

Memorandum of Understanding between Cumbria County Council, Copeland Borough Council and Allerdale Borough Council

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Notes:	Formerly published as a draft in November 2011, now formally agreed by the three principal authorities in December 2011. Please also see the associated letter from DECC Document 240.

FINAL DRAFT Version 6

1. This Memorandum of Understanding (MoU)

This MoU sets out how Cumbria County Council, Copeland Borough Council and Allerdale Borough Council have agreed to work together as they each develop their authorities 'Decision About Participation' (DAP) in the next stage (stage four) of the MRWS process.

2. Purpose of Agreement

The intention is to bring a transparent and consistent approach to the Principal Authorities decision-making, one which recognises the need for each Authority to make it's own decision, but mindful of the impact that decision has on the others.

3. The Process of Decision Making

The three local authorities recognise the separate but interconnected decisions being taken on whether each wishes, on behalf of the communities they represent, to participate in stage four of the MRWS process.

Each Authority agrees the following points:

- (i) Each will be principally guided by:
 - a. the final report and recommendations of the West Cumbria MRWS Partnership, in which each has been fully engaged
 - b. the views of the general public and stakeholders, including whether there is 'net support' for entering stage four in the

communities each Authority represents¹

(ii) Each will work to a common timetable²

(iii) If there is a lack of clear direction, either from the Partnership, or for example, in a very narrow expression of Net Support, the Authorities will work jointly (see (iv) below) to exhaust options that will help to resolve the outstanding issues and to ensure there is an agreed, credible way forward to present to Government.

(iv) To facilitate joint working (see (iii) above) Members from each of the Authorities will meet to consider the best way to resolve any difficult issues collectively faced. The intention will be to build an agreed, credible and collective way forward.

(v) The final output of the process will be a joint communication from the Principal Authorities to the Government (DECC) setting out:

- their Decision About Participation in Stage 4 and
- why they believe it to be credible, including the reasons why that decision has been taken.

(vi) The Authorities share a commitment to finding an agreed, collective and credible decision to present to Government on the question of participation in Stage 4. In the event that all 3 authorities take the decision to participate in Stage 4 then that collective decision will be communicated to Government.

- In the event that one or more of the 3 authorities take differing positions then the Government would expect the process to be paused and Government will work constructively with the local authorities to explore what can be done to reach agreement on a collective decision.
- In the event that agreement between the local authorities could not be achieved, and no practical changes could be made to the process

¹ As measured through PSE3

² see attached flowchart

to enable such an agreement to be reached, the Government would need to consider how or whether the MRWS process could proceed.

- In the event that either a Borough Council (in respect of its area) or the County Council, in a Cabinet decision, or the Government, after considering the issues, continues to have genuine concerns and no longer wishes to participate, then the principles of partnership to which we have all been committed cannot be met and accordingly we would not proceed with the MRWS process in West Cumbria.

OUTLINE DaP FRAMEWORK

