

Article 10 – Partnerships

10.01 Arrangements to promote well-being

The Council 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.

10.02 Partnerships

- a) The Council may establish partnerships 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 advise the Council. Such arrangements may involve the appointment of a Joint Committee with these other Local Authorities.
- b) The Cabinet may establish partnerships 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 Portfolio Holders to a Joint Committee and those Members need not reflect the political composition of the Local Authority as a whole.
- d) The Council's nominee on the North Yorkshire Building Control Partnership shall be the Portfolio Holder with responsibility for Planning.
- e) The Cabinet may appoint members to a Joint Committee from outside the executive in the following circumstance:-
 - 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 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;

The political balance requirements do not apply to such appointments.

- f) Details of any partnerships involving any delegations to Joint Committees will be found in the Council's Scheme of Delegations in Part 3 of this Constitution.

10.03 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 Cabinet.
- 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 V of the Local Government Act 1972 will apply.

10.04 **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 Council meeting.

10.05 **Contracting out**

The Council or Cabinet 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.

10.06 **Other matters**

When entering into partnerships the Council or Cabinet will ensure that arrangements are put in place to make sure that:-

- a) the performance of the partnership is monitored and measured both internally and by the Council.
- b) value for money and efficiencies are delivered.
- c) partnership policies are scrutinised properly.
- d) standards in respect of customer care, equality and diversity, sustainability, human rights, data protection and freedom of information are maintained at levels which are equivalent to the Council's own standards.