

Working with Other Organisations

Working in partnership with other organisations is an important way that the Council tries to carry out its aims.

This section sets out how the Council can enter into joint arrangements with partners to provide a range of services.

The section sets out arrangements for joint committees. It gives details of who can appoint members of joint committees and how rules dealing with access to information apply to the committees.

The section also sets out arrangements for contracting out work.

1.1 Arrangements to promote well-being.

The Council may work with other local authorities, public bodies, commercial and voluntary organisations to promote the economic, social or environmental well-being of the District.

1.2 Joint arrangements

(a) Joint arrangements for Council Functions

The Council may establish joint arrangements with one or more local authorities and/or their executives to exercise Council Functions in any of the participating authorities or advise the Council on any matter. These arrangements may involve the appointment of a joint committee with these other local authorities and will reflect the political balance requirements set out in the Local Government and Housing Act 1989.

(b) Joint arrangements for Executive Functions

The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are Executive Functions. These arrangements may involve the appointment of joint committees with these other local authorities. Except as set out below, the Cabinet may only appoint Cabinet Members to a joint committee and those Councillors need not reflect the political composition of the local authority as a whole.

The Cabinet may appoint members to a joint committee from outside the Cabinet if the joint committee has functions for only part of the area of the Council, and that part area is smaller than two-fifths of the Council by area or population. In such cases, the Cabinet may appoint to the joint committee any Councillor who is a member for a ward, which is wholly or partly contained within the area. In this case the political balance requirements do not apply to such appointments.

- (c) The Council and the Cabinet must maintain a list and details of the joint arrangements they have established.

1.3 Access to information

- (a) The Access to Information Rules in Section 9 of this Constitution apply to joint committees.
- (b) If all the members of any joint committee are members of the Executive in each of the participating authorities, then the same rules on access to information will apply as those that apply to the Cabinet.
- (c) If the joint committee contains members who are not on the Executive of any participating authority, then the same rules on access to information will apply as those that apply to Council Meetings.

1.4 Delegation to and from other Local Authorities

- (a) Council or Cabinet may delegate their powers and functions to another local authority or, in certain circumstances, the Executive of another local authority.
- (b) The decision whether or not to accept such delegation from another local authority will only be taken by Council.
- (c) All functions can be delegated in this way unless prevented by law.

1.5 Contracting Out

- (a) Functions which the Cabinet can decide to contract out

The Cabinet may contract out to another body or organisation functions which may be carried out by an officer and which are:-

- (i) subject to an order under Section 70 of the Deregulation and Contracting Out Act 1994, or
- (ii) under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles,

providing there is no delegation of the Council's discretionary decision making.

1.6 Rykneld Homes Limited (RHL)

The Council has delegated housing management and maintenance functions, housing appeals and the management of some of its anti-social behaviour functions to Rykneld Homes Limited as set out in the Functions Scheme.