
REPORT TO:	COUNCIL	AGENDA ITEM: 21
DATE OF MEETING:	22ND MAY 2008	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	NEIL BETTERIDGE (595895)	DOC:
SUBJECT:	FORMAT OF MINUTES	REF:
WARD(S) AFFECTED:	ALL	

1.0 Reason for Exempt

1.1 Not applicable.

2.0 Recommendation

2.1 That the suggested revised format for Minutes be approved and adopted for the new municipal year.

3.0 Purpose of Report

3.1 To consider a revised format for Minutes for the new municipal year.

4.0 Detail

4.1 Previous editions of the publication entitled "Knowles on Local Authority Meetings – A Manual of Law and Practice" have established the author of this work, Raymond Knowles, as the authority on the law and practice of local authority meetings and decision-making. The publication provides an analysis of the framework within which local authority meetings are held along with helping that meetings comply with legal requirements and adopt best practice, thereby ensuring that decisions made are valid and sound.

4.2 The following extracts are in relation to the content of Minutes:-

Drafting Minutes

In course of time a number of cardinal principles of good practice have become widely accepted. Thus, for example, a Minute should be:

- brief, i.e. precise and concise, recording exactly what was done and no more;
- self-contained, i.e. complete in itself and intelligible without reference to other documents; and

- decisive, i.e. there must be no ambiguity or doubt as to the intention; and thus clarity is an indispensable part of the accuracy of the record.

Minutes can be kept brief by being selective: a Minute is not a verbatim record but a summary of the proceedings that includes only the essence of the discussion – not always that – and the decision. It is rarely necessary to reproduce, however summarily, what a speaker said; but helpful, as a rule, to pick up the main threads of the discussion that led to the conclusion: indeed there is danger in recording individual contributions since all Members are likely to want the same treatment. To be self-contained does not mean that a Minute cannot properly refer to supporting material, e.g. an officer's report incorporated as an appendix, a plan, deed or other significant document that cannot physically be made part of the Minute Book. But a Minute must not rely on extraneous material for its understanding or interpretation; the actual resolution should always be understandable on its own.

Minutes collectively should be complete in the sense that they include at least a brief reference to every item of business dealt with, so that it may safely be assumed that any matter not mentioned was not discussed at the meeting.

A preamble or narrative should be included only if it serves a purpose, i.e. it contains the reasons for the decision and details of alternatives considered. It may be appropriate to indicate the officer who brought a particular matter before the committee, but if the officer's act is no more than procedural there is no need to recite it. If, however, the officer is making a recommendation or tendering advice there is merit in including a reference to the recommendation or advice so submitted, e.g. 'The Chief Executive advised the Committee that.....'; and, vitally important, that the advice should be minuted if an officer provides advice which he considers it his duty to give and the committee chooses to disregard it.

The preamble can properly be used to record in narrative form the tenor of the discussion on the particular item of business but in an impersonal way, i.e. not attributing views to individual Members. The main advantages of this form are that it makes for brevity. A point raised by one speaker will often be taken up and developed by others; in an impersonal Minute the Clerk need record it only in its final form. The impersonal style tends to avert suggestions for amendment of the Minute, for Members naturally look with special care at paragraphs that attribute statements to them personally, and tend to ask for additions and modifications that are not strictly necessary for the purpose of a Minute. This can be done, for example, in this way, not necessarily following the order in which the points were made:

'The following points were raised in discussion: (a)...; (b)...; and (c)...

or, where there was broad agreement on the points raised:

'The committee had regard to/took account of the following points made in the course of discussion: (a)...; (b)...; and (c)...

What must be avoided – at all costs – is this form:

'Mr A said...; Mr B replied...; and Mr C then pointed out that...'

Such a discursive description in conversational style obscures the thread of discussion and leaves the Minute-writer open to charges that he has misinterpreted what Mr A or Mr B said or unfairly summarised their contribution.

It is doubtful whether there is merit in recording that discussion preceded the decision without indicating the gist of it, e.g.:

'After discussion it was Resolved: That...'

This conveys to a reader that at least the committee did not merely accept unquestioningly the advice of a chief officer or rubberstamp a recommendation of a sub-committee, but it does little else. The presumption must be that councillors considered the question before them. In many instances, where the course of action is clear cut, the Chairman is likely to have said, as the particular item on the agenda was reached, 'Agreed?' and the Members, in effect, replied 'Yes', and the meeting passed to the next item of business.

It is not usual to record in the preamble the procedural steps through which the Members reached their decision. Thus, for example, the names of proposers and seconders of motions, whether passed or not, are not normally recorded; nor, ordinarily, is any record kept – as already indicated – of the contribution of particular Members to the discussion.

4.3 The following documents are attached to assist Members' consideration:-

- Annexe 'A' Approved Minutes of Finance and Management Committee held on 19th February 2008
- Annexe 'B' Revised Minutes of the above Meeting for consideration as a suggested model from the start of the new municipal year
- Annexe 'C' Sample of Minutes from West Lindsey District Council ("fourth option" authority)

5.0 Financial Implications

5.1 None.

6.0 Corporate Implications

6.1 The suggested revised format of Minutes will ensure that best practice is adopted in accordance with guidance, thereby ensuring that decisions made are valid and sound.

7.0 Community Implications

7.1 None

8.0 Background Papers

8.1 "Knowles on Local Authority Meetings – A Manual of Law and Practice"