

Part 2 - The Articles

Chapter 14 - Joint Arrangements

1. Arrangements to promote well being

1.1 The Local Government Acts 1972 and 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 enable local authorities to make both use of joint arrangements with other authorities and to delegate to other local authorities. Section 2 of the 2000 Act also creates further flexibility for partnership arrangements in the promotion of economic, social and environmental well being. In this respect authorities can:

- (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; or
- (c) exercise on behalf of that person or body any functions of that person or body

Joint arrangements

1.2 The Assembly may establish joint arrangements with one or more local authority 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 or Board with these other local authorities. The Council may, where the legislation allows, also establish other joint arrangements with, for example, health service organisations.

1.3 The Cabinet may establish joint arrangements with one or more local authorities or other organisations to exercise functions which are executive functions or to advise the Cabinet. Such arrangements may involve the appointment of joint Committees or Boards with these other local authorities or bodies. The Cabinet may, where the legislation allows, also establish other joint arrangements with, for example, health service organisations.

1.4 Except as set out in paragraph 1.5 below, the Cabinet may only appoint Cabinet Members to a Joint Committee or Board under paragraph 1.3 above and those Members need not reflect the political composition of the Council as a whole.

1.5 The Cabinet may appoint Members to a Joint Committee from outside the Cabinet if 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 of a ward which is wholly or partly contained within the area.

1.6 Where both executive and non-executive functions are delegated to a Joint Committee or Board, appointments to the joint Committee or Board will be made by the Assembly.

Delegation to and from other local authorities

- 1.7 The Assembly may delegate non-executive functions to another local authority or, in certain circumstances, the Executive/Cabinet of another local authority.
- 1.8 The Cabinet may delegate executive functions to another local authority or, in certain circumstances, the Executive/Cabinet of another local authority.
- 1.9 The decision whether or not to accept such a delegation from another local authority shall be reserved to the Assembly.

Delegation to and from other organisations

- 1.10 The Assembly may delegate non-executive functions to other organisations or Boards where legislation allows.
- 1.11 The Cabinet may delegate executive functions to other organisations or Boards where legislation allows.
- 1.12 The decision whether or not to accept such a delegation from another organisation or Board shall be reserved to the Assembly.

2. Joint Health Overview and Scrutiny Committees

- 2.1 Local authorities are required to establish a mandatory joint health overview and scrutiny committee to consider any proposal for substantial variation of existing health service provision or substantial development of a service where such a proposal affects more than one local authority area. Discretionary joint committees may also be formed to carry out a health scrutiny review or consider issues which cut across boundaries of more than one local authority. All such joint arrangements will be established and conducted in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

3. East London Waste Authority (ELWA)

- 3.1 The East London Waste Authority (“ELWA”) was established on 1 January 1986 as a London Waste Disposal Authority pursuant to the Waste Regulation and Disposal (Authorities) Order 1985 and has the powers and obligations of waste disposal authorities contained in the Environmental Protection Act 1990.
- 3.2 In particular ELWA is established for the following purposes:
 - a) To make arrangements for the disposal of waste collected by the London Boroughs of Barking and Dagenham, Havering, Newham, and Redbridge (“Constituent Councils”) within their areas;
 - b) To arrange for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited;
 - c) To make arrangements for the disposal of waste from civic amenity sites in the Constituent Councils.

3.3 Each of the four Constituent Councils appoint two Councillors each municipal year to serve on ELWA. The appointments for Barking and Dagenham are the responsibility of the Assembly.

4. Growth Boroughs Joint Committee

4.1 In 2014, the six London Boroughs of Barking and Dagenham, Hackney, Newham, Tower Hamlets, Waltham Forest and the Royal Borough of Greenwich agreed to dissolve the Joint Committee of the London 2012 Olympic and Paralympic Host Boroughs and create the new Growth Boroughs Joint Committee to take forward the convergence and legacy agenda.

4.2 The functions of the new Joint Committee, as approved by the Cabinet on 18 November 2014 (Minute 57), are:

- (a) To discharge on behalf of the boroughs the executive functions listed below in so far as they relate to joint activities or areas of common concern in relation to convergence and legacy, as agreed in the business plan:
 - (i) Management and expenditure of the annual budget as defined by the Inter Authority Agreement
 - (ii) Management and expenditure of external funding and all other financial resources allocated to the joint committee, including any funding allocated to the joint committee by any or all of the six boroughs in addition to the annual budget.
 - (iii) Approval of an annual business plan.
 - (iv) Joint promotion of the Growth Boroughs area and its unique portfolio of assets including the Olympic afterglow.
 - (v) Consistent approach to enforcing through planning and procurement requirements the promotion of convergence by developers and contractors.
 - (vi) Collective promotion of transport and other infrastructure investment including its prioritisation over other parts of London.
 - (vii) Joint bidding for funding, training and employment programmes, e.g. funding from the European Union and Regional Growth Fund (RGF) where bids from one Borough will not be entertained.
 - (viii) Convergence and the prioritising of the social and economic needs of the Growth Boroughs area.
 - (ix) Collective action in respect of the National and Regional allocation of local government housing, health, policing and transport resources based on need and population.
 - (x) Working together to protect Growth Boroughs' interests in respect of National and Regional policy and action.

- (xi) Collective working with employers on jobs and skills.
 - (xii) Contextual recognition of the varying economic, housing and investment opportunities related to the character and resources of each of the Growth Boroughs.
- (b) Any other executive functions relating to joint activities or areas of common concern in relation to convergence and legacy in relation to which funding is allocated through the annual budget or in respect of which external funding or any other financial resources are allocated to the Joint Committee.
- 4.3 The governance arrangements provide flexibility so that one or more but less than six boroughs can opt out of certain projects insofar as they relate to joint activities or areas of concern. It is within the capacity of the Joint Committee to agree that one or more but less than six boroughs may participate in work with other authorities outside the growth borough arrangements. The Joint Committee will agree any particular project will be undertaken by one or more boroughs outside the responsibilities of the Joint Committee.
- 4.4 The membership shall be 12 Members, comprising two Members nominated by the Executive from each of the six boroughs for a maximum period not extending beyond any Member's remaining term of office as a councillor.
- 4.5 The quorum shall be at least one Member from each of the six boroughs and each Member of the Joint Committee will have one vote and all questions coming or arising before the Joint Committee shall be decided by a majority of the members of the Joint Committee present and voting.