

International Centre for Local and Regional Development

**Developing a Strategic Alliance between
Newry and Mourne District Council and the
Louth Local Authorities**

Background Report



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LIST OF ABBREVIATIONS

AEBR	Association of European Border Regions
COE	Council of Europe
CroSPiAN	Cross-Border Spatial Planning Development and Training Network
EBRC	East Border Region Committee
ECG	Eurorgional Cooperation Groupings
ECOM	European Chamber of Commerce
EEIG	European Economic Interest Grouping
EGTC	European Grouping for Territorial Cooperation
ERNACT	European Regions Network for the Application of Communications Technology
ESPON	European Spatial Planning Observation Network
EU	European Union
ICLRD	International Centre for Local and Regional Development
ICT	Information and Communications Technology
IMC	Interregional Management Committee
MOT	Mission Opérationnelle Transfrontalière
MOU	Memorandum of Understanding
NIRSA	National Institute for Regional and Spatial Analysis
SEUPB	Special EU Programmes Body
SMEs	Small and Medium Sized Enterprises

EXECUTIVE SUMMARY

Dealing with the many diverse challenges and opportunities that confront local authorities across administrative and political borders requires robust arrangements founded on mutual cooperation that are principally aimed at developing and delivering practical results on the ground for the benefit of local citizens.

Newry and Mourne District Council and the Louth Local Authorities have a long and established history of fruitful cooperation and a mutual desire to further this cooperation in a tangible way, particularly in relation to supporting and promoting the economic development and competitiveness of the region. The ICLRD was therefore commissioned to assist in developing a Strategic Alliance aimed at building on existing areas of cooperation; providing an enabling framework to more effectively promote the region for inward investment; and open up further opportunities for the sharing of services and joint management of key resources. The Strategic Alliance is also intended to enhance the leadership roles of the councils within the cross-border region and bolster the influence that can be brought to bear for the mutual benefit of the entire cross-border community.

A variety of legal instruments to facilitate cross-border cooperation between local authorities are considered in this Background Report, including Euroregions, European Groupings for Territorial Cooperation, European Economic Interest Groupings and ad-hoc agreements. Such instruments are often necessary to provide greater certainty to local authorities involved in cross-border cooperation, especially when dealing with complex or ambitious projects, and given the variable powers and legal options at their disposal.

A practical, ad-hoc agreement in the form of a bilateral, legally non-binding Memorandum of Understanding was considered the most appropriate form of cooperation for Newry and Mourne District Council and the Louth Local Authorities at this stage. It can be concluded relatively speedily and has the added advantage of inbuilt flexibility allowing the potential expansion of cooperation to include other regional stakeholders.

The Memorandum of Understanding encompasses the establishment of a number of cooperative structures including a joint Committee of Elected Members; a joint Senior Management Group; an Advisory Forum; and a number of Project Teams as deemed appropriate. The Secretariat function will be pivotal to the success of these arrangements

and discussions have already taken place with Inter *Tradel* Ireland which in its legislative role in promoting economic development on the island of Ireland will act as secretariat to the Forum and will support the interface between Central and Local Government.

The agreed cooperation themes upon which the Strategic Alliance will be initially focused are: emergency planning; renewable energy and green technology; tourism and recreation; and sustainable economic growth and job creation. These areas have been carefully selected to reflect ongoing cooperation projects, the opportunities and responsibilities presented by the shared natural and heritage resources within the region, as well as the mutual desire to assist in the development of the regional economy.

A number of other reciprocal tasks and potential cross-cutting areas of cooperation to be developed in the future include: coordinated/shared services; non-statutory spatial planning; pursuing linked-gateway status; developing a regional profile to enable evidence informed planning; developing joint policies and action plans in areas of mutual interest to increase efficiencies in the delivery of services; incorporating the cross-border dimension, where appropriate, into their respective policies, programmes, plans and projects; undertaking joint representation of the region in areas of mutual interest; working towards furthering cross-border cooperation including the establishment of a legal entity; and encouraging exchanges of information, knowledge and know-how.

The development of a Strategic Alliance should not be viewed as an end in itself but rather a means to achieve a variety of mutually beneficial goals. The ultimate test of the Strategic Alliance will be its ability to successfully deliver these for the citizens of the region. It is from such a position of strength that Newry and Mourne District Council, the Louth Local Authorities and other regional stakeholders could contemplate progressing cooperation further in the medium-long term, including exploring other legal forms such as the European Grouping for Territorial Cooperation.

Postscript: The Strategic Alliance was successfully concluded between Newry and Mourne District Council and the Louth Local Authorities in December 2010. The accompanying Memorandum of Understanding is enclosed in Appendix 6.

1.0 INTRODUCTION



The ICLRD was commissioned by Newry and Mourne District Council and the Louth Local Authorities in June 2010 to provide assistance in developing a cross-border Strategic Alliance between their respective councils. According to the working brief established with the councils this alliance would not only be a tangible representation of the close social, cultural and economic links within the region but would also seek to strengthen and deepen the already good working relationships. It is also intended to build upon existing areas of cooperation; provide an enabling framework to more effectively promote the region for inward investment; and open up further opportunities for the sharing of services and joint management of key resources. Critically, the outworking of the strategic alliance will enhance the leadership roles of the councils within the cross-border region and bolster the influence that can be brought to bear for the mutual benefit of the entire cross-border community.

In preparing this report it is recognised that much of the discussion and many of the principles and recommendations can have a wider application to the border region on the island of Ireland. The conclusion of a Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities, and their commitment to continue to further such cooperation, can help to establish precedents from which others can benefit. Based on best practices, it is also clearly understood that this agreement has the potential to be extended to adjoining councils that share similar opportunities and challenges of the Belfast-Dublin corridor.

1.1 WORKING OBJECTIVES

ICLRD's involvement in this initiative is primarily focused on two critical objectives:

- To provide recommendations as to the most appropriate type or agreement/instrument to take forward a Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities;
- To assist the local authorities through the process of drafting, refining and concluding a Strategic Alliance.

A third suggested outcome relates to the provision of useful pointers for the local authorities to further progress their Strategic Alliance once the recommendations made in the report have been acted upon.

1.2 METHODOLOGY

This concise report provides a brief background analysis to the thinking behind the recommendations made to the local authorities and is supplementary to the working meetings where much of the discussion and detailed working took place.

The recommendations have emerged following an extensive review of the literature relating to cross-border and transfrontier cooperation emanating from academic journals, research and consultant reports, as well as a large number of guides and handbooks on cross-border cooperation in Europe and among municipalities in the United States. Numerous websites were also reviewed for pertinent information.

A number of field visits and telephone interviews were conducted, particularly in relation to the local case studies. References to real-life examples of cooperation across Europe are also interspersed throughout the text with relevant contact details given where appropriate.

Critical also to the soundness of the recommendations is ICLRD's extensive involvement in cross-border collaborative projects, including in the local Newry and Mourne and County Louth contexts. This insight has been brought to bear throughout the report and associated activities.

Please note that terms such as inter-municipal, cross-border, territorial and transfrontier cooperation are used fairly interchangeably throughout the report with their technical distinction set aside, although cross-border is the favoured term to describe the cooperation between Newry and Mourne District Council and the Louth Local Authorities.

1.3 REPORT STRUCTURE

The report is structured into five principal sections beginning with this contextual chapter setting out the parameters of the work and elaborating on ICLRD's prior involvement in the region. Section 2 provides a brief overview of the impetus behind cross-border cooperation and the history of engagement between Newry and Mourne District Council and the Louth Local Authorities, and then progresses with a detailed look at the various legal and other instruments that are available to facilitate such cooperation within the European Union. The key guiding principles for cross-border cooperation between local authorities are then set out in Section 3, as is the recommendation of the most appropriate form of agreement for Newry and Mourne District Council and the Louth Local Authorities. The suggested structure of the agreement, the cooperation themes and overall framework are also elaborated. A number of recommended future steps for the local authorities that can potentially assist them to further progress their Strategic Alliance are included in Section 4. Finally, Section 5 concludes the report with a series of recommendations.

The research undertaken in drafting this report provided the important background information to recommend the most appropriate form of agreement to take forward a Strategic Alliance and the content of the agreement as finalised in the Memorandum of Understanding. Throughout this process, the active involvement of key officials from Newry and Mourne District Council and the Louth Local Authorities was instrumental and concluded with the consideration of the MOU by the body of elected members at full council meetings.



1.4 ICLRD – ORGANISATIONAL BACKGROUND AND REGIONAL INVOLVEMENT

The ICLRD is a North-South-U.S. partnership to explore and expand the contribution that spatial planning and development of the physical, social and economic infrastructure can make to peace and reconciliation on the island of Ireland and elsewhere. The ICLRD has developed out of a unique collaboration between academics and spatial planning specialists from the National Institute for Regional and Spatial Analysis (NIRSA) at the National University of Ireland Maynooth, the School of the Built Environment at the University of Ulster, the Centre for Cross Border Studies in Armagh, and the Institute for International Urban Development in Cambridge, Massachusetts.

ICLRD has an impressive recent history of engagement in the issues of cross-border collaboration on the island of Ireland. The ICLRD uses a variety of strategies to undertake it's work, including facilitating and engaging in action research with local governments, communities and central agencies; undertaking and publishing case study research to evaluate and develop good practice models; hosting workshops on key themes; and developing and delivering training modules for key stakeholders in the physical, social and economic development of the island of Ireland. Initiatives include research projects leading to a number of publications, such as *Spatial Strategies on the Island of Ireland: Development of a Framework for Collaborative Action*, commissioned by InterTradelreland, *Fostering*

Mutual Benefits in Cross-border Areas: The Challenges and Opportunities in Connecting Irish Border Towns and Villages; Rural Restructuring: Local Sustainable Solutions to the Rural Challenge; and the publication of the *Atlas of the Island of Ireland – Mapping Social and Economic Change* in cooperation with the All-Island Research Observatory.

A series of major cross-border conferences have also tackled a range of issues, such as preparing for economic recovery on the island of Ireland; achieving balanced regional development; and supporting evidence-informed spatial planning. Current applied research work is looking into the implications of the Review of Public Administration in Northern Ireland and new planning legislation in the Republic of Ireland on cross-border planning as well as the documentation of international best practices in inter-jurisdictional cooperation.

The ICLRD works closely with cross-border bodies such as the North South Ministerial Council and InterTradelreland, the cross-border networks such as the East Border Region; and central government agencies including the Department of Environment, Heritage and Local Government in Dublin and the Department for Regional Development in Belfast

ICLRD has also been closely involved in the Newry-Dundalk region, publishing a report in 2009 entitled *The Newry-Dundalk Twin-City Region: Supporting the Implementation of Cross-border Collaborative Frameworks* which was launched by Conor Murphy, MP MLA, Minister for Regional Development in Northern Ireland, and John Gormley, TD, Minister for the Environment, Heritage and Local Government of the Republic (see Appendix 1). Contact intensified with the completion in May 2010 of an Executive Training Programme for councillors and public/private sector representatives from County Louth, Newry and Mourne, and Down District councils. The training was offered as part of the Cross-Border Spatial Planning Development and Training Network (CroSPlaN), funded by the Special EU Programmes Body (SEUPB) under INTERREG IVA, and took place over a series of five modules from November 2009. ICLRD is therefore well positioned to provide assistance to Newry and Mourne District Council and the Louth Local Authorities due to its extensive involvement in the region and wider insights into cross-border collaboration. Significantly, participants at the training endorsed the concept of a regional agreement setting out a number of key areas for collaboration. A tabular summary of participant feedback from the final training module is included in Appendix 2.

2.0 CROSS-BORDER COOPERATION: CONSIDERING THE OPTIONS



This section begins by setting out the broader context within which the Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities is being developed. It refers briefly to the rich history of collaboration within the region before tackling in greater detail a number of key legal instruments available in Europe to enable successful cross-border cooperation to happen. The applicability of these instruments to the local context is discussed with reference to several case study examples.

2.1 THE IMPETUS FOR CROSS-BORDER COOPERATION

The impetus for closer cross-border collaboration has accelerated over the last number of decades, driven by the processes of globalisation, the expansion and further integration of the European Union, and, in the context of the island of Ireland, as a consequence of the political dispensation that emerged following the outworking of the Good Friday and other agreements. Shifting central/local government relationships, even within the highly

centralised governance structures of Northern Ireland and the Republic of Ireland are moving in the direction of asking local governments to deliver more services and secure higher levels of local revenue to offset the loss of central funding. Similar trends in the United States and Canada have pushed adjoining local governments to cooperate in delivering services and helped to bring forward the concept of new regionalism where cooperation and good governance is achieved through the loose, horizontal and voluntary organisation of existing institutions cooperating to achieve common ends.¹

Future EU policies for territorial cooperation are moving in the direction of 'place-based strategies' that can 'supply bundles of integrated public goods and services' (EU 2020 Strategy and the Barca Report).² The concept of place-based services is particularly relevant to improving cross-border cooperation where service catchment areas are strongly influenced by functional relationships that often cross jurisdictional boundaries (retail, economic activities, housing, services, and environment). Previous ICLRD research has highlighted the potential of these cross-border functional regions both within rural areas, where smaller 'micro-regions' provide a basis for self-organising activities, and also in urban ones.³

The preamble to the *European Charter for Border and Cross-Border Regions* stresses how the many and diverse problems and opportunities on both sides of European borders demand cross-border cooperation.⁴ The mutual interdependence of these areas necessitates measures to contain and militate against any 'cross-border effects'. However, also of great significance is the opportunity presented by cross-border cooperation to capitalise on the positive attributes of a region, whether to obtain critical mass so as to attract inward investment, or to better manage environmental assets in a way that promotes sustainable tourism. The many social, cultural and ethnic ties (or divisions) amongst border peoples often also ensure a powerful symbolic value can be attached to any cooperation.

There are also lessons to be drawn from the European Union and the United States regarding cooperation at the municipal scale. Within the European Union, there are 15

¹ Norris, DF (2001), Prospects for Regional Governance Under the New Regionalism: Economic Imperatives Versus Political Impediments. *Journal of Urban Affairs*, Vol. 23, pp.557–571

² Further details are available at http://ec.europa.eu/eu2020/index_en.htm [Accessed 29/07/10] and http://ec.europa.eu/regional_policy/policy/future/barca_en.htm [Accessed 29/07/10] respectively.

³ Creamer et al (2008) *Fostering Mutual Benefits in Cross-Border Areas: The Challenges and Opportunities in Connecting Irish Border Towns and Villages*, ICLRD

⁴ Association of European Border Regions (2004) *European Charter for Border and Cross-border Regions*, p.3

cross-border metropolitan areas identified by the European Spatial Planning Observatory Network (ESPON).⁵ A recent INTERREG-funded study on cooperation within the metropolitan areas of Basel and Geneva, describes how these two cross-border metropolitan areas are “building metropolitan regions and a diffuse form of governance that relies on a looser, more negotiable set of political arrangements that take their shape from the networks of relations that stretch across and beyond given regional boundaries”.⁶ This idea of a negotiable set of arrangements at various spatial scales and for different mutually identified purposes reflects ad-hoc regionalism which characterises metropolitan cooperation across jurisdictional boundaries in the United States.⁷

In the current difficult economic climate, finding more rational means of providing public services makes financial sense as it can help avoid duplication and unnecessary public expenditure. ICLRD has stated previously: “Increasingly, economic competitiveness and efficient delivery of essential infrastructure and public service provision are demanding economies-of-scale solutions”.⁸ Public spending cuts have already been implemented in both jurisdictions on the island of Ireland and more are forecast to follow over the coming years. Central and local government will therefore have to find ways to innovate in order to maintain expected levels of service with less financial resources at their disposal.

Whatever the principal reasons for collaboration, a history of cooperation and trust among working partners, mutually identified projects framed within an overall strategy and appropriate legal agreements and instruments are essential prerequisites for strategic and sustained cross-border cooperation. This is particularly pertinent at the level of local or regional authorities, which are confined by the national law of the states to which they belong and also by the different range of competences at their disposal. However, as is recognised by many, it is particularly at this administrative level that the most intensive collaboration can take place, and where entrepreneurial leadership and initiative are required.

⁵ ESPON - *METROBORDER-Cross-border Polycentric Metropolitan Regions* - Interim Report - Programme, p.15. The 15 metropolitan areas include: Geneve-Annemasse, Euroregio MAHL, Basel-Mulhouse, Wien-Bratislava, Saarbrücken-Forbach, Oresund, Nice-Cote d’Azur-San Remo, Lille, Strasbourg-Offenburg, Luxembourg, Katowice-Ostrava, Milano, Tillburg-Eindhoven, Twente-Nordhorn, Arnhem-Nijmegen.

⁶ Sohn C, Reitel, B and Walther, O (2009) Cross-border metropolitan integration in Europe: the case of Luxembourg, Basel, and Geneva, *Environment and Planning C: Government and Policy*, Vol. 27: 5, pp.922-939

⁷ Vigier, F, Driscoll, J, Lee-Chuvala, C (2006) Ad Hoc Regionalism: Managing Growth Through Spatial Planning - Learning from the American Experience, *The Journal of Cross-Border Studies in Ireland*, Centre for Cross Border Studies

⁸ ICLRD (2009) *The Newry-Dundalk Twin City Region: Supporting the Implementation of Cross-Border Collaborative Frameworks*, p.6

The next section gives a flavour of the rich history of cross-border cooperation in the Newry and Mourne and County Louth region, whether initiated at the local or national levels.



2.2 A HISTORY OF REGIONAL COOPERATION

Cross-border cooperation between the local authorities in County Louth, Newry and Mourne has been ongoing since the 1970s, whether directly between the councils or within a broader setting such as that provided by the East Border Region Committee (EBRC). The local authorities of Newry and Mourne, County Louth and Dundalk Town Council were co-founders of the EBRC in 1976.⁹ The concept of the Newry-Dundalk Twin City Region has emerged from an understanding of the key mid-point location of the region's urban and rural areas along the emerging and well-connected Belfast-Dublin corridor. There is also a long

⁹ The East Border Region Committee (EBRC) is a local authority led organisation that includes ten Local Authorities namely; Newry and Mourne, Down and Banbridge District Councils, Armagh City and District Council, Craigavon, Ards and North Down Borough Councils in Northern Ireland and Louth, Monaghan and Meath County Councils in the Republic of Ireland.

established joint committee of elected members from Dundalk Town Council and Newry and Mourne District Council who meet on a regular basis to discuss issues of mutual concern to promote greater cooperation between the communities on both sides of the border. In fact, a Joint Formal Agreement between Dundalk Urban District Council and Newry and Mourne District Council was signed in 1990 in order to: "Initiate and develop a programme of cultural, social and economic activities between our two council areas and to encourage and foster a spirit of co-operation and friendship between our respective communities."¹⁰

As evidenced in many other parts of the world, cooperation gathered momentum in the 1990s when a number of initiatives were devised or promoted by the local authorities aimed broadly at fostering cross-border activity, but also driven forward by local stakeholders within the public, private and voluntary sectors. These have included the PLATO Louth Newry and Mourne business support forum, and the Newry and Dundalk Business Linkage Programme, amongst a plethora of other worthy projects and programmes including joint activities between the respective Chambers of Commerce in Newry and Dundalk.

In more recent times collaboration has taken a number of different guises. INTERREG funding applications have been successful or are pending decision, including for a cross-border geopark. Marine-tourism facility improvements have also been implemented on Carlingford Lough with improved berthing facilities on the foreshore at Carlingford, Omeara and Rostrevor, and automated lock access to Newry canal. Newry and Mourne District Council has also enjoyed observer status on the innovative sustainable energy project Dundalk 2020, led by Louth County Council and funded under the European Union's CONCERTO II initiative. There have been regular meetings of a Joint Senior Management Group, composed of the County/Town Managers from County Louth and Council Executives and Department heads from each authority. These have sought to develop selected areas for future cooperation and have been highly successful in building confidence and mutual understanding.

The evidence base supporting the need and potential for closer cooperation has also expanded. In addition to the aforementioned ICLRD report of 2009, Colin Buchanan and Partners concluded a study in 2006 on *Newry-Dundalk: A new Perspective on the Development of the Region*. This was followed two years later by an Oxford Economics/University College Cork report, commissioned by Newry and Mourne Local

¹⁰ See Appendix 3

Strategy Partnership, looking at a *Newry-Dundalk cross border economic forecasting model*. These research projects have each sought to emphasise the obvious potential and need for collaborative cross-border action within the region if it is to capitalise on its locational and other advantages.

Locally generated cooperation initiatives have also been reinforced by regional and national strategies, with an increasing emphasis being placed on collaborative spatial planning linkages since the millennium. The gateway locations of Newry and Dundalk, their central positioning on the key Belfast-Dublin economic and transport corridor, as well as their proximity to important environmental and recreational assets, such as Carlingford Lough, were affirmed in the *National Spatial Strategy* in the Republic of Ireland and the *Regional Development Strategy* in Northern Ireland.



2.3 LEGAL INSTRUMENTS TO FACILITATE CROSS-BORDER COOPERATION

ICLRD identified the main challenge facing inter-municipal collaboration in cross-border regions as being the legal and institutional differences that commonly occur across borders.¹¹ Birrell and Hayes also highlighted a mismatch of functions, inadequacy of funding, and differences in the operation of councils, amongst a number of other factors.¹²

Two particularly pertinent issues are the need to identify legal and administrative procedures on each side of a border that may hinder cooperation, and the subsequent requirement to propose solutions to such institutional obstacles. A number of legal instruments are now available within the European Union to help facilitate cross-border, territorial or transfrontier cooperation. According to INTERACT,¹³ the most common legal approaches have emerged from a wide variety of multilateral framework treaties and conventions concluded at international level, such as the most widely cited *Outline Convention on Transfrontier Cooperation between Territorial Communities of Authorities* (Madrid Outline Convention) of 1980 (and its Additional Protocols).¹⁴

Many bilateral or multi-lateral agreements and protocols have also been signed between nation states, such as the BENELUX Cross-border Convention of 1989 between Belgium, the Netherlands and Luxembourg. However, as most of these are concluded either at the international, national or regional government levels they are not applicable to local authorities, although they have provided a framework for such cooperation. It is therefore necessary to consider the two other common approaches identified by INTERACT, which are more applicable to the Newry and Mourne and County Louth contexts:

- Legal instruments based on Community law or national law that facilitate cross-border cooperation;

¹¹ ICLR (2009) op cit., p.4

¹² Birrell, D and Hayes, A (2001) *Cross Border Cooperation in Local Government: Models of Development, Management and Reconciliation*, Centre for Cross Border Studies, p.71

¹³ INTERACT (2008) *INTERACT Handbook on the European Grouping of Territorial Cooperation (EGTC)*, pp.87-92

¹⁴ The Madrid Outline Convention is available at

<http://conventions.coe.int/Treaty/en/treaties/html/106.htm> [Accessed 29/07/10]

- Formal agreements, working protocols, conventions or contracts concluded by regional or local authorities.¹⁵

The most pertinent examples falling within both these categories will be considered in turn, along with a small number of selected case studies. While reference has been made to a number of European examples throughout the text, the more in-depth case studies are confined to the local context due simply to the vast number of administrative, legal and other differences with the UK and Ireland, which serve to lessen their transferability.

2.3.1 Legal instruments based on Community law or national law that facilitate cross-border cooperation

There is a range of possible legal instruments now available under EU law designed to facilitate cross-border cooperation, including two that have emerged within the last number of years. However, one of these, the Eurorregional Cooperation Groupings (ECG), although designed to provide for the legal status, establishment and operation of such groupings, is nevertheless not applicable as the UK is not a signatory to the aforementioned Madrid Outline Convention. The ECG came about as a Third Protocol to the Outline Convention and is characterised as being an additional, but complementary, alternative to the European Grouping for Territorial Cooperation (EGTC), which will now be considered.

2.3.1.1 European Grouping for Territorial Cooperation (EGTC)

The EGTC is a relatively new instrument and is ostensibly aimed at providing a single legal framework to ensure structure, stability and certainty for territorial cooperation in Europe.¹⁶ Although initially envisaged as a means by which to manage European funded programmes and projects, its scope can be much wider. INTERACT identified four main EGTC models:

- EGTC in order to implement European territorial cooperation programmes;
- EGTC for implementing co-financed projects in the field of territorial cooperation under the Structural Funds;

¹⁵ INTERACT (2008) op cit., pp.87-92

¹⁶ Introduced under Regulation (EC) No 1082/2006, available at [http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/pdf/2007/gect/ce_1082\(2006\)_en.pdf](http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/pdf/2007/gect/ce_1082(2006)_en.pdf) [Accessed 29/07/10]

- EGTC for the purpose of carrying out other EU-funded territorial cooperation actions;
- EGTC in order to implement territorial cooperation actions outside any EU funding.¹⁷

The EGTC regulation provides the basis for establishing entities with a legal personality that are able to acquire property, employ staff, be party to legal proceedings, as well as manage within a wide range of programmes. The regulation is considered innovative in that it allows the involvement of multilevel participants within the same cooperative structure, including regional and local authorities; national governments; and public and private entities, such as universities or chambers of commerce subject to public procurement rules. However, INTERACT stresses that the establishment of an EGTC should not be seen as an end in itself, but rather as a means to achieve other goals such as long-term strategic developments or the management of public services.¹⁸

EGTCs may be uni-functional, with arguably the best example being the Hospital de Cerdanya EGTC¹⁹ between Spain and France, which the EU has characterised as providing “a legitimate legal and financial entity capable of institutionalising health sector cooperation between two different national systems”.²⁰ Alternatively, they may also be multi-functional, as is the case with the first such grouping, the Eurométropole Lille-Kortrijk-Tournai EGTC between France and Belgium.²¹ This latter example was established in 2008 and is intended to ensure efficient and coherent cross-border cooperation; to improve the quality of daily life of the regions inhabitants; to promote regular political dialogue between partners; and to prepare and manage projects co-financed by the EU.

To date, 15 EGTCs have been established, while 20 others are under preparation, although none including partners from the United Kingdom or Ireland have yet been devised.²² A majority are comprised of a large number of partners from different administrative levels, covering extensive geographical areas and populations.

¹⁷ INTERACT (2008) op cit., p.12

¹⁸ Ibid., p.14

¹⁹ See www.hcerdanya.eu

²⁰ European Union (2009) *The European Grouping of Territorial Cooperation (EGTC): state of play and prospects*, p.4

²¹ See www.lillemetropole.fr

²² See Appendix 4

The EGTC is credited with addressing the nexus of cooperation obstacles between public authorities in a cross-border context due to differing legal systems, structures and competences. However, establishing an EGTC is nevertheless thought to be “a rather complex exercise from a technical point of view”.²³ Other hurdles that must be overcome relate to the finalisation of agreements between partners on the scope of EGTC activities; deciding upon the name and location of EGTC headquarters; as well as the lengthy duration of the setup process.

A relatively untested instrument, the functioning of EGTCs has recently been the subject of a public consultation, which will ultimately feed into a legislative review in early 2011.²⁴ Furthermore, any consideration of an EGTC in the Irish border region would have to be carefully framed in the context of existing institutional arrangements, which develop and administer cross-border INTERREG programmes, including the Special EU Programmes Body (SEUPB) and the border area networks.

2.3.1.2 European Economic Interest Grouping (EEIG)

The EEIG has been in existence much longer than the EGTC, having come into effect in 1989²⁵. It provides a legal facility under Community Law for companies and legal bodies (provided they come from at least two EU Member States) to operate together across national frontiers. The Association of European Border Regions (AEBR) considers that the EEIG is particularly tailored to SMEs and its legal basis requires it to exclusively support ‘economic activities’; thereby limiting the range of cross-border cooperation activities that can be facilitated.²⁶ Crucially, although local authorities can take part, an EEIG cannot take on the management of their statutory functions and can only act within the context of private rather than public law. In addition, although an EEIG can access European funding at project level, it cannot manage economic activity directly and can only carry out ancillary tasks to develop the economic activities of its members. EEIGs are therefore said to be dominated by the private sector.²⁷ However, INTERACT reports a number of advantages of an EEIG, including:

²³ European Union (2009) op cit., p.2

²⁴ See <http://portal.cor.europa.eu/egtc/en-US/Pages/Consultation.aspx> [Accessed 26/07/10]

²⁵ Under Regulation (EEC) No 2317/85

²⁶ Association of European Border Regions (2001) *Transeuropean Cooperation between Territorial Authorities: New challenges and future steps necessary to improve cooperation*, p.44

²⁷ Ibid., p.21

- They are very flexible and non-bureaucratic legal instruments which can be adapted to different economic conditions;
- A grouping can be founded with or without assets, investment or know-how transfer;
- A grouping can be established by subjects of different legal status: self-employed persons, private limited companies, chambers of commerce, etc.;
- The members of a grouping can carry out their own activities autonomously;
- A grouping pays neither company taxes nor taxes on earnings;
- A grouping can run its own business and have its own trademark.²⁸

An example of a locally based EEIG is given overleaf.



²⁸ INTERACT (2008) op cit., p.90

Local Case Study – European Regions Network for the Application of Communications Technology (ERNACT)²⁹

An interesting example of an EEIG in operation in the local context is ERNACT, jointly owned and established in 1990 by Derry City Council and Donegal County Council but now involving many other partners including from the UK, Ireland, the Czech Republic, Sweden, Finland, France, Germany, Italy, Portugal and Spain. A number of these European partners are represented on the Interregional Management Committee (see diagram in Figure 1) while others are only involved on a project basis.

ERNACT is a publically owned ICT innovation organisation that seeks to stimulate the development of internet services and exploit broadband infrastructure in the public, community and small business sector. It project-manages large-scale transnational ICT projects; conducts research; and seeks to innovate in the areas of ICT project management, broadband, e-Government and ICT models of regional development.

The Interregional Management Committee (IMC) is the main governing body of ERNACT and is made up of representatives from Derry City Council and Donegal County Council as well as from the other European partner organisations. Representation in the case of Derry and Donegal is by the Town Clerk and County Manager respectively and usually also encompasses one other representative. The IMC meets at least two times per year and is responsible for project development activities, providing financial support and overseeing general strategic guidance. The positions of Chair and Vice-Chair of the IMC rotate on a yearly basis.

The Secretariat of ERNACT is based in Letterkenny and is headed up by a General Manager. The Secretariat works on behalf of the IMC and is responsible for developing and managing the various EU-wide projects, each of which is driven forward by a Project Steering Group. A number of European partners that are not full members of the network are involved in individual Project Steering Groups.

²⁹ See www.ernact.net

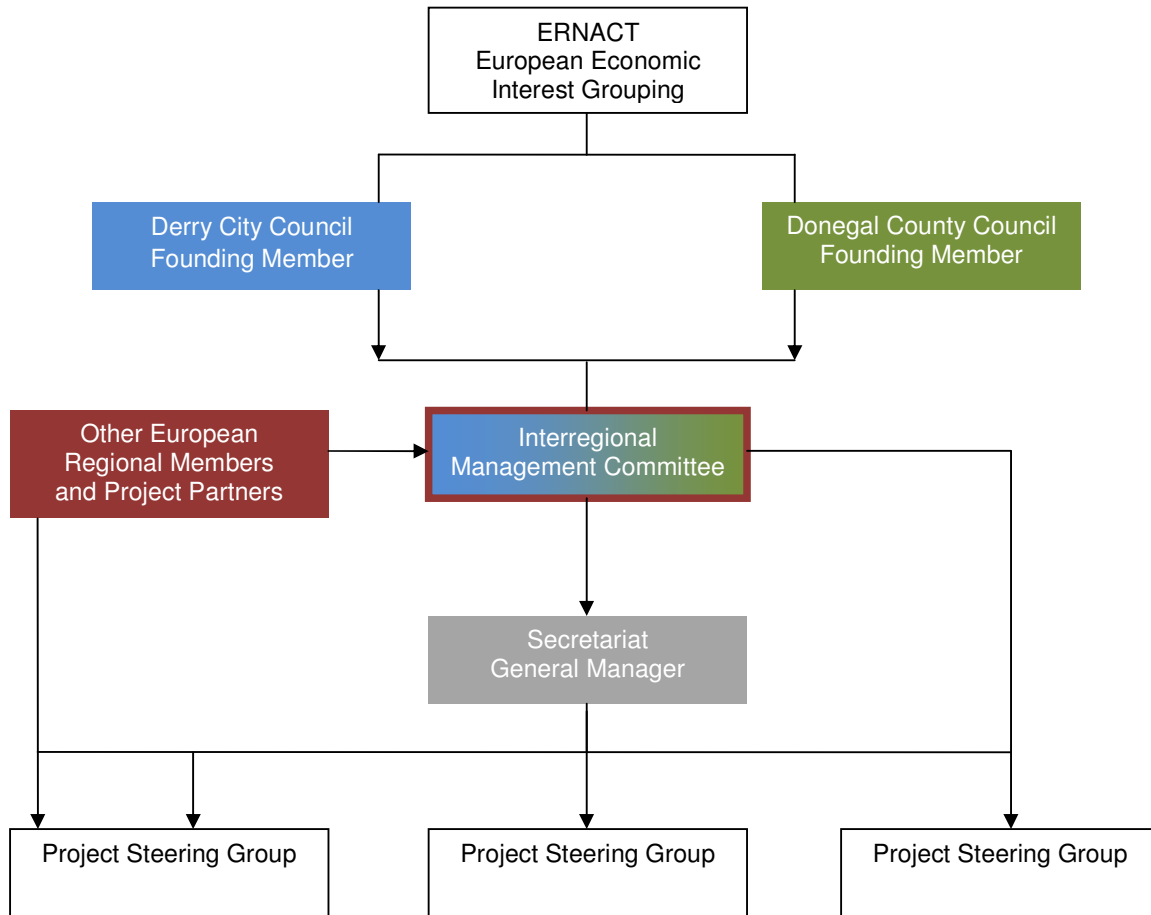


Figure 1: Management Diagram of ERNACT EEIG

2.3.1.3 Commentary on Applicability to the Newry and Mourne and Louth Local Authorities Context

The relatively narrow focus of the EEIG instrument would preclude its use in the context of a Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities due to their desire to co-operate in a broader range of thematic areas. It might, however, be of some utility in the future should the authorities seek to develop deeper cooperation in the field of economic development and enterprise.

Chambers of commerce coming together to form an EEIG is not without precedent in the local context. In 1993, the European Chamber of Commerce (ECOM) was founded by Derry Chamber of Commerce and Letterkenny Chamber of Commerce. It established a number of

special interest groupings focusing on such industries as arts and crafts and food. ECOM was, however, short-lived and ceased operating within a number of years of its inception.

Some of the key attractions of the EGTC as a legal instrument are its applicability across the EU; the fact that it has a legal personality and can act on behalf of its members across a broad range of activities; as well as the possibility to include a large number of multilevel stakeholders from a broad range of sectors. However, a significant amount of consultation and preparatory work would have to be completed before an EGTC could be advanced as the competences currently available to the local authorities would suggest the need for a wider coalition of stakeholders. Building such a coalition would require time and resources. In addition, the name, registered office, conventions, statutes and primary objectives and tasks of an EGTC would all have to be devised. National government approval would also have to be sought in advance.

INTERACT emphasises: “In general, the setting up of an EGTC might be easier where a long tradition of trust and cooperation is already in place based on a formal structure (e.g. Euroregion/Euregio) than in regions with little history of cooperation and no strong structures in place”.³⁰ An EGTC between Newry and Mourne District Council, the Louth Local Authorities, and others, should therefore only be considered a potential aspiration at this juncture rather than an immediate concern.

2.3.2 Formal agreements, working protocols, conventions or contracts concluded by regional or local authorities

The AEBR has highlighted the steady increase in cross-border cooperation activities between regional and local authorities and its intensification during the 1980s and 1990s thanks largely to the deepening and widening of the European integration process.³¹

According to the Council of Europe (COE), cross-border cooperation is frequently not highly institutionalised and usually consists of voluntary agreements and adopted rules and forms of cooperation that are flexible.³² The Mission Opérationnelle Transfrontalière (MOT) likewise stresses that a great deal of cooperation, at least in its early stages, is conducted informally

³⁰ INTERACT (2008) op cit., p.65

³¹ Association of European Border Regions (2001) op cit., p.16

³² Council of Europe (2007) *Good practices in intermunicipal cooperation in Europe*, p.28

based on the coordination of activities by participants either side of the border, and with a view to a joint transfrontier approach.³³

Such informal cooperation is usually concluded through agreements, working protocols, conventions or contracts directly between regional or local authorities with a great deal of latitude as to their content. Many do not depend on the national governments being contractual parties and do not necessarily require their endorsement.

Under such an approach, cooperation is a dynamic process whereby local authorities coalesce around a common vision, identify areas of mutual concern, and seek to develop and implement priority projects that can make a positive contribution towards meeting the needs and expectations of people within the region. Perkmann, for example, has noted how European cross-border regions are primarily concerned with practical problem solving in a broad range of fields or everyday administrative life tending to be local policy areas.³⁴ The structure of their cooperation can also develop, moving from less formal arrangements to the setting up of a joint entity with legal personality and armed with the capacity to manage a range of projects and services on behalf of the parent bodies.

There are a vast number of such agreements in place across Europe, most of which are not widely known about. Others, however, due principally to their scale, have been grouped under the headings of Euroregions (or Euroregios) and Working Communities, both of which will be considered in turn.

2.3.2.1 Euroregions

Euroregions are considered to be strategic and multi-functional organisations that are usually comprised of an amalgamation of regional and local authorities from both sides of a national border. According to the AEBR, the most common characteristics of a Euroregion are the permanent structures that are established; the separate identity that they have from their constituent members; and the fact that they have their own administrative, technical and financial resources as well as internal decision making processes.³⁵ Euroregions

³³ Mission Opérationnelle Transfrontalière (2006) *Practical Guide to Transfrontier Cooperation*, Council of Europe, p.12

³⁴ Perkmann, M (2007) Policy entrepreneurship and multilevel governance: a comparative study of European cross-border regions, *Environment and Planning C: Government and Policy*, Vol. 25, p.863

³⁵ Association of European Border Regions (2001), op cit., p.69

typically cover large geographical areas and have a significant number of participating organisations from various governmental levels.

The most well-known, longest established, and deeply integrated Euroregion is the EUREGIO on the German/Dutch border. Formed in 1958, EUREGIO is comprised of 130 Dutch and German municipalities, towns and administrative districts representing a population of some 3.37 million.³⁶ It seeks to act under the following broad working themes:

- Social-cultural cooperation;
- Social-economic development;
- Intermunicipal cooperation;
- Advisory services;
- Inter-regional cooperation.

Each of the participating institutions is represented on an Assembly, which elects members to a cross-border regional parliament, the EUREGIO Council. The executive committee of the organisation takes the form of a board, whilst day-to-day work is coordinated and implemented by around 30 employees in the EUREGIO office situated on the border. Thematic working groups include representatives from a large number of outside stakeholder bodies.

Another Euroregion example is the Arc Manche, involving six local authorities from the south of England (and two associate member councils) and five French regional authorities.³⁷ Details of others can be explored through the website links given in Appendix 5.

2.3.2.2 Working Communities and other strategic cooperation structures

Working Communities tend to be larger than Euroregions, typically representing a larger number of first level regions covering extensive geographical areas. In many cases their structures are based on legally non-binding 'agreements of cooperation' or 'working protocols' and rarely do they have a separate identity, capacity or decision-making competency from their constituent members.³⁸

³⁶ See www.euregio.de

³⁷ See www.arcmanche.com

³⁸ Such as East Austria, Lower Saxony, South Netherlands or, indeed, Northern Ireland, as defined under the Nomenclature of Territorial Units for Statistics (NUTS)

In the local context, examples which are not considered Euroregions, but fall under the 'other strategic' label as classified by the AEBR, are the Irish Central Border Area Network³⁹ and Cooperation Ireland⁴⁰; although the latter is a non-governmental institution.⁴¹ The East Border Region Committee and North West Region Cross Border Group would also be included in this category.⁴²

2.3.2.3 Practical Ad-hoc Agreements

The AEBR notes that from the large number of bilateral agreements that have been concluded between regions within the European Union, the majority are general framework agreements promoting cooperation in a broad range of fields.⁴³ Similar to the functional arrangement of the Working Communities, although much more limited in terms of geographical coverage, such bilateral cooperation is usually founded on simple written agreements between the partners consisting of memorandums, cooperation protocols and declarations of intent. They tend to lead towards the establishment of less formal structures for cooperation ensuring limited organisational costs, with one of the partners assuming the secretariat function, and with any programmes or projects being managed by the most relevant departments within the organisations concerned.

Experience in the United States has shown that voluntary cooperation among adjoining municipalities has become an effective means of responding to and managing 'larger than local' issues including commonly perceived threats (environmental disasters requiring coordinated emergency services); improved service delivery; economic competitiveness; protection of fragile eco-systems and open space; non-statutory territorial cooperation and coordinated responses to providing and maintaining infrastructure. These forms of cooperation range from joined up analysis of regional trends, single purpose agreements and contracts for services between two local governments to more comprehensive multi-lateral programmes and revenue sharing schemes.

An example of such a practical ad-hoc agreement in the local context is given below

³⁹ See www.icban.com

⁴⁰ See www.cooperationireland.org

⁴¹ Association of European Border Regions (2001), op cit., p.80

⁴² See www.eastborderregion.com and www.nwrcbg.org

⁴³ Association of European Border Regions (2001), op cit., p.102



Local Case Study - Marble Arch Caves Global Geopark

An excellent local example of a cross-border cooperation agreement signed between local authorities relates to the Marble Arch Caves Global Geopark, straddling the County Fermanagh and County Cavan border.⁴⁴

The signing of a Memorandum of Understanding (MOU) between Cavan County Council and Fermanagh District Council, establishing them as joint management partners, allowed for the expansion of the geopark and its recognition as the world's first trans-national geopark. The MOU is a legally non-binding agreement that sets out, amongst other things, their roles and responsibilities and the structure and management of cooperation. It deals solely with the management of the geopark and does not broaden to take in other activities.

Under the MOU, a joint committee made up of elected members from both councils (4 each), and also the Chief Executives, oversees the running of the geopark. This committee deals with the strategic direction of the geopark, can make recommendations, and reports back to

⁴⁴ See www.marblearchcaves.net

the respective councils. It has both a Chairman and Vice-Chairman each of which serves for 1 year and rotate between the councils.

A second committee, or management unit, is comprised of staff from both councils, headed by the geopark manager, and deals with day-to-day management and development issues. Fermanagh District Council currently retains the secretariat function for both committees, although the location of meetings alternates between both authority areas.

The funding and organisation of physical work and improvements within the geopark is undertaken by the council with responsibility for the area in which the proposed works are located. Other common tasks, such as the production of leaflets or marketing material, are financed using a pooled budget assigned by the councils. Funding applications to undertake joint projects are also actively pursued.

The simple and flexible nature of the MOU between the councils is understood to have proven a success during the course of its three years of operation. Setting out clearly the roles and responsibilities of each party from the outset was deemed extremely important as was ensuring full political buy-in to the arrangements.

This strategic and management framework is similar to long-standing cooperation agreements for cross-border parks in the USA/Canada (Glacier National Park⁴⁵) and the EU (e.g. France and Italy – Parco Naturale Alpi Marittime⁴⁶ and Parc du Mercantour⁴⁷) where parallel management structures are put in place to fund and operate the park within the respective jurisdictions. Joint management meetings ensure that the strategic direction and parallel operational activities are coordinated while marketing, emergency services, wildlife management are either done on a joint basis and/or closely coordinated. A diagram showing the Marble Arch Caves Global Geopark management structure is given in Figure 2 overleaf.

⁴⁵ See www.nps.gov/glac

⁴⁶ See www.parks.it/parco.alpi.marittime

⁴⁷ See www.mercantour.eu

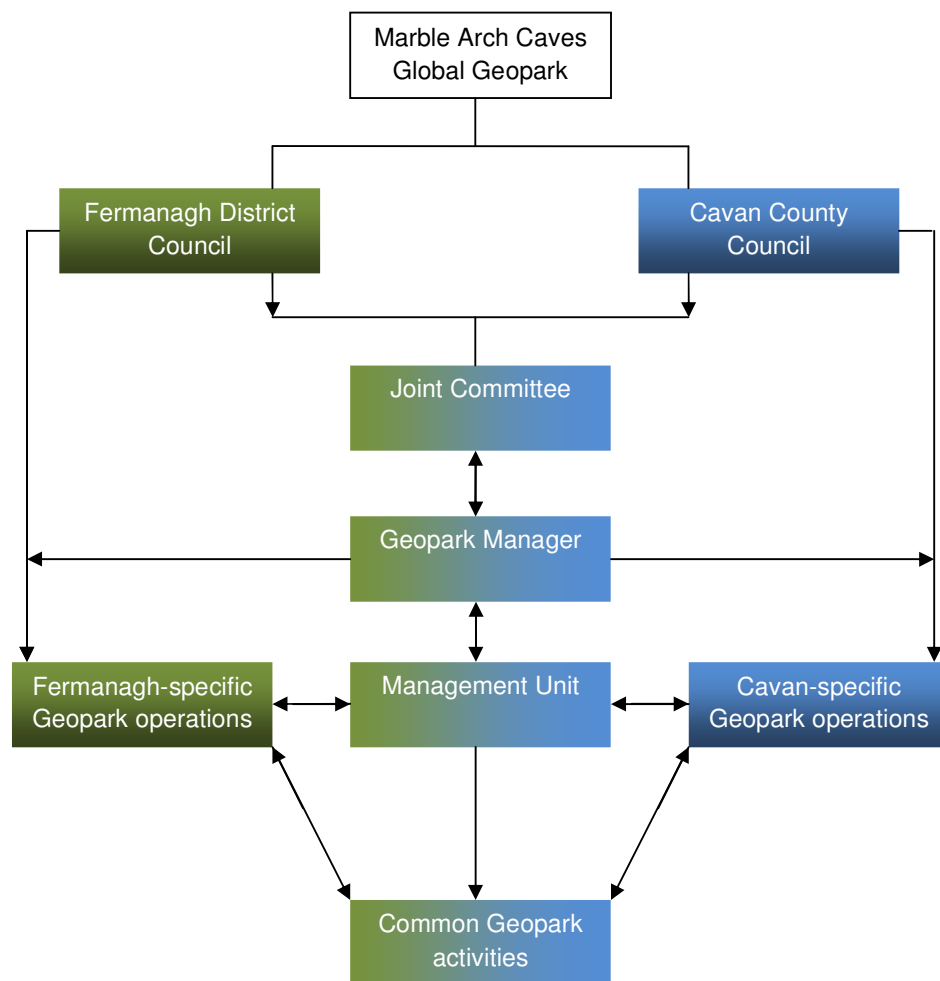


Figure 2: Management Diagram of the Marble Arch Caves Global Geopark

2.3.2.4 Commentary on Applicability to the Newry and Mourne and Louth Local Authorities Context

Both the Euroregion and Working Communities models would appear to be inappropriate given the large geographical areas that they cover and the associated large number of administrative bodies. Practical ad-hoc agreements do, however, have a number of advantages that would make them more amenable in the context of a Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities. They offer the advantage of allowing the parties to the agreement to draw up the parameters of cooperation in a flexible way while at the same time tangibly progressing cooperation. Such agreements

although initially limited can nevertheless provide the platform from which more intensive forms of cooperation, including the establishment of legal entities, are taken forward.

3.0 STRUCTURING A STRATEGIC ALLIANCE



Building upon recent international experience of successful cross-border cooperation initiatives, this section outlines a number of key guiding principles for partners when entering into agreements. These principles, in addition to the preceding analysis of cooperation instruments, informed the recommendation in Section 3.2 of the most appropriate form of cooperation between Newry and Mourne District Council and the Louth Local Authorities. The suggested structure and content of the proposed agreement are also reviewed including the cooperation themes as agreed between the local authorities. A number of additional areas where cooperation could also be initiated as part of the Strategic Alliance are proposed.

3.1 GUIDING PRINCIPLES FOR CROSS-BORDER COOPERATION BETWEEN LOCAL AUTHORITIES

Prior to recommending the most appropriate instrument/agreement available to Newry and Mourne District Council and the Louth Local Authorities, some useful principles identified by MOT on transfrontier cooperation that are pertinent to consider are outlined below.⁴⁸

- Cooperation provides authorities on either side of the border with a means of exercising the powers that they currently enjoy and does not constitute an additional power;
- Local authorities enter into cooperation solely within their common areas of competence;
- Transfrontier cooperation takes the form of projects of common local interest. Local communities and authorities must demonstrate the benefit of such activities;
- Communities and authorities enter in cooperation in accordance with the legislation governing their powers, procedural matters and review of their decisions. A local authority cannot exceed its powers and prerogatives under domestic law;
- Enforcement and regulatory powers are excluded from the scope of transfrontier cooperation. Local authorities may, however, agree to co-ordinate their policies and strategies in these areas in accordance with the domestic law applicable to each cooperation partner;
- Authorities engage in cooperation in accordance with the international undertakings entered into by the state to which they belong;
- Where the legal framework allows it, these local communities and authorities formalise their cooperation by signing transfrontier cooperation agreements or setting up cooperation bodies;
- A strong political commitment shared by locally elected representatives on both sides of the border is an essential prerequisite;⁴⁹
- The sustainability of cooperation arrangements depends on political governance and public support, sustainable resources and shared working, and the incorporation of transfrontier strategies into local policies;⁵⁰

⁴⁸ Mission Opérationnelle Transfrontalière (2006) op cit., p.15

⁴⁹ Ibid., p.28

A number of other principles, founded on the experience of ICLRD and a review of relevant literature as part of the background research to this report, include:

- The variety and complexity of frontier phenomena are such that a range of formulas for cooperation must be invented and tailored to fit the context;⁵¹
- In the context of the Irish border region, a voluntary agreement between/among local authorities can complement and leverage cooperation among central government agencies and cross-border bodies on both sides of the border;
- Joint co-operative structures should guarantee the equal representation of partners on both sides of the border;
- The development of cross-border cooperation should be seen as being part of a long-term process;
- Cooperation should be based on a spirit of partnership and subsidiarity;
- Flexibility should be built in to any agreement so as to allow neighbouring authorities, other stakeholders, and the community to be kept fully informed and become involved.

3.2 RECOMMENDED TYPE OF AGREEMENT

The preceding sections have provided a foundation upon which to recommend the type of agreement that should be concluded between Newry and Mourne District Council and the Louth Local Authorities. The type of agreement not only needs to fit with the objectives that the local authorities wish to jointly pursue, but must be cognisant of the competences and resources at their disposal, as well as the legal basis upon which cross-border cooperation can take place. The relatively early stage at which cooperation between Newry and Mourne District Council and the Louth Local Authorities is at in terms of formalised structures. In addition, in line with the wishes of the local authorities any such agreement must be implementable under a tight timeframe if momentum within the region is to be maintained.

⁵⁰ Mission Opérationnelle Transfrontalière (2006) op cit., p.38

⁵¹ INTERACT (2008) op cit., p.15

Discussions with Newry and Mourne District Council and the Louth Local Authorities indicated that the establishment of new institutional layers or an entity with a legal personality is not a priority at this stage. However, a clear desire for cooperation between their respective authorities to be placed on a much surer strategic footing, and with a longer-term focus, was expressed. **ICLRD therefore recommends the conclusion of a straightforward bilateral cooperation agreement between the local authorities in the form of a Memorandum of Understanding (MOU).** This would be legally non-binding between the parties, with the law of each jurisdiction being applicable.



3.3 SUGGESTED STRUCTURE/ELEMENTS OF A MEMORANDUM OF UNDERSTANDING

As noted by MOT, the partners to a cross-border cooperation agreement have much more leeway in drafting such an agreement when it does not involve the setting up of a new entity with legal personality.⁵² The conventions underpinning the construction of a non-legally binding MOU need not be unnecessarily complex or onerous but should nevertheless draw inspiration from other such agreements and models, like that appended to the Madrid Outline Convention or the Marble Arch Caves Global Geopark agreement. The MOU would

⁵² Mission Opérationnelle Transfrontalière (2006) op cit., p.49

need to clearly set out the lean governance framework under which future cooperation will take place and develop.

The essential points that an MOU should clearly identify include:

- The signatory parties, and therefore also the geographical scope of cooperation;
- Its voluntary and legally non-binding nature;
- The purpose and objectives of the agreement;
- The key themes under which collaboration will take place, and any specific tasks;
- The cooperative structure under which cooperation will take place, including the composition of any committees, their roles and responsibilities, place of meeting, amongst other things;
- An indication of the resources, financial and otherwise, that will be made available for cooperation;
- A clear explanation of the communication channels between the parties, including responsibility for any secretariat functions.
- The MOU should also establish procedures for its review, amendment and termination, as well as resolution provisions should disputes arise.

In taking the local authorities through the process of developing a Strategic Alliance, a draft MOU structure with prompting questions was prepared for discussion. The finalised MOU is attached in Appendix 6.

3.4 COOPERATION THEMES

As has been highlighted before, the thematic areas under which cross-border cooperation takes place should be those that are of mutual concern to the participating partners. In addition there should be a readily identifiable need for enhanced cooperation that brings demonstrable benefits to the citizens of the region. Partners should also only enter into such agreements within their common areas of competence.

The COE identified the typical fields of activity for transfrontier cooperation and grouped them under the following broad headings: environment, agriculture and spatial planning; transport, security and communications; the economy and employment; frontier populations, health and welfare services; and, education, research and culture.⁵³ A number of these areas are not within the competency of Newry and Mourne District Council and the Louth Local Authorities and can therefore not be considered for inclusion within a cooperation agreement. However, over time, as local government reform occurs on both sides of the border, the scope for cooperation will expand accordingly and any cooperation agreements should therefore be amenable to future adaptation. Lobbying and seeking to influence others for the benefit of the region would be a legitimate and important aspect of a Strategic Alliance.

The ICLRD report on the Newry-Dundalk Twin City Region identified four projects that were recommended for progression within the region:

- A Dundalk-Newry Centre of Excellence to create a sustainable energy community linked to the work of Sustainable Energy Ireland (SEI) and EU Concerto funding which is positioning Dundalk 2020 as an exemplar for the island as a whole;
- A Newry-Dundalk cross-border international services zone linked to international financial and other related services that will create additional tertiary employment;
- Geo-tourism and the management of a shared landscape and natural heritage to safeguard the geological assets and natural resources of the Mournes, Cooley, Slieve Gullion, and Carlingford Lough, and develop the tourism potential of the sub-region;
- A coordinated regeneration strategy for older areas in Newry and Dundalk, to promote the distinctiveness of the two cities, further the complementarities of their respective urban functions and improve their liveability.⁵⁴

A series of cross-cutting areas where cooperation initiatives were recommended were also set out in the report:

⁵³ Council of Europe (2000) *Handbook on Transfrontier Cooperation for Local and Regional Authorities in Europe*, 3rd Edition, pp.24-30

⁵⁴ ICLRD (2009) *op cit.*, p.3

- Infrastructure and transportation improvements;
- Education and skills;
- Public services;
- Affordable housing;
- Sustainable development.

Two of the four suggested core projects, sustainable energy community and geo-tourism have moved forward under a variety of initiatives by several regional partners. The cooperation in cross-border international services and a coordinated regeneration strategy has been impacted by a shift in priorities given the severe downturn. However, based on discussions with representatives from Newry and Mourne District Council and the Louth Local Authorities these thematic areas should continue to form the core basis of future cooperation arrangements. It is therefore proposed that joint actions through the Memorandum of Understanding should be initially progressed under the following broad themes:

- **Renewable energy and green technology**

The local authorities should seek to build on the Dundalk 2020 project and the official observer status of Newry and Mourne District Council. The growing cluster of local firms, educational establishments, as well as potential opportunities for future growth of the green economy should provide sufficient impetus to progress in this area with numerous potential spin-off benefits.

- **Tourism and recreation**

Finding ways to make better use of the significant natural and cultural heritage assets of the region, as part of its promotion for tourism and recreation is an obvious area of cooperation. Managing the shared cultural landscape and capitalising on existing and potential funding opportunities to enhance geo-tourism opportunities should also be considered priority areas.

- **Sustainable economic growth and job creation**

Emphasising the attractiveness of the region for inward investment as well as looking at facilitating the growth of indigenous businesses should be a common area of concern. Working together rather than in competition could form the basis of positioning the region in a positive and attractive light.

- **Emergency planning**

Ensuring the co-ordination of responses on both sides of the border in the event of an emergency, and expanding joint capabilities in tandem with other regional partners would be an ideal area of cooperation with clear potential benefits for the citizens of the region; for example, putting in place robust management arrangements and protocols to help deal with emergencies on Carlingford Lough.



A number of other potential crosscutting areas of cooperation and reciprocal tasks that ICLRD would recommend for consideration include the following:

- Coordinated/shared services;
- Non-statutory spatial planning;

Pursuing Linked-Gateway status under the *Regional Development Strategy* and *National Spatial Strategy* as currently enjoyed by Letterkenny-Derry;

- Developing a regional profile to enable evidence informed planning and marketing of the region;
- Developing joint policies and action plans in areas of mutual interest to increase efficiencies in the delivery of services;
- Incorporating the cross-border dimension, where appropriate, into the respective policies, programmes, plans and projects of each Party;
- Undertaking joint representation of the region in areas of mutual interest;
- Working towards furthering cross-border co-operation including the establishment of a legal entity;
- Encouraging exchanges of information, knowledge and know-how, including exploring possibilities of staff secondments, work shadowing and other such initiatives as deemed appropriate.

3.5 COOPERATION FRAMEWORK

A key aspect of developing a Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities is giving primary consideration to how the provisions of the Memorandum of Understanding will be successfully taken forward. Designing an appropriate cooperation framework would not only ensure that the roles and responsibilities of each party to an agreement are clearly set out but also that appropriate accountability measures are in place. In addition, the framework should ensure political and wider stakeholder buy-in from the beginning and sufficient flexibility to allow

ICLRD previously posited a framework for cooperation in the Newry-Dundalk Twin City Region comprising the three following elements:⁵⁵

- Joint Senior Management Team

This would be formed by the Chief Executives and key management personnel from each local authority.

- Regional Advisory Group

This would be a much wider group also involving key regional stakeholders such as the Chambers of Commerce and community representatives.

- Joint Technical Teams/Thematic Working Groups

These would be smaller focused groups looking at developing projects and policies on specific thematic areas such as emergency planning and economic development.

A recommended addition to this framework is the addition of another key advisory grouping comprising elected members from the local authorities. This committee of elected members will provide an important link to the respective Councils and help build both responsiveness and resiliency into the cooperation arrangements. Elected member involvement will be central to driving forward cross-border cooperation.

The following framework of advisory and operational groupings is therefore recommended by agreement:

Advisory:

- A joint **Committee of Elected Members** from the Parties;
- A joint **Senior Management Group** comprising the Chief Executive, County Manager and Directors;

⁵⁵ICLRD (2009), op cit., p.34

Operational:

- An **Advisory Forum** which includes an agreed number of representatives of Industry, Commerce and the Voluntary Sector from within the region;
- **Project Teams** to deliver on the four cooperation themes.

Together these four groups provide important opportunities for horizontal cooperation at the regional level and vertical cooperation with local and central authorities. Determining policy and the operational aspects of the groupings is a matter for consideration and agreement between Newry and Mourne District Council and the Louth Local Authorities. It is crucially important that the Secretariat arrangements are in place from the beginning as this will be a key determinant of the success or otherwise of the cooperation structures. Figure 3 overleaf provides an organisational and reporting diagram for the Strategic Alliance arrangements.

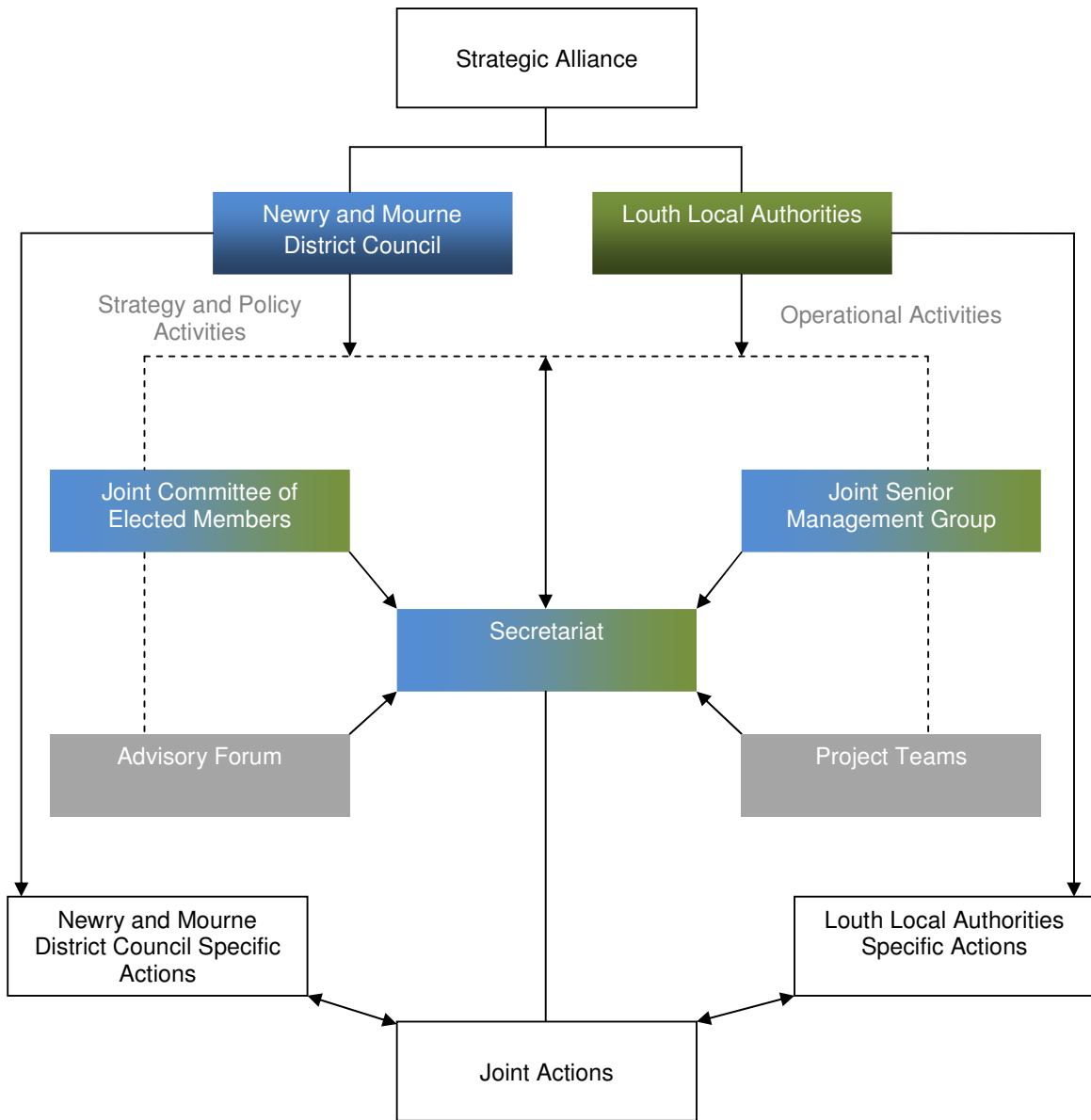


Figure 3: Organisational and Reporting Diagram of Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities

4.0 LOOKING TO THE FUTURE



Evidence indicates that cross-border cooperation advances over a long timeframe, often starting with very practical, low-key exchanges between individuals and organisations that sometimes evolve into complex institutional arrangements. Perkmann, for example, points out how high-intensity cross-border initiatives in Europe are on average 16 years old (as opposed to 10 years for low-intensity ones).⁵⁶ Recognising this, and given the broadening range of legal instruments to facilitate cooperation in Europe, and the inevitability of local government change in both Northern Ireland (the Review of Public Administration⁵⁷) and the Republic of Ireland, it is therefore important to consider some potential future cooperation steps between Newry and Mourne District Council and the Louth Local Authorities. For example, a recent report by the Local Government Efficiency Review Group, established by the Minister for Environment, Heritage and Local Government, made a series of recommendations on further efficiencies that could be made to local government, including a

⁵⁶ Perkmann, M (2003) Cross-border Regions in Europe: Significance and Drivers of Regional Cross-Border Cooperation, *European Urban and Regional Studies*, 10 (2), p.164

⁵⁷ See www.rpani.gov.uk

regional approach to shared services and the creation of joint administrative areas by the pairing of county and city councils.⁵⁸ ICLRD has also recently published a report on the impact of proposed government and planning reforms on inter-jurisdictional planning.⁵⁹

4.1 FUTURE COOPERATION STEPS

The conclusion of a Strategic Alliance represents a significant enhancement of cross-border cooperation between their respective organisations. The immediate and medium term concerns of Newry and Mourne District Council and the Louth Local Authorities will inevitably include the setting up of the various agreed cooperation structures; ensuring their satisfactory functioning; elaborating a range of joint actions, including projects and funding applications; and taking these agreed actions through to implementation and ongoing management. However, in taking forward the Strategic Alliance a number of challenges will inevitably arise which may prove difficult to surmount under a voluntary non-legally binding agreement. The local authorities might also wish to further intensify their cooperation, perhaps by establishing a legal entity, or by incorporating other neighbouring local authorities or regional stakeholders. In such scenarios it would be necessary to consider other legal instruments available to facilitate cross-border cooperation and two in particular are applicable on the island of Ireland in this context: the European Economic Interest Grouping (EEIG) and the European Grouping for Territorial Cooperation (EGTC).

An EEIG precedent already exists locally in the form of ERNACT, initially set up by Derry City Council and Donegal County Council but now involving many partners from across Europe. While the relatively narrow focus of the EEIG regulation on matters of economic concern meant that it cannot be contemplated for addressing a broader range of cooperation areas, should Newry and Mourne District Council and the Louth Local Authorities seek to develop a joint initiative with a core economic focus, and wish to establish it as a discrete legal entity, an exploration of the EEIG model would be recommended. Perhaps a commercial spin-off might result from the ongoing collaboration on renewable energy?

⁵⁸ Follow this link for an Executive Summary of the Efficiency Review Group report: <http://www.environ.ie/en/LocalGovernment/LocalGovernmentEfficiencyReviewGroup/PublicationsDocuments/FileDownload,23534,en.pdf> [Accessed 23/08/10]

⁵⁹ Creamer et al (2010) *All Change But Any Alignment? The Impact of the Proposed Governance and Planning Reforms Across the Island of Ireland on Inter-Jurisdictional Planning*, ICLRD

In contrast to the EEIG, no example of an EGTC yet exists in the UK or Ireland, although both national governments have signed into law the necessary legal instruments to facilitate their creation. The EGTC would seem to offer an alluring possibility of enhanced cooperation, particularly at the local authority level, but also carries the potential for a multiple-level partnership including central government, health boards or other such organisations governed by public law.

EGTC usage would seem to be most applicable to the management of discrete projects, programmes or resources, like a cross-border geo-park, and it is in such a context that Newry and Mourne District Council and the Louth Local Authorities might want to consider the EGTC provisions in greater detail as circumstances evolve. However, the time, resources, and expertise required to take forward an EGTC would likely necessitate the building of a much wider coalition of partners and it should therefore be considered as a medium to long-term possibility. Waiting the outcome of the current European review into the EGTC regulations would be prudent, as it will likely facilitate improvements.

5.0 CONCLUSIONS AND RECOMMENDATIONS

The ICLRD was commissioned by Newry and Mourne District Council and the Louth Local Authorities to assist them in concluding a Strategic Alliance between their respective organisations. The Strategic Alliance builds on their long history of cooperation and, amongst other things, is aimed at delivering tangible benefits to the citizens of the region as well as providing the necessary platform for enhanced cooperation on a range of agreed themes.

The report considers the variety of legal instruments available in Europe to facilitate cross-border cooperation between local authorities. These included Euroregions, European Groupings for Territorial Cooperation, European Economic Interest Groupings and ad-hoc agreements. Such instruments are often necessary to provide greater certainty to authorities involved in cross-border cooperation, especially when dealing with complex or ambitious projects, and given the variable powers and legal options at their disposal.

A number of local case studies were introduced for illustrative purposes, including the ERNACT EEIG established by Derry City Council and Donegal County Council and the Marble Arch Caves Global Geopark Memorandum of Understanding between Fermanagh District Council and Cavan County Council.

The report establishes the key principles under which cooperation between Newry and Mourne District Council and the Louth Local Authorities should be approached and these principles, together with an understanding of the legal form in which cooperation might take, are central to the recommendations elaborated in the next section.

5.1 RECOMMENDATIONS

- The Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities should initially take the form of a bilateral, legally non-binding Memorandum of Understanding;
- The agreed themes under which cooperation will be advanced in the short term reflect the history of collaboration between the authorities but also the opportunities that exist to more effectively manage shared resources as well as foster economic growth:

- Emergency planning;
 - Renewable energy and green technology;
 - Tourism and recreation;
 - Sustainable economic growth and job creation.
-
- A number of other reciprocal tasks and cross-cutting areas of cooperation that could be developed in the future include, amongst other things, coordinated/shared services; non-statutory spatial planning; and undertaking joint representation of the region in areas of mutual interest;
 - The framework for taking forward cooperation under the Memorandum of Understanding should involve the establishment of advisory number of strategy and policy and operational groupings:
 - A joint Committee of Elected Members;
 - A joint Senior Management Group;
 - An Advisory Forum;
 - Project Teams.
 - The Secretariat will perform a critically important coordinating role and should assist in the scheduling, convening and reporting of meetings. Outside assistance in this function could prove essential and discussions have already taking place with *InterTradelreland* in terms of assistance that it could provide;
 - Newry and Mourne District Council and the Louth Local Authorities should consider further developing their Strategic Alliance in the medium-long term by exploring the possibilities presented by the existing EGTC and EEIG cross-border cooperation instruments;
 - Once established and operational, the agreement should be flexible and open to other regional stakeholders who may wish to participate in future cooperation when mutual benefits can be accrued.

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USEFUL WEBSITES

Council of Europe

www.coe.int

Mission Opérationnelle Transfrontalière

www.espaces-transfrontaliers.org

Association of European Border Regions

www.aebr.net

Committee of the Regions

www.cor.europa.eu

The INTERACT Programme

www.interact-eu.net

InterTradeIreland

www.intertradeireland.com

Centre for Cross Border Studies

www.crossborder.ie

International Centre for Local and Regional Development

www.iclrd.org

North South Ministerial Council

www.northsouthministerialcouncil.org

APPENDICES

APPENDIX 1 – NEWRY-DUNDALK TWIN CITY REGION

A major study into the “Newry-Dundalk Twin City Region” identified four projects to drive a collaborative framework at sub regional level:- a Newry/Dundalk centre of excellence, a Newry/Dundalk international services zone, geo – tourism and the management of a shared landscape and natural heritage as well as a coordinated regeneration strategy for older areas in Newry and Dundalk. The report is also back-up by a series of working papers that outline other possible areas of cooperation.

The report was launched by Conor Murphy, MP MLA, Minister for Regional Development in Northern Ireland, and John Gormley, TD, Minister for the Environment, Heritage and Local Government of the Republic, at a special event at the Carrickdale Hotel, Ravensdale, Dundalk, Co Louth.

Published by ICLRD, the “Newry-Dundalk Twin City Region” Report brings together recent and current research on how to realise the benefits of cross border collaboration in the Newry-Dundalk Sub Region through integrated planning and development strategies. The Report, which was guided by a high level steering committee, chaired by Inter *Tradel* Ireland with representatives from central and local government and business on both sides of the border, details how the Newry-Dundalk Twin City Region is well positioned to attract high quality jobs, improve the local environment, generate a wide range of public and commercial services, and promote a well managed environment for tourism and recreation.

The Newry-Dundalk Twin City Concept first captured the imagination of politicians, academics, and senior officials six years ago at an Ireland-Harvard Conference held in Newry City. The Newry-Dundalk Region has traditionally exhibited a long history of cross border cooperation between the local authorities of Newry and Mourne, Louth County and Dundalk Town Councils.

Councillor Colman Burns, Mayor of Newry and Mourne District Council, joined his colleagues from Louth County Council and Dundalk Town Council in welcoming the launch of the Newry-Dundalk Report:

“Newry and Mourne Council has been committed to cross-border cooperation for many years. We were co-founders, along with Louth County Council, in the establishment of the East Border Region in 1976. We also have a long established joint committee of elected members from Dundalk Town Council and Newry and Mourne District Council who meet on a regular basis to discuss issues of mutual concern and to promote greater cooperation between the communities on both sides of the border. Also at a local level through the Castleblayney-South Armagh Partnership we have supported a number of local tourism development projects. I very much welcome the Newry-Dundalk Twin City Report. This not only celebrates the cooperation already undertaken at the local level, but also sets out for us an agreed way forward that will help establish the Newry/Dundalk Twin City Region as a dynamo for growth and development on the island of Ireland”.

Newry and Mourne District Councils Chief Executive, Mr Thomas McCall, elaborated how the Newry-Dundalk Twin City Vision was first established at a local level and has been developed from the bottom up. Mr McCall said:

“The vision which was established by local politicians has taken hold in the minds of policy makers both in industry and in the public service. By stating our case for the future development of the Twin City Region, we have set out a series of key strategic projects, which are capable of delivery and which will help establish this region as an exemplar for cross border development in the future”.

Aidan Gough, Director of Strategy at Inter *Tradel* Ireland who chaired the group said:

“In these troubled economic times, the Twin City Region Project sets out a route map to future prosperity based on cross border cooperation, local leadership and central support. It is a prime example of actions locally to complete globally”.

The Report published by the ICLRD sets out the practical and mutual benefits of voluntary cooperation which will be reflected in pooling of expertise, sharing of good practice and efficiencies in enterprise development as well as the sustainable management of the region. The ICLRD research team undertook detailed research and conducted over 100 interviews with key public, business and civic leaders to identify key issues affecting the region. A Steering Committee, chaired by Inter *Tradel* Ireland and supported by ICLRD, provided guidance to the study team which identified four key projects to be progressed within a wider sustainable development context. These include:

- A Dundalk/Newry Centre of Excellence to create a sustainable energy community linked to the work of Sustainable Energy Ireland (SEI) and EU Concerto;
- A proposed Newry/Dundalk Cross Border International Services Zone linked to international financial and other services is proposed which will create additional skilled employment in the region;
- The promotion of geo tourism and the management of a shared landscape and natural heritage to promote and safeguard the geological assets and natural resources of the Mourne, Cooley, Slieve Gullion and Carlingford Lough Region;
- A further project to create and co-ordinate a regeneration strategy for both Newry and Dundalk thus promoting the distinctiveness of the two cities will also be developed.

The Report proposes that the two jurisdictions should continue their existing cooperation, particularly at central government level, by building on structures that have evolved during the study.

A joint senior management group comprising the Local Authority County/ Manager and Chief Executive along with senior departmental heads has already been established to develop areas for cooperation in the future.

A Twin City Region Advisory Group modelled on the Steering Committee and composed of representatives from the Newry and Mourne District, Louth County and Dundalk Town Councils along with representatives from the respective Chambers of Commerce and Central Government will be established, to oversee the implementation of the projects set out in the Report. The Advisory Group will also be supported by a number of joint technical teams under the stewardship of the Senior Management Group.

The initiative shown by the civic, public and business leadership in Newry and Dundalk to bring added benefits to each side of the border with a new regional perspective will provide a powerful example of how voluntary inter- jurisdictional cooperation can benefit other local governments across the island of Ireland.

The launch of the Newry-Dundalk Twin City Region Report also sets out a first in terms of sub-regional strategic planning on the Island of Ireland.

APPENDIX 2 – PARTICIPANT FEEDBACK FROM MOUDLE 5 OF EXECUTIVE TRAINING PROGRAMME FOR COUNCILLORS AND PUBLIC/PRIVATE SECTOR REPRESENTATIVES IN THE NEWRY-DUNDALK TWIN CITY REGION – 11TH MAY 2010

Question	Working Group 1	Working Group 2	Working Group 3
<p>What are the vital ingredients of an over-arching vision for cooperation in the Twin-City and wider region?</p>	<ul style="list-style-type: none"> ▪ The need for an over-arching vision was considered vital ▪ It should have political buy-in at both local and national level ▪ Leadership should also come from council officers ▪ It is important that parochialism is parked and a strategic view of the wider region is needed 	<ul style="list-style-type: none"> ▪ The vision should address the things that people in the region want tackled ▪ It should identify win-wins on a cross-border basis, ideally ones that are capable of being fast-tracked or realised in the short-term ▪ Governments, the public, and politicians must have buy-in ▪ The region should be clearly identified 	<ul style="list-style-type: none"> ▪ It was felt that this already exists but what is needed are workable projects ▪ Concern was expressed about the need to build project momentum so that cross-border cooperation becomes resilient to changes in personnel and other circumstances
<p>Does this three-tiered structure provide the necessary framework for initiating, supporting and growing future projects in the Twin-City and wider region?</p>	<ul style="list-style-type: none"> ▪ There is a concern about partnership fatigue and institutional thickness ▪ Partnerships should be strong and have political support ▪ The advisory group was not considered to be strong enough and should possibly be renamed the Socio-Economic 	<ul style="list-style-type: none"> ▪ Yes, provided it has the correct make-up ▪ Technical groups should be comprised of specialists in the relevant field 	<ul style="list-style-type: none"> ▪ Yes, but technical teams should be on board from the outset to advise on projects ▪ The middle tier provided the most likely location for private sector buy-in but this may require some kind of profit motive

	<p>Forum</p> <ul style="list-style-type: none"> ▪ A forum could include elected members, senior officials, community and Chamber of Commerce representatives etc. 		
<p>Does it allow for local leadership within the public and private sectors to advocate for and champion an action agenda?</p>	<ul style="list-style-type: none"> ▪ Yes, it would allow for local leadership provided that the structures are correct and all partners are involved 	<ul style="list-style-type: none"> ▪ Yes, particularly because both Chambers of Commerce and councils have worked successfully on other projects 	<ul style="list-style-type: none"> ▪ This is considered vital but any future action agenda must be sold to the wider public
<p>Can it address short-term actions and also provide longer-term guidance on strategic initiatives?</p>	<ul style="list-style-type: none"> ▪ Yes, however, there must be short-term successes to achieve buy-in ▪ Any short-term projects should be priority cases based on a strong evidence base 	<ul style="list-style-type: none"> ▪ Yes, but this depends on having the right groups in place from the outset 	<ul style="list-style-type: none"> ▪ Several short-term projects are already on the ground but what is still needed is a longer term vision
<p>Should the preparation of a regional agreement, outlining key areas for joint working including more formalised structures, be considered?</p>	<ul style="list-style-type: none"> ▪ Yes, a regional agreement or Charter between local authorities would be advantageous ▪ It should include branding of the area as forward and outward-looking, and as a place which seeks to think 'outside the box' 	<ul style="list-style-type: none"> ▪ Yes, a Charter would be a good idea provided that it doesn't lead to the establishment of new institutional structures ▪ Research on the best model to adopt would be welcome 	<ul style="list-style-type: none"> ▪ Yes, this is vitally important but requires committed resources from both jurisdictions and across a range of sectors ▪ A single tourism body to promote the region was cited as an example of something that is desperately needed

APPENDIX 3 – JOINT FORMAL AGREEMENT BETWEEN DUNDALK URBAN DISTRICT COUNCIL AND NEWRY AND MOURNE DISTRICT COUNCIL



APPENDIX 4 – EUROPEAN GROUPINGS FOR TERRITORIAL COOPERATION

Information taken from the EGTC portal of the European Union Committee of the Regions:

<http://portal.cor.europa.eu/egtc/en-US/Projects/Pages/welcome.aspx>

EGTCs already in existence:

- Amphictyony (partners from Greece, Cyprus, Italy and France)
www.amphictyony.gr
- ArchiMed (partners from Italy, Spain and Cyprus)
- Cerdanya Cross-Border Hospital (partners from Spain and France)
www.hcerdanya.eu
- Duero-Douro (partners from Portugal and Spain)
www.duero-douro.com
- Eurodistrict Saar Moselle (partners from France and Germany)
www.saarmoselle.fr
- Eurodistrict Strasbourg - Ortenau (partners from France and Germany)
www.eurodistrict.eu
- Euroregion Pyrénées-Méditerranée (partners from Spain and France)
www.euroregio.eu
- Galicia-Norte Portugal (partners from Portugal and Spain)
www.galicia-nortept.org
- INTERREG - Programme Grande Région (partners from France, Germany, Belgium and Luxembourg)
www.interreg-4agr.eu
- Ister-Granum (partners from Hungary and the Slovakia)
www.istergranum.hu

- Karst-Bodva (partners from Hungary and the Slovakia)
- Lille-Kortrijk-Tournai (partners from France and Belgium)
www.lillemetropole.fr
- West-Vlaanderen/Flandre-Dunkerque-Côte d'Opale (partners from Belgium and France)
- UTTS (partners from Hungary and Slovakia)
- ZASNET (partners from Portugal and Spain)

EGTCs under preparation:

- TRITIA (partners from Slovakia, the Czech Republic and Poland)
- Ulm-Vienna- Budapest (partners from Germany, Hungary and Austria)
- Euroregion Alps-Mediterranean (partners from Italy and France)
- Territorio dei Comuni: Comune di Gorizia, Mestina Obcina NOVA GORICA e Obcina ŠEMPETER-VRTOJBA (partners from Italy and Slovenia)
- Euranest (partners from Belgium, France, Italy and Switzerland)
- Bulgaria-Romania EGTC
- Euregio Meuse-Rhine (partners from Netherlands, Belgium and Germany)
- Agglomération franco-luxembourgeoise 'Alzette-Belval' (partners from France and Luxembourg)
- Euroregion Neiße-Nisa (partners from Germany, Poland and the Czech Republic)

- Donauhanse (partners from Germany, Austria, Hungary, Bulgaria, Romania, Serbia and Ukraine)
- National park Area Alpi Marittime / Mercantour (partners from France and Italy)
- Alpen-Adria (partners from Italy, Austria, Slovenia, Hungary and Croatia)
- Eurodistrict Oderland Nad Odrze (partners from Germany and Poland)
- Eurocidade Chaves-Verin (partners from Portugal and Spain)
- Eurodistrict SaarMoselle (partners from France and Germany)
- Europaregion Donau – Moldau (partners from Germany and the Czech Republic)
- Bratislava – Niederösterreich (partners from Austria and Slovakia)
- Euroregion Corridor VIII (partners from Italy and Bulgaria)
- Ung-Tisza-Túr-Sajó (UTTTS) (partners from Hungary, Slovakia, Ukraine and Romania)

APPENDIX 5 – A SELECTION OF EUROREGIONS

- Inn-Salzach Euroregion (partners from Austria and Germany)
www.inn-salzach-euregio.de
- Bavarian wald - Böhmerwald (partners from Austria, Czech Republic and Germany)
www.euregio-bayern.de
- Euregio Salzburg-Berchtesgadener Land/Traunstein (partners from Austria and Germany)
www.euregio-salzburg.eu
- European Region of Tyrol-South Tyrol-Trentino (partners from Austria and Italy)
www.europaregion.info
- Euregio Zugspitze-Wetterstein-Karwendel (partners from Austria and Germany)
www.euregio-zwk.org
- Internationale Bodenseekonferenz (partners from Germany, Switzerland, Liechtenstein and Austria)
www.bodenseekonferenz.org
- West Pannonia Euregio (partners from Austria and Hungary)
<http://euregio.hu/eu>
- Eurégion Meuse-Rhin (partners from Belgium, Germany and the Netherlands)
www.euregio-mr.org
- Danube-Drava-Sava (partners from Croatia, Hungary and Bosnia and Herzegovina)
www.ddseuro.org
- Nestos-Mesta Euroregion (partners from Bulgaria and Greece)
<http://euroregion.dragonsrider.co.uk>

- Nis-Sofia-Skopje Euroregion_ (partners from Bulgaria, Serbia and Macedonia)
www.eurobalkans.net
- Euroregion Egrensis_ (partners from the Czech Republic and Germany)
www.euregioegrensis.de
- Euroregion Krušnohoří/Erzgebirge (partners from the Czech Republic and Germany)
www.euroregion-erzgebirge.de
- Euroregion Labe/ELBE_ (partners from the Czech Republic and Germany)
www.euroregion-elbe-labe.eu
- Euroregion Neisse-Nisa-Nysa (partners from the Czech Republic, Poland and Germany)
www.neisse-nisa-nysa.org
- Euroregion Glacensis_ (partners from the Czech Republic and Poland)
www.euroregion-glacensis.ng.pl
- Kvarken Council (partners from Finland, Norway and Sweden)
www.kvarken.org
- Euregio Karelia (partners from Finland and Russia)
www.euregiokarelia.fi
- Ems Dollart Region (partners from Germany and the Netherlands)
www.edr.eu
- EUREGIO Rhein-Maas-Nord (partners from Germany and the Netherlands)
www.euregio-rmn.de
- Freiburger Regiogesellschaft (partners from Belgium, Germany and Switzerland)
www.regiogesellschaft.de
- EuroRegion PRO EUROPA VIADRINA (partners from Germany and Poland)
www.euroregion-viadrina.eu

- Carpathian Euroregion (partners from Hungary, Poland, Romania, Ukraine and Slovakia)
www.carpathianeuroregion.com
- Danube-Kris-Mures-Tizza (partners from Romania, Hungary and Serbia)
www.dkmt.net
- Regio Insubrica (partners from Switzerland and Italy)
www.regioinsubrica.org
- Euroregion Baltic (partners from Denmark, Lithuania, Poland, Russia and Sweden)
www.euroregionbaltic.eu
- Euroregion Sesupe (partners from Poland, Russia and Lithuania)
www.sesupe.lt
- Euregio-Rijn-Waal (partners from Germany and the Netherlands)
www.euregio.org
- Euregio Scheldemond (partners from Belgium and the Netherlands)
www.euregioscheldemond.org
- Sprewa-Nysa-Bohr Euroregion (partners from Germany and Poland)
www.euroregion-snb.pl
- Tatry Euroregion (partners from Poland and Slovakia)
www.euroregion-tatry.pl
- Bug Euroregion (partners from Belorussia, Lithuania and Poland)
www.euroregionbug.pl
- Euroregion Pomerania (partners from Germany, Poland, Sweden and Denmark)
www.pomerania.org.pl
- Niemen Euroregion (partners from Lithuania, Russia and Poland)

<http://niemen.org.pl>

- Euroregion Bílé-Biele Karpaty (partners from the Czech Republic and Slovakia)
www.erbbk.sk
- Euroregion Váh-Dunaj-Ipel (partners from Hungary and Slovakia)
www.euroregion-vdi.sk
- Barents Euro-Arctic Council (partners from Finland, Norway, Russia and Sweden)
www.beac.st
- Regio TriRhena (partners from Germany, Switzerland and France)
www.regiotrirhena.org
- Arc Manche Region (partners from France and the United Kingdom)
www.arcmanche.com

APPENDIX 6 – MEMORANDUM OF UNDERSTANDING BETWEEN NEWRY AND MOURNE DISTRICT COUNCIL AND THE LOUTH LOCAL AUTHORITIES

Preamble

This Memorandum of Understanding (MOU) sets out the detailed workings of the Strategic Alliance between Newry and Mourne District Council and the Louth Local Authorities (the Parties) which will seek to support and promote the economic development and competitiveness of the region. The key objectives of the Strategic Alliance are:

- To promote, strengthen and stimulate the social, cultural and economic links within and between the peoples of the region;
- To provide an enabling framework to promote the region more effectively for inward investment and open up further opportunities for the sharing of services and coordinated management of key resources;
- To consolidate the long-established working relationships between the Parties, positioning them on a strategic long-term footing, and with an outward looking focus;
- To coordinate core functions of the Parties in selected areas of co-operation;
- To enhance the leadership position of the Parties within the cross-border region and bolster their influencing and coordinating role for the benefit of the entire community;
- To develop links with other local authorities and regional stakeholders.

Parties to the MOU

The Parties to this MOU are Newry and Mourne District Council and the Louth Local Authorities, comprising Louth County Council, Dundalk Town Council, Drogheda Borough Council and Ardee Town Council.

Purpose of MOU

- To outline the key themes under which closer collaboration and joint actions will be pursued;
- To elaborate the arrangements for co-operation between the local authorities, including supporting structures and decision making mechanisms;
- To define a number of reciprocal activities to be undertaken by the local authorities.

Commencement and Operation

This MOU will take effect from October 2010 and will remain for a period of not less than 5 years and will be subject to renewal by agreement thereafter. This is a non-statutory agreement and is subject to the applicable national and international laws of the states to which the Parties belong.

Co-operation Themes

The Parties agree to strengthen existing co-operation and further develop activities under the broad themes given below. Co-operation activities may involve working up and delivering joint projects and funding applications, exploring opportunities for the co-ordination and sharing of services, as well as other actions as deemed appropriate by the Parties.

- **Emergency planning** to optimise the use of resources through sharing of services, facilities and personnel in responding to emergencies;
- **Renewable energy and green technology** to reduce energy consumption, to promote the adoption of renewable technologies and help reduce carbon emissions;
- **Tourism and recreation** to capitalise on the unique location of the region and enhance capacity to attract increased investment and visitors by developing the tourism product and sharing resources;
- **Sustainable economic growth and job creation** by working together for the good of the region.

Other co-operation themes may be developed by the Parties and could include coordinated/shared services; non-statutory spatial planning; pursuing linked-gateway status; and developing a regional profile to enable evidence informed planning.

Co-operation Tasks

In addition to the activities outlined under the co-operation themes, the Parties also commit to pursuing the following co-operation tasks:

- Developing joint policies and action plans in areas of mutual interest to increase efficiencies in the delivery of services;

- Incorporating the cross-border dimension, where appropriate, into the respective policies, programmes, plans and projects of each Party;
- Undertaking joint representation of the region in areas of mutual interest;
- Working towards furthering cross-border co-operation including the establishment of a legal entity;
- Encouraging exchanges of information, knowledge and know-how between the Parties, including exploring possibilities of staff secondments, work shadowing and other such initiatives as deemed appropriate.

Co-operation Structure

The Parties agree to work towards the establishment of a number of groupings within 6 months of the signing of this MOU. These will include:

- A joint **Committee of elected members** from the Parties;
- A joint **Senior Management Group** comprising the Chief Executive, County Manager and Directors;
- An **Advisory Forum** incorporating an agreed number of representatives of Industry, Commerce and the Voluntary Sector from within the region. InterTrade-Ireland, in its legislative role as a body established to exchange information and coordinate work on trade and business development will act as secretariat to the Forum and will support the interface between Central and Local Government;
- **Project Teams** to deliver on the four co-operation themes.

The Parties will agree the working arrangements, protocols and roles and responsibilities of each grouping in advance.

Resources

The Parties agree to identify joint initiatives and models for sharing resources to facilitate the delivery of the co-operation themes.

Communication

The primary contact points will be the County Manager of Louth Local Authorities and the Clerk and Chief Executive of Newry and Mourne District Council. A Secretariat will be

provided by the Parties and will rotate on an annual basis or by agreement. It will be the responsibility of the Secretariat to convene relevant meetings, take minutes of proceedings, prepare reports and action points, co-ordinate public relations as required, and provide administrative support. The Joint Senior Management Group will be responsible for monitoring and managing the Project Teams.

Review, amendments, dispute resolution and termination

The content of this MOU will be reviewed annually or at the request in writing of one of the Parties. Amendments can only be made on the agreement of both Parties.

Disputes and/or disagreements will be referred to the respective Directors from both Parties with responsibilities in the area or subject matter at hand. If not resolved at this level, the County Manager and Clerk and Chief Executive can elect to deal with the matter directly or to nominate a respective Director from each Party not previously involved. In the event of the dispute/disagreement not being resolved at Director or County Manager/Clerk and Chief Executive level, the Parties reserve the right to identify, agree and appoint an independent arbiter.

The Parties will actively seek to develop co-operation, MOUs and other forms of agreement with other local authorities and regional stakeholders.

Signatures

Mayor of Newry and Mourne District Council

Chair of Louth County Council and Chairs of Dundalk/Drogheda and Ardee Town Councils

County Manager of Louth County Council and Clerk and Chief Executive of Newry and Mourne District Council

Annexes attached

- Brief summary of co-operation history between the Parties
- ICLRD Background Report Executive Summary
- Explanatory organisational and reporting diagram