

Article 11 – Joint Arrangements

11. Arrangements to promote well being

11.01 The Cabinet, in order to promote the economic, social or environmental well-being of the Borough, 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 to exercise functions which are not executive functions in any of the participating authorities, or to advise the Council. Such arrangements may involve the appointment of a Joint Committee with these other local authorities.
- (b) The Cabinet 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 Cabinet may only appoint Cabinet Members to a Joint Committee and those Members need not reflect the political composition of the Council as a whole.
- (d) The Cabinet may appoint Members to a Joint Committee from outside the Cabinet in the following circumstances:
 - Joint Committee has functions for only part of the area of the Borough, and that area is smaller than two-fifths of the Borough by area or population. In such cases, the Cabinet may appoint to the Joint Committee any Councillor who is a member for a ward which is wholly or partly contained within the area;

In this case the political balance requirements do not apply to such appointments.

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 Cabinet in each of the participating authorities then its Access to Information regime is the same as that of the host Cabinet.
- (c) If the Joint Committee contains Members who are not on the Cabinet 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 Cabinet may delegate executive functions to another local authority or the executive of another local authority 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 Council, for functions which are not executive functions, and the Cabinet, 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.

11.06 **The North Yorkshire Audit Partnership**

The Council appoints the North Yorkshire Audit Partnership to provide internal audit services to the Council as specified in any Partnership agreement between the Council and the other participating authorities.

Membership – 2 Members from each of the participating Councils.

11.07 **The North Yorkshire Building Control Partnership**

The Council appoints the North Yorkshire Building Control Partnership to provide building control services to the Council as specified in any Partnership agreement between the Council and the other participating authorities.

Membership – 2 Members from each of the participating Councils.

11.08 **The Parking and Traffic Regulations Outside London Adjudication Joint Committee (“PATROL”)**

The Council appoints PATROL to operate the Parking and Traffic Offence Adjudication Service as specified in the Memorandum of Participation and Deed of Arrangements between the Council and the other participating authorities.

Membership – 1 Member from each of the participating Councils.

11.09 **The Procurement Partnership**

The Council appoints the Procurement Partnership to provide procurement services to the Council as specified in any Partnership agreement between the Council and the other participating authorities.

The Council authorises the Joint Committee to grant approval for the letting of consortia Framework Contracts on behalf of the Council and its partner Authorities provided that tenders or quotations are invited and contracts placed in accordance with procedures which are the same as or are equivalent to the Council’s Contract Procedure Rules and comply with any national or EU legislation.

The Council further authorises expenditure by Heads of Services through Framework Contracts let by the Partnership, subject to such expenditure being within the budget and policy framework approved by Council.

Membership – 1 Representative from each of the participating Councils.

11.10 **The Yorbuild Partnership**

11.10.1 The Council authorises the Yorbuild Partnership to grant approval for the letting of consortia Framework Contracts on behalf of the Council together with partner public sector bodies provided that tenders or quotations are invited and contracts placed in accordance with procedures which are the same as or are equivalent to the Council’s Contract Procedure Rules and comply with any national or EU legislation.

The Council further authorises expenditure by Heads of Services through Framework Contracts let by the Partnership, subject to such expenditure being within the budget and policy framework approved by Council.

Membership – 1 Officer from each of the lead Councils.