

ARTICLE 11

Partnership Working and Joint Arrangements

11.01 Promoting Well Being through partnership

The Council and the Executive, in order to promote the economic, social or environmental well-being of South Cambridgeshire, will work in partnership with stakeholder individuals and bodies to achieve shared objectives to meet the aspirations of the community.

The Council shall develop, maintain and review as appropriate, a register of significant partnerships established in pursuance of the above aims, operated in accordance with a Toolkit which sets out best practice to ensure that partnerships are fit for purpose in terms of their aims, objectives and governance arrangements. The register and toolkit will be included as schedules A and B to this article respectively; each will be reviewed as necessary.

Where it is necessary for the promotion of community well-being, the Council or the Executive 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.

11.02 Joint Arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and / or their Executives, either 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 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 these other local authorities.
- (c) Except as set out below, the Executive may only appoint executive members to a joint committee and those members need not reflect the political composition of the Authority as a whole.
- (d) The Executive may appoint members to a joint committee from outside the Executive where the joint committee has functions for a part only of the district, smaller than two-fifths of the district by area or population. In such cases the Executive may appoint any councillor who is a member for a ward which is wholly or partly contained in the relevant area.

In this case political balance requirements do not apply.

Details of joint committees and the functions exercised by them will be found in the Council's scheme of delegations in Part 3 of this Constitution. *The Council has agreed the delegation of functions to the following committees:*

- *Northstowe Joint Development Control Committee*
- *Cambridge Fringes Joint Development Control Committee.*

In addition, the Cambridgeshire County Council has delegated the functions set out in Table 4 of Part 3 to the South Cambridgeshire Traffic Management Area Joint Committee (to be inserted into Part 3, subject to agreement of this revision).

11.03 Access to Information

- (a) The Access to Information Rules in Part 4 of this Constitution apply.
- (b) 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.
- (c) 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.

11.04 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 Executive may delegate executive functions to another local authority or the Executive of another local authority if the Council approves.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

11.05 Contracting Out

The Council or the Executive may contract out to another body or organisation their respective 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 1994¹, 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.

1 These are Ministerial Orders allowing local authorities to contract out specific functions. Those made so far deal with Tax Billing, Collection and Enforcement, Investment Functions, Allocation of Housing and Homelessness and certain County Council functions.

11.06 Appointment of Members to Joint and Outside Bodies

Appointments of Members to Joint and Outside Bodies shall be matters for the Council to determine, except where appointments have been delegated to the Executive in accordance with Article 4 above. A register of joint and outside bodies to which the Council has appointed will be maintained by Democratic Services and shall be subject to ongoing review as required.

SCHEDULE A - REGISTER OF SIGNIFICANT PARTNERSHIPS

SCHEDULE B – PARTNERSHIP TOOLKIT

These documents are being developed and will be included here once finalised by the Senior Management Team.