



Minute-writing Principles and problems



SEE Top tips

What to record?


- ❖ Members' attendance
- ❖ Declarations of interest
- ❖ Public speaking
- ❖ Ward councillors' views and representations
- ❖ Alternative options considered and rejected
- ❖ Reasons for decisions
- ❖ Resolutions passed by the meeting
- ❖ Voting
- ❖ Exempt business resolution





SEE Top tips

What else?

- ❖ Where conflicting views emerge
 - ❖ Where significant issues and concerns are raised
 - ❖ Where additional or updated information is presented or tabled
 - ❖ Where corrections are made to a report at the meeting
 - ❖ Where officer advice is given at the meeting, especially by one of the council's statutory officers
 - ❖ Where reasons for the decision differ from those set out in the officer's report
 - ❖ Where a different recommendation is adopted to that recommended in a report
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Reasons for decisions

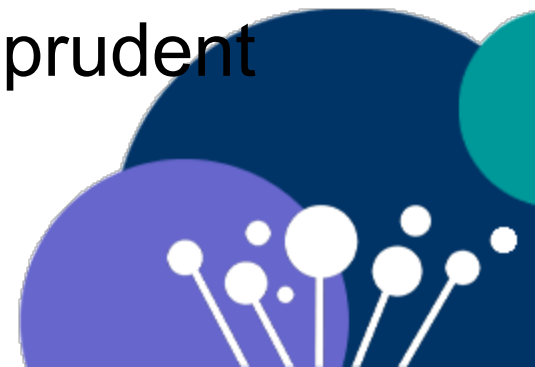
Always be prepared to record the reasons for the decision to:

- ❖ show procedural fairness and avoid potential challenge
- ❖ give substance to the decision in anticipation of any subsequent appeal
- ❖ demonstrate that the issues have been properly addressed
- ❖ explain the impact on the applicant and promote transparency



SEE Danger zones

- ❖ Reasons for decisions, especially where people's rights are affected by the decision – procedural fairness applies
- ❖ Planning overturns – it's not acceptable for the committee to tell the officers to “go away and sort out the planning reasons after the meeting”
- ❖ Overview and scrutiny – where there's an investigation of a 3rd party it may be prudent to record Q&A in some detail



SEE Quasi-judicial decisions

- ❖ Remember the rules of natural justice apply to quasi-judicial decisions; this includes licensing hearings, school appeals and staff appeals
- ❖ Reasons for decisions should always be given in cases where people's rights are affected
- ❖ Decisions could otherwise be open to legal challenge

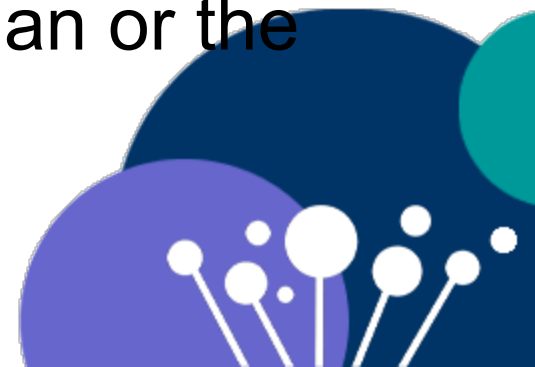
R v Lambeth London Borough Council ex parte Walters (1993)



SEE Planning decisions

For planning decisions reasons must be given especially where:

- ❖ The committee disagrees with the officer recommendation
- ❖ A matter is of potential significance to very many people
- ❖ Permission has been granted in the face of substantial public opposition
- ❖ There's a departure from the local plan or the NPPF ie green belt, habitats, AONB





Executive decisions

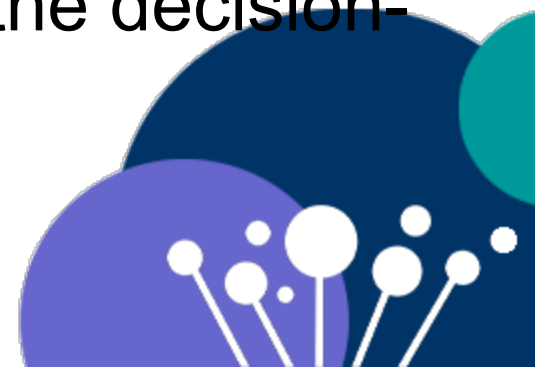
- ❖ Records of all executive decisions must include:
 - ✓ the decisions taken
 - ✓ the date
 - ✓ the reasons for the decisions
 - ✓ alternative options considered and rejected
 - ✓ any conflicts of interests and dispensations



SEE Overview & scrutiny

Public inquiry into the Mid Staffordshire NHS Trust in 2013 – Lessons learned:

- ❖ Record the contributions made by committee members whether by way of observations or questions, and the responses given
- ❖ Sometimes we need to record not only the outcome but also the range of views expressed
- ❖ Remember, the essence of public engagement is that we record their views to inform the decision-making process





For discussion

1. What practical problems do you commonly encounter in minuting meetings?
2. What would help you to be more effective in this part of your job?
3. What gets in your way?

