

## **Article 11 - Joint Arrangements**

### **11.01 Arrangements to promote well being**

The Council and/or the Cabinet, in order to promote the economic, social or environmental well-being of its area, 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, or other organisations such as (but not limited to) NHS bodies, 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 bodies.
- (b) The Leader may establish joint arrangements with one or more local authorities or other organisations such as (but not limited to) NHS bodies, to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other bodies.
- (c) 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.
- (d) The Leader may appoint members to a joint committee from outside the executive in the following circumstances:
  - 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;
  - the joint committee is with a single district or borough council and relates to executive functions 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.

- where the joint committee is established under the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (as amended) or such superceding legislation

In each of these cases the political balance requirements do not apply to such appointments.

- (e) 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.

### **11.03 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 body or, in certain circumstances, the executive of another local authority or body.
- (b) The Leader may delegate executive functions to another local authority or body or the Executive of another local authority or body in certain circumstances.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the full Council.

### **11.05 Contracting out**

The Leader 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 contacting principles, provided there is no delegation of the Council's discretionary decision making.

#### **11.06 Joint Strategic Planning Advisory Committee**

The County Council and Brighton & Hove City Council are jointly responsible for the preparation of the County Structure Plan, the Waste Local Plan and the Minerals Local Plan. The Joint Strategic Planning Advisory Committee has been formed to oversee and make recommendations to the constituent authorities on the following matters and comprises six members of the County Council (constituted in accordance with the political balance provisions) and six members of Brighton & Hove City Council:

##### *Terms of Reference*

To oversee and make recommendations to the constituent authorities on the following matters:

- (a) reviews of the County Structure Plan and the preparation of a new joint Structure Plan for the counties of Brighton and Hove and East Sussex ("the joint area") and any subsequent alterations to that Plan;
- (b) the preparation of a Joint Waste Local Plan for the joint area and any subsequent reviews of, and alterations to, that Plan;
- (c) preparation of a Joint Minerals Local Plan for the joint area and any subsequent reviews of, and alterations to, that Plan;
- (d) monitoring the implementation of the joint Structure Plan and the joint Waste and Minerals Local Plans; and
- (e) any other land-use and transport planning matters of joint strategic interest.

#### **11.07 Access to Information**

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

