

ARTICLE 11 – JOINT ARRANGEMENTS

11.01 Legislation Requirements:

Any joint arrangements must be made in accordance with the current and relevant legislation. Any consideration to establish new arrangements must comply with the detailed requirements and be reflected within the decision.

11.02 Arrangements to Promote Well-Being:

The Council or the Cabinet, in order to promote the economic, social or environmental well-being of its area, may:

- (a) Enter into arrangements or agreements with any person or body;
- (b) Co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) Exercise on behalf of that person or body any functions of that person or body.

11.03 Joint Arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Executives/Cabinets to advise the Council on, or exercise Cabinet or Council functions in any of the participating authorities.
- (b) Except as set out below, the Cabinet may only appoint Cabinet Members to a joint committee and those members need not reflect the political composition of the local authority as a whole.
- (c) The Cabinet may appoint members to a joint committee from outside the Cabinet in the following circumstance:
 - The joint committee has functions for only part of the area of the authority. In such cases, the Cabinet may appoint to the joint committee any councillor who is a member for a ward which is wholly or partly contained within the area.

In this case the political balance requirements do not apply to such appointments.

- (d) Details of any joint arrangements including any delegations to joint committees are set out in the Council's Scheme of Delegations in Part 3 of this Constitution.

11.04 Access to Information

- (a) If all members of a joint committee are members of the Cabinet in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet.

- (b) If the joint committee contains members who are not on the Cabinet of any participating authority then the Access to Information Procedure Rules in Schedule 12A of the Local Government Act 1972 apply (as referred to in Part 5 of this Constitution).

11.05 Delegation to and from Other Local Authorities

- (a) The Council may delegate non-executive functions to another local authority.
- (b) The Cabinet may delegate executive functions to another local authority.
- (c) The decision whether to accept such a delegation from another local authority shall be reserved to the Council in relation to non-executive functions and the Cabinet in relation to executive functions.

11.06 Contracting Out:

The Council (for non-executive functions) and the Cabinet (for executive functions) may contract out to another body or organisation functions which may be exercised by an Officer. Such functions may be contracted out where they are subject to an Order under Section 70 of the Deregulation and Contracting Out Act 1994. This also applies under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.