  
NICOLA JANE WILLIS

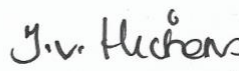
  
SARAH FARRELL

  
TIM JONES

  
DAVID LAFFY

  
PETER A NEWBY

  
MAEVE MORRIS

  
J.V. HICHENS

## **Addendum**

### **1. WHO ARE WE**

We are a group of extremely concerned citizens worried about the adverse implications from the accelerated Cornwall Climate Emergency Programme and where this will lead society. Our concerns fall into three significant categories which were initially presented by our colleagues at a meeting with four Torbay Council officers on the 31st January 2023:

- The adverse implications of the plans
- Council planning systems being 'fit for purpose'
- The validity and pragmatism of the Climate Emergency & Carbon policies

Five presentations were made highlighting deep concerns regarding the significant detrimental impacts of the proposed plans on the people, businesses and standards of living of the region. These presentations with supporting information by 'independent' climate science experts can be found on: [www.sevenconcernedcitizens.co.uk](http://www.sevenconcernedcitizens.co.uk)

From our position and perspective, it is essential that balanced scientific information is presented and communicated to better inform councillors, officers and the general public in dialogue and decision making. This requires an understanding of the complexities, potential threats and risks associated with these policies and an assurance of the organisation and planning rigour needed to execute these policies without causing harm and detriment to our quality of living.

### **2. WHY WE ARE ENGAGING THE EXECUTIVE BOARD OF CORNWALL COUNCIL**

On 31 January 2023 our colleagues made presentations to officers at Torbay Council. Subsequent to the meeting, then a ten-week delay and despite repeated attempts they had been unable to secure a follow-up meeting or any meaningful dialogue with the Officers.

Due to the urgency, gravity and systemic nature of this issue the only recourse was to escalate to the Executive Board of Torbay Council. Through a series of freedom of information requests and subsequent scrutiny of responses it has been unequivocally demonstrated that the current council organisation system is **not fit for the purpose** to conduct effective planning and management of the declared 'climate emergency'.

The freedom of information responses refer to regionally co-ordinated efforts such as the Devon, Cornwall and Isles of Scilly Climate Adaption Strategy and recent consultation. **The context of the findings is therefore highly significant and relevant to Cornwall Council.**

### **3. A KEY CONCERN: COUNCIL PLANNING SYSTEMS BEING 'FIT FOR PURPOSE'**

In 2019 Cornwall, Devon & Torbay Councils declared a 'climate emergency' of such gravity as to initiate accelerated plans and aggressive targets for CO<sub>2</sub> reduction measures.

We are a group of concerned and informed citizens that perceive a significant and imminent threat of harm to the wellbeing of this region and its people. The adverse effects of this

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institutional / systemic risk, if realised, could initiate a full spectrum social, environmental, technical and economic catastrophe impacting the region and its people for generations.

**Our objective is to avert the risks of such a planning & organisation related catastrophe.**

We highlight and referenced that many independent 'expert' climate scientists and advisors strongly refute the notion of a climate crisis and sternly warn about the significant adverse impacts to standards of living, social, and economic wellbeing from pursuing accelerated and systemically incoherent CO<sub>2</sub> reduction strategies.

We have concerns that the emergency climate and accelerated CO<sub>2</sub> policies if driven and executed through the present council planning and organisation systems will highly likely result in and exasperate a catastrophic risk event for this region.

**As concerned citizens we are seeking assurances from the Executive Boards that the Council's planning and organisation systems, including its governance, are 'fit for the purpose' of emergency planning and execution, in part relating to the climate emergency.**

We question whether rigorous strategic process, transparent and non-biased advisory practices have informed the formulation, roll out, consultations, decision making, and procurement activity associated with the declared 'climate emergency'.

### **4. A REMINDER OF YOUR PUBLIC STANDARDS OF DUTY**

**The seven principles of public life:** You have a responsibility first and foremost to act objectively using the best evidence without discrimination or bias solely for the public interest and the needs of the people of Cornwall. There is a duty of care on public authorities and their officers to consider or think about how their policies, organisation systems, institutional behaviours and decisions affect people of this region.

**Environmental Information Regulations:** The public have enhanced rights to participate in environmental matters, such as the climate emergency, and public authorities have less grounds to withhold any information.

**Our community right to challenge:** As a community we are asking, do the emergency climate and accelerated CO<sub>2</sub> policies and plans:

- truly serve the priorities, best interests, maintenance of living standards, freedoms and wellbeing of the people of Cornwall?
- contain predetermination, advisory bias and institutionalised organisation process bias?
- possess the potential for harms that have not been adequately assessed, understood, communicated and mitigated?
- truly provide resilience, sustainability and the best return on public sector procurement / investment and effort pursuant to the healthy development, wellbeing and growth of all aspects of life in this region?

**Beyond corporate law and its regulations:** As a U.K. Citizen under common law and a sovereign human being abiding by natural law, there is a duty of care to do no harm.