

SUBJECT:	MINUTES RELATING TO EXEMPT INFORMATION
DIRECTORATE:	CHIEF EXECUTIVE & TOWN CLERK
LEAD OFFICER:	CAROLYN WHEATER, CITY SOLICITOR

1. Purpose of Report

1.1 Following the publication of a recent set of minutes, a councillor raised a concern that the minutes were insufficiently detailed to allow members to understand a decision without reference to the associated report, which contained exempt information. The councillor therefore requested that the Ethics and Engagement Committee consider whether the format of the Council's minutes relating to exempt information was appropriate.

2. Context for Original Minute

2.1 The Asset Management Group meeting of 15 December 2016 considered one substantive item, which was the proposed sale of a property owned by the Council in the Boultham area. The minute is attached as **Appendix A**.

2.2 In common with the Council's style of recording Executive meetings since the inception of the Executive model, the minute takes the form of a decision notice giving details of the decision, the reason for the decision, and any rejected alternative options. This style of minute was adopted in order to ensure that Executive decisions were recorded in a concise and accessible manner.

2.3 As members will be aware, the Council is under a duty to keep a public record of all decisions taken by the Executive and any Executive sub-committees (such as the Asset Management Group). Where a report contains exempt information, officers seek to include as much information as possible in the minute and often refer to the relevant sections of a private report if necessary.

2.4 In this instance, the exempt information related to the proposed sale of a property. In order to protect the commercial interests of both the Council and the potential purchaser, the property was not directly identified within the minute, but was clearly identified in the relevant report including a site plan for the property. Both the minute and the full report were accessible to all councillors via the Council's intranet site or for downloading using a tablet device.

3. Rationale for the Current Minuting Method

3.1 The Council's current minute style is considered to offer a pragmatic middle-ground between ensuring as much information as possible is provided to the public regarding Council business and protecting the confidentiality of any exempt information, while also still giving all necessary information to those with access to documents containing exempt information, i.e. councillors and relevant officers.

- 3.2 While a minute must provide sufficient information to convey the fundamental nature of the transacted business, it will usually also be necessary to consider an associated report in order to have a proper understanding of the business at hand, regardless of whether the minute relates to exempt information.
- 3.3 With this in mind, officers do not consider that reading or having reference to a report is overly onerous if a councillor wishes to understand more about an item than is contained with the minute. As members will be aware, a minute is not intended to be a verbatim report of the minutiae of a transaction, but to record the fundamental parts of what has been decided and why. Provided that the documents containing exempt information are easily available, interlinking between a minute and a report remains officers' preferred format.
- 3.4 An alternative system would be to create two sets of minutes (one referring to exempt information and one not referring to exempt information). A change to a style of minuting requiring duplication of minutes is likely to be time-consuming, particularly for lengthy meetings such as the Licensing Sub-Committee which often involve considerable amounts of exempt information and will have an impact on resources

4. Organisational Impacts

4.1 Finance

There are no direct financial implications arising from this report.

4.2 Legal Implications

There are no direct legal implications arising from this report.

5. Recommendation

- 5.1 That members consider whether the Council's style of minuting business relating to exempt information remains appropriate.