

Article 11 – Joint Arrangements

11.01 Arrangements to promote well being

The Council or the Leader, 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.

11.02 Joint arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their executives to exercise functions which are not executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- (b) The Leader may establish joint arrangements with one or more local authorities to exercise functions, which are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.
- (c) Joint arrangements may be established to discharge a number of functions on behalf of a Council, some of which are the responsibility of the executive and some of which are the responsibility of the Council as a whole, and appointment of members of the joint committee to represent the Council must be made with the agreement of the Leader. The political balance requirements will not apply.
- (d) Except as set out below, the Leader may only appoint executive members to a joint committee and those members need not reflect the political composition of the local authority as a whole.

Part 2 – Articles of the Constitution

- (e) The Leader may appoint members to a joint committee from outside the executive in the following circumstances:
 - (i) the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the executive may appoint to the joint committee any councillor who is a member for a ward which is wholly or partly contained within the area.
 - (ii) where the joint committee is discharging a function in relation to 5 or more local authorities. In this case, the Leader may appoint to the joint committee any member of the Council and the political balance requirements do not apply to such appointments.
 - (iii) where the function which the joint committee is discharging is a function which is required by statute to be discharged by a joint committee. In this case, the Leader may appoint to the joint committee any member of the Council and the political balance requirements do not apply.
- (f) Where appointment to the joint committee is made in the circumstances described in (c) above and the Council only appoints one representative that person need not be a member of the executive. However, where the Council appoints more than one representative to the joint committee in such circumstances, at least one must be a member of the executive.
- (g) Details of any joint arrangements including any delegations to joint committees will be found in the Council's scheme of delegations in Part 3 of this Constitution.

11.03 Access to information

- (a) The Access to Information Rules in Part 4 of this Constitution apply.
- (b) If all the members of a joint committee are members of the executive in each of the participating authorities then its access to information regime is the same as that applied to the executive.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council.

11.04 Delegation to and from other local authorities.

- (a) The Council may delegate non-executive functions to another local authority or, in certain circumstances, the executive of another local authority.
- (b) The Leader may delegate executive functions to another local authority or the executive of another authority in certain circumstances.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council.

11.05 Contracting Out

The Leader may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under Section 70 of the Deregulation and Contracting Out Act 1994, or 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.