



MEMORANDUM OF UNDERSTANDING

Brecon Beacons National Park Authority
and
Powys County Council

1. Introduction

- 1.1 This Memorandum is made between the Brecon Beacons National Park Authority and Powys County Council. It is not intended to constitute a legally binding document or to create any rights or obligations that are legally enforceable. It is intended to be a broad guidance document, binding in honour only and not an exhaustive text of all those issues that might arise between the two parties.
- 1.2 The purpose of the Memorandum is to define the role and responsibilities of the authorities in relation to the policy context and operational remit of the organisations. The Memorandum also seeks to identify common objectives and establish the key operational principles that will establish and maintain a sound foundation for joint, collaborative working between the authorities for the future.

2. Background

- 2.1 A working relationship already exists between the County Council and the National Park Authority that provides an existing framework within which to view and develop an agreement. The Memorandum will serve as a broad bilateral guidance document that sets out common provisions for future working relations.
- 2.2 The Welsh Assembly Government has issued guidance on Section 62(2) of the Environment Act 1995 to help explain the practical implications of the legal duty on relevant authorities to "...have regard to the purposes of..." National Parks. This emphasises the strong need for partnership working, including the use of Memorandums of Understanding to jointly set out areas of mutual interest. A key consideration of this Memorandum of Understanding is the acknowledgement of both parties that they will seek to promote the environmental, social and economic wellbeing of the National Park area within Powys.
- 2.3 The Memorandum therefore recognises a number of key areas that affect joint working, and where responsibility has been delegated, but it

is not the intention of this document to interfere with or dilute any of those processes.

3. Powys CC/BBNPA

- 3.1 The cross-operational provision of services currently exists in a significant way between the authorities. For example, through PCC, a pensions service, and a car leasing scheme have operated for many years. However, the majority of services are inter-relational and cross-boundary, partly because the County Council carries the statutory duty to deliver such services for its unitary authority area, partly because the National Park Authority carries the statutory duty to deliver such services for its area, and partly because of the delegation agreement in place where certain responsibilities are transferred to the NPA.
- 3.2 The working arrangements outlined in this Memorandum will extend to the elected, and nominated, Members and officers of the authorities. Routine communication between the parties will normally be conducted at officer level.
- 3.3 When necessary, and no less than twice during the year, a Member/Officer Liaison Meeting will be held between the two authorities in order to ensure that the protocols established by this Memorandum are maintained to the satisfaction of the authorities, and to discuss matters of mutual concern and interest.
- 3.5 To aid the resolution of operational issues which may arise, regular informal meetings will take place between the Brecon Beacons National Park Authority Members and those Powys County Council Members who represent electoral divisions within the Park area.
- 3.6 The aim of the liaison meetings is to examine the protocols in a strategic manner and when matters of specific operational interest require more detailed consideration, a separate meeting of relevant Members and Officers will be convened to discuss the specific details, reporting back to the Liaison Group as appropriate.
- 3.7 Additional protocols of a strategic nature can and will be drafted as and when required for the approval of the authorities.

4. Appointments to the Liaison Meeting

- 4.1 The authorities will nominate Members and Officers to the Meeting as follows:
- 4.2 Powys County Council

The Leader of the Council and the Cabinet Member with responsibility for matters relating to Regeneration & Development;
6 x Brecknockshire Members with wards wholly or partly in the Brecon Beacons National Park Area;
Appropriate Senior Officers.

4.3 Brecon Beacons National Park Authority

Chairman and Deputy Chairman of the NPA and Chairs of both the Planning, Access & Rights of Way Committee and Audit and Scrutiny Committees
Appropriate Senior Officers.

5. **General Liaison and Sharing of Information**

5.1 The Brecon Beacons National Park Authority and Powys County Council agree that good working relationships between them are vital to the strength and quality of the diverse services provided and to the effectiveness of government investment in the area. They are therefore committed to working together through the agreed processes laid out in this Memorandum. The authorities can benefit from:

- A good understanding of and respect for each other's role and responsibilities;
- Close familiarity with each other's work, experience and expertise;
- Knowledge of each other's initiatives and proposals;
- Engagement in each other's forward planning process;
- A joint approach to projects and programmes where appropriate.

5.2 They will normally share all information that they consider may be of interest and value to the other. Whilst excluding matters of exclusive concern to each authority, such information may include:

- Policy and strategy papers and reports;
- Procedural and operational details that fall within the remit of each authority;
- Forward-looking plans and reports (that have been before the respective authorities);
- Proposals for consultation with the public within their areas;
- Research papers;
- Data collection and sharing;
- Press releases;
- Publications

that may be provided in electronic or printed formats.

- 5.3 The authorities will establish systems and procedures to facilitate close liaison and the sharing of information. This will include the opportunity to contribute to and participate in corporate policy development work particularly with the potential for achieving a common dimension in the areas of: the Welsh language; Sustainability Frameworks; Equality Standards; Race Equality Schemes; and Access to Services. Appendix 1 illustrates the range of matters in which both authorities are active in delivering effective services.
- 5.4 As members of the Powys LSB, both organisations will play an active role in the delivery of the strategic priorities of the LSB and report to the Liaison Group on matters of interest relating to:
- Climate change
 - Mental health and emotional wellbeing
- 5.5 The Liaison group will identify ways of contributing to and receive information on progress on the delivery of the Powys Single Delivery Plan, including working with Community clusters in the development of the “Neighbourhood Management” approach on a pilot basis, for example in Brecon.

6. Monitoring and Evaluation

- 6.1 This Memorandum of Understanding is intended as a tool to build on improving the good working relations between the County Council and the National Park Authority, and to improve the areas of service that are of mutual interest.
- 6.2 The Liaison Meeting will regularly review the principles set out in this agreement. The Meeting will also have a wider role in considering bilateral relations in general, for example, in the provision of services that could be monitored more effectively by one authority or the other.
- 6.3 The agreement to work together in accordance with this Memorandum will contribute to the strengthening of relations and understanding of each authority’s statutory obligations, and the need to maintain ongoing support in areas of mutual interest and purpose that are integral to the delivery of effective services.
- 6.4 The WAG guidance on the duties arising under Section 62(2) of the Environment Act 1995 also highlights the opportunities for organisations to use the Audit and Inspection regimes associated with the Wales Programme for Improvement, through the facilities of the Wales Audit Office, to help maintain compliance with the duty. This will enhance the core relationship protocols between the authorities.

On behalf of the Brecon Beacons National Park Authority

Chairman:
Councillor Eric Saxon

On behalf of Powys County Council

Leader of the Council :
Councillor E. Michael Jones

Cabinet Member :
Councillor Wynne Jones

Chairman of Brecknockshire
Committee :
Councillor Susan McNicholas

Dated :

APPENDIX 1

Common areas of service delivery by PCC and BBNPA:

Planning – Development control;
Planning policy;
Supplementary planning guidance;
Built Heritage and conservation;
Local Development Plans

Rights of way;
Countryside management;
Community regeneration, liaison and development;
Community transport;
Affordable housing;
Tourism;
Wales Spatial Plan.
Sustainable Development
Unclassified Roads (UCRs)
LSB and the SDP

Common areas of interest for the NP:

Education (promoting understanding of the National Park; more detailed learning opportunities for University and schools)
Community strategy engagement;
Mid Wales Partnership strategies (Transport and Tourism);
Building control (issuing of Completion Notices);
Corporate management with PCC;
Research and Information;
Geographic Information Systems;
Collaboration with voluntary and community sector organisations.
MoD proposals and developments.
Highway matters

Common areas of interest for PCC:

National Park Management Plan;
Brecon Town Centre development;
Hay on Wye, Talgarth, and Crickhowell Centre developments;
Village developments;
MoD proposals and developments.