

A European perspective on Anglo-Scottish cross-border cooperation: lessons from EU-funded territorial cooperation programmes

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Abstract:

The article aims to reflect on the development and prospects of cross-border cooperation between Scotland and England in a European perspective. Over the past 25 years the EU has supported specific programmes of cooperation across the EU's internal borders (INTERREG), which have allowed thousands of local and regional actors to work on common actions, projects or strategies to overcome long-standing processes of conflict, competition or lack of cooperation. The paper first discusses the added-value and shortcomings of these EU territorial cooperation initiatives, before considering recent developments and future options for cooperation across the Anglo-Scottish border. In capturing how the drive for local and regional actors within the EU to engage in trans-boundary cooperation is shaped by both the *a priori* existence of strong, historically-rooted cross-border relationships and by more pragmatic concerns to access new resources and policy ideas, the article goes on to examine how such motivations have played out across the Anglo-Scottish border. While acknowledging the benefits of trans-boundary co-operation, the article provides a more cautious assessment of the various barriers and asymmetries that can hinder cross-border co-operation and, in focusing on the area of spatial planning, highlights a particular challenge for economic and social collaborations across the Anglo-Scottish border. The article ends with a brief reflexion on the implications of the results of the 2016 Brexit referendum, before concluding with the most relevant lessons from European territorial cooperation initiatives for Anglo-Scottish cross-border cooperation.

Keywords: Borderlands; European Union, European Territorial Cooperation, INTERREG, Cross-Border Cooperation, UK

Before the Scottish Independence referendum of September 2014, speculations were rife as to what a new international border would concretely mean - if the “Yes” won - for the daily life, mobility flows and relationships between the inhabitants and economic actors of the regions surrounding the Anglo-Scottish border. After the referendum, the question of cross-border relations and cooperation between actors located on both sides of the border has not lost its relevance, due to the pre-existing legal and institutional differences between England and Scotland, to the impact of devolution on policy trajectories in both nations since 1999 (compounded by the granting of additional devolved powers to Scotland through the 2016 Scotland Act), and to the increasingly divergent political agendas which have emerged since 2010 out of political change in the Westminster Parliament and in the Scottish Parliament. Additionally, the uncertainties created by the results of the United Kingdom (UK) European Union membership referendum of 23 June 2016 (“Brexit referendum”), in which 52% of UK voters supported the option of leaving the European Union (EU), means that the possibility of a second independence referendum in Scotland is not entirely off the agenda in the foreseeable future.

This contribution focuses on cross-border cooperation between primarily local and regional actors (i.e. sub-central state actors, which in the context of this paper mean actors at levels below that of the UK and Scottish governments). It leaves out the question of the cooperation between the UK and Scottish parliaments and governments to deal with shared ‘national’ problems and resolve disputes through inter-governmental coordination (Paun and Munro 2015) – i.e. the challenges of ‘shared rule’ explored by McEwen and Petersohn (2015). The paper aims to put the question of cross-border relations between Scotland and England in a European perspective. In 1990 the European Union (EU) created specific programmes (named INTERREG) to support new forms of cooperation across the EU’s internal and external borders within the wider framework of EU Cohesion (or Regional) Policy. 25 years after the creation of INTERREG, many local and regional authorities across the EU are now routinely involved in forms of cooperation across state borders, often (although not always) supported by such EU-funded programmes. In various parts of Europe, trans-boundary cooperation has become institutionalised through, for example, permanent ‘Euroregions’ or ‘European Groupings of Territorial Cooperation’. Such forms of cooperation aim to offer an incentive and a framework to overcome long-standing processes of conflict, competition or lack of coordination between the actors located on the two sides of a state border.

The generic term ‘trans-boundary’ is used here to refer to ‘(more or less institutionalized) forms of collaboration between sub-central authorities from two or more states, aimed at the coordination and elaboration of common actions, projects, policies or strategies across a national border’ (Colomb et al. forthcoming). Such forms of cooperation can occur at different geographical scales, as explained below. Several terms have therefore been used by EU policy actors and academics to refer to these multiple scales of cooperation – hence the use of the umbrella term ‘trans-boundary’. The growth and diversification of trans-boundary cooperation initiatives in Europe has generated a vast amount of research in geography, regional studies, political science, ‘border studies’, planning and sociology, which cannot be done justice to in this paper. Instead, this contribution offers a selective reflection on the added-value, shortcomings and lessons of EU-funded programmes of

trans-boundary cooperation which are of particular relevance for cooperation alongside the Anglo-Scottish border.¹

The EU as a promoter of trans-boundary cooperation between local and regional actors

Trans-boundary cooperation in Europe was for a long time within the hands of central state actors. In the 1960s and 1970s, to deal with specific cross-border issues of regional scale (such as the coordination of transport infrastructure planning), bi- or multilateral governmental commissions were established to facilitate inter-state cooperation (for example the Benelux, the Nordic Council, or the International Commission of the Pyrenees). These were not open to local authorities (Perkmann 2003), which were not legal subjects according to international law and thus not allowed to conclude international agreements with foreign authorities. Trans-boundary cooperation between sub-central levels of government was therefore based on informal arrangements (*ibid.*), such as the first ‘Euroregion’ created in 1958 at the German-Dutch border. The Council of Europe approved the Madrid Convention in 1980, which allowed sub-central state actors to enter into formal cross-border cooperation agreements.

In the 1980s, the consolidation of the Single European Market was accompanied by the parallel development of an EU regional (or cohesion) policy, in order to compensate for the inter-regional disparities strengthened by the abolition of internal borders and the free movement of goods, people and capital in the European Community. In 1990 a small pilot programme was created within that framework, named INTERREG, and was expanded in the decades that followed to support trans-boundary cooperation across the EU’s internal and external borders.² EU-funded programmes of ‘European Territorial Cooperation’ (as this component of EU regional policy is now known) have focused on three levels of scale: *cross-border* cooperation (INTERREG A), currently covering 53 areas immediately adjacent to each EU internal border (e.g. within a 50-100 km wide strip); *transnational* cooperation, currently taking the shape of 13 programmes covering large groupings of European regions (INTERREG B); and *inter-regional* cooperation, supporting networks and exchanges of good practice between urban and regional actors across the whole of the EU (formerly INTERREG C, now known as INTERREG Europe). For the 2014-2020 programming period, the total budget for European Territorial Cooperation programmes amounted to €10.1 billion, i.e. 2.8% of the total budget for EU Cohesion Policy.³

¹ The paper is based on the author’s previous professional experience in an INTERREG programme IIIB (2002-2004) as well as her past research on policy learning, trans-boundary cooperation and spatial planning in North-West Europe and in Catalonia (Spain).

² For internal borders, INTERREG is funded by the European Regional Development Fund (ERDF) in the framework of EU regional policy. Additionally, cross-border cooperation initiatives at the external borders of the EU are co-funded by the Instrument for Pre-Accession (IPA) and the European Neighbourhood Instrument (ENI).

³ For an up-to-date overview of those programmes see the European Commission’s DG REGIO [web page: http://ec.europa.eu/regional_policy/en/policy/cooperation/european-territorial/](http://ec.europa.eu/regional_policy/en/policy/cooperation/european-territorial/).

From the European Commission's point of view, European Territorial Cooperation programmes are supposed to help overcome 'border effects' and achieve the EU objectives of economic, social and territorial cohesion by encouraging local and regional authorities, social and economic actors to address territorial development and spatial planning problems across state borders more effectively. It has also been argued that the European Commission sees trans-boundary networking as a way to promote particular policy agendas and 'good practices' in fields where the EU does not have a formal legislative competence (Bomberg and Peterson 2000), such as spatial planning and urban policy (Atkinson 2001; Dühr et al. 2010).

The EU has therefore given a significant financial and technical impulse to the development of new projects and practices of trans-boundary cooperation. Independently from EU-funded programmes, there exists other forms of trans-boundary cooperation between sub-central governmental actors in the EU, e.g. inter-city networks or 'Eurometropolises', such as the *Lille-Kortrijk-Tournai Eurometropolis* created in 2008 which brings together 147 French and Belgian municipalities, as well as all French and Belgian governmental levels represented by 14 institutions, to work together to remove the border effect and make daily life easier for its 2.1 million inhabitants.⁴

This has produced a complex mosaic of different *scales* and *forms* of trans-boundary cooperation in Europe, from generic, wide-ranging initiatives covering a particular cross-border territory (small or large), to sectorial or thematic networks covering a wide range of policy fields. Such initiatives – which are more or less institutionalised and stable over time – involve a diverse range of actors (regional and local authorities, economic development agencies, business associations, chambers of commerce, universities, NGOs, and less often, private firms). Perkmann (2003) and Oliveras González et al. (2010) carried out a review of cross-border regional cooperation initiatives in the EU, defined as initiatives whose main protagonists are public sub-central governmental authorities in different countries, concerned with practical problem-solving in a broad range of fields of everyday administrative life, and which involve a certain stabilization of cross-border contacts, i.e. institution-building, over time (Perkmann 2003, 156). In the mid-1980s there were only 20 such initiatives, which increased to 73 by 2003 (Perkmann 2003) and to 133 by 2007 (Oliveras González et al. 2010), under various labels such as 'Euroregions', 'Eurodistricts' or 'Working Communities'.

The increasingly proactive engagement of sub-central state actors in trans-boundary cooperation initiatives goes hand in hand with the strengthening of the role of municipal and regional authorities in Europe (in part thanks to devolution and decentralisation processes), and their transformation into key political actors and agents of local and regional development (Le Galès 2002; Pike et al. forthcoming). Looking at the geography of trans-boundary cooperation initiatives in Europe, one may assume that the most intensive forms of cooperation are based on the *a priori* existence of strong, historically-rooted cross-border functional, cultural and linguistic relationships inherited from a (distant) shared past (Perkmann 2003; Colomb et al. forthcoming). Indeed INTERREG programmes have funded a plethora

⁴ See <http://www.eurometropolis.eu/?noRedirect=1>.

of projects aiming to recover, revive or celebrate various expressions of cross-border heritage, history and culture.

But this is not always the case. More often than not, the drive for local and regional actors to engage in trans-boundary cooperation is highly pragmatic. Engaging in trans-boundary cooperation offers access to EU funding, to knowledge, policy ideas and experiences from other parts of Europe, as well as the possibility to solve specific cross-border issues through the coordination and/or rescaling of policy responses. Trans-boundary cooperation activities represent the will to overcome, at the local or regional level, the practical consequences and negative externalities of the continuous existence of national borders, which remain markers of differences in legal and administrative systems, health provision, education, labour market regulations, transport, spatial planning etc. The existence of dedicated EU programmes of territorial cooperation, of associated funding and technical expertise, and/or of legal structures and tools facilitating cooperation, means that there is an additional incentive for local and regional actors to focus on the issues ‘that unite, such as common problems and/or assets, economic linkages and a shared cultural identity’, rather than the ‘issues that divide, such as inter-territorial economic competition, rival claims to resources and variations in political “voice”’ (Pike 2002, 1079).

Trans-boundary cooperation projects and programmes are thus an important element in the social construction of cross-border regions, albeit not the only one. Oliveras González (2013), building on the social constructivist approach to (cross-border) ‘region-ness’ proposed by Perkmann (2003) and others (e.g. Paasi 1986, 2010; Gualini 2003), conceptualizes a cross-border region as the result of a process in which some, or all, of the following elements converge: a) a territory divided by a political border, but where similar territorial processes take place; b) some cross-border social, economic and/or environmental dynamics; c) some interrelated territorial agents who mobilize to implement projects of mutual interest; d) some projects carried out through cooperation; e) a common identity, based on the same culture, language, symbology, history or shared territory; and f) discourses and narratives (of geographical, historical, socio-economic and/or socio-cultural unity) that project the idea of sharing the territory, certain dynamics, projects and/or an identity.

In the border regions which are ‘peripheral’ in geographical, demographic and economic terms in relation to the metropolitan centres of growth and population of their national territory, involvement in cross-border projects and strategic initiatives can give them more visibility in the eyes of external actors (higher levels of government or potential investors), counteract dominant national narratives from the ‘centre’, and build a critical mass for new services or infrastructure in less populated regions. The case of the Cerdanya, a mountainous valley of 1,300 km² at the border between France and Spain (Catalonia), illustrates this (Colomb et al. 2016). Since the 1980s, various forms of ‘micro-level’ cross-border cooperation have emerged between the municipalities and intermediate levels of government on both sides of the border. They have been driven by several motivations: solve conflicts about the management of natural resources (e.g. water); support economic development and common sectors (e.g. agriculture); reach a critical mass of population to attract supra-municipal infrastructure (e.g. a new cross-border slaughterhouse and hospital);

and jointly manage natural risks (e.g. forest fires) (Oliveras González 2013). These practical considerations have sometimes been accompanied by a discourse on (cross-border) Catalan cultural unity and identity, more often invoked by Catalan actors south of the border (*Ibid.*). The flagship project of Franco-Catalan cross-border cooperation has been the construction of the first European cross-border hospital - the Hospital of the Cerdanya opened in September 2014 in Puigcerdà, 1 kilometre south of the border. It provides care for a permanent population of 32,000 (which can quadruple during the winter and summer holidays) spread over 53 municipalities on both sides of the border. The planning, construction and management of the hospital have proven to be very complex, because of the number of actors and issues involved, and of a notable asymmetry of competences: in France, health care facilities are within the remit of the national Ministry of Health and its regional agencies; in Spain, of the Autonomous Communities (i.e. the Catalan government in this instance).

In some border territories, a degree of political symbolism may also be attached to cross-border cooperation. In regions governed by parties or coalitions with a strong regionalist or autonomist agenda (such as Catalonia or the Basque Country), trans-boundary cooperation has often been mobilized by local and regional governmental actors as a form of regional ‘para-diplomacy’ (Trillo Santamaría and Lois González 2014) to support political, economic and cultural goals broadly conceived. The engagement of public actors in trans-boundary cooperation can be part of a broader strategy of mobilizing the ‘territorial imaginary’ in discourses on regional affirmation (Colomb et al. forthcoming) and creating new spaces of discursive ‘cross-border regionalist engagement’ (García-Álvarez and Trillo-Santamaría 2013). In such cases, there has been a convergence between what Prytherch (2009) calls - with reference to the Catalan and Valencian case - the ‘new’ politics of economic, transborder macroregionalism or Euroregionalism, and the ‘old’ politics of cultural regionalism and nationalism. The engagement of Catalan regional actors in trans-boundary cooperation (in particular in the Euroregion Pyrenees-Mediterranean) has been part of the search for a strengthened political and economic role for Catalonia in the South-Western Mediterranean and in Europe, in the context of recurrent tensions with the Spanish central state over claims for more regional autonomy (Colomb et al. forthcoming).

The added-value and shortcomings of trans-boundary cooperation in the EU

In the framework of EU-funded INTERREG programmes, thousands of trans-boundary cooperation projects have been developed on an *ad hoc* basis, co-funded by the European Regional Development Funds. Their life span is often limited to the few years of the funding period, and partnerships do not always survive beyond that. In some cases, projects have led to, or fed into, more stable or institutionalized forms of cooperation. Altogether, however, evaluating the outcomes and territorial impacts of past EU-funded territorial cooperation programmes and projects is a challenging task (Colomb 2007). The ‘added-value’ of INTERREG projects lies in tangible and intangible outcomes, many of which are difficult to ‘quantify’: awareness-raising, extended networks, confidence and trust building,

knowledge transfer, capacity building, development of new ideas and solutions, commitment to new actions or cost savings (INTERACT 2013). Evidence from previous INTERREG programmes and projects shows that trans-boundary cooperation has facilitated the diffusion of certain policy ideas (such as sustainable development or integrated urban regeneration) across European cities and regions, and sometimes led to changes in urban, regional and spatial planning approaches or to innovation in territorial governance (see for example Janin Rivolin and Faludi 2005; Pedrazzini 2005; ESPON and Nordregio 2005; Hachmann 2011). They have also led to concrete, localized improvements in services in cross-border areas - albeit limited, as INTERREG funding does not finance large-scale infrastructure (unlike the mainstream EU Structural Funds).

The EU Commission's Directorate-General for Regional Policy commissioned a 'Cross-Border Review' in 2015 to carry out an inventory of the critical border obstacles which remain 25 years after the creation of INTERREG. It noted that INTERREG played an important role in 'alleviating border obstacles and enhancing a spirit of cooperation', but that many of these obstacles 'call for changes in laws and/or administrative procedures' (CEC 2015, np) whose roots may not lie at the local or regional level, and are therefore beyond the remit of INTERREG programmes:

Crossing borders to find employment, receive better healthcare, make use of public facilities or receive emergency support can still cause difficulties. Taxation or pension rights issues, non-recognition of rights or standards, impossibility to operate joint emergency services are still problems that exist today. Most of the remaining obstacles stem from diverging national legislations on either side of the border..., incompatible administrative processes, or simply lack of common territorial planning (*Ibid.*).

Trans-boundary cooperation may become institutionalized through the formation of permanent structures which take various forms in legal and organizational terms, bringing together local or regional authorities or other actors from both sides of a border. This represents a process of 'solidification', whereby 'soft' spaces of trans-boundary cooperation 'are transfigured into harder, more clearly regulated and governed, spaces through the establishment of more rigid and strictly formatted and regulated socio-material forms of spatial organization' (Metzger and Schmitt 2012, 266). Such structures emerge thanks to political will and agreements between the leaders of their member institutions, e.g. regional governments in the case of Euroregions. They usually entail a small amount of dedicated human, administrative and financial resources, and offer an arena for the development and implementation of concrete cross-border projects, often with EU funding. In the EU, this process has been facilitated by the creation in 2006 of a new juridical figure, the European Groupings of Territorial Cooperation (EGTC), which enables regional and local authorities from different EU member states to cooperate more effectively.⁵ Yet the existence of a formalized trans-boundary structure does not guarantee the actual success of cooperation, which relies instead on the proactive engagement of specific 'policy entrepreneurs' (Perkmann 2007b) and networks of public and private actors who are willing to drive concrete projects. In the Euroregion Pyrenees

⁵ See the EGTC portal at: <https://portal.cor.europa.eu/egtc/Pages/welcome.aspx> for more information.

Mediterranean, for example, the development of trans-boundary cooperation projects in the fields of culture, higher education, sustainable development, renewable energy, bio- and other high technologies have been supported by a small dedicated team and by Euroregional grants funded from a 'common pot' created by the four participating regional governments. Many of these projects, however, were built upon pre-existing functional networks and initiatives which were already in place between key actors on both sides of the Franco-Catalan border: universities, the 40 chambers of commerce of the Euroregional territory, trade unions, port authorities, professional associations from the tourism or agriculture sectors, and cultural institutions (Morata and Noferini 2013). This demonstrates how cross-border cooperation initiatives might come from the bottom-up, driven by the demands of the 'borderlanders' themselves: citizens, businesses, and other civil society actors.

Some scholars have described such formalized structures as 'producing another soft, but institutionalized, comprehensive, stable and territorially-defined layer in the European "multi-level-system" [of governance]' (Blatter 2004, 350; Perkmann 2007a). Others have been more cautious about the long-term structural impacts of such forms of cooperation (Dühr and Nadin 2007). Dühr et al. (2010, Ch. 22) have conceptualised the potential changes in spatial planning and territorial development policies which can arise from the participation of local and regional actors in trans-boundary cooperation into three types: (localized) policy learning and policy change; a trans-boundary rescaling of policies; and policy convergence between the participating institutions. Past research on North-West Europe showed that there is, in some cases, evidence of policy learning and policy change at the local or regional level as a result of trans-boundary cooperation. However, there is no evidence of a long-term rescaling of spatial planning, territorial development strategies at the cross-border or transnational scale, or of a convergence of planning systems and territorial development practices (Dühr and Nadin 2007; Dühr et al. 2010, Ch. 23; Stead 2013). In the Catalan case, multiple forms of trans-boundary cooperation have led to new spaces of discursive 'cross-border regionalist engagement' (García-Álvarez and Trillo-Santamaría 2013), and in some cases to new spaces of 'soft planning' and small-scale innovation addressing specific territorial development issues (e.g. water management or health service provision). But they have not led to a durable and comprehensive trans-boundary rescaling or transformation of 'hard', statutorily defined planning spaces and strategies, nor to a change in territorial governance paradigms which would fundamentally reshape the existing division of competences between tiers of governments (Colomb et al. forthcoming).

This more cautious assessment has been drawn from a close look at the various factors which influence trans-boundary cooperation activities - and potentially facilitate or on the contrary, constrain, the individual, *intra*-organisational and *inter*-organisational working and learning processes which occur (Colomb 2007). There are technical and political difficulties involved in the development of institutionalized forms of cooperation that go beyond a logic of *ad hoc* projects. *Within* organisations, engagement in trans-boundary cooperation is conditioned by the presence of proactive leaders and political will to transcend competition and old rivalries. This can be affected by the vagaries of electoral politics in local and regional authorities. Additionally, even when political will is present, trans-boundary working poses specific challenges in terms of institutional capacity, such as the

presence of adequate human, financial and technical resources; or the existence of good relationships with other tiers of government and socio-economic actors. Following the 2008 recession, public expenditure cuts have severely affected many local and regional governments across Europe, which means that investing (scarce) resources in trans-boundary cooperation projects can be perceived as an unnecessary luxury, not as a priority.

Between organisations, the differences and asymmetries in competences, powers and funding sources between local and regional authorities on each side of a border are key factors influencing possible trans-boundary cooperation, in addition to differences in institutional capacity (e.g. the presence of dedicated officers with technical expertise in EU project management or adequate language skills). Moreover, many European trans-boundary cooperation projects have so far been led by local or regional public authorities, with variable, but generally lower, degrees of participation by civil society organizations and private sector businesses. There is often a gap between institutional cross-border activities and people's knowledge of, and interest in them. The national and regional media often barely report on cross-border issues and initiatives. In some parts of Europe, the mental maps of the residents of each side of the border are still very bounded by national spaces, and a degree of indifference to what is happening on the other side of the border prevails (Ernste 2010), in spite of occasional cross-border mobility practices. Several studies in various European border regions have shown that the emergence of cross-border regional identities among the 'borderlanders' is slow or weak (*inter alia* Paasi 1996; Wilson and Donnan 1998; Kaplan 2000; Häkli 2001; Kaplan and Häkli 2002; Häkli 2004). Additionally, cross-border labour mobility is very low in the EU (van Houtum and van Der Velde 2004; Recchi 2008; van der Velden and van Naerssen 2011; Mau and Mewes 2012).

Prospects for cooperation alongside the Anglo-Scottish border

Prior to Scotland's Independence Referendum, the reactions generated by the possibility of Scottish independence in the North East of England and Cumbria were characterised by a mix of anxiety, envy, regret and hope (Shaw 2014). Some political and business leaders from the North of England have, before and after September 2014, feared that a stronger Scotland would pose a threat to economic development south of the border (Shaw et al. 2014). Nonetheless, as outlined in the Introduction to this special issue, there is also a widespread sense both in the North of England and in Scotland that a more powerful Scotland also represents an opportunity for the territories south of the border, and that new areas of potential cooperation and partnerships on matters of mutual interest should be explored. There is a clear sense of the common bond that exists between the North East, Cumbria and Scotland among many political actors and residents of the border area:

This is not just a product of geography, including the daily cross-border flows of people for work, shopping or family visits, but also reflects shared experiences of economic and industrial change and what some have seen as a common commitment to economic and social justice. There is also a strong

shared sense of being on the periphery: a long way from the centre of economic and political power in London. (Shaw 2014, 397)

The seeds of cross-border cooperation were sown in the early 2000s, with the creation in 2002 of a 'Border Visions initiative' which brought together the county councils of Cumbria and Northumberland and the Scottish regional councils of Borders and Dumfries and Galloway to discuss common issues and challenges at an annual conference. The initiative identified a list of sectors for collaborative working, but fell short of bringing about concrete projects.

Prior to September 2014, the pre-referendum climate gave rise to cross-border contacts and initiatives which have been sustained after the vote (Shaw 2014, 2015). The Association of North East Councils (ANEC), with the support of Cumbria County Council, commissioned a study entitled '*Borderlands: can the North East and Cumbria benefit from greater Scottish autonomy?*' (Shaw et al. 2013). The *Borderlands* study analysed the views of various stakeholders in the cross-border territories covered, reviewed previous cooperation attempts, and listed a number of sectors, themes and issues on which Scottish and Northern English local authorities, Local Enterprise Partnerships (LEPs) and other institutions could cooperate. The first step in successful cross-border cooperation often entails the generation of 'a shared understanding and intellectual framing of the context, issues and challenges faced' across the border (Peel and Lloyd 2015, 2213 based on Scott 1999). The *Borderlands* report has played a key role in that framing process, and its recommendations successfully attracted political support from both sides of the border (the First Minister of Scotland, the Scottish Government's Local Government Minister, and key actors in the North of England).

The report's final recommendations included proposals to commission a detailed analysis of existing cross-border linkages (i.e. travel to work, shop, and leisure flows, labour markets, migration, inward investment and sectoral linkages);⁶ to convene an Annual Economic Summit between key public and private stakeholders from Scotland, the North East and Cumbria; to facilitate sector-based working groups covering specific areas of the economy that have strong cross-border interests; and to develop a 'Borderlands Partnership' to identify common economic challenges and opportunities across the five local authorities on both sides of the border. The report's publication led to the launch of the Borderlands Initiative in August 2013, which brings together the councils of Northumberland, Cumbria, Dumfries and Galloway, the Scottish Borders, and the city of Carlisle, with backing from the Scottish Government (Carrell 2013).⁷ The first Borderlands Initiative summit took place in April 2014, and the five partners have begun to think about collaborations in the fields of transport, tourism, forestry, energy and renewables (see Peck, this issue).⁸ The Borderlands Initiative, however, has not yet published a comprehensive strategy or plan.

⁶ A good example of such a study, funded by INTERREG, is the Cross-Channel Atlas <http://atlas-transmanche.certic.unicaen.fr/en/> (France-England).

⁷ to date without participation of the city councils of Newcastle, Sunderland and Middlesbrough.

⁸ In the aftermath of the independence referendum, the House of Commons Scottish Affairs Committee carried out an inquiry on '*Our Borderlands, Our Future*', from the perspective of

The authors of the *Borderlands* report advocated cross-border cooperation as ‘an opportunity to rescale or recalibrate traditional spatial approaches to place-based economic development’ (Shaw et al. 2014, 416) and engage in a form of ‘co-optition’, where competitors agree to work together with each other on a project-to-project, joint venture or co-marketing basis (*Ibid.*, 414). This involves: joint approaches to economic development in a number of key sectors; joint approaches across a range of sectors based on relevant geographical areas, policy co-ordination; and development of a common ‘voice’ and capacity to influence (Shaw et al. 2013). The type of policy issues, topics or economic sectors mentioned in the *Borderlands* report as possible foci of cooperation are similar to those often covered by EU-funded cross-border cooperation projects and programmes, in particular in relatively rural border regions which have long been perceived as ‘peripheral’ in their respective nations: transport infrastructure and services (motorway improvements, high speed rail between Edinburgh and Newcastle, connections to port and airport facilities, connectivity of rural bus services, walking and cycling paths); tourism (joint marketing of the Borderlands); telecommunications (superfast broadband); energy (renewables, offshore wind, North sea oil and gas); agriculture, food and forestry; education, skills and training; and business development and support to SMEs.

Within this broad range of sectors, some topics lend themselves to cooperation more easily than others, because of the presence of what Häkli calls a ‘boundary object’: a linking interface between two systems, a ‘more-than-human actor’ (such as a natural element or ecosystem) which people refer to as a point of reference in their interaction and which plays a trust-building function to bridge ‘communities of practice’, for example a flooding river:

Successful cross border cooperation depends on trust-building *boundary objects* that help in negotiating and resolving potentially conflicting sets of concerns that arise from the intersection of the multiple communities of practice involved (Häkli 2009, 210).

One particular policy field which was not elaborated upon in the *Borderlands* report, but for which cross-border cooperation appears crucial, is that of spatial planning. Planning entails the regulation and control of land uses and development, the spatial distribution of infrastructure and public amenities, and the protection of specific areas of natural, environmental or historical value. The devolution processes set into motion in the late 1990s, as well as political changes in the Westminster and devolved parliaments after 2010, have compounded the divergence between the planning systems and policies of the four nations of the UK. The extent to which devolution has led to distinctive or divergent policy choices between devolved governments and to more diversity in territorial management strategies is subject to debates in political science (Keating 2005, 2013; Keating et al. 2009). There is evidence to suggest that in the field of spatial planning, devolution has nurtured the emergence of new sub-national planning spaces and generated a variety of ‘spatial plannings’ between and within the nations of the UK (Haughton et al. 2010).

the Scottish side of the border (House of Commons 2015). The committee gave full support to the Borderlands Initiative.

Scotland has always had a separate planning system different from that of England and Wales. Since 1999 planning is a matter devolved to the Scottish Parliament, and in 2006 new Scottish planning legislation was enacted. This prompted debates about the distinctiveness of Scottish planning, often described as more interventionist, more pluralistic and corporatist in its policy-making style (Lloyd and Peel 2009).

Since 2010, the four governments of the UK, Wales, Northern Ireland and Scotland all have a different political composition. The UK government has since 2010 been led by the Conservative Party (between 2010-2015 in a coalition with the Liberal Democrats) which dismantled many elements of the strategic planning reforms enacted by the previous New Labour governments (1997-2010). The Conservatives abolished English Regional Development Agencies (replaced by new, non-statutory Local Enterprise Partnerships) and Regional Planning Strategies, as well as previous urban regeneration programmes, and facilitated a pro-development relaxation of planning policies. The 2011 *Localism Act* introduced a new tier of 'Neighbourhood Planning' giving the option to residents to prepare a plan for a designated area. This 'downscaling' of planning has been criticized for undermining the state's ability to achieve broader and longer term spatial objectives (Baker and Wong 2013; Boddy and Hickman 2013; Gallent et al. 2013; Rozee 2014; Colomb and Tomaney 2015), in spite of the formal 'Duty to Cooperate' which requires English local authorities to work with neighbouring authorities in the preparation of their development plans.

The electoral victory of the Scottish National Party (SNP, generally described as a centre-left/social-democratic party) in the 2011 and 2016 Scottish Parliamentary Elections strengthened the divergence between the planning policy agendas of the Scottish and UK Governments. While UK Conservative leaders have embraced an 'anti-planning rhetoric' painting planners as 'enemies of enterprise' responsible for housing shortages (in particular in the South of England), in Scotland there is evidence of a stronger consensus 'about the value of proactive spatial planning, which chimes with what are widely perceived to be distinctive Scottish values about the role of the state in securing equitable social and economic outcomes' (Tomaney and Colomb 2013, 373).

In the run-up to the Scottish Independence referendum, spatial planning had acquired an important role in the SNP's agenda, partly 'because key levers necessary to achieve its programmatic objectives, such as taxation and energy policy, remain reserved powers, but partly also because the strategic, visionary element of planning is seen as supporting its vision for an independent Scotland' (*Ibid.*). The 3rd *National Planning Framework* (NPF) for Scotland (Scottish Government 2014), which was published just before the referendum, includes a positive vision for the territory of Scotland and contrasts with the lack of any similar spatial vision for England (even under previous UK Labour governments). Distinctive policy agendas and reforms have also been pushed forward by the SNP government in the aftermath of the referendum - for example in the fields of energy policy (including a ban on fracking for shale gas), land reform, and the Community Empowerment Bill passed in June 2015 - which are ideologically very far from the UK Conservative Party's agenda.

What this means for local and regional authorities at the Anglo-Scottish border is an increased need for cooperation or coordination on planning issues, both at a small scale (e.g. an extension of the 'Duty to Cooperate' of the *Localism Act* to include, de

facto, Scottish local authorities and ensure that there is no blatant contradiction and conflicts between the key policy aims and proposals of binding planning documents on both sides of the border), and at a wider regional or national scale (e.g. on issues of transport infrastructure or energy networks). One could also support the development of a non-statutory spatial vision for the Borderlands, reflecting the emergence of ‘soft planning spaces’ with ‘fuzzy boundaries’ (Allmendinger and Haughton 2009; Haughton et al. 2010), which would help overcome insular or ‘back-to-back planning’ (Peel and Lloyd 2015). Inspiration can be sought from long-standing experiments in cross-border spatial visioning in Europe (Dühr 2007) (e.g. in the Benelux area) or, more recently, from the bilateral spatial planning framework for joint working agreed between the two jurisdictions on the island of Ireland (the *Framework for Cooperation for the Spatial Strategies of Northern Ireland and the Republic of Ireland* published in 2013) (Peel and Lloyd 2015).

Other sources of inspiration are to be found in the mechanisms in place in federal countries to encourage cooperation on spatial planning issues between the individual states/regions (e.g. the *Länder* in Germany). In that regard, ‘negative’ lessons can also be learned from specific European experiences. In the Belgian case - where planning is entirely devolved to the regional governments of Flanders, Wallonia and the Brussels Capital Region - there has been a lack of cooperation and coordination between the three regions on spatial planning issues. Planning has in some instances even become a means of strengthening the cultural and political boundaries between them (Tomaney and Colomb 2014), as exemplified by the disputes between Flanders and the Brussels Capital Region (Boussauw et al. 2013).

The challenges of Anglo-Scottish cross-border cooperation after the Brexit referendum of June 2016

In the current framework of EU Cohesion (Regional) Policy, the UK territory is integrated into several European territorial cooperation programmes (four cross-border cooperation programmes, four transnational programmes and one pan-European programme) which give Scottish and Northern English local and regional actors the opportunity to participate in EU-funded projects with partners from other countries. The Western part of Scotland is part of the INTERREG A Programme for Northern Ireland, the Border Region of Ireland and Western Scotland.⁹ Different parts of Scotland are additionally included in four INTERREG B programmes of transnational cooperation at a broad scale (North-West Europe, Atlantic Area, North Sea and Northern Periphery). In that context, Scottish and English actors can already work with other EU member states’ partners, if they so wish, to apply for ERDF co-financing for cooperation projects at a broad transnational scale. Scottish actors have, for example, engaged in several projects with their counterparts from Nordic countries (Böhme et al. 2003).

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See http://www.seupb.eu/2014-2020Programmes/INTERREGV_Programme/INTERREGV_Overview.aspx and Taillon’s contribution in this special issue.

The outcome of the referendum on the UK's membership of the EU in June 2016 has created considerable uncertainties for the evolving relationship between Scotland and the North East of England (Shaw 2016). The referendum was held as a UK-wide vote, with no separate requirements for majorities in each of the four constituent nations of the UK. The results revealed a highly divided UK: Scotland, Northern Ireland and London voted in favour of remaining; England and Wales voted to leave. The North East of England had the second highest leave vote of any English region (58%). By contrast, 62% of Scottish voters voted to remain.

Those results are likely to have a strong impact on the relationships between the four nations of the UK and might possibly lead to its collapse.¹⁰ In the aftermath of the Brexit referendum, Scotland's first minister Nicola Sturgeon made it clear that its outcome can be regarded as a "material change of circumstance" which would justify calling for a second referendum on Scottish independence, "if it is in the best interests of Scotland". She has however taken a cautious approach and pledged to consider various options to allow the Scots to remain in the EU (such as the possibility of differentiated future relationships between the four nations of the UK and the EU). If the UK government proceeds with Brexit (a process which at the time of finalizing this paper - August 2016 - was still uncertain), the complexity of the existing devolution arrangements within the UK will complicate the process of withdrawal from the EU (Hazell and Renwick 2016). The leaders of Scotland, Wales and Northern Ireland have demanded a direct involvement in the Brexit negotiations and discussed the possibility of the devolved parliaments being given the right to vote on the terms of Brexit.

Within England, it has been pointed out that the most 'Euro sceptic' English counties in the north, Midlands and Cornwall are also the ones that stand to lose most from Brexit, as they are large recipients of EU funds and often far more reliant on exports to the single market (Hetherington 2016; Springford et al. 2016). The EU referendum results have additionally revealed the severity of the crisis faced by Labourism in the North of England (Tomaney 2016) and generated uncertainty over the future of the English "devolution deals" and "Northern Powerhouse" agenda, with the political demise of their advocate George Osborne. Some commentators have consequently noted that 'the prospect of an emboldened and empowered North East – ready to talk to Scotland on a more equal basis' has receded after the [Brexit] referendum result' (Shaw 2016, np).

In the long term, an effective Brexit *could* somewhat increase scope for policy differentiation between the UK nations once their governments have been freed from the constraints of EU harmonisation (Hazell and Renwick 2016). The likelihood of different tax or even currency regimes would make it harder for cross-border economic linkages and activities. But most crucially, the possibility of an independent Scotland negotiating to remain within the EU while the rest of the UK is out of it would mean the creation of a 'hard' border¹¹, 'a major blow to those on both

¹⁰ This has led to fresh calls for radical constitutional change to save the UK from disintegration, such as the case made by the all-party Constitution Reform Group (see <http://www.constitutionreformgroup.co.uk/>).

¹¹ If the UK (and Scotland within it) leaves the EU, it will no longer be part of European Territorial Cooperation programmes funded by EU regional policy. The UK borders will

sides of the border who had hoped that common EU membership would be one of the platforms on which a new cross-border relationship could be developed' (Shaw 2016, np).

Conclusion: lessons from European territorial cooperation programmes for Anglo-Scottish cross-border cooperation

As discussed above, the political will and appetite of key actors from both sides of the Anglo-Scottish border for increased cooperation has grown in recent years. Whether the Borderlands Initiative will go beyond regular meetings and declarations of intent, and deliver concrete outcomes and improvements for the life of borderers remains to be seen over time, especially given the uncertainties generated by the outcome of the Brexit referendum. The main challenges and hurdles to be overcome are not significantly different from those observed in the European territorial cooperation projects and programmes referred to in the earlier sections of this paper. The experience of 25 years of European territorial cooperation programmes can thus generate important lessons for cooperation on the Anglo-Scottish border.

The first one is that the asymmetry of competences between sub-central governmental levels across the two sides of a border can hinder trans-boundary cooperation processes. This issue is particularly salient across the Anglo-Scottish border. While the Scottish government has competences in many (although not all) fields which directly shape the spatial organization of the Scottish territory (e.g. rural development, internal transport, local government, housing, environment, tourism, economic development, spatial planning), this is not the case for the North of England, especially after the abolition of regional forms of economic governance and spatial planning in England. There is a strong gap between the North of England and Scotland in terms of the institutional levers and funding available for economic development, which will widen in the near future following the further devolution of powers to the Scottish government and if nothing changes in England (Schmuecker et al. 2012). Moreover,

Scotland has a more effective institutional framework, not least because it has one focal point: key organisations such as the Scottish Local Authorities,

become an 'external' EU border and could potentially be covered by some of the EU funding programmes targeting cooperation with 'third countries' - see http://ec.europa.eu/regional_policy/en/policy/cooperation/european-territorial/outside-the-eu/. It may be the case that UK actors can still participate in INTERREG projects if the UK government match-funds their participation to replace EU funding (as is currently the case with Swiss partners who can apply for funds from the Swiss national government to participate in INTERREG projects). If the UK leaves the EU and if Scotland becomes an independent state *within* the EU, the Anglo-Scottish border would become an 'external' EU border, subject to the previous provisions. Moreover, Scottish actors would remain eligible for European Territorial Cooperation programmes to cooperate with other EU partners (unlike their English counterparts). If the UK remains in the EU, and if Scotland later becomes independent and remains in the EU, the Anglo-Scottish border would become a border between two EU member states and therefore be eligible for a new EU-funded INTERREG A cross-border cooperation programme.

Scottish Enterprise, Visit Scotland, the Scottish Funding Council and Skills Scotland all speak directly to the First Minister and colleagues on a regular basis. There is obviously an institutional mismatch. (Shaw et al. 2013, 36)

There may consequently be significant asymmetries in the scale and type of actors who need to cooperate on particular issues, with potential difficulties in getting high-ranking Scottish government officials to sit with English local government officers. The above mentioned House of Commons report (2015) stressed that due to the limited competences and/or funding available to local and regional actors, political support from both the UK and Scottish Governments is vital 'to enable the [Borderlands] initiative to deliver on its potential' (House of Commons 2015, np) and recommended for that reason that an inter-ministerial forum is set up to work alongside the Borderlands Initiative.

The imbalance is not just in terms of political power and competences, but also in terms of funding. The existing rigidity of administrative boundaries – and of the funding that flows through them – 'was cited by local economic development officers in councils close to the border as a crucial factor inhibiting increased levels of collaboration' (Shaw et al. 2014, 423). England has the most centrally controlled system of public finance of any major OECD country: only seven per cent of all the taxes paid by local residents and businesses are retained by local councils (LFC 2013). The harsh cuts imposed since 2010 by the UK government on English local authorities have dramatically affected their capacity for action to deliver the most basic statutory services, in particular in the North. So while there may be appetite for cross-border cooperation, there may be insufficient resources to match words with action. Lessons from EU-funded cooperation programmes and successful Euroregions show that the presence of dedicated staff acting as champions of cross-border cooperation, and of a small budget supporting regular calls for project proposals, are crucial to support the latent or actual demand for cooperation.

Beyond the question of formal competences and funding, successful forms of trans-boundary cooperation depend, as discussed, on the capacity of actors *within* a border region to mobilize around such an endeavour. This remains a challenge in particular in the North-East of England, where political rivalries between neighbouring local authorities and within the Labour Party have often impeded intra-regional collaboration and mobilization. It is too early to judge whether the creation of the North-East Combined Authority in 2014 (which includes Durham, Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland, and will from 2017 onwards have a directly elected mayor), with competences in transport, economic development and regeneration, will strengthen the strategic capacity for the mobilization of actors from the North-East of England (as has happened in the Manchester city-region, often heralded as a model pupil - see Tomaney and McCarthy 2015). Moreover, there is a noticeable hostility on the part of many Labour politicians in the North-East of England towards the Scottish National Party, with signs of 'a growing gap between the increasingly sympathetic and supportive views of North Easterners towards what's happening in Scotland, and the hostile views of many North East Labour politicians (Shaw 2015, 452). The rise of the UK Independent Party (UKIP) in the North of England further complicates that picture.

On the other hand, in a centralised political system dominated by the interests of London and the South East (and in Scotland, by Edinburgh and the Central Belt, as feared by some Scottish actors who are wary of a ‘creeping centralization’ and excessive centralism in Scottish governance - McGarvey 2014; House of Commons 2015), some Northern English actors feel that political and constitutional change in Scotland can actually help strengthen the claims for more regional autonomy for the north of England within the UK (Shaw et al. 2014). ‘A more powerful SNP group in Westminster could aid the North East by pushing the issue of English devolution further up the political agenda of the new UK Government’ (Shaw 2015, 460).¹² As discussed above, cross-border cooperation projects involving ‘peripheral’ territories have often been mobilized as economic and political strategies to counteract dominant, centralizing national narratives through positive place promotion and branding (OECD 2013), and to lobby for particular investments from central government. In the case of England, the Borderlands Initiative could help in better articulating and strengthening a ‘Northern’ voice that embraces Scotland and northern England (Shaw 2014) in the context of demands for more devolution and decentralisation in England.

Interestingly enough, there are signs that the appetite for cross-border cooperation at the Anglo-Scottish border is helping to forge stronger relationships within England between the North East and Cumbria, that is, to fortify ‘east-west’ relationships as well as ‘north-south’ relationships (Shaw et al. 2014). That cross-border cooperation offers channels for better cooperation between internal partners from the same country which used to “turn their back to each other” is not unusual: Walloon and Flemish local and regional actors have often cooperated in the framework of INTERREG projects with actors from other European countries, while they might not normally have done so in the tense context of the contested Belgian Federal model.

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¹² In Scotland, the 2015 UK general election marked a spectacular victory for the SNP, which won 56 of the 59 Scottish seats, making the SNP the third largest party in the UK House of Commons.

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