

MOTION ON NOTICE

- 1.1 The Proper Officer reports that, pursuant to Council Procedure Rule 13.1, the following motion has been received from Cllrs T G Cutmore; Mrs C E Roe; K H Hudson; D Merrick; I H Ward; M R Carter; M J Steptoe; Mrs L A Butcher; Mrs M H Spencer; Mrs G A Lucas-Gill; Mrs J E McPherson; M Maddocks; C G Seagers; K J Gordon; S P Smith; Mrs A V Hale; Mrs C A Weston; R R Dray; Mrs J A Mockford and B T Hazlewood:-

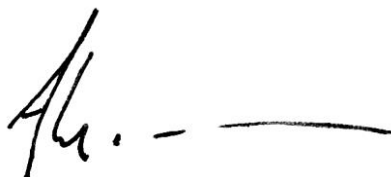
‘That the referred up facility within the Constitution be removed (paragraph 15 commencing on page 4.43 refers).’

The signatories to the motion have provided the following supporting wording:-

In addition to the call-in arrangement available to all District Councils by virtue of the Overview and Scrutiny function, this Council has operated a separate arrangement whereby any three Members of the Council can refer an Executive decision to Full Council. The referral up facility introduces particular issues for the business of the Authority.

Whilst the Constitution indicates that referral should only be utilised in exceptional circumstances, the definition of this is open to interpretation. Additionally, the Constitution does not state that a reason for referral needs to be given although, understandably, a reason would be appropriate so that Members are aware of the circumstances of a referral.

In that by far the majority of all Executive decisions could potentially be referred up, the mechanism is capable of significantly impacting the business of the Council. Where an item is referred there may be a number of weeks before there is a Council meeting at which it can be discussed, particularly as such items can only be submitted to ordinary Council meetings. A significant delay can have both cost and customer service implications.



Albert Bugeja

Head of Legal, Estates and Member Services

Background Papers:-

None.

For further information please contact John Bostock (Member Services Manager) on:-

Phone: 01702 318140

Email: john.bostock@rochford.gov.uk

If you would like this report in large print, Braille or another language please contact 01702 318111.