



**APPENDIX – item 16**

**AGENDA ITEM: 10**

**EXECUTIVE OVERVIEW AND  
SCRUTINY COMMITTEE**

**8 APRIL 2009**

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**Report of: Council Secretary and Solicitor**

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**SUBJECT: FORMAT OF COUNCIL MINUTES**

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District wide interest

**1.0 PURPOSE OF THE REPORT**

1.1 To consider the format of the minutes of meetings.

**2.0 RECOMMENDATIONS**

2.1 That the current practice in relation to the preparation of minutes continues.

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**3.0 BACKGROUND**

3.1 At the meeting of the Executive Overview and Scrutiny Committee held on 5 February 2009, during acceptance of the minutes of the previous meeting, it was proposed that the attendance list includes the names, rather than the job titles, of those officers present.

**4.0 CURRENT POSITION**

4.1 **Legislation**

4.2 Legislation requires that the names of Members present at a meeting of any local authority shall be recorded. There is no similar requirement in relation to the recording of officer names.

4.3 There is no legislation requiring minutes to be in any particular form and therefore they can take whatever form is preferred by the individual authority or relevant officer concerned and it has always been the custom and practice within this Council to record officer attendance at meetings by way of job titles.

4.4 The purpose of minutes is to:

- Establish an accurate record of the decision taken
- Comply with legal requirements, and, where minutes are used as the vehicle to bring proposals before the full Council, then need also to ensure that the record is sufficiently self-explanatory to enable the Council to make a decision in full possession of the relevant facts: and
- To provide details of the Council's business for press and public
- To show that decisions have been taken properly and in accordance with the statutory rules, articles, operating procedures and customs of the organisation and the common law.

4.5 Minutes therefore should be

- The exact account of what was actually agreed upon
- Sufficiently detailed and complete, so that if a Member (or any person) was absent can fully understand what was decided at that meeting; and
- Concise.

#### **4.6 Other Lancashire Authorities**

4.7 I have taken the opportunity to look at a number of Lancashire Local Authority websites, including Lancashire County Council, to see what format their minutes take and I attach as an appendix a summary of minute styles.

#### **5.0 ISSUES**

5.1 As mentioned earlier, it has been the custom and practice of this Council to record officer attendance at meetings by way of job title. Over time the occupiers of posts change and it is that use of the job title that provides a more consistent understanding of the officers attending and assisting in the taking of decisions. There may also be data protection issues. For example, if say fraud investigators or material witnesses in, say a prosecution case, are in attendance at a meeting, disclosure of details may compromise their security or effectiveness. However, it is recognised that this is a matter that may be dealt with by omitting names/details of a particular officer where circumstances dictate this appropriate.

5.2 If this practice is adopted then it is suggested that this must be consistent across the Council. Accordingly the matter should be referred to Cabinet or Council for decisions as this Committee's remit does not extend to introducing changes of this nature.

#### **6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

6.1 There are no sustainability/Community Strategy implications.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

7.1 There are no financial or resource implications arising from this report.

## **8.0 RISK ASSESSMENT**

8.1 There are no significant risk assessment implications.

## **9.0 CONCLUSIONS**

9.1 It is proposed that the existing practice continues.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendices**

List of minute styles of LCC and Lancs. Authorities



## APPENDIX A

LOCAL AUTHORITY	MINUTE FORMAT
Lancashire County Council	<p>Same format for each Committee</p> <ul style="list-style-type: none"> <li>• No officers recorded</li> </ul>
Blackburn with Darwen	<p>Different format for individual Committees</p> <ul style="list-style-type: none"> <li>• Council</li> <li>• Executive - no officers recorded</li> <li>• Planning - no officers recorded</li> <li>• Corporate Resources – officers names, no job titles</li> <li>• Health &amp; social care – officers names and titles</li> <li>• Policy &amp; Review – officers names and titles</li> </ul>
Burnley	<p>Same format for each Committee</p> <ul style="list-style-type: none"> <li>• Officer name and title</li> </ul>
Chorley	<p>Different format for individual Committees</p> <ul style="list-style-type: none"> <li>• Council – no officers recorded</li> <li>• Executive – no officers recorded</li> <li>• O&amp;S – officer name and title</li> <li>• Development Control – officer names and titles</li> </ul>
Fylde	<p>Same format for each Committee</p> <ul style="list-style-type: none"> <li>• Officer name no title</li> </ul>
Hyndburn	<p>Same format for each Committee</p> <ul style="list-style-type: none"> <li>• No officers recorded</li> </ul>
Lancaster	<p>Different format for individual Committees</p> <ul style="list-style-type: none"> <li>• Council – no officers recorded</li> <li>• Cabinet – officers name and title</li> <li>• O&amp;S – officer name and title</li> <li>• Planning – officer name and title</li> </ul>
Pendle	<p>Same format for each Committee</p> <ul style="list-style-type: none"> <li>• No officers recorded</li> </ul>

