



**WATFORD
BOROUGH
COUNCIL**

CABINET

2 December 2019

7.00 pm

Town Hall Watford

Contact

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01923 278377 or 278372

Publication date: 22 November 2019

Cabinet Membership

Mayor	P Taylor	(Chair)
Councillor	K Collett	(Deputy Mayor)
Councillors	S Johnson, I Sharpe, M Watkin and T Williams	

Agenda

Part A – Open to the Public

1. **Apologies for absence**
2. **Disclosure of interests (if any)**
3. **Minutes of previous meeting**

The [minutes](#) of the meeting held on 11 November 2019 to be submitted and signed.

4. **Conduct of meeting**

The Cabinet may wish to consider whether there are any items on which there is general agreement which could be considered now, to enable discussion to focus on those items where the Cabinet sees a need for further debate.

5. **Developer Contributions Governance (Pages 3 - 20)**

Report of the Interim Group Head of Place Shaping

6. **Hertfordshire Growth Board Memorandum of Understanding (Pages 21 - 38)**

Report of the Interim Group Head of Place Shaping

PART A

Report to: Cabinet
Date of meeting: 2 December 2019
Report of: Interim Group Head of Place Shaping
Title: Developer Contributions Governance

1.0 SUMMARY

- 1.1 This report sets out details of the new Community Infrastructure Legislation enacted in September 2019 and makes recommendations on how Watford should respond to those legal changes. The report proposes overarching priorities for Strategic and Neighbourhood CIL spending and also refreshes the Council's governance around CIL based on the experience that Watford has gained since becoming a CIL charging authority since 2015.
- 1.2 While smaller projects that are prioritised can be funded through the Neighbourhood CIL pot, it is recommended that Strategic CIL resources not be allocated immediately but built up in order to fund major infrastructure to support development in the Borough.

2.0 RECOMMENDATIONS

Cabinet are asked to:

- a) Remove the Regulation 123 list to reflect changes in the Community Infrastructure Levy legislation which means it is no longer applicable from September 2019.
- b) Agree updated governance methodology for Strategic CIL and the Neighbourhood CIL portion as set out in this report to manage the spending of CIL receipts.
- c) Agree the priorities for Strategic and Neighbourhood CIL spending as set out in this report.
- d) Note that Strategic CIL resources will not be allocated at this point but will be built up in order to provide a fund for major infrastructure to support development in the future.
- e) Agree to delegate powers to approve the Infrastructure Funding Statement (as required by the new legislation to replace the s62 report on developer contributions spend) for publication to the Group Head of Place Shaping.
- f) Agree new charges for the monitoring and administration of section 106 agreements.

Contact officer:

For further information on this report please contact Ian Dunsford, Planning Policy Section Head

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Report approved by:

Helen Fisher, Interim Group Head of Place Shaping

3.0 DETAILED PROPOSAL

3.1 BACKGROUND

3.2 Watford became a Community Infrastructure Charging Authority on 1 April 2015. CIL is the main way in which the council now collects contributions from developers for infrastructure provision to support development in the Local Plan.

3.3 Since then the Council has collected c£3m from the Community Infrastructure Levy (CIL). Of this 80% is in the Strategic Infrastructure pot, 15% in the Neighbourhood Pot and the remaining 5% set aside for admin and Exacom software costs to support the CIL in line with the CIL legislation. A CIL and S106 update report has been prepared separately and can be seen as an appendix to this report.

3.4 Watford Borough Council has the responsibility for spending the CIL on infrastructure needed to support the development of the area, it is primarily a tool to support capital infrastructure. The Council has the opportunity to choose what infrastructure is prioritised in order to deliver the Local Plan. The levy cannot be used to fund affordable housing.

3.5 CIL does not generate enough funds to cover the whole cost of infrastructure needed to support planned development, as such there are competing demands on the collected money. With this in mind there needs to be robust, transparent and accountable governance in place to prioritise spend. The existing CIL governance structure was approved by Cabinet on 18 January 2016.

3.6 The Neighbourhood Funding element of CIL was designed to help communities accommodate the impact of new development. The intention is for the community to be involved in deciding how and where this proportion of money is spent. There is no definition of 'neighbourhood' in the CIL guidance. Given the small size of the Watford it is considered acceptable to treat the whole borough as a single neighbourhood for the sake of neighbourhood CIL allocations. This approach was agreed at Cabinet January 2016 and enables the entire neighbourhood CIL portion to fund larger projects.

3.7 LEGISLATION

3.8 The updated CIL regulations came into force 1 September 2019. The key amendments to the regulations relate to:

- A requirement for councils to publish 'infrastructure funding statements'. These statements replace existing Regulation 123 lists and should include details of how much money has been raised through developer contributions and how it has been spent, also replacing the annual section 62 report previously taken to Cabinet. The Infrastructure Funding Statement will also include a section on how CIL receipts will be spent in the future. The new infrastructure funding statement must be published on our website annually from December 2020. This is a good opportunity to promote what is being delivered in Watford encourage effective engagement with

infrastructure providers and communities. It should also help to address FOI requests by showing transparent spending and prioritisation.

- Charging authorities should apply an index of inflation to keep the levy responsive to market conditions. This figure will be published annually by the Royal Institution of Chartered Surveyors commencing in 2020.
- Local authorities will be allowed to charge a fee through section 106 to contribute toward the cost of monitoring and reporting on developer contributions. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation.
- The pooling restriction for S106 agreements has been lifted. However the Government have made it clear that the intention is not to return to a tariff style system, CIL should be used to secure contributions to address the cumulative impact of development in an area.

3.9 For information the previous Regulation 123 list identified all types of infrastructure that may be funded in whole or in part by CIL:

- Highways & Transport improvements
- School Places (primary and secondary schools, excluding those associated with SPA2 Watford Junction, SPA3 Health Campus and at SPA6 Western Gateway).
- Youth facilities
- Childcare
- Nursery spaces
- Children’s play facilities
- Adult care services
- Health centres
- Provision of new community facilities and improvements to existing facilities
- Libraries
- Sports facilities as identified in the WBC Sports Facilities Strategy and Playing Pitches Strategy
- Flood defences
- Green infrastructure
- Open Space provision, excluding onsite provision of local open space
- Minerals and waste
- Waste management.

3.10 CIL SPENDING

3.11 The Planning Act says that authorities can only spend CIL on providing infrastructure to support the development of their areas. “Infrastructure” is defined in legislation as including; flood defence, open space, recreation and sport, roads and transport facilities, education and health facilities. This is confirmed (para 59 CIL legislation, as amended 2019) ‘A charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.’ The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.

- 3.12 The majority of CIL funds will be held in the Strategic CIL pot, by the Council, for spending on infrastructure to support the development in Watford's Local Plan. Existing commitments and forecasts can be seen in the CIL and S106 spend appendix to this report.
- 3.13 In addition Growth Bids have been made for funding projects from the Watford Cultural Strategy through the Community Infrastructure Levy. Particular projects identified include:
- Heritage Strategy, part of the Cultural delivery plan and will provide the framework for the future Museum service
 - Public Art Strategy/framework – part of the Cultural delivery Plan and will support the regeneration development schemes
 - Heritage Digital Trail – part of the Cultural delivery plan
- 3.14 Once further detail is available on the projects identified from the Watford Cultural Strategy they will be added to the IDP. At this stage it is not considered that the projects will fit the criteria for funding from the Strategic CIL monies. However, these projects may be suitable for funding from the neighbourhood proportion of CIL which allows more flexibility provided that the requirement to 'support the development of the area' is met. The wider definition means that the neighbourhood portion can be spent on things other than infrastructure (as defined in the Community Infrastructure Levy regulations) provided it is concerned with addressing the demands that development places on the area.
- 3.15 National planning policy guidance states: "Communities without a parish or town council can still benefit from the neighbourhood portion. If there is no parish or town council, the charging authority will retain the levy receipts but should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding. Charging authorities should set out clearly and transparently their approach to engaging with neighbourhoods using their regular communication tools for example, website, newsletters, etc. The use of neighbourhood funds should therefore match priorities expressed by local communities, including priorities set out formally in neighbourhood plans."
- 3.16 A governance methodology for Strategic CIL is proposed in the section below to ensure that the money collected through the Community Infrastructure Levy is spent in the most appropriate way to support development identified in the Watford Local Plan. The Neighbourhood CIL governance methodology is also proposed to identify and engage on projects suitable for funding from the neighbourhood pot. Where appropriate the council will work to align funding priorities through Strategic and Neighbourhood CIL.
- 3.17 THE INFRASTRUCTURE DELIVERY PLAN AND STRATEGIC CIL
- 3.18 CIL is designed to help support new development as set out in Watford's Local Plan. Different types of infrastructure projects will be needed to support planned housing and employment development and so information on these projects is gathered to ensure deliverability of the plan and to prioritise infrastructure delivery. This information is collated in the Infrastructure Delivery Plan (IDP). It should be noted that some projects that appear in

the Infrastructure Delivery Plan are not suitable for CIL funding, for example they may be addressing an existing infrastructure deficit or already have funding from another source and many are not deliverable in the short term.

- 3.19 The IDP is prepared in partnership with infrastructure providers, councillors, internal and external stakeholders who have been given the opportunity to suggest schemes and provide regular updates on projects. The IDP is updated regularly by the Planning Policy team with approval delegated to the Group Head of Place Shaping in consultation with the Portfolio Holder, it forms part of the evidence base to the Local Plan.
- 3.20 PROCESS
- 3.21 CIL spending and the new requirements for Infrastructure Funding Statements are something that should fit in with existing processes. Projects are to be identified from the IDP and spending Strategic CIL money needs to be considered as investment through the Capital Programme within the council. Clear priorities, as set out in this report are to be agreed for funding.
- 3.22 It is proposed that the allocation of CIL money to projects will be made through an annual programming process. This will support the new requirement to produce an Infrastructure Funding Statement detailing spend and commitments for spend on priority infrastructure projects annually.
- 3.23 The council will consult to understand any infrastructure needs arising from development in the forthcoming year and add these to the Infrastructure Delivery Plan. These projects may be at a pre-feasibility stage but as much information regarding costs, timescales and deliverable outcomes as possible should be provided on the pro forma. Information should be fed into updates of the IDP as it becomes available through feasibility and PID work. Where projects span two or more years clear milestones and phasing costs must be identified.
- 3.24 Projects from the IDP will be prioritised and where appropriate fed into the Council's Capital Programme and/or the Strategic and Neighbourhood CIL process as outlined below. The shortlisting process will be led by the Group Head of Place Shaping in consultation with the Group Head of Corporate Strategy and Communications, the Planning Portfolio Holder and Head of Finance.
- 3.25 Projects may be favoured for funding where they leverage in other funds, particularly where those funds may not be available in future years. Projects will also be prioritised where it can be satisfactorily demonstrated that the particular infrastructure would not otherwise be delivered (i.e. there are no other possible sources of funding or other funding sources are insufficient). Projects which have wider benefits, for example those that aid in delivering other strategies alongside the Local Plan, will also be prioritised.
- 3.26 In order to ensure all projects are fed through this process officers will review submitted PIDs every September and feed information into updates of the IDP.

3.27 CIL expenditure aims at mitigating the infrastructure impacts of an individual development, as well as the overall cumulative effect of development. CIL spending does not have to be directly related to the development through which it was raised and can be used to support infrastructure expenditure in general across the borough and beyond the boundary where appropriate and identified in advance. However, suitable projects in areas that have experienced significant development will be prioritised for CIL spend.

3.28 STRATEGIC CIL

3.29 The council will work with key infrastructure providers and partners, including Hertfordshire County Council, to deliver new infrastructure that will meet the needs of Watford and support growth in the South West Hertfordshire area. Council priorities are the cultural strategy, roads and transport and education. This is reflected in the draft Local Plan policy on Infrastructure Provision.

Policy V9.5 Infrastructure Provision

Planning permission, except for householders, will be granted where it is demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development. Infrastructure provision will reflect the Infrastructure Delivery Plan and its successor documents.

Priority projects include:

- Education facilities;
- On site green infrastructure and connectivity to the wider network;
- Sustainable transport using the safeguarded Metropolitan Line Extension route and projects set out in the Local Transport Plan and related strategies;
- Future-proofed communications infrastructure, in particular broadband;
- Wayfinding and public arts projects as identified in Watford Borough Council Cultural Strategy.

The Council will work with key infrastructure providers and partners to deliver new infrastructure that will meet the needs of Watford and support growth in the South West Hertfordshire area.

3.30 Projects that bid for Strategic CIL money will be assessed against the following priorities:

STRATEGIC CIL PRIORITIES

- Sustainable transport using the safeguarded Metropolitan Line Extension route and projects set out in the Local Transport Plan and related strategies.
- Green infrastructure and connectivity to the wider network.
- Sustainability and Climate Change initiatives

3.31 In order for the council to help deliver larger, costlier infrastructure schemes, and given the relatively small scale of CIL receipts received by the Council, it is necessary to let CIL receipts accumulate. Some infrastructure schemes are estimated to cost several million pounds. Allowing CIL receipts to accumulate in this way will mean there is a larger funding pot to draw from when these important infrastructure schemes are ready to implement.

3.32 The Council also want to balance the delivery of large schemes with smaller schemes that will benefit residents and visitors in the short-term. It is considered that a £200,000 CIL funded minor schemes budget is appropriate. This would be delegated to the Group Head of Place Shaping and subject to the normal budget processes within the Council.

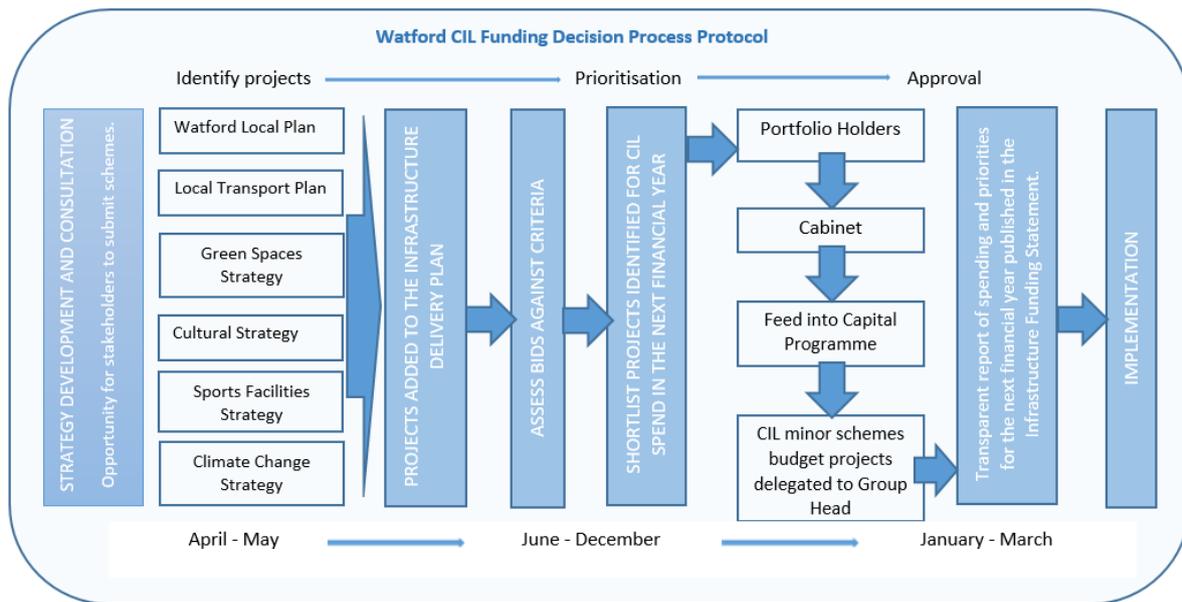
3.33 Projects will be identified from the Infrastructure Delivery Plan clearly demonstrating how they are supporting growth identified within Watford's Local Plan. They will then be shortlisted and fed into the capital programme. Capital programme projects for the next financial year are taken to the February Cabinet. Projects will be shortlisted by applying the following criteria:

- Are CIL monies needed to deliver the project?
- Does the project meet a local need or demand that has arisen from new development?
- Does the infrastructure help meet at least one of the council's priorities?
- When can the infrastructure be delivered (does it have the necessary approvals in place)?
- Are clear project costs and funding known?
- Is the project identified within a relevant local strategy?

3.34 The first criterion ensures that all infrastructure projects from the IDP that do not require CIL money are removed at the outset. The second is essential as CIL money can only be spent on projects that meet this.

3.35 Once the evidence has been collated, officers will prepare a series of recommendations for the release of CIL funds for the following financial year. These recommendations will be reported to Strategic Leadership Team, Portfolio Holders and Cabinet. Recommendations will then be made to Cabinet on what CIL should be spent on within the next financial year. Recommendations for CIL spend in future years may also be made. Once agreed commitments will be reflected in the next Infrastructure Funding Statement as well as the quarterly CIL and Section 106 spend report.

3.36 The Watford CIL Decision Process Protocol diagram below shows how this will work.



3.37 NEIGHBOURHOOD CIL

3.38 In non-Parished areas the 15% Neighbourhood Allocation must be held separately by the council. In line with the CIL Regulations the levy can be spent to 'support the development of the local council's area' by funding:

The provision, improvement, replacement, operation, maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area.

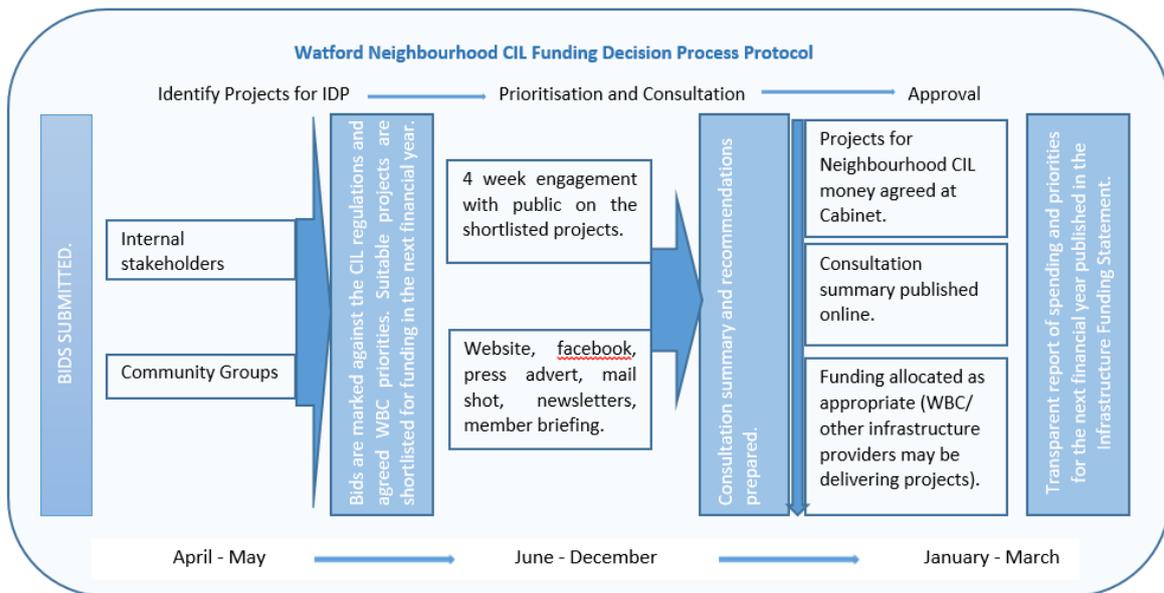
3.39 The following priorities have been identified for Neighbourhood CIL spending. Projects will be assessed against these priorities in order to be shortlisted. Projects in areas that have experienced development will be prioritised for Neighbourhood CIL spend. The Neighbourhood CIL is likely to fund small scale projects.

- NEIGHBOURHOOD CIL PRIORITIES**
- Town and local centres
 - Transport and roads
 - Community spaces and cultural facilities
 - Parks and green spaces
 - Sustainability and Climate Change initiatives

3.40 The neighbourhood portion of CIL requires community engagement before spending. A draft protocol is suggested below. The council will consult to identify projects, these should be submitted on the pro forma as outlined above. All submissions will be marked against the criteria and suitable projects will be added to the IDP. Shortlisting against the

Neighbourhood CIL priorities will then identify projects for Neighbourhood CIL funding for the next financial year. This shortlist of projects will be subject to public engagement, responses will be presented to Cabinet to decide on funding allocations. It is anticipated that the annual process will result in spending being allocated at the end of each financial year for the following year. Then the process of accepting bids will begin again

3.41 The Watford Neighbourhood CIL Decision Process Protocol diagram below shows how this will work.



3.42 USE OF SECTION 106 PLANNING OBLIGATIONS

3.43 The adoption of the Community Infrastructure Levy has meant that section 106 Planning Obligations are used less often, however, they remain essential in delivering onsite infrastructure including projects set out in the IDP and affordable housing as set out in Local Plan policy. Monies secured from section 106 agreements are kept separate from the CIL money as they are specific to each development.

3.44 Section 106 planning obligations will continue to be used for infrastructure such as on-site open space, allotments, play areas, playing pitches, sustainable transport, recycle bins and securing affordable housing.

3.45 Monitoring will ensure compliance with the statutory regulations as well as demonstrating transparency and financial accountability.

3.46 SECTION 106 MONITORING AND ADMINISTRATION

3.47 The 2019 CIL regulation allow Local Authorities to charge a fee through section 106 to contribute toward the cost of monitoring and reporting on developer contributions. The regulations state that this fee should be 'fair' and 'reasonable'.

- 3.48 To collect data for the Infrastructure Funding Statement, it is recommended that local authorities monitor data on planning obligations in line with the government's data format. This data should include details of the development and site and any trigger points or deadlines for contributions. Local authorities should also record when developer contributions are received and when contributions have been spent or transferred to other parties. Authorities must also report on monitoring fees in their infrastructure funding statements.
- 3.49 The council currently charge a set fee of £350 per section 106 agreement. It is not considered that this is 'fair' as clearly a more complicated agreement with many different obligations requires significantly more administration than a straightforward agreement with one or two items.
- 3.50 It is recommended that the Council approves with immediate effect the inclusion of additional monitoring charges within S106 agreements in accordance with the regulations. Regulation 10 of the Community Infrastructure Levy (Amendment) (England) (No.2) Regulation 2019 brings in legislative powers to allow a sum to be paid under S106 for monitoring the delivery of planning obligations.
- 3.51 The amendment to the legislation by this new regulation states that any fee for S106 monitoring is lawful provided that:
- (a) *The sum to be paid fairly and reasonably relates in scale and kind to the development;*
and
 (b) *The sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the life time of the planning obligation which relates to that development*
- 3.52 A cascade system would ensure that the less onerous, small to medium developments with fewer obligations would not be unfairly penalised. While larger and often more complex developments would pay more in recognition of the work involved.

Basic agreements	£350
Agreements with a multiple obligations but a single trigger	£1000
Complex agreements with multiple obligations and multiple triggers	£3000

- 3.53 The charges reflect officer time involved in general correspondence, billing, ensuring compliance, and the coordination of collection & spend. All agreements will require some of these elements even if they are simple financial agreement paid on commencement. The higher charges reflect the more complex nature of some agreements, in particular the need to monitor progress on site and provisions for viability re-assessments.
- 3.54 The proposed S106 monitoring charges have been benchmarked against surrounding authorities and are broadly comparable.

Three Rivers District Council	<ul style="list-style-type: none"> • £1000 per agreement • Complex agreements £1000 per obligation
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Hertsmere Borough Council	<ul style="list-style-type: none"> • £100 per residential unit permitted (up to 10 units) • £50 for each additional unit up to 100 • On schemes of over 100 units fees will be negotiated on a case by case basis
Aylesbury District Council	<ul style="list-style-type: none"> • Pre commencement condition £400 or £600 • Payments prior to completion or multiple triggers £600 • Major developments (greater than 500 units) sum negotiated on a case by case basis
Chiltern District Council	<ul style="list-style-type: none"> • £1100 per agreement
Welwyn and Hatfield Borough Council	<ul style="list-style-type: none"> • 5% of total value capped at £5000

3.55 NEXT STEPS

3.56 Once adopted the governance will be published online.

3.57 The Infrastructure Delivery Plan will be updated to identify infrastructure projects needed to support the growth identified in the Local Plan. This will be published alongside the next Local Plan consultation in Spring 2020.

3.58 A draft Infrastructure Funding Statement for 2019/20 financial year will be completed by Autumn 2020. This will be approved by the Interim Group Head of Place Shaping and align with the existing budget process.

4.0 BACKGROUND PAPERS

CIL Governance Cabinet Report 18.01.2016

CIL Projections 2019-22

MHCLG Community Infrastructure Levy [guidance](#)

Community Infrastructure Levy [Regulations](#) 2010 (as amended)

Watford Borough Council [Draft Local Plan](#)

Watford Borough Council [Infrastructure Delivery Plan](#)

5.0 APPENDICIES

Project Pro-forma

S106 and CIL spend report



WATFORD BOROUGH COUNCIL

Community Infrastructure Levy (CIL) Funding Bid Pro- forma

Infrastructure Delivery Plan (IDP) and is a list of all the different infrastructure projects we and/or the community would like to see delivered. The IDP is not an exhaustive list, it is a living document, annually updated to reflect the latest information.

The IDP is prepared in partnership with infrastructure providers, councillors, internal and external stakeholders who have been given the opportunity to suggest schemes and provide regular updates on projects.

We undertake an annual process to identify which of the projects on the IDP are the most suitable to receive CIL funding for the following financial year.

This form serves 2 purposes:

- *Updates the IDP with the new information on projects.
- *Provides us with the information to assess projects for CIL funding in the next financial year.

As the information will be used to identify and prioritise the most deliverable schemes for CIL expenditure, it is essential that you provide as much information as possible.

Inclusion of a project on the IDP does not guarantee it will receive CIL Funding. Funding of shortlisted projects will be subject to officer input, public consultation and a final decision by the Council's Cabinet.

Infrastructure Provider/ Service/ community group making the bid:	
Name of project manager:	
Contact number:	
Email address:	
Community group/Organisation:	
Contact Address:	

Project details:

Project title:

Site Address/ location:
(please attach a map if available)

Description of scheme (no more than 300 words – please attach any supplementary information such as supporting drawings):

Briefly describe how the scheme will support and benefit the development of your local area by funding either:
a) the provision, improvement, replacement, operation or maintenance of infrastructure;
or
b) anything else that is concerned with addressing the demands that development places on an area

Will the project provide borough-wide community benefits? If any, please explain

Project Costs:	
Total gross cost of project:	
Details of any additional funding secured from other sources to help deliver the project:	
Total CIL Funds sought:	

Delivery Details:	
Please provide the anticipated start and end dates:	
Who will deliver the project? (e.g the council or a third party)	
Is there an on-going revenue cost, which has not been met through the project funding, and how will this be addressed?	

CIL and S106 update October 2019

Watford has collected £5.3m in CIL since 1st April 2015

CIL Administration	£ 263,491	5%
Neighbourhood CIL	£ 799,181	15%
Strategic CIL	£ 4.2m	80%

CIL receipts

2017/2018	2018/2019	2019/2020 to date
£762,986	£1.4m	£2.5m

CIL forecasting and commitments

£600,000 per annum of CIL receipts has been forecast for the next three financial years 2019/20 -2021/22
1.8m has been fed into the capital program for the funding of infrastructure projects.

Strategic CIL Committed £1.8m to capital programme schemes

Strategic CIL Available to spend £2.4m

Capital Schemes

List of projects identified in the capital programme that could receive CIL or S106 funding.

Capital schemes	Latest Budget 2019/20
Transport and infrastructure	
Intro Electric Vehicle Charging	£25,058
Public Realm (High Street)	£9,333
Public Realm (Clarendon Road –Palace)	£0
Public Realm (Clarendon Road Phase 3)	£1,989,000
Transport App	£200,000
St Albans Road Improvement works	£100,000
Watford Junction masterplan	£13,548
Watford 3D Planning Model	£56,500
Public Realm (Watford Junction)	£183,548
High Street Phase 2 (St Marys)	£295,668
Upgrading/Resurfacing Car parks	£4,573
Watford Junction Cycle PK Hub	£12,362
Watford Junction Cycle Hire Study	£4,460
Cycle Hire Scheme	£730,800
Cycle and Road Infrastructure Improvements	£300,000
Development Control	
CIL Review *This will be funded from the CIL 5% admin	£80,000

Further schemes may be identified for inclusion as major projects are progressed and fed into our Infrastructure Development Plan (IDP), this will include schemes that are eligible for funding from neighbourhood CIL.

S106

S106 available to spend

Commuted Sums (affordable housing)	£1,481,906	Housing	Ayaz Maqsood
Children's Play Space	£37,146	Parks and Open Space	Paul Rabbits
Cycling	£54,531	Transport and infrastructure	Andy Smith
Public Open Space	£32,373	Parks and Open Space	Paul Rabbits
Public Realm	£67,092	Transport and infrastructure	Andy Smith
Total	£1,673,048		

These sums are available to fund new projects in relevant service areas

S106 Receipts

2017/2018	2018/19	2019/20
£625,249	£1,301,531	TBA

Capital schemes funded by S106 during 2019/20

Garston Park Improvements	Public Open Space	£16,539.00
Watford Junction Cycle Park Hub	Cycling	£12,362.00
Watford Cycle Hire Study	Cycling	£4,460.00
Brow Dev (Social Rented Hsg)	Commuted Sums (affordable housing)	£300,000.00

S106 forecasting and commitments

We are not expecting any substantial sums from newly signed agreements for children's play space, cycling or public open space. We are expecting significant contributions for public realm and affordable housing details are provided in the tables below.

Commuted Sums *Financial contributions to be used towards the provision of Affordable housing in the borough of Watford*

£1.48 m Available to spend

£1.11 m Due from commenced developments that have not yet hit the S106 trigger for payment

£1.79 m Potential from signed agreements that haven't yet commenced

Site Address	Planning Ref	Date agreement signed	Expected sum	Amount received	Amount Due
52a-56 High Street	14/01617/VAR	18 th March 2018	£25,000	£27,848.75	
35-37 Marlborough Road	12/01263/EXT	12 th January 2016	£220,000	£221,089	
27 Woodford Road	15/00856/FULM	11 th January 2020	£500,000 on commencement. £500,000 on completion. + an additional contribution if the GDV has increased above the GDV baseline (not to exceed £200,000)	£1.2m	
Watford Car Sales St Albans Road	17/0272/FULM	21 st December 2017	£698,765	£698,765	
Dome Mews	18/01012/FUL	22 nd January 2019	£33,000	£33,000	
Former Gas Holder Site	17/00593/FULM	15 th December 2017	£750,000 Commenced 18 th February 2019		£750,000
Clarendon House 33 Bridle Path	18/00409/FULM	18 th October 2018	£184,000 due 6 th September 2019. £184,000 Due 6 th September 2020		£368,000
37-39 Hannay House Clarendon Road	17/00470/FULM	30 th April 2018	*1.4 -6.1m Contribution will be subject to an Independent Viability Appraisal		*1.4-6.1m *1.4m will be used for forecasting
Land to the rear of Ye Corner	18/00350/FULM	26 th July 2018	£127,761 + an additional contribution if the GDV has increased above the GDV baseline (not to exceed £761,160)		£127,761
Grafton Optical Ltd Crown House The Crescent Watford	18/00561/FULM	23 rd July 2018	£270,331 on completion		£270,331

Housing are developing a strategy to identify priority projects for commuted sum receipts.

Contributions for Clarendon Road Improvements to public realm

£0 Available to spend (TJX will be completed by the owner no financial contribution will be received)
 £700,000 Due from commenced developments that have not yet hit the S106 trigger for payment
 £300,000 Potential from signed agreements that haven't yet commenced

Planning Ref	Address	Expiry of planning	Obligation
17/01433/FULM	50 Clarendon Road	12.03.2021	On completion £300,000 towards the environmental improvement of Clarendon road.
17/00470/FULM	37-39 clarendon road	01.05..2021	On completion £600,000 towards the environmental improvement of Clarendon road.
17/00558/FULM	TJX 73-77 Clarendon Road		TJX Public Realm Project will be completed by the owner in accordance of schedule 2 of the S106 agreement
18/00935/FULM	53 Clarendon Road	07.02.2022	On the first occupation £6000 for the cost of administrating the travel plan On the first occupation £94000 for the road improvement
No Current Application	47 Clarendon Road		
No Current Application	Watford magistrates and Police Station		

It was previously expected that we would receive £3m in S106 contributions to fund this project.
 Our current forecast based on signed agreements is £1m.

Part A

Report to: Cabinet

Date of meeting: Monday, 2 December 2019

Report author: Interim Group Head of Place Shaping

Title: Hertfordshire Growth Board Memorandum of Understanding (MoU)

1.0 Summary

- 1.1 The Hertfordshire Growth Board was established in 2018 and comprises all 10 Districts, the Local Enterprise Partnership and the County Council. Leaders have been working collaboratively to agree common approaches on three key areas: a Growth Delivery Programme for housing and employment across the County, creating a long term infrastructure partnership with government and other investors and developing the Hertfordshire Place Narrative and engagement with local people. Significant progress has been made with joint strategic planning taking place in both SW Herts and North East Central Herts, joint ambition and strategic priorities have been identified and agreed, a draft forward plan of work developed and the Hertfordshire Place Narrative and branding developed providing core positioning and a compelling story for the County.

- 1.2 Discussions with government around major investment in the County are on-going but it is clear that more will be achieved for Hertfordshire locally and as a whole by working together and speaking with one voice. A Memorandum of Understanding (MoU) has therefore been drafted and agreed by the Growth Board for approval by each Local Authority and the Local Enterprise Partnership. The MoU sets out the core objectives and aims of working through the Hertfordshire Growth Board, the principles of partnership between the parties agreeing to a joint statement setting out how the 11 Councils and Local Enterprise Partnership intend to work together in future. It is an important public statement of intent and purpose (particularly in the engagement with government).

- 1.3 This report provides detail on the MoU and seeks approval to sign up to it.

2.0 Risks

2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
Failure to approve MoU would undermine	Likely to have a negative impact on council's reputation	Provision of regular updates and briefings for Members on work	3 Treat	6

work of the Growth Board and negotiations with central government		of the Growth Board and implications for Watford		
Delays in considering approval of the MoU	Likely to have a negative impact on the council's reputation. Impact on timeline for govt discussions. Danger of delay due to budget discussions and local election purdah	Cabinet to consider on 2 nd December	3 treat	6

3.0 Recommendations

- 3.1 That Cabinet agree to approve the draft Hertfordshire Growth Board Memorandum of Understanding set out in appendix 2

Further information:

Helen Fisher – Interim Group Head of Place-Shaping
helen.fisher@watford.gov.uk; ext 8044

Report approved by: Manny Lewis, Managing Director

4.0 Detailed proposal

- 4.1 Completion of the Development Programme and prioritisation of the future work programme in September represented a significant milestone in the Growth Board's first year. As the Board moves into its next stage and starts to focus on implementation, agreeing to a joint statement setting out how the 11 Councils and Local Enterprise Partnership intend to work together in future will be an important public statement of intent and purpose (particularly in engagement with HM Government).

Background

- 4.2 Leaders / elected Mayors and the LEP Chairman agreed at the September 2019 Hertfordshire Growth Board meeting that the Chief Executives group would be asked to commission the preparation of a draft MOU for consideration at the Hertfordshire Growth Board. The attached MoU is that document.
- 4.3 Confirming the Board's intentions through the agreed MoU will signal to residents, partners, business and Government the clarity of our intent and the commitment to continued development in the effectiveness of collaborative place-based working across Hertfordshire.

It will mark the forward movement from the completion of the development programme stage and on into implementation.

- 4.4 In terms of scope and content, the draft MoU sets out the core objectives and aims of working through the Hertfordshire Growth Board, the principles of partnership between the parties to the agreement, and also importantly, what is not within the scope of the Hertfordshire Growth Board. The MoU addresses:
- The objectives of the collaboration's focus on strategic planning and positioning, infrastructure, homes, 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 the delivery of the benefits from partnership working – using the two-tier system at its best, responding to wider challenges, providing leadership of place, and having an increasing place-based impact. It also sets out the principles of how the parties will work together, how they will undertake place making in Hertfordshire, and approaches towards governance.
 - The scope of the MoU makes clear that there is no change to any council exercising their particular functions such as local plans, housing, and development management.
- 4.5 The MoU has a number of legal terms and conditions, which are summarised as follows: It is not enforceable in law and cannot override existing statutes. Unless the Hertfordshire Growth Board agrees otherwise, parties also bear their own costs. Parties are free to withdraw individually at any point, and the MoU shall wholly terminate if the Growth Board dissolves. It is amendable only by the unanimous written consent of all its members but will be reviewed annually (recognising that as we move forward with this programme there may be further changes in future).
- 4.6 The draft MoU was reviewed by Chief Executives at their meeting on the 3rd October. The version attached reflects changes made following their feedback, particularly giving climate change greater priority in the aims and objectives, clarifying that the principle of good governance does not alter or apply to any local authority's internal governance arrangements, and clarifying language to ensure it is equally understood by all partners.
- 4.7 The draft MoU, if adopted by the councils and the LEP, 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 is the single body that government can talk with about an enhanced collaborative relationship in future.
- 4.8 Cabinet are asked to note that there are official to official level discussions taking place with HM Government (MHCLG) on behalf of the Growth Board. The feedback from MHCLG has been that Government places real importance on the single conversation approach to place-based discussions. Progressing the MoU to its completion to evidence that position in parallel with these discussions will be critical.

Suggested Timescales

- 4.9 All Districts and Hertfordshire County Council are being asked to agree to the MoU before the end of 2019. If left until later in the financial year there is a danger that the signing off process in individual councils would run into budget approval time and then the local pre-election period. These processes will understandably have to take priority, but it would then make achievement of a joint statement very difficult to deliver without significant slippage and loss of momentum.
- 4.10 A joint press statement has been prepared for all organisations to use for the approval process once the Hertfordshire Growth Board has agreed next steps.

5.0 Implications

5.1 Financial

- 5.1.1 The Shared Director of Finance comments that there are no financial implications. Should individual projects be brought forward under the Memorandum of Understanding, these will be brought forward as part of the normal budget process.

5.2 Legal Issues (Monitoring Officer)

- 5.2.1 The Group Head of Democracy and Governance comments that as stated in the body of the report this is not a binding legal document but a statement of how the parties will work together.

5.3 Equalities, Human Rights and Data Protection

- 5.3.1 Under s149 (1) of the Equality Act the council must have due regard, in the exercise of its functions, to the need to –
- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share them
 - foster good relations between persons who share relevant protected characteristics and persons who do not share them.

Having had regard to the council's obligations under s149, it is considered that an Equalities Impact Assessment (EIA) is not needed at this time

Data Protection Impact Assessment

Having had regard to the council's obligations under the General Data Protection Regulation (GDPR) 2018, it is considered that officers are not required to undertake a Data Processing Impact Assessment (DPIA) for this report.

5.4 Staffing

5.4.1 No additional resources required

5.5 **Accommodation**

5.5.1 N/A

5.6 **Community Safety/Crime and Disorder**

5.6.1 N/A

5.7 **Sustainability**

5.7.1 N/A

Appendices

- Draft Hertfordshire Growth Board Memorandum of Understanding

Background papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Hertfordshire Growth Board agenda paper 3rd September 2019 – Determination of the Future Work Programme

Hertfordshire Growth Board 2020 Implementation Plan (Draft v25092019)

Appendix 1 - Key features of Hertfordshire’s growth delivery proposition, to drive forward the growth agenda and support discussions with government and other investors

<p>A Joint Spatial Strategy</p>	<ul style="list-style-type: none"> • Work with MHCLG to develop a new generation of Joint Strategic Spatial Plans for growth across Herts, directly aligned to our Local industrial Strategy to create a coherent and long-term strategic framework
<p>Collaborative governance, delivery & infrastructure fund</p>	<ul style="list-style-type: none"> • Joint programme management and governance through the Hertfordshire Growth Board (strengthened joint governance arrangements with clear accountability and scrutiny arrangements) • LA led Growth Development vehicle(s) to provide oversight authority, place design and acceleration of delivery • A single infrastructure investment fund (with Hertfordshire LAs, LEP, Gov’t and Private Sector partners) with agreements on pooling
<p>Opening up new East – West corridors for ‘place making’ growth</p>	<ul style="list-style-type: none"> • A growth strategy for the East – West (N) corridor (M1/Luton Airport/A505/A507/A10/A120/M11/Stansted Airport) <ul style="list-style-type: none"> - Explore potential for a new settlement(s) of scale with accelerated planning and delivery - Enhanced transport connections to open up development potential, digital/AI pilots and designating land for green infrastructure/natural capital schemes • A growth strategy for the East – West (S) corridor (A414–A10–M11) <ul style="list-style-type: none"> - Capacity and funding to accelerate implementation of new garden communities at Hemel and Harlow and Gilston - Immediate transport improvement package to unlock housing/employment opportunities - Development of longer term Rapid Mass Transit system to support modal shift and carbon reduction - Digital/AI pilots (e.g. Ocado Hatfield Living Lab)

	<ul style="list-style-type: none"> - Designating land for green infrastructure/natural capital schemes (e.g. extension of Lee Valley Regional Park and a connecting green corridor stretching from St Albans, Hatfield, Welwyn Garden City, Hertford)
<p>Meeting housing needs</p>	<ul style="list-style-type: none"> • Co-design with Homes England an overarching plan to accelerate sustainable housing delivery that addresses market failure, offer the diverse range of housing required and supporting inclusive growth • LA Housing vehicle(s) to deliver affordable and social housing at scale, operating to a high quality design guide • A devolved powers package (e.g. business rate retention, right to buy, permitted developments)
<p>Creating added value and inclusive growth in our economy, people and places</p>	<ul style="list-style-type: none"> • Support for implementation of the Hertfordshire Local industrial Strategy (interventions that develop skills, jobs and scale up in our key sectors of opportunity (science & technology, creative, digital, AI, and advanced manufacturing) making a net contribution to GVA • Establishing a Digital Hertfordshire and supporting collaboration across our high tech industries to pioneer home grown, cross-over innovations that help solve big local issues • Reinvigorating our cities & towns to unlock future cultural, community and economic potential, drawing on our heritage to create the next generation of new towns (v3.0) with transformed high street offerings
<p>Tackling carbon reduction</p>	<ul style="list-style-type: none"> • A leading edge Carbon Reduction strategy: establishing a launch pad at Broxbourne Park Plaza to co-design innovative schemes to see what will work across a polycentric, car dependent and high value economic region; including clean air and clean energy (e.g. wireless EV charging and EV only town centres, household energy, pollution monitoring, emissions zones)
<p>Transformed delivery</p>	<ul style="list-style-type: none"> • New models of delivery – co-designed and delivered with public and private sector partners • c£5-7m of capacity funding to deliver the JSSPs and infrastructure programmes • [Further work required to reference delivery proposals/mechanisms]

HERTFORDSHIRE GROWTH BOARD

Memorandum of Understanding

October 2019



Memorandum of Understanding

Between

Broxbourne Borough Council

Dacorum Borough Council

East Herts District Council

Hertfordshire County Council

Hertsmere Borough Council

North Hertfordshire District Council

St Albans City and District Council

Stevenage Borough Council

Three Rivers District Council

Watford Borough Council

Welwyn Hatfield Borough Council

Hertfordshire Local Enterprise Partnership

The local authorities listed above comprising of county council, district councils and borough councils are together referred to as “Local Authorities”. The Hertfordshire Local Enterprise Partnership is referred to as the “LEP”. The Local Authorities and the LEP are collectively referred to in this Memorandum of Understanding as the

“Partners”. A list of the Partners and their principal addresses are listed at Schedule 1 “the Partners”.

1. Purpose

1.1. The purpose of this Memorandum of Understanding is for the Partners to:

- Raise awareness of their joint working intent to Hertfordshire residents, partners, businesses and central government;
- commit to continued collaborative place-based working across Hertfordshire;
- set out the joint working intention between the Partners; and
- demonstrate how they will work together as equal stakeholders with different roles to manage future growth in Hertfordshire.

2. Background

2.1. Since September 2018, the Partners have been working collaboratively through the Hertfordshire Growth Board – an alliance consisting of the Leaders of all of the Local Authorities and the Chair of the LEP. Together, the Partners are responding to the place leadership and growth challenges that face Hertfordshire now and in the future and are committed to ensuring that the Partners work in a proactive, positive and inclusive way.

2.2. To date, the Partners have identified the following growth challenges:

- demand for residential homes of a variety of types and tenures;
- need for infrastructure and local services serving both new and existing residents;
- securing jobs and inward business investment within Hertfordshire;
- responding to growth pressures from outside Hertfordshire in a considered and appropriate way;
- pressure on green belt and providing a sustainable and high-quality environment, and
- the threat climate change poses to the county and its residents.

Through the exploration of the joint place-based ambitions that the Partners have been developing, working together to achieve this challenge will result in positive benefits for Hertfordshire, now and in the future.

2.3. The Partners are keen to ensure that growth delivers for both current and future Hertfordshire residents and supports a thriving county. The three pillars of the Hertfordshire Growth Board will be people, place and prosperity. People means enabling happy, healthy, diverse communities who feel they belong in Hertfordshire and can benefit from its successes. Place means making places contribute to people's health, happiness, and wellbeing without compromising the future or our environment. Prosperity means delivering Hertfordshire's contribution to the UK and national economy while maintaining and further developing a sustainable local economy that creates value for Hertfordshire residents.

- 2.4. Hertfordshire is a net contributor to the UK economy, and good growth is key to ensuring that the Partners continue to build on that while locally providing good quality jobs, skills, and opportunities for all Hertfordshire residents. Hertfordshire's location between London and the Oxford-Cambridge Arc and its unique 'offer' make the Partners perfectly placed to work with government and co-create ideas and solutions to meet the challenges and maintain the momentum and growth of UK plc that benefits all of Hertfordshire. However, in parts of Hertfordshire our productivity is falling behind the national average, and without change, we risk not being able to deliver on local and national economic objectives.
- 2.5. This Memorandum of Understanding builds on a history of successful partnership working in Hertfordshire on issues like property, infrastructure and planning as well as the two emerging joint strategic spatial planning partnerships in North East Central Herts and South West Herts.
- 2.6. This Memorandum of Understanding sets out:
- the core objectives and aims of the Hertfordshire Growth Board; and
 - the principles of collaboration for Hertfordshire
- subject to the terms and conditions set out within this Memorandum of Understanding.

3. Core Objectives and Aims

- 3.1. The core objective of the Hertfordshire Growth Board is to respond to the key growth challenges facing Hertfordshire. The Partners have agreed a set of place-based ambitions and agreed to work together on delivering those ambitions through the future work programme:
- Strategic planning and positioning – the need to raise Hertfordshire's profile and secure central government support for scaled and accelerated delivery, helping to overcome the challenges faced by the local plan system, and growing strategic employment and housing corridors within Hertfordshire;
 - Homes – the need to overcome market failure to deliver the housing Hertfordshire needs. This includes more social and affordable housing; good and inclusive growth that delivers sustainable communities, housing, and places into the future; and accommodating housing and economic growth with sustainable construction and excellent design that does not compromise the attractiveness of our existing places;
 - Infrastructure – the need to access sufficient forward funding to put 'infrastructure in first' ahead of development delivery, reduce our carbon footprint, and plan for active and sustainable travel; and

- Economy – the need to further unlock the potential of our key sectors, stimulate new sectors, and create quality local jobs growth, in alignment with the emerging Local Industrial Strategy.

3.2. The Hertfordshire Growth Board will support the Partners to lead on, facilitate and support each other to collectively fulfil this core objective.

3.3. The Hertfordshire Growth Board, through its future work programme commitments aims to:

- Set out the shared vision for place and growth in Hertfordshire and the strategic priorities that will guide how the Partners collectively respond to demographic, economic and social challenges and work together for the continued success of a thriving Hertfordshire;
- Identify investment opportunities and potential sources of funding, including from central government, from private sources and locally, and where appropriate agree investment locally for the benefit of Hertfordshire;
- Speak with one voice to central government, academia, delivery partners, business and Hertfordshire residents, taking advantage of its place narrative and the scale of twelve Partners coming together;
- Agree and deliver on Partners’ shared priorities for infrastructure investment and development now and in the future;
- Lead on developing and securing the emerging agreement with central government to support infrastructure and housing, engaging with central government to secure buy-in, and acting as the accountable body for governance and delivery;
- Support the North East Central Herts and South West Herts planning partnerships and help facilitate strategic alignment of the joint planning work undertaken with each other and adjacent Local Planning Authorities.

4. Principles of Partnership

4.1. The Partners recognise the following benefits of stronger partnership working on place-based working in Hertfordshire:

- Building on the strengths of the two-tier system of local government, delivering at a local level while solving problems at a larger scale;
- Identifying and delivering local needs in collaboration with other strategic partners such as NHS, Police Constabulary and local businesses;
- Responding to challenges that extend beyond local authority boundaries such as strategic infrastructure delivery, traffic congestion, air quality, carbon reduction and affordable housing;
- Providing leadership of place at a county wide scale, helping to deliver joined up strategic and spatial planning appropriate for Hertfordshire’s villages, towns, and cathedral city;

- Delivering at scale, with greater impact (the sum of what the Partners deliver together being greater than the sum of each individual authority's part) and with a single voice and message that commands the attention of government, investors and residents.

4.2. The Partners agree to the following principles to achieve the core objectives and aims set out in paragraph 3 above:

- The shared growth agenda – the Partners will individually work towards the Partners' shared growth challenges and ambitions, and in alignment with a collective coherent growth programme. The Partners may take advantage of their collective scale to maximise impact and shall endeavour to work across departments, authorities and boundaries;
- Strategic alignment – the Partners will seek strategic alignment with the emerging Hertfordshire Local Industrial Strategy, the emerging North East Central Herts and South West Herts Joint Strategic Spatial Plans, other groups and forums within Hertfordshire, regional bodies and neighbouring areas;
- Governance – the Partners will collectively secure the right governance, scrutiny, and transparency arrangements for the Hertfordshire Growth Board and underlying programmes, mindful of our local political environment and two-tier system of government. Local identity is one of Hertfordshire's strengths and the Partners will ensure that local identities and voices are not lost, and that pragmatic and flexible policies reflect local need;
- Designed around places – the Partners will support the development of Joint Strategic Spatial Plans and adopt a place-based delivery approach that addresses our shared challenges – connectivity, affordable homes, inclusive economic growth, protecting the environment, tackling climate change, and building healthy, safe communities;
- Collaboration – the Partners will ensure that they use and support existing successful examples of joint working across Hertfordshire where appropriate and will share and build on the substantial best practice and expertise that has been developed by each individual Partner. Each Partner will work effectively with its stakeholders, including residents, the private sector and academia; and
- Programme governance approach – the Partners will adopt robust project and programme management disciplines to bring pace, momentum and manage progress in achieving growth outcomes; and
- Resourcing – Partners will work together and with Government to put the resources that are necessary in place to deliver the core ambitions of the programme.

5. Scope of Memorandum of Understanding

5.1. The Partners intend to work together to enable good growth in Hertfordshire, subject to each individual Partner making decisions in accordance with its own decision-making process and the right to exercise its powers accordingly. Nothing in

this Memorandum of Understanding shall affect the sovereignty of any individual Partner.

5.2. Each individual Partner agrees that the following shall remain in the domain of each individual Partner:

- decisions regarding housing and employment numbers, targets, and sites shall remain the responsibility of each Local Authority;
- development management shall remain the responsibility of each Local Authority; and
- discharging any function currently the responsibility of any Partner will remain the responsibility of that partner exercising that function.

5.3. The Growth Board will operate in accordance with its agreed Terms of Reference.

6. Term and Termination

6.1. This Memorandum of Understanding shall commence on the date of the final signature of the Partners;

6.2. This Memorandum of Understanding shall wholly terminate if the Hertfordshire Growth Board is dissolved by a majority vote.

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

7. Variation

7.1. This Memorandum of Understanding may be varied by written agreement of all of the Partners.

7.2. The Partners shall review this Memorandum of Understanding on an annual basis.

8. Charges and Liabilities

8.1. Unless expressly agreed by the Hertfordshire Growth Board, each Partner shall bear their own costs and expenses incurred in complying with their obligations under this Memorandum of Understanding.

9. Status

- 9.1. This Memorandum of Understanding is not intended to be legally binding and no legal obligations or legal rights shall arise between the parties from this Memorandum of Understanding.
- 9.2. This Memorandum of Understanding cannot override the statutory duties and powers of the Partners.
- 9.3. Nothing in this Memorandum of Understanding shall constitute a partnership or joint venture between any of the Partners.
- 9.4. Notwithstanding paragraph 9.1 above, each Partner covenants with the other Partners that they shall act in good faith towards the others and agrees to work together in accordance with this Memorandum of Understanding.

Signed by:

Local Authority	Leader	Chief Executive	Date
Broxbourne Borough Council			
Dacorum Borough Council			
East Herts District Council			
Hertfordshire County Council			
Hertsmere Borough Council			
North Hertfordshire District Council			
St Albans District Council			
Stevenage Borough Council			
Three Rivers District Council			

Watford Borough Council			
Welwyn Hatfield Borough Council			
Local Enterprise Partnership	Chair	Chief Executive	Date
Hertfordshire Local Enterprise Partnership			

Schedule 1 – The Partners

BROXBOURNE BOROUGH COUNCIL whose principal address is: Bishops College, Churchgate, Cheshunt EN8 9XG

DACORUM BOROUGH COUNCIL whose principal address is: The Forum, Marlowes, Hemel Hempstead HP1 1HH

EAST HERTS DISTRICT COUNCIL whose principal address is: Wallfields, Pegs Lane, Hertford SG13 8EQ

HERTFORDSHIRE COUNTY COUNCIL whose principal address is at County Hall, Pegs Lane, Hertford SG13 8DE

HERTSMERE BOROUGH COUNCIL whose principal address is: Civic Offices, Elstree Way, Borehamwood WD6 1WN

NORTH HERTFORDSHIRE DISTRICT COUNCIL whose principal address is: Council Offices, Gernon Rd, Letchworth Garden City SG6 3JF

ST ALBANS CITY & DISTRICT COUNCIL whose principal address is: Civic Centre, St Peter's St, St Albans AL1 3JE

STEVENAGE BOROUGH COUNCIL whose principal address is: Daneshill House, Danestrete, Stevenage SG1 1HN

THREE RIVERS DISTRICT COUNCIL whose principal address is: Three Rivers House, Northway, Rickmansworth WD3 1RL

WATFORD BOROUGH COUNCIL whose principal address is: Town Hall, Watford WD17 3EX

WELYWN HATFIELD BOROUGH COUNCIL whose principal address is: The Campus, Welwyn Garden City AL8 6AE

HERTFORDSHIRE LOCAL ENTERPRISE PARTNERSHIP whose principal address is: One Garden City, Broadway, Letchworth Garden City, SG6 3BF