

Marches Forward Partnership Memorandum of Understanding

Meeting: Cabinet

Meeting date: Thursday 28 September 2023

Cabinet member: Jonathan Lester, Corporate Strategy and Budget

Report by: Corporate Director, Economy and Environment

**Report author: Roger Allonby, Service Director Economy and Growth,
Economy and Environment**

Classification

Open

Decision type

Key

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 10 (General Exception) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012.

Wards affected

All Wards

Purpose

This report seeks approval for the council to sign a Memorandum of Understanding (MOU) between Herefordshire Council, Shropshire Council and Monmouthshire and Powys County Councils for collaboration as a Marches Forward Partnership.

Recommendation(s)

That:

- a) Support Herefordshire Council's Leader in working with neighbouring local authorities to present outline terms of reference for a Marches Forward Partnership;**
- b) Delegate to the Chief Executive in consultation with the Council's Leader to agree changes in finalising the Memorandum of Understanding to reflect feedback from each cabinet and to complete the Memorandum of Understanding; and**

- c) Delegate to the Chief Executive and Corporate Director for Economy and Environment to proceed with development of a work programme to meet the objectives within the Memorandum of Understanding, in consultation with relevant Portfolio Holders.**

Alternative options

1. To establish a strategic partnership with alternative partners – the Memorandum of Understanding (MoU) is not an exclusive agreement, each council will continue to explore partnership working with other areas.

Key considerations

2. Herefordshire Council has been working collaboratively with Shropshire Council and both Monmouthshire and Powys County Councils to develop a common understanding of each other's organisations. The aim has been to establish areas where there is mutual benefit and added value in working together, supporting each other's strategic aims and leveraging combined knowledge, resources and activities.
3. Geographically, the neighbouring local authorities cover a contiguous area which straddles over 80% of the English and Welsh border. Commuting patterns and access to retail, education, business support and healthcare services all reflect the functional profile of the area.
4. The Marches Forward Partnership brings together strategic joint working between Herefordshire, Shropshire, Powys and Monmouthshire local authorities. It covers a population of approximately 737,000 residents and covers an area of approximately 1,140,000 hectares.
5. For many local people, the border between England and Wales is somewhat of an artificial boundary and can limit potential for collaboration. A strategic cross border partnership provides opportunity to support government ambitions around Union Connectivity, improving join up between England and Wales and helping to increase investment and accelerate delivery of key infrastructure projects.
6. Early scoping work has highlighted the potential to innovate and look at creative solutions which are not bound by statutory delivery timescales or regulatory frameworks. The Partnership offers a flexible framework to explore how local services and corporate priorities can be delivered differently using shared skill sets and an unusual level of freedom. It provides a unique opportunity to focus on the added value of working as a collective whole whilst not seeking to duplicate or impact on individual partner relationships or partnerships explored in the future by constituent partners.
7. Whilst initially focused on short term opportunities for more efficient and effective service delivery, the Partnership also provides opportunity for constituent partners to seek and gain greater recognition of the need for joint working across borders with respective Governments. As such, it provides a platform to raise the profile of the area and seek greater investment for delivery.
8. Functionally there are already significant flows of people between the Mid Wales-English border in areas including healthcare, education, skill development, jobs and service provision. This cross border movement is attributable to a number of interrelated factors including geographic convenience, specialities in sector and service provision and infrastructure availability.
9. Cross border partnership working has also been a focal point for some time. Shropshire, Telford and Wrekin and Herefordshire currently operate as an economic geography under the Marches Local Enterprise Partnership and whilst there is not a similar LEP structure for Wales,

cross border joint working is a focus of activity between Shropshire, Herefordshire, Powys and Monmouthshire on a local service delivery basis. The Marches has also been progressing conversations, for some time, on the potential for a cross border Growth Deal with Powys. This is based on recognition of the importance of the cross border relationship between Mid Wales and the Marches.

10. Between the summer 2022 and January 2023, Local Authority Leaders within the Marches discussed, with the Marches LEP, options for securing more freedoms to make decisions at a local level. Such discussions were also driven by consideration of the types of means available in the future to unlock greater investment into the area as an enabler of growth.
11. At the same time, local authority Leaders across Herefordshire, Shropshire, Powys and Monmouthshire started to explore areas of collective interest and ambitions to bring together both Welsh and English Governments to support, in principle, joint working across borders. It was agreed that joint scoping should take place across the local authorities to understand shared priorities and opportunities that are worthy of further investigation. This was aimed at identifying those key focal points where strategic thinking and joint work at the collective scale provides the most benefit such as road infrastructure.
12. Alongside this early scoping work, ongoing conversations are taking place with both Wrexham Council and Telford and Wrekin Council as the two other local authorities with a shared interest in this functional geography. An open invitation has been established for these partners to join the Partnership, as the development work progresses and more information is known and shared on priority areas and joint working opportunities.
13. It is also not intended that the Partnership be an exclusive arrangement, each Local Authority will continue to work with and further develop relationships with other neighbouring authorities and partners in meeting local needs and realising far reaching opportunities. For example, our local strengths in Cyber Security, along with Worcestershire and Gloucestershire.
14. From the early scoping work across the Partnership area, key areas of shared interest have been identified around nature and climate adaptation (including river quality issues), energy, transport and connectivity, housing, digital, food/ agriculture, skills and innovation. In June 2023, a draft MOU was developed to reflect some of the outputs from the early scoping work. This is summarised within the following six objectives:
 - Objective 1: Data, Evidence and Research: Leveraging joint intelligence and research expertise to improve the quality of life for our rural, cross border communities through sharing information and carrying out research.
 - Objective 2: Nature, Energy and Climate Adaptation: Working together to identify and collaborate on strategic scale opportunities based around our high quality natural environment, addressing current and future resilience challenges in relation to climate change and nature recovery.
 - Objective 3: Transport and Digital Transformation: Working together to improve rural connectivity, to level up access to jobs, education and opportunity and bring mutual benefits for our neighbouring areas.
 - Objective 4: Sustainable Communities: Working together on the development of sustainable communities, creating a social infrastructure offer which realises the growth and sustainability of the rural economy and supports our residents, employers and users of our geography.
 - Objective 5: Food, Rural Development and Visitor Economy: Working together to identify opportunities for closer collaboration which encourages the economic growth of our rural economy.
 - Objective 6: Government and Strategic Relations: Working together on strategic communications to raise the regional, national and international profile of our area.

15. These objectives now provide a starting point, to be built on through the Marches Forward Partnership.
16. It is intended that a 12 month review will be undertaken to consider if the MOU remains on track, and the partnership is achieving the expected outcome.

Community impact

17. The Marches Forward Partnership will enhance service delivery to Herefordshire communities, particularly in cross border locations, in terms of transport, skills, environment, health care and housing growth. The greater sharing of best practice, resources and expertise across the partnership area will improve service delivery, and provide a basis for seeking additional government funding.
18. Across the partner local authorities, the Marches Forward Partnership is seen as an opportunity to:
 - I. Focus on the shared geography and maximising the potential of the area.
 - II. Provide the right tools for effective service delivery within each local authority.
 - III. Understand and work together to attract the right investment, for example for critical road/ transport infrastructure.
 - IV. Understand and innovate to address the needs of rural communities.
 - V. Harness the value of shared rural assets.
 - VI. Align policy and investment drivers to obtain the best from cross border political ambitions.
 - VII. Understand future trends and service demands across a functional area.
 - VIII. Focus on where collaboration adds the greatest value.
 - IX. Share learning and best practice.
19. Cross border communities will benefit from greater co-ordination of service delivery and longer term co-ordinated development of activities
20. The Herefordshire County Plan 2020 to 2024 identifies that we will work with a wide range of partners to improve services and to address issues such as climate change, skills and enhanced connectivity. The Economic Plan identifies a need to work with neighbouring functional economic geographies to enable growth, and to collaboratively make the case for government investment.
21. A priority for the new Herefordshire administration is to improve river quality, address congestion on the A49 through developing a western bypass to Herefordshire, protect the natural environment and address climate change.

Environmental Impact

22. The Partnership provides a significant opportunity for the partner local authorities to support one another on climate and net zero plans and local delivery.

23. Early scoping work for the Partnership identified key areas of service alignment and priority across the neighbouring authorities. As a grouping with a shared, high quality, rural environment, a key thematic focus has already emerged around nature, energy and climate adaptation. This is reflected in the MOU which highlights opportunity to work together on strategic scale projects to address current and future resilience challenges in relation to climate change and nature recovery. The Partnership could also support rural resilience through work around land management and exploring common local authority aspirations around net zero and renewable energy solutions.

Equality duty

24. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

25. Each of the respective Local Authorities are committed to improving services and places for all of our communities. The Partnership provides a basis for the councils to work better together in serving local people, particularly hard to reach and/or disadvantaged groups through sharing skills and expertise, and best practice across the four councils.

Resource implications

26. The MOU makes clear that nothing in the agreement involves a commitment of funds from the partner local authorities. Work to date has used existing local authority resources, focused on shared staff time and skills. It has not involved any other financial implications.
27. The Partnership provides opportunity for continued sharing of staff resources to support development of cross border joint working. Through the development of the Partnership work programme, partners may decide to commission work on particular topics to progress key areas of activity. Future work by the Partnership may therefore involve an ask for partner investment. However, the Partnership framework provides a basis to prioritise, agree and divide such costs across the collective partners, thereby providing benefit and reducing the financial implications to each individual organisation.
28. Given the informal working relationship under the strategic collaboration, the MoU does make clear that each local authority will have individual responsibility for relevant Cabinet and Council briefings. This will include ensuring all the necessary financial agreements are in place within each partner local authority for any future key areas of work associated with the Partnership. Political leadership and oversight through a Leaders Group will ensure regular updates on progress and future work programmes.
29. As a strategic collaboration, the Partnership provides opportunity as a means of unlocking new funding into the area. Using the additional value of the unique cross border location and

collective approach, the Partnership provides a platform to attract investment for effective service delivery and critical infrastructure across the area.

Legal implications

30. There are no legal implications. The Memorandum of Understanding does not bind the Council as it is a voluntary partnership. If any workstreams require a commitment (whether politically or financially) then we would recommend that that individual arrangement is secured by formal agreement.

Risk management

31. Significant opportunity is provided by the development of the Marches Forward Partnership. The Partnership provides a flexible umbrella framework for joint working which supports local service delivery based around how people and places function rather than being confined within organisational or geographical boundaries. It also enables the Council to harness the unique value of Herefordshire's cross border location.
32. The Partnership is not intended to be a legal entity. There will be no formal governing structure and no elements of the MOU will be legally binding. As a result, there are no legal risks to the Council since the Partnership will operate on an informal basis, based around joint working on areas of common purpose.
33. Mapping has been undertaken to understand existing strategic partnership arrangements across the area. As a result, the development of the Partnership and its intended work programme do not pose a risk in terms of duplicating existing arrangements. Instead, the Partnership will only focus on areas of added value, addressing an existing gap in strategic cross border working between England and Wales.
34. As a flexible arrangement, each local authority within the Partnership has the freedom to either not undertake a particular activity or not participate further in the Partnership at any point in time. The Partnership does not therefore pose a risk in terms of prejudicing or constraining any of the constituent partners or groupings of partners in being involved in alternative partnership arrangements. The MOU does not restrict, in any way, other arrangements that a partner local authority may wish to develop independently.
35. The risks and opportunities relating to this report are predominately focused on Herefordshire Council's role in developing an informal partnership and the associated working arrangements. Whilst this poses resource implications, the proposed management structure for the Partnership is focused on joint resourcing. Each local authority will share skills, data and learning as well as the provision of a portfolio lead for thematic working groups. There are significant opportunities for greater efficiency and effectiveness through joint working initiatives as well as the potential to use the Marches Forward Partnership as a platform to secure wider investment support.

Consultees

36. Political group consultation to be held on the 21st September. Partnership groups such as the Herefordshire Sustainable Growth Strategy Board have been engaged and expressed support

for enhanced strategic working with neighbouring authorities.

Appendices

Appendix 1 – Memorandum of Understanding

Background papers

None

Report Reviewers Used for appraising this report:

Governance	John Coleman	Date 04/09/2023
Finance	Karen Morris/ Wendy Pickering / Judith Tranmer	Date 05/09/2023
Legal	Sean O'Connor	Date: 31/08/2023
Communications	Luenne Featherstone	Date 31/08/2023
Equality Duty	Harriet Yellin	Date 31/08/2023
Procurement	Carrie Deeley	Date 04/09/2023
Risk	Kevin Lloyd	Date 31/08/2023

Approved by	Ross Cook	Date 08/09/2023
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