

## Article 14 - Joint arrangements

### **14.01 Arrangements to promote wellbeing**

The Council or the Cabinet, in order to promote the economic, social or environmental wellbeing 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.

### **14.02 Joint arrangements**

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Executive 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 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.
- (c) Except as set out below, the Executive may only appoint Cabinet members to a joint committee.
- (d) The Cabinet may appoint members to a joint committee from outside the Cabinet in the following circumstances:
  - the joint committee is between a County Council and a single District Council and relates to functions of the Executive of the County Council. In such cases, the Executive of the County Council may appoint to the joint committee any councillor who is a member for an electoral division which is wholly or partly contained within the area.

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

- (e) Details of any joint arrangements including any delegations to joint committees will be found in the Council's Responsibility for Joint Functions in Part 3 of this Constitution.

**14.03 Access to information**

- (a) The Access to Information Procedure Rules in Part 4 of this Constitution apply.
- (b) If all the members of a joint committee are members of the Cabinet or Executive in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet.
- (c) If the joint committee contains members who are not on the Cabinet or Executive of any participating authority then the Access to Information Rules in Part V(A) of the Local Government Act, 1972 will apply.

**14.04 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 Cabinet may delegate Executive functions to another local authority or the Executive of another local authority.
- (c) The Council will decide whether or not to accept such a delegation from another local authority.

**14.05 Contracting out**

The Council, for functions which are not Executive functions, or the 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 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.