

## ARTICLE 11 – JOINT ARRANGEMENTS

### 11.1 GENERAL POWER OF COMPETENCE

The Council or the Executive may, subject to restrictions and limitations, exercise its general power of competence<sup>1</sup> to make joint arrangements.

### 11.2 JOINT ARRANGEMENTS<sup>2</sup>

- 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 advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- The Executive may establish joint arrangements with one or more local authorities to exercise functions which are executive functions<sup>3</sup>. Such arrangements may involve the appointment of joint committees with these other local authorities.
- 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.
- 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.

### 11.3 ACCESS TO INFORMATION

The Access to Information Procedure Rules in Part 4 of this Constitution apply:

- 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.
- 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.

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<sup>1</sup> In accordance with Section 1 Localism Act 2011

<sup>2</sup> The Police Reform and Social Responsibility Act 2011 also requires the local authorities for the West Yorkshire Police Area to establish a Police and Crime Panel for the police area. City of Wakefield Metropolitan District Council is the support services authority for the Panel.

<sup>3</sup> Arrangements are established in accordance with the Local Authorities (Arrangements for the Discharge of Functions)(England) Regulations 2012.

**11.4 DELEGATION TO AND FROM OTHER LOCAL AUTHORITIES**

- The Council may delegate non-executive functions to another local authority or, in certain circumstances, the executive of another local authority.
- The Executive may delegate executive functions to another local authority or the executive of another local authority in certain circumstances.
- The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

**11.5 CONTRACTING OUT**

The Council, for functions which are non-executive 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.