



CABINET

11TH JUNE 2015

AGENDA ITEM (8)

2020 VISION - MEMORANDUM OF UNDERSTANDING

Accountable Member	Councillor Lynden Stowe Leader of the Council
Accountable Officer	Frank Wilson Strategic Director 01285 623000 frank.wilson@cotswold.gov.uk

Purpose of Report	To seek agreement to the 2020 Vision Memorandum of Understanding.
Recommendation(s)	That the 2020 Vision Memorandum of Understanding be approved.
Reason(s) for Recommendation(s)	<p>The Memorandum of Understanding (MoU) provides the governance framework which will guide the 2020 Vision programme and which will be used until any future governance arrangements are approved by the partner councils.</p> <p>The partner councils could have decided not to adopt an MoU, as it is not at this stage a legally binding document. However, an operating and decision-making protocol of some sort would have been required in order to provide an aligned governance framework for this part of the programme.</p> <p>The 2020 Vision supports the Council's corporate objective of providing value for money services that effectively meet the needs of customers.</p>

Ward(s) Affected	All
Key Decision	No
Recommendation to Council	No

Financial Implications	The outline business case presented to Cabinet in December 2014 set out the detailed financial implications of the 2020 Vision programme. The objective is to ultimately deliver approximately £1.3m of annual recurring revenue savings.
Legal and Human Rights Implications	The MoU is not legally binding but provides all partners with comfort that the partnership has a robust foundation.
Environmental and Sustainability Implications	Not applicable

Human Resource Implications	These will be considered as part of the final business case.
Key Risks	Whilst it is accepted that the MoU is not legally binding, if there is no accepted protocol in place during this phase of the programme then the governance arrangements will be unclear and this may cause difficulties for the programme moving forward.
Equalities Impact Assessment	Not required

Related Decisions	Cabinet , 4 th December 2014 - Minute CAB.63 - Approval of establishment of a shared services partnership venture, and related decisions
Background Documents	2020 Vision Member Governance Board Minutes, 6 th March 2015
Appendices	Appendix 'A' - Memorandum of Understanding

Performance Management Follow Up	The MoU provides the governance framework which will guide the 2020 Vision programme and which will be used until any future governance arrangements are approved by the partner councils.
Options for Joint Working	The 2020 Vision programme is a partnership between this Council, Cheltenham Borough Council, Forest of Dean District Council and West Oxfordshire District Council.

Background Information	
1. <u>General</u>	
1.1 On 4 th December 2014 the Cabinet received a report which contained a number of recommendations to enable the partner councils to progress the 2020 Vision programme. One of the matters for note was that a further report would be brought back to the Councils to finalise the Memorandum of Understanding (MoU).	
1.2 The MoU attached at Appendix 'A' sets out the background to 2020 Vision, explaining that in June 2014 the Councils (Cotswold, Cheltenham Borough, West Oxfordshire District and Forest of Dean District) approved a vision for further joint working between them of "a number of Councils, retaining their independence and identifies, working together and sharing resources to maximise mutual benefit leading to more efficient, effective delivery of local services". The MoU is being considered for adoption by each of the partner councils.	
1.3 When the December report was considered, the view was that an interim joint committee would be created operating under a MoU. However, as there is no intention at this time to formally constitute a joint committee, the MoU presented here does not give rise to any legally binding obligations on the Councils or establish any legal partnership, joint venture or committee at this stage.	
1.4 The purpose of the MoU is therefore to provide the Councils with a clear and accountable framework to guide their work together at this time. The aims and objectives described in the MoU explain the underlying principles which will guide the partnership, i.e. to work together in good faith, in a spirit of mutual trust, and to share in a fair and equitable manner the costs, risks, benefits and resource demands involved in its delivery.	

1.5 The Councils have committed to report back in the autumn of 2015 with regard to any recommendations for the future governance arrangements arising out of the 2020 Vision programme. It will be at that time that Members will be asked to consider any potentially formal and legally binding governance arrangements.

2. Memorandum of Understanding - Principal Clauses

The MoU was approved, subject to minor changes, at the 2020 Vision Member Governance Board on 6th March 2015. It will be considered for adoption by each of the partner Council's Cabinets over the coming weeks. The principal matters contained in it are as follows:

2.1 Term

Two options are put forward (para 2.1 of MoU) - Members are asked to indicate their preference.

2.2 2020 Vision Member Governance Board

2.2.1 The Board shall consist of 2 executive members from each of the partner councils. It will oversee the development of the detailed programme plans, any new sharing projects agreed upon and oversee and review any current governance arrangements in place for shared services.

2.2.2 The Board will negotiate the terms of the future agreements that will underpin the new partnership venture arrangements reporting to the Councils in the autumn of 2015 with final proposals. The Board is not a legal entity and will work in a spirit of mutual trust, support and respect.

2.3 Roles and Responsibilities of the Councils

The Councils agree to use all reasonable endeavours to make decisions to support the work of the Board. If there is a requirement to increase the budget for the 2020 Vision programme, then approval will be required by each Council.

2.4 The Programme Team

The Programme Team will comprise the Lead Commissioner, Managing Director, Programme Director and the heads of paid service of each council or his/her nominee. It will be the responsibility of the Programme Team to review the 2020 Vision strategic outline case and make recommendations to the Member Governance Board prior to submission to the Councils for approval.

2.5 2020 Vision Budget

2.5.1 The budget for 2020 Vision comprises TCA (Transformation Challenge Award) funding and additional contributions allocated by each of the Councils set out in the strategic outline case and as laid down in the MoU. Cheltenham Borough Council will be the body responsible for holding the budget for 2020 Vision and will receive the TCA grant and hold it on behalf of the Councils.

2.5.2 The Councils have agreed to share any savings achieved by the 2020 Vision programme in a fair and equitable manner in accordance with the 2020 Vision Charging and Savings Policy.

2.6 Termination Provision

The Councils may terminate the MoU at any time by mutual agreement or by giving 3 months' notice in writing to the other Councils. In such circumstances, the Board shall agree the next steps to be taken and will report to the remaining partner Councils as appropriate.

3. Consultation and Feedback

The 2020 Member Governance Group has fed back on the format and content of the MoU, and partner council legal colleagues have also had input into its development.

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