

# Memorandum of Understanding

Between

**Monmouthshire County Council**

And

**Torfaen County Borough Council**

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## **1 PURPOSE**

This document sets out the agreement under which Monmouthshire County Council (MCC) will provide heritage services to Torfaen County Borough Council (TCBC) in connection with planning and Listed Building Consent applications at Johnsey's Estate, Mamhilad. In particular to give advice and authorise planning consents relating to the Grade II\* Listed Building, known as the former Nylon Spinners, under CADW's scheme of delegation.

## **DURATION OF AGREEMENT AND REVIEW**

The agreement shall proceed for a minimum of two years from the date of the Agreement and administered on an ad hoc basis depending upon the need for the services. The Agreement may be reviewed after this date.

## **2 GOALS AND OBJECTIVES**

The goal of this agreement is to enable TCBC to deliver Heritage Services in relation to the Mamhilad Park Estate planning and Listed Building Consent Applications

The objectives of this agreement are;

- Provide advice and guidance on any applications for planning permission or Listed Building Consent which impacts on or involves the Listed Building.
- Authorise Listed Building Consents in connection with the Listed Building in accordance with CADW's Scheme of Delegation

## **3 AGREEMENT BACKGROUND AND OVERVIEW**

In 2019 Torfaen County Borough Council and Monmouthshire County Council established a shared heritage service to:

- Provide consistent and resilient access to specialist advice across both Council areas
- Develop and enhance skills of existing/new officers through sharing of expertise to develop a wider scope of knowledge
- Meet service demands of Development Management functions for both stakeholders
- Meet service demands to contribute to the Regeneration functions of both stakeholders

In 2020, as part of this collaborative agreement, Torfaen's Executive Member for Economy, Skills & Regeneration approved the adoption of MCC's listed building consent delegation which allows identified officers from MCC to authorise listed building consents which would otherwise need to be referred to CADW. This authorisation is derived from A Direction given by Welsh Ministers on 28 November 2018.

The Heritage Service previously provided advice and guidance on the Mamhilad Planning Application (Ref: 17/P/0468/OUT) and the application for Listed Building Consent (Ref: 17/P/0482/LBC). Both applications were reported to Planning Committee in July 2020 where Members resolved to approve subject to conditions and a Section 106 Planning Obligation. It was anticipated that once the Section 106 Agreement was signed the Listed Building Consent could be authorised by MCC in accordance with CADW's scheme of delegation. However, there were considerable delays over the completion of the Section 106 Agreement because of the Covid pandemic and the applicant's decision to amend the planning application. The Planning and Listed Building Applications remain undetermined but it is anticipated they will be reported back to Planning Committee either in 2023.

The Shared Heritage Service Agreement has now expired and was not renewed. However, given the amount of involvement of MCC officers during the processing of the planning application it is beneficial to maintain the continuity and consistency of this advice in the determination of the applications and future related applications. This Agreement would also allow the nominated MCC officers to authorise the Listed Building Consent under CADW's scheme of delegation.

#### **4 STAKEHOLDERS**

Monmouthshire County Borough Council  
Torfaen County Borough Council

#### **5 SERVICE DELIVERY DEMANDS**

##### **5.1 MCC**

1. To offer heritage advice and guidance in connection with planning applications related to the Listed Building at Johnseys Estate, Mamhilad on an ad hoc basis.
2. To authorise any Listed Building Consent applications relating to the Listed Building at Johnseys Estate, Mamhilad under CADW's scheme of delegation.

##### **5.2 TCBC**

1. To provide full information and clear instruction on services required.
2. To provide reasonable timescales for responding taking into account MCC resources
3. Not to make unrealistic demands on MCC's Heritage services.

#### **6 SERVICE CHARGES**

£100 per hour for Heritage Manager (Amy Longford. Named Officer for the purposes of Cadw delegation)  
£60 per hour for Heritage Officer

#### **7. PROPOSED FRAMEWORK**

It is proposed that the service will be delivered by MCC managed by the Heritage Manager at MCC. Only the CADW nominated officers as identified above to authorise Listed Building Consents under the CADW scheme of delegation:

#### **9 COMMITMENT**

TCBC will commit to payment for all hours incurred and car mileage expenses based on 50p per mile for providing heritage services on demand in relation to applications in connection with the Listed Building at Johnsey Estate, Mamhilad.

