

Draft Strategic Memorandum of Understanding:

**High level strategic cross-boundary approach to the Hemel Garden
Communities Programme**

FINAL DRAFT

January 2020

This is a Memorandum of Understanding between the following authorities:

Dacorum Borough Council
St. Albans City and District Council
Hertfordshire County Council

1. Strategic Memorandum of Understanding purpose

1.1 This Memorandum of Understanding (MoU) is intended to provide a high level statement of intent under the Duty to Co-operate to collaborate on strategic issues between St. Albans City and District Council (SADC), Dacorum Borough Council (DBC) and Hertfordshire County Council (HCC). Hereafter referred to as the Authorities. Whilst the Hertfordshire Local Enterprise Partnership (LEP) are not a signatory to this MoU, they are a partner to the Programme, and have provided a letter of support which can be found in Appendix 1.

1.2 The Authorities agree to work collaboratively, proactively and in good faith at an officer and Member level to further the aims and objectives of the Programme and delivery of the Programme Plan in accordance with this MoU.

2. Programme background

2.1. In November 2018 a Hemel Garden Communities bid was submitted to Ministry of Housing, Communities and Local Government (MHCLG). The bid was

submitted by the three authorities, LEP, Herts Innovation Quarter (the Hertfordshire Enviro-Tech Enterprise Zone) and The Crown Estate. The bid was successful and Hemel Hempstead was awarded 'Garden Town' status.

2.2 Hemel Garden Communities (HGC) is a Programme that describes a proposed development of around 11,000 homes and 10,000 jobs, located on the eastern and northern edge of Hemel Hempstead and the accompanying transformation of Hemel Hempstead as a whole.

2.3 The land of the proposed development is divided roughly equally between the administrative area of SADC and DBC who are the Local Planning Authorities, and the existing town of Hemel Hempstead is located in the Borough of Dacorum. It is also wholly within the administrative area of HCC.

2.4 The HGC area as a whole is shown on a map in Appendix 2.

3. Mission statement:

3.1 *Supported by Garden City Principles¹, Hemel Garden Communities will take the best of the New Town heritage into the 21st century with over 11,000 homes and 10,000 jobs and Hertfordshire Innovation Quarter at its heart, anchoring the transformation of Hemel Hempstead and the wider area.*

4. Objectives

4.1 In this context, the Authorities will work collaboratively to deliver HGC guided by the following objectives:

- a) Secure high quality, sustainable development within the new communities and existing Hemel Hempstead, in line with Town and Country Planning Association (TCPA) Garden City Principles;
- b) Ensure compliance and consistency with relevant and emerging policies and guidance from local to National level as well as the bid intentions;
- c) Identify the key strategic issues and ensuing work streams that will have a bearing across the Programme and wider surrounding area;
- d) Deliver Programme work streams within agreed deadlines to support the delivery of high quality, sustainable individual planning applications within the HGC area;
- e) Establish the infrastructure needs of the Programme and explore the mechanisms and models for funding and delivery;
- f) Identify the mechanisms within the planning process to ensure alignment with strategic Programme aims and design quality of individual applications, such as Joint Planning Performance Agreements (PPAs), s106 Heads of Terms, design codes and supporting planning application documents;
- g) Align and prioritise strategic investment priorities in support of transformative and sustainable growth, and to champion collectively for the necessary funding.

¹ Town and Country Planning Association (TCPA), Garden City Principles, <https://www.tcpa.org.uk/garden-city-principles> (last accessed 26/11/2019)

5. Governance

5.1 The principle partners for the delivery of the Programme are the three Authorities and the LEP. The Programme governance structure is set out in Appendix 3 and the Terms of Reference for the Programme are set out in Appendix 4.

5.2 As illustrated in the governance structure diagrams the HGC Programme operates within the context of the statutory duties and Powers of the principle partners. Nothing in this MoU shall affect the sovereignty of the Authorities nor shall this MoU constitute a partnership or joint venture between any of the Partners.

5.3 The constitutional and governance requirements of the Parties remain unchanged by this MoU. The Authorities will seek respective approvals for the arrangements and responsibilities of the Programme where necessary in accordance with their constitutional arrangements, in line with the Section 101 of the Local Government Act 1972.

5.4 This MoU, Governance structure and Terms of Reference will be reviewed annually or as needed and approved by the Board. They are considered live documents, subject to change and review as the Programme evolves.

6. Term and Termination

6.1 This MoU shall commence following approval at the HGC Board and the subsequent approvals within each of the Authorities.

6.2 This MoU shall wholly terminate if the HGC Board is dissolved by a majority vote.

6.3 Any individual Authority may withdraw from this MoU by giving 30 days written notice to the HGC Board. The future of any projects and work streams that the individual Authority is involved in at the date of withdrawal shall be agreed by the HGC Board and any individual Authority agrees that involvement may continue (financial or otherwise) until the end of the project or work stream unless agreed otherwise.

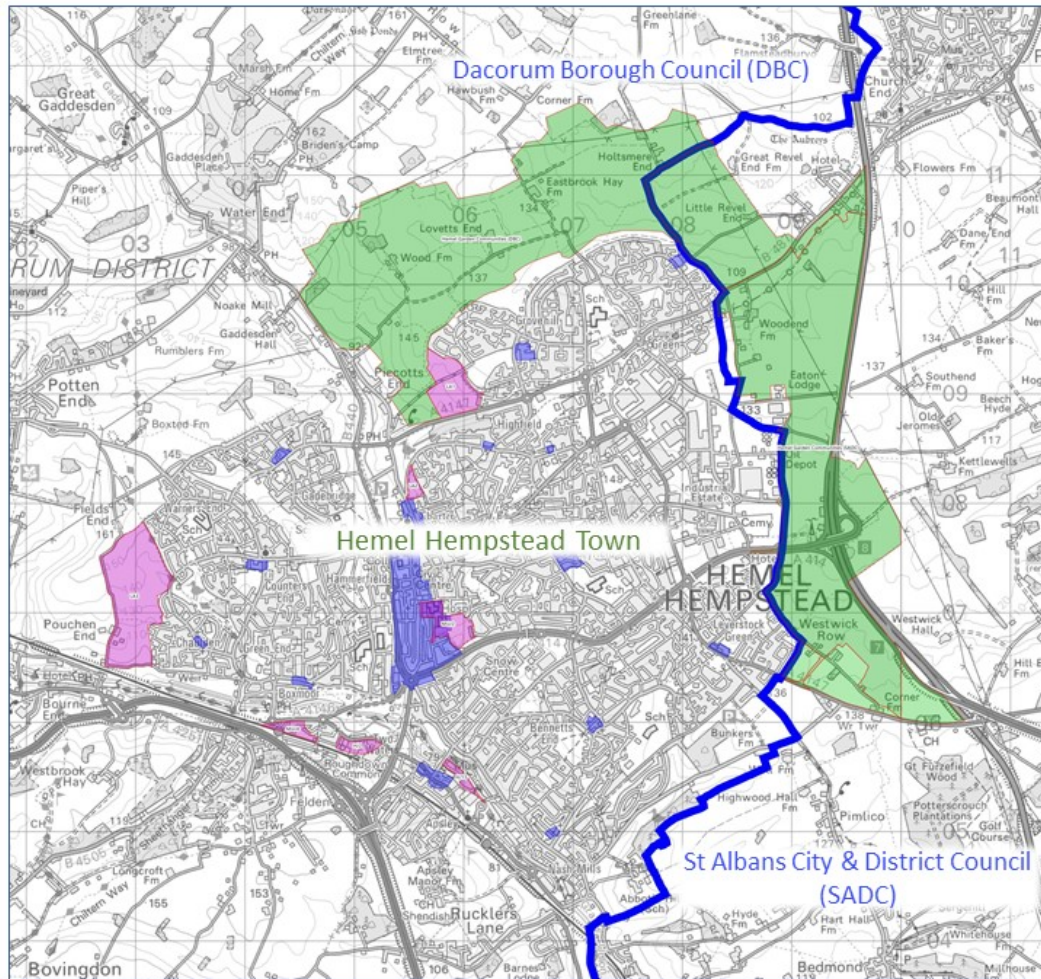
6.4 This MoU is not intended to be legally binding and no legal obligations or legal rights shall arise between the parties from this MoU.

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SPAEOC Report Appendix 1A - Letter of support from the Hertfordshire Local Enterprise Partnership

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SPAEOC Report - Appendix 1B – Programme area




**Hemel Garden Communities (HGC)
Programme Area – January 2020**

Key

 District boundary

Hemel Garden Communities Programme Area:

 DBC Strategic Sites and SADC Broad Locations

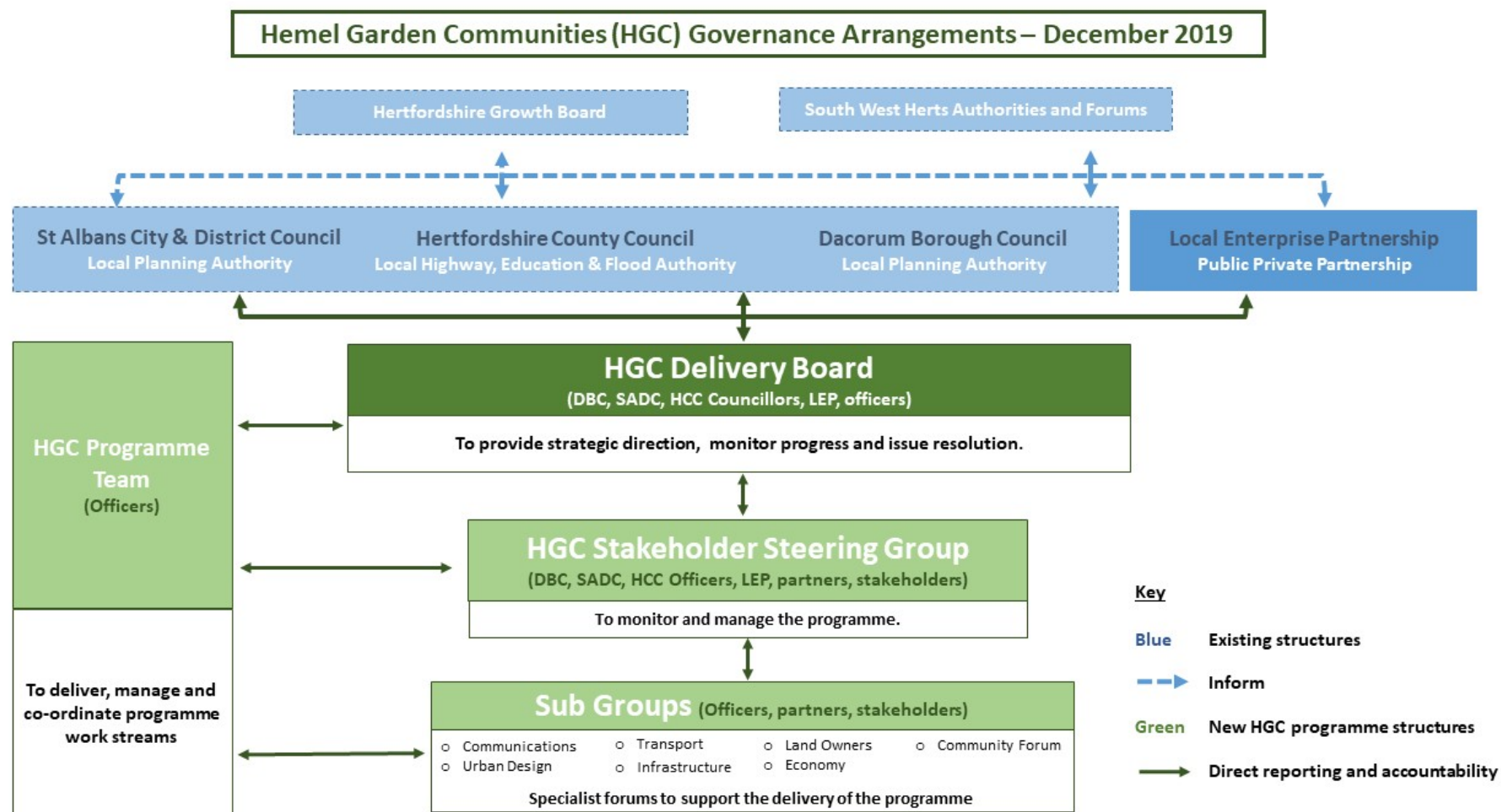
 Existing built up area of Hemel Hempstead Town including:

 DBC Existing allocations

 Hemel Hempstead town/local centres

Version no. 2

SPAEOC Report - Appendix 2 – Governance structure



Version no. 1

**High Level Overview of Responsibilities and Internal Governance Structures
of the Hemel Garden Communities Partners – December 2019**

St Albans City & District Council Local Planning Authority	Dacorum Borough Council Local Planning Authority	Hertfordshire County Council Local Highway Authority Local Education Authority Lead Local Flood Authority Statutory consultee Advisory consultee	Local Enterprise Partnership Public Private Partnership
FULL COUNCIL	FULL COUNCIL	FULL COUNCIL	BOARD
CABINET	CABINET	CABINET	CHAIRS' PANEL
PLANNING POLICY COMMITTEE	OVERVIEW AND SCRUTINY COMMITTEE	PANELS	PROGRAMME MANAGEMENT COMMITTEE
SCRUTINY COMMITTEE			

Version no. 1

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SPAEOOSC Report - Appendix 3 – Terms of Reference

3.1 HGC Delivery Board	Pages 13- 15
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3.4 HGC Programme Team	Page 19

Hemel Garden Communities Delivery Board

Terms of Reference

Councillor Board to provide strategic direction, monitoring progress and issue resolution.

1. Purpose

To govern and steer the delivery of the Hemel Garden Communities Programme and the accompanying plans and workstreams in line with the Programme Mission Statement and Objectives defined in the Memorandum of Understanding.

2. Terms of Reference

Strategic leadership

- a) to be an advocate for the Programme within their respective organisations and externally
- b) to provide strategic leadership and oversight of the Programme
- c) to facilitate high level input and influence across national, county, sub-regional and regional forums and help promote the Programme's full potential
- d) to champion the Programme's proposals and lobby for capacity and infrastructure funding to address strategic issues
- e) to ensure there are appropriate resources in place to deliver against the plan, programme and priorities
- f) to endorse a co-ordinated position/response to consultations and policy announcements that impact on the effective delivery of the vision and principles

Programme leadership

- g) to set and steer the Programme's direction and to monitor progress and risk
- h) to resolve issues and enable progress to be made
- i) to approve the expenditure of agreed resources on the programme
- j) to review the Programme's objectives, progress and governance arrangements on an annual basis or as needed and make required changes as necessary
- k) to respect the confidentiality of sensitive or commercial information provided but with an awareness of the Programme commitment to openness and transparency as well as data subject to FOI requests
- l) to declare any conflicts of interest in relation to the Programme at each Board meeting

3. Leadership and Composition of Board

The Board will be led by a Chairperson or a nominee in his/her absence. The Chairperson's role will rotate between both senior Local Planning Authority representatives on an annual basis.

The board will comprise the following members:

Board Composition and Voting Rights:	
DBC Representatives	Voting members
SADC Representatives	
HCC Representatives	
LEP Representative	
Homes England	Non-voting member
Note: In addition officer and technical support will be involved at Board meetings to support the partners	

Decisions will be made by unanimous vote by voting members.

The board meetings will also be attended by the following in an advisory capacity only:

- One representative from Homes England
- The Hemel Garden Communities Programme Manager and other representatives from the team who will coordinate and administer meetings

Membership of the Programme Board will be reviewed annually.

4. Board member responsibilities

The Board will follow the 'Nolan principles', the 7 principles of public life. The ethical standards that apply to anyone who holds a public-office².

1. *Selflessness*

Holders of public office should act solely in terms of the public interest.

2. *Integrity*

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. *Objectivity*

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. *Accountability*

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

² Committee on Standards in Public Life, (31 May 1995), Guidance: The 7 principles of public life, <https://www.gov.uk/government/publications/the-7-principles-of-public-life> (last accessed 26/11/2019)

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

5. Meetings and workshops

- Meetings will be held on a quarterly basis, with a schedule agreed as far as possible in advance, or will otherwise be called as required by the Chairperson or Programme Manager.
- Agreed action points and decisions will be taken from each meeting and distributed to members by e-mail within two weeks.
- The quorum for meetings is set at a minimum of three voting Members.
- Board agendas, minutes and papers will be published five working days in advance of meetings.
- Relevant seminars and workshops will take place throughout the Hemel Garden Community delivery process, with the aim to support Board members with their role on the Programme.

6. Financial Governance

- The Board will set an annual budget for delivery of the programme in accordance with the agreed action plan
- Operational budgets will be delegated up to agreed levels to the Steering Group and the appointed Programme Manager.

Hemel Garden Communities Stakeholder Steering Group

Terms of Reference

Officer, stakeholder and partner group to monitor and manage the Programme.

1. Purpose

To monitor and manage the delivery of the Hemel Garden Communities Programme and the accompanying plans for its transformational effects on Hemel Hempstead.

2. Terms of Reference

Strategic management

- to champion the Programme's proposals and lobby for the required capacity and infrastructure funding to address strategic issues
- to co-ordinate high level input into county, sub-regional and regional forums and help promote the Programme's full potential
- to align Programme objectives with emerging Local Plans, policies and guidance
- to co-ordinate the public sectors contribution to the delivery of key elements of the programme and priorities

Project management

- to monitor and manage Programme progress and risks
- to monitor and manage expenditure of agreed resources for the programme
- to manage the preparation of funding bids
- to make recommendations to the Board and through formal decision-making processes associated with the authorities
- to ensure there is effective community and stakeholder engagement
- to provide a co-ordinated position/response to consultations and policy announcements that impact on the effective delivery of the vision and principles
- to respect the confidentiality of information provided but with an awareness of data subject to FOI requests

3. Leadership and Composition of the Stakeholder Steering Group

The Stakeholder Steering Group will be led by a Chairperson or a nominee in his/her absence. The Chairperson's role will rotate between both senior Local Authority representatives on an annual basis.

The Stakeholder Steering Group will comprise the following partner members:

- Dacorum Borough Council and HCC Chief Officers and St Albans City and District Council Senior Manager
- Senior Manager from Hertfordshire LEP

The stakeholder steering group meetings will also be attended by the following:

- One representative from Homes England
- Hertfordshire Innovation Quarter (IQ) representative
- The Crown Estate, and other landowners as appropriate
- The Hemel Garden Communities Programme Manager and other representatives from the team who will coordinate and administer meetings
- Membership of the Programme Board will be reviewed annually in the last quarterly meeting of the year.

4. Meetings

- Meetings will be held on a monthly basis, with timed agendas for stakeholders.
- A schedule will be agreed as far as possible in advance, or will otherwise be called as required by the Chairperson or Programme Manager.
- Agreed action points and decisions will be taken from each meeting and distributed to members by e-mail.
- The quorum for meetings is set at a minimum of three partner representatives.
- Agendas, minutes and papers will be published five working days in advance of meetings.
- Informal workshops, site visits and seminars can be arranged to help facilitate progress and develop understanding

5. Financial Governance

- The Board will set an annual budget for delivery of the programme in accordance with the agreed action plan
- Operational budgets will be delegated up to agreed levels to the Steering Group and the appointed Programme

6. Stakeholder training

Relevant seminars and workshops will take place throughout the Hemel Garden Community delivery process, with the aim to help each stakeholder understand the development as a whole as well as what their role is within the development. Stakeholders are allowed to ask for certain subjects within the training.

Hemel Garden Communities Sub Group

Terms of Reference

Officer and stakeholder team to develop and co-ordinate Programme workstream areas.

1. Purpose

To develop and co-ordinate workstream strategies and delivery ambitions on the Hemel Garden Communities Programme and the accompanying plans for its transformational effects on Hemel Hempstead.

2. Terms of Reference

Project management

- to enable delivery against the plan, programme and priorities

Workstream management

- to develop appropriate strategies to enable effective Programme delivery
- to monitor workstream progress and risks
- to co-ordinate and deliver effective community and stakeholder engagement
- to co-ordinate stakeholder and public sector contributions to the delivery of key elements of the programme and priorities
- to prepare a co-ordinated position/response to consultations and policy to agree proposals and make the decisions needed to progress the Programme
- to report to the Project Team, Stakeholder Steering Group and Board as appropriate
- to prepare reports and make recommendations through formal decision-making processes associated with the authorities

3. Composition

TBA

Hemel Garden Communities Programme Team

Terms of Reference

Officer team to deliver, manage and co-ordinate Programme workstreams.

1. Purpose

To work with the Programme Manager to deliver, manage and coordinate the Hemel Garden Communities Programme and the accompanying plans for its transformational effects on Hemel Hempstead.

2. Terms of Reference

Strategic management

- to manage the overall delivery of the Programme through identified workstreams
- to identify strategic issues and deliver ensuing workstreams to support the Programme aims
- to ensure Programme objectives are aligned with emerging Local Plans policies and guidance and HIQ ambitions
- to champion the Programme's proposals

Project management and delivery

- to co-ordinate and manage the resources to enable delivery against the plan, programme and priorities
- to deliver Programme management reports and plans to effectively monitor the Programme, its progress and risks
- to co-ordinate and deliver effective community and stakeholder engagement
- to manage consultants preparing guidance and policies
- to co-ordinate stakeholder and public sector contributions to the delivery of key elements of the programme and priorities
- to prepare a co-ordinated position/response to consultations and policy to agree proposals and make the decisions needed to progress the Programme
- to report to the Stakeholder Steering Group and Board as appropriate
- to prepare reports and make recommendations through formal decision-making processes associated with the authorities

3. Composition

TBA