

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. Local London Joint Committee

4.1 The Local London Joint Committee was established in April 2016 to provide a forum for the eight London Boroughs of Barking and Dagenham, Bexley, Enfield, Havering, Newham, Redbridge, Waltham Forest and the Royal Borough of Greenwich to collaborate on a range of joint activities in the areas of growth and opportunities for devolution to the sub-region.

4.2 The Local London Joint Committee has replaced the North East London Strategic Alliance (NELSA) and the Growth Boroughs Joint Committee as the primary partnership for the area.

4.3 The Local London Joint Committee has the following functions:

- (a) To discharge, on behalf of the Local London Members, the executive functions listed below in so far as they relate to joint activities or areas of common concern in relation to growth and opportunities for devolution to the sub-region.
 - (i) Strategic management and expenditure of the Annual Budget as defined by the Inter Authority Agreement made between Local London Members.
 - (ii) Strategic 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 Local London Members in addition to the annual budget.
 - (iii) Approval of an annual business plan.
 - (iv) To collaborate on and coordinate a range of activities and opportunities that arise through greater devolution of powers from central government.
 - (v) Securing local benefits and sustainable growth for the geographical areas of Local London Members.
 - (vi) Securing the long-term benefits for the functions carried out and services provided by Local London Members collectively, individually or in partnership with others.
 - (vii) Strategic and operational coherence to the collaborative work of Local London Members in relation to securing local benefits.
 - (viii) 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.

- (ix) Establishing and facilitating the implementation of a programme for Local London Members which ensures local benefit and sustainable long term growth.
 - (b) Any other executive functions relating to joint activities or areas of common concern in relation to growth and opportunities for devolution to the sub-region 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.
- 4.4 The governance arrangements provide flexibility so that one or more of the Local London Members can opt out of certain projects insofar as they relate to joint activities or areas of concern. It is also within the capacity of the Joint Committee to agree that one or more Local London Members may participate in work with other authorities outside of the Local London Joint Committee. The Joint Committee will agree any particular project that will be undertaken by one or more boroughs outside the responsibilities of the Joint Committee.
- 4.5 The membership of the Local London Joint Committee shall be eight Members, made up of one Member from each of the Local London Members, nominated by the respective executive body of each Borough. Each Borough may also nominate a substitute Member.
- 4.6 The Chief Executives for Local London Members shall also meet on a regular basis as to review the operation of the Agreement and deal with any matters requiring their attention or approval in accordance with the provisions of the London Local Partnership Inter-Authority Agreement. The Chief Executives may also nominate a substitute to represent them at meetings.