

## **Article 10 – Joint Arrangements**

### **10.1 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.

### **10.2 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 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 local authority as a whole.

### **10.3 Corporate Joint Committees**

- (a) Any two or more principal councils may jointly make an application to the Welsh Ministers for arrangements to be made to establish a Corporate Joint Committees to exercise a function of those councils or the economic well-being function of those councils in relation to the principal areas of those councils.
- (b) the Welsh Ministers may by regulations establish a body corporate (to be known as a Corporate Joint Committee) to exercise in relation to the principal areas specified in the regulations a function a function specified in the regulations.

On the 17<sup>th</sup> of March 2021 Welsh Ministers made regulations which established a body Corporate to be known as the South West Wales Corporate Joint Committee.

### **10.4 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.

### **10.5 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 executive 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.

### **10.6 Contracting out**

The Council and the 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.