

Title: **Notices of Motion**

Reporting Officer: **Nicola Mathiason, Head of Legal and Democratic Services**

Purpose

To consider the following notices of motion:

New Motions Received

(1) Cllrs Swabey and Payne

That this Council being the owner of Trowbridge park and the local licensing authority, recommends that Trowbridge Park becomes a Designated Public Place whereby the consumption of alcohol is prohibited (except for special events)

RECOMMENDED: If the above notice of motion is carried

That the above motion be referred to Cabinet for consideration.

(2) Minority Group Notice of Motion – Recycling System – Cllrs Phillips OBE, Hawker and Clark – Council 11 April 2007

This council acknowledges:

- 1. its success in achieving good rates of recycling using the twin bin and black box system, and;**
- 2. the problems which will be caused for many residents when the recycling system changes on 1st April when cardboard and kitchen waste will no longer be allowed in the fortnightly green bin collection because many people, including the elderly and disabled and those without cars, will be unable to take cardboard to the collecting points without considerable personal difficulty.**

This council resolves to commence an immediate review of all possible options for future waste collection and recycling with a view to an interim report being made available to council by the end of June 2007.

This interim report should contain and compare estimated costs for the different configurations of waste collection and recycling looked at, including the possibility of using green bins for cardboard collection on alternate fortnightly collections.

This council further resolves that a review of the successes and problems with the new recycling system after 1st April 2007 should also take place with end-of-month updates issued. Issues to look at should include the number of all types of complaints received and all adverse press printed anywhere in the district related to the new recycling scheme. It is the intention of council to act on any clear major issues without delay if the data emerging from these reviews demonstrates that action sooner rather than later is required to correct any serious issues.

RECOMMENDED: If the above notice of motion is carried

That the above motion be referred to the Cabinet for consideration.

For Members' Assistance – Procedure for dealing with notices of motions

- Certain types of notices of motion as described in the Constitution are 'special notices of motion' and require at least 11 signatories and at least 10 clear working days notice.
- Other notices of motion require at least 2 signatures with 10 clear working days notice.
- At the Chairman's invitation, a notice of motion (NoM) must be moved and seconded by :
 - one of the members who has submitted it or
 - in their absence, they may in writing and with the consent of the Chairman, assign the right to move the motion to another member.

If the NoM is not moved at the meeting, it will, unless postponed by consent of the Council, be treated as abandoned and may not be moved without fresh notice.

- If a NoM is seconded, the proposer has up to 5 minutes to speak to it
- If the NoM relates to a function exercisable only by Council, then the Council will debate the NoM and vote on it.
- If the NoM relates to a function delegated to another member body then the Council will vote on whether to refer it to that member body ***without debate**. That member body will consider the NoM at its next available meeting and report back to the Council as soon as practicable.

* If the NoM is referred to another member body, the Leader and Chairman of Council may permit a NoM to be debated at the meeting. If debated, the resolution of the Council will then form a recommendation to the member body and will be taken into account by that member body when considering the NoM.

If the NoM relates to a function that has been delegated to another member body but is not referred to that member body, the motion may still be debated with the permission of the Leader and Chairman. However, a decision cannot be made without receipt of a report; the matter will therefore be deferred to the next meeting of the

Council.

If the NoM relates to a function that has been delegated to another member body but is not referred to that member body and the Leader and Chairman decide that it is not to be debated, the motion will fall.

- If the NoM relates to an executive function, the Cabinet will be permitted to determine it and report the outcome for information to the next available ordinary meeting of Council.

Minority Group Notices of Motion

- The Leader of any political group, which does not have a majority on the Council, may require the Leader and Chairman of Council to permit a NoM to be debated at the Council. 10 clear working days' notice is required from a group leader. Minority Group NoM's will be labelled as such on the agenda and the above procedure shall be applied.