ARTICLE 11

JOINT ARRANGEMENTS AND PARTNERSHIPS

1. Introduction

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 an agreement with any person or body
(b) co-operate with, facilitate or co-ordinate the activities of any person or body, and/or
(c) exercise on behalf of that person or body any of their functions.

1.2 A partnership is two or more organisations or individuals working together towards a common goal.

1.3 In the Barking and Dagenham context we distinguish between the statutory partnerships and the non-statutory partnerships. In the statutory partnerships the Local Government Act 2000 requires local authorities to work with a host of statutory partnerships to achieve a range of positive outcomes in the community. These bodies are listed in the governance framework of the Local Strategic Partnership which can be found on the Council's website.

1.4 The non-statutory partnerships include all the partnering arrangements the Council has with various bodies designed to help it achieve its goal. The arrangements will be regulated according to the degree of regulation required.

2. Joint Arrangements

2.1 Through the Assembly (or the Cabinet), the Council can, if it wishes, establish joint arrangements with one or more local authorities or Associations and/or their Executives to exercise functions which are not executive functions in any of the participating authorities. Such arrangements may involve the appointment of formal Joint Committees.

2.2 The Cabinet may only appoint Cabinet Members to a Joint Committee, except as set out in paragraph 2.3 and 2.4. Those Members need not reflect the political composition of the local authority as a whole.

2.3 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 of
population. In such cases, the Cabinet may appoint to the Joint Committee any Councillor who is a member for an electoral ward which is wholly or partly contained within the area. The political balance requirement will not apply.

2.4 The Membership of a joint Health Scrutiny Committee, as with any other overview and scrutiny meeting, specifically excludes Members of the Cabinet. Membership is therefore limited to non-Cabinet Members but will be agreed by the Cabinet in consultation with the Lead Member of the Health and Adult Services Select Committee. Where timescales prohibit Cabinet approval, nominations may be agreed by the Lead Member of the Health and Adult Services Select Committee with the approval of the Leader of the Council.

2.5 The Council has entered into the following formal ‘Joint Committee’ arrangements.

2.6 **Health Overview and Scrutiny Joint Committees**

2.6.1 Local authority health scrutiny committees are required, under statutory Directions issued by the Secretary of State in July 2003, to establish a joint 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. 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.

2.6.2 **Membership** - Membership of a joint committee, as with all other overview and scrutiny meetings, specifically excludes Members of the Executive/Cabinet of any Council.

2.6.3 **Terms of reference** - A joint committee is only able to undertake the functions which the appointing authorities have given to it. It is vital for all of the councils involved in establishing the joint committee to agree on the role, responsibilities and terms of reference at the earliest possible opportunity.

2.6.4 **Composition** - Under the Local Government Act 2000, all overview and scrutiny meetings must reflect the political composition of the council unless a full Council meeting unanimously agrees to waive the requirement for proportionality. In the case of joint committees, they must be politically proportionate unless Members of all participating local authorities agree to waive the requirement.

2.6.5 **Resources** - Local Authorities participating in a joint committee should share the cost and resource implications of working together. Local authorities may each provide different but equivalent forms of support, including committee administration, provision, venues for consultation with community groups, professional advice and analysis.

2.6.6 **Reporting** - The joint committee should produce only one report reflecting the full range of views of those involved in the joint committee. Whilst there may be a diversity of opinion, the aim should be a consensual report. The NHS bodies receiving the report must respond in writing to any requests for responses to the report within 28 days.
2.6.7 **Referral to the Secretary of State** - A joint committee can refer a report to the Secretary of State if it is not satisfied either that the consultation process was adequate or that the proposals will have a negative impact on health services or the health of local people. In the case of reports regarding Foundation Trusts, the committee should refer the report to the Independent Regulator.

2.7 **London Councils (formerly Association of London Government)**

2.7.1 London Councils is a cross-party organisation, funded and run by member authorities to work on behalf of them regardless of political persuasion. It also acts as the employers’ organisation for the 32 London boroughs, providing advice, support and training, and representing them in negotiations.

Its members – all 32 London boroughs, plus the City of London, the Metropolitan Police Authority and the London Fire and Emergency Planning Authority (LFEPA) – fund its work through subscriptions. The main policy decisions are taken by its Leaders' Committee.

It develops policy and helps boroughs improve the services they deliver.

Its work consists of lobbying the government and others on behalf of London’s 33 local authorities for a fair share of resources. It also protects and enhances council powers to enable them to do the best possible job for their residents and local businesses.

3. **Partnerships**

3.1 The Council is also involved in a number of important partnership arrangements which include:-

3.1.1 **The Barking and Dagenham Partnership**

(a) The Barking and Dagenham Partnership has been established as the Local Strategic Partnership for the Borough. It brings together the public, private, voluntary and community sectors, to provide a single overarching, local co-ordination framework to implement the Borough’s Community Strategy.

(b) The main purpose of the Barking and Dagenham Partnership is to provide the strategic direction needed to drive through changes that will improve the quality of life in Barking and Dagenham. This will only be achieved through effective joint-working and co-ordination with the Borough’s public, voluntary, community and private sector stakeholders.

(c) The overall role of the Barking and Dagenham Partnership is to provide a forum for the key stakeholders in the Borough to facilitate and monitor the delivery of the Community Strategy “Building Communities, Transforming Lives,” and to influence and make decisions that assist in its implementation.

(d) The Barking and Dagenham Partnership will meet annually through conference style events that will aim to involve and bring together public,
private, voluntary and community sectors in the borough. The conference events will be by invitation only.

(e) The detailed structure of the Partnership can be found on the Barking & Dagenham Partnership website. The brief outline is an overarching Local Strategic Partnership Board which meets quarterly, five themed Boards (detailed below) and a Public Service Board that works alongside the Partnership to help ensure the community priorities can be met.

(f) The Local Strategic Partnership Board will help provide a greater focus across the Partnership for the big, strategic issues for the Borough. The Board will act as a forum for lobbying on the things that matter most locally, aiming to achieve maximum impact for local residents and businesses by acting together where appropriate.

(g) The key themed priorities identified in the Community Strategy will be championed through five themed boards as follows:

   (i) The Children’s Trust
   (ii) Skills, Jobs and Enterprise Board
   (iii) Clean, Green and Sustainable Borough Board
   (iv) Shadow Health and Wellbeing Board
   (v) Community Safety Partnership

(h) The Council acts as the Accountable Body.

3.1.2 The Thames Gateway London Partnership

(a) The Partnership is an unincorporated association and therefore not a formal partnership in Law.

(b) It seeks to provide a strong and effective partnership to bring about high quality sustainable economic development and regeneration of the whole Thames Gateway London area; to promote economic and social investment and equality of opportunity and to create employment, community and environmental benefits for local people, businesses and employees, reflecting their needs and aspirations.

(c) Its terms of reference/objectives are:

   (i) to create and sustain a Partnership of public and private sector bodies to lead the Strategic Regeneration of Thames Gateway London

   (ii) to promote the economic, social and environmental well being of the Thames Gateway London area

   (iii) to promote the area to attract both inward investment and indigenous investment to maximise business opportunities for Thames Gateway London companies

   (iv) to bring about high quality and environmentally sustainable regeneration with the River Thames as the unifying factor
(v) to achieve employment, transport, community and environmental benefits for the Thames Gateway London area

(vi) to develop relationships with the Government, European Union, the business community and other organisations

(vii) to improve the safety of the communities in the Thames Gateway London Partnership area.

(d) Membership is made up from representatives of the following local authorities:

- Barking and Dagenham
- Bexley
- Corporation of London
- Dartford
- Hackney
- Havering
- Greenwich
- Lewisham
- Newham
- Redbridge
- Thurrock
- Tower Hamlets
- Waltham Forest

- together with non-Council representatives from:
  
- London Development Agency
- Learning and Skills Council
- Universities of East London/Greenwich

4. Statutory Partnerships

4.1 The Council is also obliged to enter into the following statutory partnership under relevant legislation:

4.1.1 The East London Waste Authority (ELWA)

(a) The East London Waste Authority is a statutory Joint Waste Disposal Authority set up after the abolition of the Greater London Council in 1986.

(b) ELWA is responsible for the disposal of municipal waste collected by the London Boroughs of Barking and Dagenham, Havering, Newham and Redbridge (the constituent Boroughs).

(c) Each of the four constituent Boroughs appoint two Councillors each municipal year to serve on the Partnership.

(Contact Officer: Group Manager, Democratic Services: Tel: 020 8227 2135)