

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

Cllrs J Osborn and Brown

1. That this Council considers that the Waste and Recycling Review has taken far too long to reach any definite conclusions. It seems unable to get to grips with the important issue of cardboard and plastic collection.

Therefore this Council requires that a scheme incorporating such objectives to be introduced by January 2008.

RECOMMENDED: If the above notice of motion is carried that the above motion be referred to Cabinet for consideration.

Cllrs J Osborn and Brown

2. That this Council regrets the decision of the Cabinet to waste taxpayers' money by financially supporting the Congleton appeal on the Unitary decision.

RECOMMENDED: That Cabinet takes into account the outcome of the debate in determining whether to provide support to the judicial review proceedings taken by Shrewsbury and Atcham and Congleton

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.