

# NOTICE OF MOTION – LEADER OF THE COUNCIL

<b>Council</b>	<b>22 April 2021</b>
<b>Report Author</b>	<b>Nick Hughes, Committee Services Manager</b>
<b>Portfolio Holder</b>	<b>Cabinet Member for Housing and Community Services</b>
<b>Status</b>	<b>For Decision</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Key Decision</b>	<b>No</b>

## **Executive Summary:**

A motion has been received in relation to the Leader of the Council.

## **Recommendation:**

Council is invited to consider whether to debate the motion. If the motion is debated then Council is invited to consider and vote upon the proposal.

## **Corporate Implications**

### **Financial and Value for Money**

There are no identified financial implications from this report.

### **Legal**

Council Procedure Rule 3.7 states that: “the Member whose name appears first on the notice will move the motion during his or her speech and call for a seconder. If seconded, a Member from the controlling political group will be entitled to a reply, after which the motion shall stand referred without further discussion to the Cabinet or appropriate committee for determination or report unless the Council decides to debate the motion in accordance with Rule 16.

As the motion proposes the removal of the Leader from office, only the full Council can debate and decide it. Therefore, if the Council refuses to debate the motion, it will fall at that point.

### **Corporate**

Council Procedure Rule 3 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

### **Equality Act 2010 & Public Sector Equality Duty**

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

The Council demonstrates due regard to the aims of the Public Sector Equality Duty when conducting its business.

## **Corporate Priorities**

This report relates to the following corporate priorities: -

- Growth
- Environment
- Communities

## **1.0 Introduction and Background**

1.1 The Council has received a motion on notice from Cllr Ashbee. The wording of the notice is as follows:

“In my opinion the Leader has failed to address the major governance issues that have been apparent within Thanet District Council for a considerable amount of time.

As a result, I propose the Council removes the Leader of the Council from office”

## **2.0 Options**

2.1 To debate the motion.

2.2 Not to debate the motion, in which case the motion will fall.

## **3.0 Decision Making Process**

3.1 It is for Council to decide whether or not to debate the motion, if the motion is not debated it will fall.

3.2 If the motion is debated and the proposal is subsequently passed, this will result in the removal of the Leader of the Council from office. As a result the Council must then immediately elect a new Leader.

Contact Officer: Nick Hughes, Committee Services Manager  
Reporting to: Estelle Culligan, Head of Legal and Democratic Services

**Annex List**

There are no Annexes with this report.

**Background Papers**

There are no Background Papers with this report.

**Corporate Consultation**

**Finance:** Chris Blundell, Director of Financial Services

**Legal:** Estelle Culligan, Head of Legal and Democratic Services