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14 January 2008

To: Chairman – Councillor JH Stewart
Vice-Chairman – Councillor RT Summerfield
Members of the Constitution Review Working Party – Councillors SM Edwards,
R Hall, Mrs EM Heazell, RMA Manning and NJ Scarr

Quorum: 2

Dear Councillor

You are invited to attend the next meeting of **CONSTITUTION REVIEW WORKING PARTY**, which will be held in **MONKFIELD ROOM, FIRST FLOOR** at South Cambridgeshire Hall on **MONDAY, 21 JANUARY 2008 at 2.00 p.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA		PAGES
1. Apologies for Absence	To receive apologies for absence from working party members.	
2. Declarations of Interest		
3. Minutes of Previous Meeting	To receive the Minutes of the meeting held on 9 October 2007 (attached).	1 - 4
4. Annual Review of Standing Orders	To consider a schedule of proposed changes to the Council Standing Orders set out in Part 4 of the Constitution (attached).	5 - 10
The Working Party is invited to consider the proposed changes and RECOMMEND TO COUNCIL that they be approved for incorporation into the Constitution.		
5. Recognition of Partnership Working	Given the increased importance of partnership working as a means of enabling the Council to meet its corporate objectives and the needs and aspirations of the community, it is considered appropriate to expand Article 11 (Joint Arrangements) to include specific reference to partnership working. Consequently, a proposed revision of Article 11 is attached . The proposed changes are marked in italics; the documents referred to are still under development and will be included as Schedules A and B to the article once finalised.	11 - 14

The Working Party is invited to consider the proposed revisions and **RECOMMEND TO COUNCIL** that they are approved for incorporation into the Constitution, and that the register of significant partnerships (Schedule A) and Partnership Toolkit (Schedule B) be added once these documents have been finalised. (The final documents will be circulated to Members of the Working Party for information before they are included as schedules to Article 11).

6. Delegation by the Employment Committee - Re-grading and Re-evaluation of posts

The introduction to Part 3 of the Constitution, Responsibility for Functions (page 37), states that further delegation by the Employment Committee beyond that already agreed is 'not appropriate'.

The Committee currently has responsibility for the initial re-grading and re-evaluation of posts and the determination of the scale point applicable following re-evaluation, within its Terms of Reference.

Recent work to extend delegation proposed the downward delegation of these functions, however the above provision prevents this. In addition, it is considered that initially re-grading and re-evaluating posts is an Executive function which should be discharged in the first instance by officers. The Employment Committee should retain responsibility for appeals functions arising from these processes.

In order to address these issues and enable further delegation, the Working Party is requested to **recommend to Council** that:

- (1) Responsibility for the initial re-grading and re-evaluation of posts and the determination of the scale point applicable following re-evaluation be removed from the Terms of Reference of the Employment Committee and delegated to the Chief Executive for onward delegation as appropriate, and that
- (2) The Employment Committee retain responsibility for appeals functions arising from these processes.

7. Speaking rights at Portfolio Holder meetings

Following the decision by Council to hold meetings of Cabinet Portfolio Holders in public, clarification has been requested regarding the speaking rights of other Members and other persons attending the meetings.

At present, Scrutiny and Overview Committee Monitors and Opposition Spokespersons are invited to Portfolio Holder meetings, but may only speak at the Portfolio Holder's discretion. It is considered appropriate to provide an entitlement to speak, to enable these Members to contribute effectively to the Portfolio Holder's consideration of a particular matter. This can be achieved by the addition of the following paragraph to the Executive Procedure Rules in Part 4 of the Constitution (pages 128-132):

"3.2 Speaking rights at Portfolio Holder Meetings

The following persons shall be entitled to speak once, to ask questions and/or make representations, on each item of business under consideration at a Portfolio Holder meeting:

- Monitors appointed by the Scrutiny and Overview Committee;
- Spokespersons appointed by the Major Opposition Group.
- Other Members of the Council who may be present.

No Member shall speak for longer than three minutes without the Portfolio Holder's permission; this includes Members who are appointed to both the above positions.

The Portfolio Holder may, at his/her discretion:

- Allow Monitors and/or spokespersons and other Members to speak more than once;
- Allow other persons present at the meeting to speak.”

8. Date of Next Meeting

Members are asked to bring their diaries.

It is recommended that the next meeting take place in April 2008 in order to review the operation of the revised scrutiny arrangements. This follows the Council Resolution in July 2007 for the working party to carry out a review. It is further recommended that the working party agree an outline work programme for the 2008-2009 Civic Year at this stage.