

ARTICLE 12 - CONSTITUTION - JOINT ARRANGEMENTS

Arrangements to Promote Well Being

1. The Council or the Executive 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.

Joint Arrangements

2. The Council may establish joint arrangements with one or more local authorities and/or their Executives or 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 or equivalent with these other local authorities;
3. The Executive 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;
4. Except as set out below, the Executive 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;
5. The Executive may appoint members to a joint committee from outside the Executive in the circumstances 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 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. The political balance requirements do not need to apply to such appointments; and
6. 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.

Access to Information

7. Article 17 of this Constitution on Access of Information shall apply to any joint committees;
8. 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; and
9. If the joint committee contains members who are 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.

Delegation to and from other local authorities

10. The Council may delegate non-executive functions to another local authority;
11. The Executive may make proposals to the Council for the delegation of executive functions to another local authority or the executive of another local authority in certain circumstances; and
12. The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

Contracting Out

13. The Council for functions which are not executive functions and the executive 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 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.