

## **ARTICLE 10 - JOINT ARRANGEMENTS**

### **10.1. Arrangements to Promote Well Being**

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

- (1) enter into arrangements or agreements with any person or body;
- (2) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (3) exercise on behalf of that person or body any functions of that person or body.

### **10.2. Joint Arrangements**

- (1) The Council may establish joint arrangements with one or more local authorities and/or their Cabinets to exercise functions which are not Cabinet 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, including fixing the number of Members, their term of office and the area within which the Committee is to exercise its authority (as appropriate).
- (2) The Council may appoint persons to a joint Committee who are not Members of the Council.
- (3) The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are Cabinet functions. Such arrangements may involve the appointment of joint Committees with these other local authorities including fixing the number of Members, their term of office and the area within which the Committee is to exercise its authority (as appropriate).
- (4) 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.
- (5) The Cabinet may appoint Members to a joint Committee from outside the Cabinet where:
  - the joint Committee is discharging a function in relation to five or more local authorities. In this case the Cabinet may appoint to the joint Committee any Member of the Council and the political balance requirements do not apply to such appointments; or
  - the function which the joint Committee is discharging is a function required by statute to be discharged by a joint Committee. In this case, the Cabinet may appoint to the joint Committee any Member of the Council and the political balance requirements do not apply to such appointments; or
  - 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 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 and the political balance requirements do not apply to such appointments.

- (6) Where joint arrangements involve a joint Committee to discharge a number of functions on behalf of the Council, some of which are the responsibility of the Cabinet, and some of which are the responsibility of the Full Council, appointments of Members of the joint Committee will be made by the Council with the agreement of the Cabinet. The political balance requirements will apply to appointments made in these circumstances.
- (7) Where appointment to the joint Committee is made in the circumstances described in (6) above and the Council only appoints one representative, that person need not be a Member of the Cabinet. 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 Cabinet.
- (8) 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.

### **10.3. Access to Information**

- (1) The Access to Information Rules in Part 4 of this Constitution apply.
- (2) If all the 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.
- (3) If the joint Committee contains Members who are not on the Cabinet of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

### **10.4. Delegation To and From Other Local Authorities**

- (1) The Council may delegate non-Cabinet functions to another local authority or, in certain circumstances, the Cabinet of another local authority. (Where the function in question is the responsibility of the Cabinet of the other local authority, it may become the responsibility of the Cabinet of that local authority, but not of the local authority themselves).
- (2) The Cabinet may delegate Cabinet functions to another local authority or the Cabinet of another local authority in certain circumstances.
- (3) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council.

### **10.5. Contracting Out**

The Council, for functions which are not Cabinet functions, and the Cabinet, for Cabinet functions, may contract out to another body or organisation functions which may be exercised by an employee 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.