

Appendix A: Minutes Guidance

Purpose

Minutes need to:

- (i) establish an accurate record of the decisions taken;
- (ii) comply with legal requirements and obligations;
- (iii) be self-explanatory, and
- (iv) provide adequate information about the Council's business for press and public – this would include outlining the options Members considered when reaching a decision and clearly stating the route by which a decision was reached.

Legal

The law does not prescribe the form in which minutes should be written up. However consideration needs to be given to the fact that the Council may need to substantiate its actions by making the minutes available in which the agreed action is authorised.

Drafting

A minute provides a summary of the proceedings and is not a verbatim record. An accurate minute should be:

- Brief, precise and concise, recording exactly what was done and no more
- Self contained (provide a complete record without need to refer to separate document)
- Decisive and clear (no ambiguity or doubt)
- Resolutions must be clearly distinguishable from the main text

Style

Individual members should not as a matter of course be referenced within the body of the minutes, with the exception of references to positions (as appropriate) and to (as appropriate) local ward members in planning committees. Reference should be made to the Committee as a whole, or to a Member in attendance (or some such appropriate reference).

A point raised by one speaker will often be taken up and developed by others with the minute reference recorded in its final form. Therefore similar or developed themes should be recorded as a complete point.

Members' questions and Cabinet Member responses to questions provided at Council will reflect the points raised and will not be a verbatim record. It is not usual to record in the preamble the procedural steps through which the members reached their decision e.g. names of proposers and seconders of motions, however it is important to outline the rationale by which a decision was reached.

Decisions

The authority is bound to provide reasons for its decisions and for these reasons to be minuted e.g. executive decisions, rejection of a planning application. It is a good principle for the authority to be prepared to justify its action by giving a reason (unless there are overriding considerations to suggest it should not do so). The absence of a recorded decision if a decision is challenged a court may take the view that the authority had no reason for the decision taken.

Approval Process

Draft minutes will be sent to the senior managers present for comments. The draft minutes will then be sent to the relevant Chairman for comments. Draft minutes will be published on the relevant committee page within ten working days. Following approval by the Committee of the minutes (signed by the Chairman) the notes of the meeting should be destroyed.

Review date: to be reviewed once a decision on audio minutes has been taken.