

West Suffolk Shadow Council

Article 10 - Joint Arrangements

10.1 Arrangements to Promote Wellbeing

10.1.1 The Shadow Council or the Shadow Executive, in order to promote the economic, social or environmental wellbeing of its area or to carry out activities under the general power of competence 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;

subject in all cases to compliance with statutory requirements.

10.2 Joint Arrangements

10.2.1 The Shadow Council may establish joint arrangements with one or more local authorities and/or their executives to exercise functions in any of the participating authorities. Such arrangements may involve the appointment of a joint committee with such other local authorities.

10.2.2 The Shadow 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 such other local authorities.

10.2.3 Except as set out in 10.2.4 below, the Shadow Executive may only appoint Shadow Executive Members to a joint committee and those Members need not reflect the political balance of the Council as a whole.

10.2.4 The Shadow Executive may appoint Members to a joint committee from outside the Shadow Executive in any of the following cases:-

1. Where the joint committee has functions for only part of the area of the Shadow Council, and that area is smaller than two-fifths of the Shadow Council by area or population. In such cases, the Shadow Executive may appoint to the joint committee any Councillor who is a Member for a Ward which is

wholly or partly contained within that part of the area of the Shadow Council.

2. The joint committee is discharging a function in relation to five or more authorities;
3. The function which the joint committee is discharging is one which is required by statute to be discharged by a joint committee.

The political balance requirements do not apply to such appointments.

- 10.2.5 Details of any joint arrangements, including any delegations to joint committees will be found in the Shadow Council's Scheme of Delegations in Part 3 of this Constitution.

10.4 Access to Information

- 10.4.1 The Access to Information Rules in Part 4 of this Constitution apply to any joint arrangements.
- 10.4.2 If all the members of a joint committee are members of the Shadow Executive in each of the participating authorities then the Access to Information regime of the joint committee will be the same as that applied to executives.
- 10.4.3 If the joint committee contains members who are not on the Shadow Executive in any participating authority, then the Access to Information Rules in Part VA of the Local Government Act 1972 (as amended) will apply.

10.5 Delegation to and from Other Local Authorities

- 10.5.1 The Shadow Council may delegate non-executive functions to another local authority or, in certain circumstances, the executive of another local authority.
- 10.5.2 The Shadow Executive may delegate executive functions to another local authority or the executive of another local authority in certain circumstances.
- 10.5.3 The decision whether or not to accept similar delegations from another local authority shall be reserved to the Shadow Council.

10.6 Contracting Out

- 10.6.1 The Shadow Council (in respect of functions which are not the responsibility of the Shadow Executive) and the Shadow Executive (in respect of executive functions) may contract out to another body or organisation any 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 Shadow Council's agent under usual contracting principles, provided there is no delegation of the Shadow Council's discretionary decision-making.