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## **Extraordinary Meeting of the Council – 10<sup>th</sup> July, 2023**

### **Report of the Lead for Law and Governance (Monitoring Officer)**

#### **Position of the Leader of the Council**

##### **Purpose**

1. To report on the provisions of the Council's Constitution concerning the position of the Leader of the Council.

##### **Recommendation**

2. That the Council consider the position of the Leader of the Council in accordance with the provisions of the Constitution.

##### **Background**

3. On 14<sup>th</sup> June, 2023, a requisition was presented to the Mayor, signed by five Members of the Council, which stated:

*“Under the provisions of Council Procedure Rule 3.1(iv) the undersigned Members of Dudley Metropolitan Borough Council hereby requisition that an Extraordinary Meeting of the Council is called on Thursday 22<sup>nd</sup> June, 2023 to consider a report on the position of the Leader of Dudley Council.”*

4. On 20<sup>th</sup> June, 2023, the Mayor agreed to proceed with an Extraordinary Council Meeting. However, in view of practical considerations and the statutory requirements for giving notice, it was not possible to hold the Extraordinary Meeting on 22<sup>nd</sup> June, 2023 as originally requested. In all the circumstances, it was considered reasonable to convene the Extraordinary Meeting immediately prior to the programmed meeting of the Council on 10<sup>th</sup> July, 2023.

## Position of the Leader of the Council

5. The Council's Procedure Rules require that the Leader shall be appointed at the annual meeting of the Council (as and when necessary). Article 7 of the Constitution prescribes that the Leader will hold office for a period of four years or until:
  - (a) his/her term of office as a Councillor expires; or
  - (b) he/she resigns from the office; or
  - (c) he/she is no longer a Councillor; or
  - (d) he/she is removed from office by resolution of the Council.
6. In accordance with the Constitution, Councillor P Harley was elected as the Leader of the Council at the Annual Meeting of the Council on 19<sup>th</sup> May, 2022.
7. The Opposition Group have notified the Monitoring Officer of the intention to move the following motion at the Extraordinary Council meeting:

*“That in accordance with the provisions of Article 7.03(d) of the Council's Constitution, Councillor P Harley be removed from the office of Leader of the Council with immediate effect.”*

## **Finance**

8. There are no direct financial implications arising from this report.

## **Law**

9. Statutory provisions regarding the Constitution are contained in the Local Government Act 2000, as amended, the Localism Act 2011 and any Regulations, Orders and Statutory Guidance issued by the Secretary of State.

## **Risk Management**

10. The ongoing arrangements for the election of the Leader are contained in the Council's Constitution. There are no implications for the Council's Risk Management Framework.

## **Equality Impact**

11. Decisions of the Leader on policy issues and the implementation of the Council Plan framework involve actions to promote equality and diversity and in relation to children and young people.

## **Human Resources/Organisational Development**

12. There are no direct implications.

## **Commercial/Procurement**

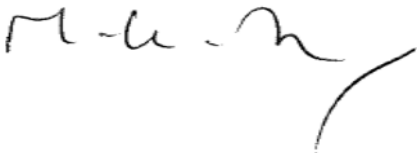
13. The Leader has a key role in overseeing the Council Plan objectives to maximise value from procurement, deliver social value and develop a commercial focus.

## **Environment/Climate Change**

14. The Leader has a key role in overseeing the Council's approach to environmental sustainability and tackling climate change.

## **Council Priorities and Projects**

15. The Leader has a key role in the delivery of all Council priorities including the Borough Vision, Council Plan and the Future Council Programme.



**Mohammed Farooq**  
**Lead for Law and Governance**  
**(Monitoring Officer)**