

Part 2

Articles of the Constitution



Article 9: Joint Arrangements

9.1 Arrangements to promote well being

The Council or the Executive, 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) cooperate with, or facilitate or coordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

9.2 Joint arrangements

- (a) The Council may establish joint arrangements with one or more local authorities or their Executives to exercise functions (which are not Executive functions) in any of the participating authorities or to advise the Council and may appoint Members to a joint committee with these other local authorities.
- (b) Details of any joint arrangements including any delegations to joint committees will be found in the Council's Delegation Scheme in Part 3 of this Constitution.

9.3 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 also 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.

9.4 Delegation to and from other local authorities

- (a) The Council may delegate non-executive functions to another local authority or, in circumstances defined in law, 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 circumstances defined in law.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council.

9.5 Contracting out

The Council, for functions which are not Executive functions, and the Executive for Executive functions, 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.

9.6 Shared Services

- (a) The Council may share its services with West Devon Borough Council and Teignbridge District Council and further authorities as approved by the Council from time to time.

Joint-T18 Steering Group (JSG)

- (b) ~~Services shared~~The T18 Programme with West Devon Borough Council will be overseen by ~~a Joint Steering Group (JSG)~~the T18 Steering Group. This is a joint Group comprising ~~Members and Chief Officers from South Hams District Council and West Devon Borough Council~~of the Executive Members at South Hams District Council and the Chairs and Vice-Chairs at West Devon Borough Council.
 - Members are appointed to serve on this Joint Steering Group at the annual meeting of Council.
 - ~~The Officers that have been appointed from South Hams are the Executive Directors~~No officers are appointed to serve on this Steering Group but support is provided by the Executive Directors.

- (c) ~~The JSG-T18 Steering Group is not a decision making body and it will make recommendations to the Executive. It leads on shared services by monitoring, overseeing and making recommendations on the Shared Services Programme. The JSG provides regular information reports to the Executive, but all decisions on business cases and any other decisions on the implementation of Shared Services with another local authority are taken to the Executive (sitting as a committee) or Council, as appropriate, for approval.~~
- (d) ~~In order to meet the Council's objectives, Delegated Authority to make decisions on urgent matters on shared services issues has been granted to the Executive Directors (and other Senior Officers as appropriate) in consultation with the Leader and Deputy Leader. The T18 Steering Group is responsible for:~~
- ~~• the overall direction of the T18 Programme;~~
 - ~~• providing a high level strategic steer;~~
 - ~~• championing the Programme to internal/external stakeholders; and~~
 - ~~• creating an environment in which the Programme can thrive.~~
- (e) ~~The T18 Steering Group will be required to review the Programme direction against strategic priorities but it is anticipated that the Steering Group will meet two to three times per year.~~

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