
NOTICES OF MOTION RECEIVED PURSUANT TO COUNCIL PROCEDURE RULE 12

(1) From Councillors J R F Mason and Mrs M J Webster

The Proper Officer reports that the following Motion has been received from Councillors J R F Mason and Mrs M J Webster:-

“This Council recognises that all breeding sites of the Great Crested Newt should be identified as County Wildlife Sites. European Protective Species of Wild Life are listed on the Annexes of the Habitats Directive 1992 and this is in enforced by the UK Conservation Regulations 1994.

It is proposed that any water feature with Great Crested Newts are specifically noted in the replacement Rochford District Local Plan.

It is further proposed that the replacement Rochford District Local Plan determines that any development proposal which affects any water feature (pond, ditch, lake etc) must have an ecological appraisal of the surrounding pond habitats within a distance of 500 metres for the presence of the Great Crested Newt.

Appraisals should follow certain standards. Appraisals should be undertaken in the appropriate time of year, use a variety of methods, and consist of at least three survey visits. This will enable the Local Authority to ensure that correct ecological information is provided for consideration of planning applications.

Furthermore, it is proposed that a policy of mitigation measures needs to be determined by this Council to promote sustainable development involving in situ conservation measures for reptiles and amphibians.

This Motion stands referred to the Environmental Services Committee for an Officer Report, to include reports from English Nature, Essex Wildlife Trust and the Essex Amphibians and Reptile Group, which is to be submitted to next Full Council.”

(2) From Councillors V H Leach and Mrs J M Giles.

The Proper Officer reports that the following Motion has been received from Councillors V H Leach and Mrs J M Giles for consideration at Full Council on 25 April:-

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(3) From Councillors A Hosking, V H Leach and Mrs J Hall

The Proper Officer reports that the following Motion has been received from Councillors A Hosking, V H Leach and Mrs J Hall for consideration at Full Council on 25 April:-

“This Council: -

- (a) welcomes the progress of Rochford District Council (RDC) in raising recycling levels, the positive results of our residents in Hawkwell and parts of Rayleigh are to be commended.
- (b) is concerned at the apparent continuing differences between Essex County Council (ECC) and the Waste Collection Authorities (WCAs) in respect of the Waste Plan and the emerging Waste Contract Strategy and urges the County Council, the Unitary Authorities and the WCAs in Essex, through their membership of the Waste Management Advisory Board, to establish an agreed, sustainable and flexible waste management strategy for Essex, which will form the basis of a truly constructive partnership between all parties.
- (c) re-affirms RDC’s waste strategies of seeking to: Maximise reduction, re-use and recycling in the District; Extend the life of available landfill and avoid incineration; Encourage local residents and businesses in those respects; Promote appropriate local waste treatment and recycling businesses; Seek a meaningful sharing of plans and financial resources with ECC, and response by WCAs to current and future developments.
- (d) regrets that the adoption of the Essex and Southend Waste Local Plan did not take account of the final modifications proposed by RDC and the Consortium, particularly in respect of incineration. In the light of ECC Leader Lord Hanningfield’s recent welcome media remarks, Council suggests that the current High Court Statutory Challenge should be resolved by ECC’s acceptance of the need for appropriate rewording and clarification of that Plan.
- (e) commends a similar motion to other Boroughs and Districts in Essex for debate and resolution.”

(4) From Councillors D R Helson and V H Leach

The Proper Officer reports that the following Motion has been received from Councillors D R Helson and V H Leach:-

- “1. Should funds not be used for the provision of a pedestrian crossing in Love Lane, Rayleigh (Minute 143 (1) - Environment Services Committee 9th April 2002) and returned to the Crime & Disorder budget as minuted, that the funds be utilised for the provision of CCTV in the local shopping parades at Hambro Hill, Rayleigh and Grove Road, Rayleigh as identified in Minute 132 of the Community Services Committee on 2nd April 2002.”
2. Details of the Hambro Hill and Grove Road schemes be provided to the Environment Overview and Scrutiny Committee so that all information is available when that Committee deliberates the resolution under Minute 143 (1).”

(5) From Councillors Mrs J Helson V H Leach, D R Helson, A Hosking, Mrs J M Giles, Mrs H L A Glynn, Mrs J Hall and C I Black.

The Proper Officer reports that the following Motion has been received from the above named Councillors:-

“In accordance with Council Procedure Rule 15.1 (Motion to rescind a previous decision), the following amendments are proposed to the Overview and Scrutiny Procedure Rule 15 (Call In) resolved under Minute 78 of Council on 26th February 2002.

The procedure rules were adopted with effect from 1st March 2002 in order for Council to consider how and whether any changes should be adopted prior to the new municipal year 2002/2003.

The proposed amendments are to overcome the previous ability to 'refer up' decisions which has now been lost and is therefore disadvantageous to small and minority groups.

The proposed amendments are:

- 1) Overview and Scrutiny Procedure Rule 15 (b) - in line 4 add - "or the number of Members stated in paragraph 15 (c)" after "Overview and Scrutiny".
- 2) Overview and Scrutiny Procedure Rule 15 (c) - in line 3 amend - "Committee" to "Council".

Note: To assist Members in considering the above motion a copy of Overview & Scrutiny Procedure Rule 15 is appended to this report.

Head of Administrative and Member Services

Background Papers:

Notices received

For further information please contact John Bostock on:-

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APPENDIX

15. Call-in

Call-in should only be used in exceptional circumstances. These are where Members of the appropriate Overview and Scrutiny Committee have evidence which suggest that the Policy Committee did not take the decision in accordance with the principles set out in Article 12 (Decision Making).

- (a) When a decision is made by a Policy Committee or an area Committee or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available to the Chairmen of Overview and Scrutiny Committees within two working days of being made. All Chairmen will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless an Overview and Scrutiny Committee objects to it and calls it in.
- (c) During that period, the Proper Officer shall call-in a decision for Scrutiny by the relevant Committee if so requested by the Chairman or any three Members of the Committee, and shall then notify the Chairman of the Policy Committee of the call-in. He/she shall call a meeting of the Committee on such date as he/she may determine, where possible after consultation with the Chairman of the Committee, and in any case within five days of the decision to call-in.
- (d) If, having considered the decision, the Overview and Scrutiny Committee is still concerned about it, then it may refer the matter to the next full Council.
- (e) If following an objection to the decision, the Overview and Scrutiny Committee does not meet in the period set out above, or does meet but does not refer the matter, the decision shall take effect on the date of the Overview and Scrutiny meeting, or the expiry of that further five working day period, whichever is the earlier.
- (f) If the matter is referred to Full Council the record of decision shall be included for debate at the next Full Council meeting.

“That this Council agrees that Members of the Planning Services Committee should only be those Members who confirm their adherence to the Code of Conduct for Planning Matters, Rochford District Council Constitution pages 5.7 to 5.15, by signature and, as such, the necessary confirmation form be drafted and copied separately to all Members with appropriate space for signature and returned to the Proper Officer prior to the first Planning Services Committee Meeting in the new Municipal Year.”

Head of Administrative and Member Services

Background Papers:

Notices Received

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