

Article 11 – Joint Arrangements

11.01 Arrangements to Promote Well-being (under the power of general competence in chapter 1 of the Localism Act 2011)

The Council and/or the Leader or Cabinet, in order to promote the economic, social environmental well-being of this 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.
- c) Exercise on behalf of that person or body any functions of that person or body.

11.02 Joint Arrangements

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.

The Leader or Cabinet 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.

Except as set out below, the Leader or Cabinet may only appoint Cabinet Members to such a joint Committee and those Members need not reflect the political composition of the local authority as a whole.

The Leader or Cabinet may appoint members to a joint Committee from outside the Cabinet where 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 for a ward which is wholly or partly contained within the area.

Details of any joint arrangements, including any delegations to joint Committees, will be found in the Council's Scheme of Delegation in this Constitution.

11.03 Access to Information

The Access to Information Rules in this Constitution apply **to these joint arrangements.**

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 of the administering authority.

If the joint Committee contains Councillors not on the executive of any participating authority then the Access to Information Rules in Part VA of the Local Government Act 1972 will apply.

11.04 Delegation to and from other Local Authorities

Full Council may delegate non-executive functions to another local authority, or in certain circumstances, the executive of another local authority.

The Leader or Cabinet may delegate executive functions to another local authority or the executive of another local authority in certain circumstances.

11.05 Contracting Out

The Council, for non-executive functions, and the Leader or Cabinet for executive functions, 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 De-Regulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent, under usual contracting principals, provided there is no delegation of the Council's discretionary decision making, other than to the extent permitted by law.