

8. ARTICLE 8 - JOINT ARRANGEMENTS AND PARTNERSHIPS

8.1 Arrangements to Promote Well Being

8.1.1 The Council, in order to promote the economic, social or environmental well-being of its area, may:

- (i) Enter into arrangements or agreements with any person or body;
- (ii) Co-operate with, or facilitate or co-ordinate the activities of, any person or body;
- (iii) Exercise on behalf of that person or body any functions of that person or body.

8.2 Joint Arrangements

8.2.1 The Council may establish joint arrangements with one or more local authorities to exercise 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.

8.2.2 Except as set out below, the Council may only appoint Councillors to a Joint Committee and those Councillors shall, where possible, reflect the political composition of the local authority as a whole.

8.2.3 Details of any joint arrangements including any delegations to Joint Committees will be found in the Council's Scheme of Delegation in Part 3 of this Constitution.

8.3 Delegation To and From Other Local Authorities

The Council may delegate functions to or from another local authority.

8.4 Contracting Out

8.4.1 The Council 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. These are Ministerial Orders allowing local authorities to contract out specific functions.

8.4.2 Those made so far deal with Tax Billing, Collection and Enforcement, Investment Functions, Allocation of Housing and Homelessness and certain County Council functions, 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.

8.5 Partnerships

8.5.1 Background

Partnership working is becoming ever more central to effective modern local government. A range of issues need to be addressed to ensure that the Council has a consistent and rigorous approach to partnership working. There need to be clear processes and procedures to respond to the complexity of partnerships and their increasing importance in enabling the Council to deliver services efficiently, effectively and with propriety, in addition to fulfilling the Council's leadership role. The Government's Comprehensive Area Assessment (CAA) arrangements for local authorities have identified the importance of partnership working, and place stronger emphasis on working with partners. CAA will focus on the effectiveness of the Council's approach to political, managerial and community leadership, user focus and diversity, achievement in shared priorities, and delivering outcomes through partnership working.

8.5.2 Defining a Partnership

The word "partnership" is used with increasing frequency in both the public and private sector and can mean many different things to different people. To make partnerships work effectively, they need to be differentiated from other joint arrangements such as funding regimes, contracts and informal relationships or networks.

A partnership has:

- (i) an agreed framework for jointly delivering common goals;
- (ii) shared risks and resources;
- (iii) identified added value and measurable impact; and
- (iv) shared accountability for outcomes.

8.5.3 Creation of Partnership

The creation of any new formal partnership must be approved, if constitutionally required, by the Council or as delegated.

8.5.4 Local Guidance

Regard should be had, as appropriate, to local guidance set out in the Council's "Guidance Note" and Partnership Toolkit.

Particular regard should be given to:

- (i) probity and risk;
- (ii) the status of the accountable body; and
- (iii) seeking timely legal advice, where necessary.

8.6 Joint Committees the Council Participates In

The Council is party to a Joint Committee Agreement set up under the Traffic Management Act 2004 for the adjudication of parking appeals.