

PART 5.7

PROTOCOL ON THE PRODUCTION

AND

CONTENT OF MINUTES OF MEETINGS

5.7.1. Purpose

This protocol sets out formally:

- (a) the principles and procedures for the drafting, clearing and publication of minutes of formal meetings of Chelmsford City Council; and
- (b) guidance on the content of minutes.

5.7.2. Meetings to which the Protocol Relates

5.7.2.1 In this protocol “meetings” refers to meetings of the following bodies:

- (a) Chelmsford City Council;
- (b) those bodies to which members are formally appointed at the Annual Meeting, i.e. the Cabinet and its committees and non-Executive Committees and their sub-committees; and
- (c) any bodies of that nature established between Annual Meetings.

5.7.2.2 The records of meetings of working groups/parties and panels, or of joint meetings where Chelmsford City Council Legal and Democratic Services are responsible for the minutes, whether or not members are appointed to them, need not follow the arrangements described in this protocol.

5.7.3. Production of Minutes

5.7.3.1. **Responsibility**

The production of minutes of meetings will be the responsibility of staff of Legal and Democratic Services only (referred to in this Protocol as the committee administrator”).

5.7.3.2 **Timescales**

The normal timescales for the production of minutes will be:

- (a) draft minutes - within three working days of the meeting;
- (b) publication on the Council’s website of the final draft – within seven working days of the meeting.

5.7.3.3 **Clearance**

To reinforce the role of the committee administrator as an impartial recorder and interpreter of decisions taken at a meeting, the drafts of minutes will only be cleared with:

- (a) the Monitoring Officer, if they or their representative was present at the meeting; or

- (b) the Legal and Democratic Services Manager, if they or their legal representative was present at the meeting; or
- (c) another senior officer present at the meeting if neither (a) nor (b) was present.

No councillor will be consulted on the wording of draft minutes.

5.7.3.4. In exceptional circumstances other officers who were present at the meeting may be consulted on a draft minute to clarify complex or technical information reported at the meeting which needs to be included in the minutes.

5.7.3.5. To avoid any uncertainty among those present at the meeting, it will be the responsibility of the committee administrator to seek clarification of any decision or amendment before or at the time of it being put to the vote or agreed, where, in the view of the committee administrator, there exists any doubt or confusion about what the committee has decided or has been asked to decide.

5.7.4. Status of published draft/approved minutes

5.7.4.1 The published minutes of a meeting will be regarded as an unofficial record of the meeting until they are formally approved by the next available meeting of the relevant body, although in the meantime the decisions taken will in normal circumstances have been implemented.

5.7.4.2 Once agreed by the body, the minutes will be regarded for legal purposes as the only formal record of the meeting. The committee administrator will, at that point and to avoid any subsequent questions of interpretation of a decision, destroy any notes they took at the meeting on which the minutes were based.

5.7.4.3 Where a change to the minutes is made at the meeting at which they are signed, the amended record will be published on the website and the changes written by hand on the paper copy signed by the chair.

5.7.5. Content of a Minute

5.7.5.1. The minutes of a meeting will typically comprise the following:

- (a) where appropriate, a reference number for any previous minute on the subject;
- (b) a note of any declaration of interest in the subject made at or before the meeting;
- (c) a preamble, consisting of a brief summary of the subject of the minute;

- (d) in the case of minutes of the Cabinet, an outline of the options available in making a decision on the subject, a note of the option chosen and the reasons for choosing it;
- (e) a record of any discussion on the subject. That record will include:
 - (i) any additional information (either written or oral) presented at the meeting not contained in the report on the subject. This might be a full or summarised record of the information presented;
 - (ii) any amendments formally moved by members and a note of whether or not they were approved;
 - (iii) apart from formal amendments, any general discussion on the subject which has a bearing on or which, in the view of the committee administrator, will enhance a reader's understanding of the reasons for a decision.
- (f) if requested under the relevant Rules of Procedure, a record of the vote taken on the subject or the names of members who indicate their wish that the minutes record how they voted; and
- (g) the full resolution on the subject, incorporating any amendments made to a recommendation or motion, and worded in such a way as to be clear, with minimal reference to other written records, the meeting's decision and intentions.

5.7.5.2 The names of individual members will not be recorded as part of the discussion on a subject unless they move a formal motion or amendment.

5.7.5.3 Minutes covered by the Protocol will indicate the time when a Councillor arrives if it is after the meeting has commenced or the time they leave if it is before the meeting has closed.

5.7.5.4. Minutes will indicate the time consideration of an individual item commences.

5.7.6. Record of Questions/Statements

5.7.6.1 Where councillors, who are not members of the body, are allowed to ask questions or make statements at the meeting, the minutes will provide a fair and coherent summary of any question and the response given. The names of individual members will not normally be recorded as part of the discussion. In the case of Council meetings, questions to Cabinet Members and the responses given will, as far as possible, be recorded in full.

5.7.6.2 A record of any questions asked or statements made by the public at a meeting will normally provide a brief outline of the question or statement and short but coherent summary of the response given.

- 5.7.6.3 Each body may have its own conventions as to where, other than under the item “Public Question Time”, details of the questions and statements should appear in the minutes but all will follow the above principles.
- 5.7.6.4 In exceptional circumstances a question on a matter of particular importance or wide public concern, and the answer given to it, may justify a fuller record but this will be at the discretion of the Legal & Democratic Services Manager in consultation with other relevant officers.