

Article 12 – Joint Arrangements

12.01 General Power of Competence

The Council may, subject to restrictions and limitations, exercise its general power of competence (section 1, Localism Act 2011) to:-

- (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.

12.02 Joint Arrangements

- (a) The Council may establish joint arrangements with one or more local authorities (including non-principal authorities) to exercise functions or advise the Council. Such arrangements may involve the appointment of Joint Committees with these other local authorities. The appointment of individuals to Joint Committees is a function of the Full Council.
- (b) The Council may establish joint arrangements with the Executive of one or more local authorities to exercise functions which are executive functions of the other local authority or authorities. Such arrangements may involve the appointment of Joint Committees with these other local authorities. The appointment of individuals to such Joint Committees is a function of the Full Council, albeit that the executive arrangements of the other local authority or authorities may require members of their Executive only to be appointed to such Joint Committees.
- (c) The Council nominates representatives to the South Yorkshire Joint Authorities and to the South Yorkshire Police and Crime Panel.
- (d) The Council must maintain a list and details of the joint arrangements it has established.

12.03 Procedure for Joint Committees

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

12.04 Delegation to and from other Local Authorities

- (a) The Council may delegate functions to another local authority or, in certain circumstances in accordance with the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, the Executive of another local authority.
- (b) Arrangements can only be made for a function to be carried out by the Executive of another local authority if that function is the responsibility of that other authority's Executive.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Full Council.

12.05 Contracting Out

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, 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.