

Meeting Executive

Portfolio Area Leader of the Council

Date 16 December 2019



HERTFORDSHIRE GROWTH BOARD – MEMORANDUM OF UNDERSTANDING

KEY DECISION

Lead Officer: Matt Partridge

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1 PURPOSE

- 1.1 To provide an update to the Executive regarding the work of local public sector partners to consider and prepare for the future growth of Hertfordshire, and to ask Executive to approve the Hertfordshire Growth Board draft Memorandum of Understanding (MOU). This draft MOU sets out the objectives, principles, and scope of the collaborative work being and to be undertaken through the Hertfordshire Growth Board.
- 1.2 Hertfordshire Growth Board was formed in September 2018, consisting of the Leaders of all of the Local Authorities and the Chair of the Local Enterprise Partnership (LEP). This Board was formed to consider the implications of future growth in Hertfordshire and to work together in a proactive way.
- 1.3 In March 2019, the Growth Board commissioned a development programme to help consider the implications of growth in Hertfordshire. This six-month supported programme has explored how issues relating to housing, infrastructure and funding can be jointly addressed in future. At the meeting of Hertfordshire Growth Board in September 2019, a forward work programme was approved.

- 1.4 Hertfordshire Growth Board members also agreed to develop a Memorandum of Understanding to signal their intent to work collaboratively on place-based issues with central government, partners, and locally. This document helps set out the objectives of the work to be undertaken through the Hertfordshire Growth Board, its guiding principles and approach to joint working, confirms what is in scope for the work of the Board, and what is not within its scope.

2 RECOMMENDATIONS

- 2.1 That the progress and work of the Hertfordshire Growth Board be noted.
- 2.2 That the Executive agrees to Stevenage Borough Council entering into the Memorandum of Understanding, attached as Appendix 1 to the report.

3 BACKGROUND

- 3.1 Since September 2018, Hertfordshire Leaders and the Local Enterprise Partnership Chair have been collaborating through the Hertfordshire Growth Board. Together they have undertaken the Growth Board Development Programme, which has allowed the group to identify key growth challenges, emerging programmes of work, and key features of an emerging proposition to government for funding. Work is now taking place to move those programmes into implementation and engagement with central government.
- 3.2 To date, Hertfordshire Growth Board have identified a range of growth-related challenges, including but not limited to: significant demand for new homes, including provision of more and high quality affordable homes; additional investment for infrastructure for current and new residents; providing jobs and economic opportunities for all residents; supporting and maintaining a high quality environment and the threat posed by climate change. Through the work of Hertfordshire Growth Board, partners are working together to address these challenges and to ensure that growth provides benefits for current and future residents, and can support a thriving county in which all people can benefit from the success of Hertfordshire.
- 3.3 The Leaders of the District Councils, County Council, and the Local Enterprise Partnership agreed at the September 2019 Hertfordshire Growth Board meeting to develop a Memorandum of Understanding, to be considered by the Hertfordshire Growth Board at its meeting on 15th October. The draft Memorandum of Understanding, attached as Appendix 1 to this report, has now been considered by the Growth Board and is recommended for agreement by all the Hertfordshire Councils and the Local Enterprise Partnership Board.
- 3.4 In terms of scope and content, the Memorandum of Understanding sets out the Core Objectives and Aims of working through the Hertfordshire Growth Board and the Principles of Partnership between the parties to the agreement. It also makes clear what is in and what is not within the scope of the work of the Hertfordshire Growth Board:

- The objectives of the collaboration focus on taking a broader place-based approach to strategic planning for development, infrastructure, transport, climate change, and economy. The aims of the collaboration expand on the work that the parties might undertake through the Hertfordshire Growth Board to help achieve these objectives.
- The principles set out some of the benefits to be achieved through partnership working, using the two-tier system at its best, responding to wider challenges, providing leadership of place, and increasing impact. It also sets out the principles of how the organisations will work together, how they will undertake placemaking in Hertfordshire, and approaches towards governance.
- The scope of the Memorandum of Understanding makes clear that any council exercising any particular function shall continue to do so – including local plans, housing, and development management.

3.5 The Memorandum of Understanding has a number of terms and conditions, which are summarised as follows:

- It is not enforceable in law and cannot override existing statutes;
- Individual Partners are free to withdraw at any point, on giving 30 days written notice, but may be required to continue their commitment to previously agreed projects
- The Memorandum of Understanding shall wholly terminate if the Growth Board is dissolved; and
- It is amendable only by the unanimous written consent of all its members.

3.6 Drafts of the MOU have been circulated through the Chief Executives and Leaders groups and amended as a result of feedback. The attached version has been endorsed by the Growth Board to go forward through individual Councils' democratic processes.

3.7 The draft Memorandum of Understanding, if adopted by the Councils and the Local Enterprise Partnership, will give a very clear signal to Government and partners about the Hertfordshire joint working ambition. It will also demonstrate how the Growth Board's members are providing place-based leadership and governance across Hertfordshire and its role as a body that government can talk with about an enhanced collaborative relationship in future.

3.8 Should the programme of work continue into the medium-term, and for example secure significant funding support from central government, there is potential that a further report would be required detailing whether any further formalisation of arrangements is required.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 This report recommends approving the Hertfordshire Growth Board Memorandum of Understanding. The work programme to date has been supported by all Hertfordshire authorities, identifies the challenges and opportunities of growth and the need to work closely together to put in place solutions and ways to secure external funding. This report recommends signing the Memorandum of Understanding to participate in the next phases of work, seeking to work with partners to address challenges and opportunities related to growth.
- 4.2 The alternative option is to not sign the Memorandum of Understanding and decline to participate in the next phase of work. This is not recommended as the challenges and opportunities set out in the Memorandum of Understanding are greater than can be addressed by a single body, and could potentially restrict access to, and support from, key projects and potential funding streams that could have benefit for Stevenage and its residents.
- 4.3 A briefing on the work of Hertfordshire Growth Board was provided to all Members on 31st October to share progress to date, priorities, and the principles guiding the next phase of work. At the time of writing, a briefing for all senior Officers of potential partners was also scheduled for early December 2019.

5 IMPLICATIONS

Financial Implications

- 5.1 The work of the Growth Board is evolving and at present is being funded in-kind through Officer time from all partner organisations, or through use of the Growth Fund established for use by the Growth Board through the retained Business Rates Pilot Funds secured for Hertfordshire. Future projects will need clear funding strategies to enable their development and delivery.

Legal Implications

- 5.2 By entering into the Memorandum of Understanding the Council would be committing to work together with the other partner organisations to deliver the objectives of the Growth Board but the Memorandum of Understanding is not a legally binding document.

Risk Implications

- 5.3 Key risks in relation to agreeing a Memorandum of Understanding include:
- Time and commitment required of SBC Officers to support the development of priority projects. This is in part mitigated by Growth Board securing funding for external capacity and Hertfordshire Chief Executive Officers' Group being tasked to review and assess overall resources needed to progress.

- Perception that this programme supersedes or affects existing Local Plans or emerging Local Plans. This perception risk is responded to via the MOU and each authority is required to have its own adopted (or emerging) Local Plan and associated policies.
- Perception of prioritisation of resources within the county. This programme is intended to achieve the best results for Hertfordshire, and looks at benefits across the county.

Equalities and Diversity Implications

- 5.4 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 5.5 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 5.6 There are no direct equality implications arising from this report. No EqIA was undertaken in relation to this report. It is anticipated that should any specific policy proposals or projects progress through the work of Hertfordshire Growth Board, that relevant EqIA documents are produced at that point in time.

APPENDICES

1. HERTFORDSHIRE GROWTH BOARD: Draft Memorandum of Understanding