

## **Extraordinary Meeting of the Council**

**Monday, 10<sup>th</sup> July, 2023 at 6.00pm  
at Dudley Town Hall, St James's Road, Dudley**

You are hereby summoned to attend an extraordinary meeting of the Dudley Metropolitan Borough Council for the purpose of transacting the business set out in the numbered agenda items listed below.

### **Agenda - Public Session (Meeting open to the public and press)**

#### Prayers

1. Apologies for absence
2. To receive any declarations of interest under the Members' Code of Conduct
3. Position of the Leader of the Council



**Kevin O'Keefe  
Chief Executive  
Dated: 30<sup>th</sup> June, 2023**

#### **Distribution:**

All Members of the Council

## **Health and Safety**

- In view of ongoing health and safety requirements in the workplace, you are asked to comply with any safety instructions applicable to the venue. Various mitigating actions are in place to minimise any risks and to ensure we adhere to the latest guidance.

## **Public Seating**

- Seating is subject to limits on capacity and will be allocated on a 'first come' basis.

## **Toilets**

- Toilet facilities are available on site and are subject to safety measures that are in place. All the toilets have hand washing facilities.

## **No smoking**

- There is no smoking on the premises in line with national legislation. It is an offence to smoke in or on the premises. You cannot use e-cigarettes and/or similar vaping devices.

## **In Case of Emergency**

- In the event of the alarms sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

## **Submitting Apologies for Absence**

- Elected Members can submit apologies by contacting Democratic Services (see our contact details below).

## **Private and Confidential Information**

- Any agendas containing reports with 'exempt' information should be treated as private and confidential. It is your responsibility to ensure that information containing private and personal data is kept safe and secure at all times. Confidential papers should be handed to Democratic Services for secure disposal. If you choose to retain the documents you should ensure that the information is securely stored and destroyed within six months.

## **Recording and Reporting**

- The use of mobile devices or electronic facilities is permitted for the purposes of recording/reporting during the public session of the meeting. The use of any such devices must not disrupt the meeting – Please turn off any ringtones or set your devices to silent.

- The public session of this meeting will be recorded and broadcast on the Council's YouTube Channel. The webcast can be viewed by clicking on the following link  
<https://www.youtube.com/user/dudleymbc>

### **General**

- Information about the Council and our meetings can be viewed on the website [www.dudley.gov.uk](http://www.dudley.gov.uk)

### **If you need advice or assistance**

- If you (or anyone you know) requires assistance to access the venue, or if you have any other queries, please contact Democratic Services - Telephone 01384 815238 or E-mail  
[Democratic.Services@dudley.gov.uk](mailto:Democratic.Services@dudley.gov.uk)

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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**

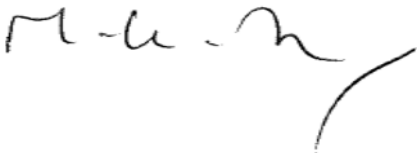
13. The Leader has a key role in overseeing the Council Plan objectives to maximise value from procurement, deliver social value and develop a commercial focus.

## **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)**