

## **SECTION 11**

### 11. Joint arrangements

#### 11.1 Introduction

There are a number of circumstances where the Council or the Cabinet is entitled to carry out certain functions jointly with another local authority.

#### 11.2 Arrangements to Promote Wellbeing

The Cabinet, in order to promote the economic, social, or environmental wellbeing of its area, may:

- 11.2.1 enter into arrangements or agreements with any person or body;
- 11.2.2 co-operate with, or facilitate or co-ordinate the activities of any person or body; and
- 11.2.3 exercise on behalf of that person or body any functions of that person or body.

#### 11.3 Joint Arrangements

- 11.3.1 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 those other local authorities.
- 11.3.2 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 those other local authorities. Except as set out below, or as permitted or required by Law, the Cabinet may only appoint Cabinet Members to such joint committees and those Members need not reflect the political composition of the Council as a whole.
- 11.3.3 The Cabinet may appoint members to a Joint Committee from outside the Cabinet where the Joint Committee has functions for only part of the area of the Council and that area is smaller than two fifths of that local authority, by area or population. In such cases, the Cabinet may appoint to the Joint Committee any Councillor who is member for an electoral ward contained within the area. Political balance requirements do not apply to such appointments.

#### 11.4 Access to Information

- 11.4.1 The Access to Information Rules in Section 15 apply.
- 11.4.2 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 applied to the Cabinet.

- 11.4.3 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 (as amended) will apply.

#### 11.5 Delegation to and from Other Local Authorities

- 11.5.1 The Council can delegate Non-Executive Functions to another local authority or, where those functions are the responsibility of the executive of another local authority, to that executive.
- 11.5.2 The Cabinet can delegate Executive Functions to another local authority or the executive of another local authority in certain circumstances.
- 11.5.3 The decision whether or not to accept such a delegation from another local authority is reserved to the Full Council.

#### 11.6 Contracting Out

The Council (in respect of Non-Executive Functions) and the Cabinet (in respect of Executive Functions) may contract out to another body or organisation functions:

- 11.6.1 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
- 11.6.2 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.

#### 11.7 CCTV Joint Executive Committee

##### 11.7.1 Membership, Quorum and Meetings

- (a) The Membership shall comprise: three members<sup>29</sup> from each of the Authorities (in North Hertfordshire, Cabinet members).
- (b) Meetings shall be held at least once per annum or when there is sufficient business.
- (c) Meetings shall be held alternately at the offices of each partner authority.
- (d) The Chair shall ordinarily be a Member of the Authority hosting the meeting although Members present at the meeting may choose a Chair from any Member present.
- (e) The quorum shall be three Members, with at least one from each of the partner authorities.
- (f) The meetings shall follow the normal Standing Orders of the hosting authority.

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<sup>29</sup> At least one Executive Member nominated should be the Executive Member with responsibility for CCTV.

#### 11.7.2 Terms of Reference

- (a) To discuss and agree the strategic and policy issues relating to the jointly owned and operated CCTV Control and Monitoring service.
- (b) To deal with all matters defined under the CCTV 'Code of Practice' as the responsibility of the CCTV Joint Executive Committee.
- (c) To consider operations and performance reports from the CCTV Operations Manager and CCTV Officer Management Board.
- (d) To consider and approve any location, expansion or contraction proposals and services changes for the CCTV Control Room, Network, and monitoring service.
- (e) To consider and agree changes to the CCTV 'Code of Practice'.
- (f) To ensure the Independent inspection regime is set up and maintained.
- (g) To receive and approve the Independent Inspectors' annual report.
- (h) To consider complaints regarding any breaches of the CCTV 'Code of Practice' and recommendations for preventing breaches. To recommend disciplinary action where appropriate.
- (i) To express views regards the jointly owned company, Hertfordshire CCTV Ltd, to be channelled through the CCTV Officer Management Board
- (j) To make recommendations on any of the above to the Officer Management Board.