ARTICLE 6 – JOINT ARRANGEMENTS

6.1 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 to advise the council. Such arrangements may involve the appointment of a joint committee with these other local authorities.

6.2 The leader may establish joint arrangements with one or more local authorities and/or their executives to exercise functions which are executive functions in any of the participating authorities or to advise the council. Such arrangements may involve the appointment of a joint committee with these other local authorities.

6.3 Except as set out below, the leader 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.

6.4 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 leader 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; or

ii. 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 leader 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 both cases the political balance requirements do not apply to such appointments.

6.5 Details of any joint arrangements, including any delegations to joint committees, will be found in part 2 of this constitution.

6.6 Access to Information

(a) 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 executives by regulations under sections 22 and 105 of the Local Government Act 2000.

(b) 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.

6.7 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, in certain circumstances, the executive of another local authority.

The decision whether or not to accept such delegation from another local authority shall be reserved to the full council.

6.8 Contracting Out

The full council, in respect of functions which are not executive functions, and the leader in respect of 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 that there is no delegation of the council's discretionary decision-making when acting under contracting arrangements.