

Public Document Pack

West Surrey Shadow Authority Standards Committee Supplementary Agenda

<u>Date and Time</u>	<u>Place</u>	<u>Contact</u>
Thursday, 22 October 2026 at 2.00 pm	Council Chamber. Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB	Democratic Services committeeservices@spelthorne.gov.uk

Membership	
Name	Ward
Councillor Jane Austin	Waverley Eastern Villages
Councillor Chris Bateson	Staines
Councillor Harleen Boparai	Staines South & Ashford West
Councillor Steve Greentree	Knaphill & Goldsworth West
Councillor Jonathan Hulley	Thorpe, Longcross & Ottershaw
Councillor Nirmal Kang	Heatherside & Parkside
Councillor Sarbie Kang	Camberley West & Frimley
Councillor Scott Lewis	Woodham & New Haw
Councillor Carl Mann	Thorpe, Longcross & Ottershaw
Councillor Louise Morales	Woking South
Councillor Isabel Mullens	Egham
Councillor Rory O'Brien	Sunbury Common & Ashford Common
Councillor Joanne Shaw	Guildford East
Councillor Sally Shorthose	Farnham South
Councillor Richard Wilson	Bagshot, Windlesham & Chobham Ward

SUPPLEMENTARY AGENDA

Page nos.

- 5. Minutes of the Constitution Working Group Held 08 October**
Committee is asked to agree the minutes of the Constitution Working Group meeting held 08 October 2026.
- 9. Motions**
The Committee is asked to consider the motion referred to it by the Shadow Authority.

1 - 12

13 - 22

Minutes of West Surrey Shadow Authority Constitution Working Group

8 October 2026

Present:

Councillor Jonathan Hulley, Longcross & Ottershaw
Councillor Scott Lewis, Woodham & New Haw
Councillor Carl Mann, Thorpe, Longcross & Ottershaw
Councillor Louise Morales, Woking South
Councillor Joanne Shaw, Guildford East
Councillor Sally Shorthose, Farnham South
Councillor Richard Wilson, Bagshot, Windlesham & Chobham Ward

1 Apologies

Apologies were received from Councillors Austin and O'Brien. Councillors Lewis and Mann were their respective substitutes.

2 Declarations of Interest

There were none.

3 Minutes of the Constitution Sub-Committee

Councillor Hulley challenged the minutes in respect of what was decided at the meeting with regard to a member's right of reply to the Leader's Statement made at Council meetings.

The Democratic Services Manager would review the recording of the meeting to ascertain what was agreed and to report back to the Standards Committee meeting when they considered approval of the minutes.

The minutes of the Constitution Sub-Committee, held on 17 September were endorsed by the Working Group. The minutes will be taken to the next West Surrey Standards Committee on 22 October for approval.

4 Petition Scheme

The Working Group considered a report that set out a proposed petition scheme to be included in the West Surrey's Constitution, to be effective from Vesting Day (1 April 2026).

During the debate the Working Group considered whether to continue to allow paper petitions and to instead only accept electronic petitions. Following a vote, it was resolved to accept both paper and electronic petitions.

Members suggested that if Local Committees were to become part of the Council's governance system, any petitions relating to local issues could be considered by these as well as the relevant decision making committee.

The Working Group requested that officers look at the potential to incorporate the use of third-party sites into the petition scheme and sought assurance that any system would be subject to vigorous testing to ensure that it was easy for the residents and workforce within West Surrey to use. Following a vote, it was resolved that the use of third-party site petition sites would be recommended.

It was agreed that for now the current system which is part of Modgov, would continue to be used until a decision was made whether to change the democratic services system. It was confirmed the Modgov petition system was currently used by SCC and all borough councils in the West and would continue to be available for anyone wishing to submit a petition post vesting day.

The Working Group **RESOLVED** to:

1. Approve the proposed petition scheme, effective from Vesting Day, and to recommend it to the West Surrey Shadow Authority Standards Committee and subsequently the West Surrey Shadow Authority for approval and inclusion in the West Surrey Council Constitution; and
2. Subject to approval, authorises the Monitoring Officer to make any additional required changes to other parts of the constitution as a result of the petition scheme being approved.

5 Council Procedures Rules (2)

The Working Group considered the draft of the second part of the suggested Council procedure rules.

Members were advised that amendments had been made to procedures relating to:

- 1) Speaking in debates
- 2) Recorded votes
- 3) Previous decisions and motions
- 4) Budget Decisions
- 5) Duration of meetings

Following a debate, members agreed that the following proposed amendments be put before the West Surrey Standards Committee for their consideration:

- 1) The suggested timing for speaking at meetings be approved
- 2) Recorded votes at Council meetings would require the support of 10 members present at the meeting. Only 1 member present at the meeting would be required to request a recorded vote at all other committee meetings.
- 3) The proposed amendment to this section be approved
- 4) The proposed amendment to this section be approved
- 5) The proposal to end all ordinary meetings three hours after its commencement be approved.
Point 24.4 be amended to 'Any remaining business, other than motions and questions that would need to be submitted again for the next meeting, shall be deferred to a date determined by the Chair in consultation with the Proper Officer'.

The Working Group **RESOLVED** to recommend to the Standards Committee that the proposed Part 2 of the Council Procedures Rules, with the proposed amendments be approved:

6 Review of the Articles of the Constitution

The Working Group considered and commented on the proposed amendments to Part 2 – Articles of the West Surrey Constitution.

Members were advised that Articles set out the main constitutional framework for the Council, including the roles and responsibilities of the Council, Mayor, Executive, Overview and Scrutiny, other committees and statutory officers.

The Working Group requested that any reference to 'Chairman' should be amended to 'Chair', any reference to 'Mayor' should be amended to 'Chair' and reference to the Overview and Scrutiny Committee should be amended to Overview and Scrutiny Committees.

The Working Group **RESOLVED** to:

1. Consider the proposed amendments to Part 2 – Articles of the Constitution, attached at Appendix 1 of the report,
2. Provide comments and feedback on the proposed amendments; and
3. Make a recommendation to the Standards Committee to approve the amendments to Part 2 – Articles and to make a recommendation to the Shadow Authority to approve.

7 Responsibility for Functions: Policy Framework

The Working Group considered a report that sought to advise members of the proposed actions for finalising the policy framework documents for the Constitution.

Members requested that a document be produced that separated all policy framework documents from the Sovereign Councils into Discretionary and Statutory and under which committee remit each document would sit.

The Working Group **RESOLVED** to consider the proposed approach and to make any further suggestions.

8 Responses to Shadow Authority Member Raised Issues

The Working Group considered a report that set out requests received from councillors since the last meeting of the Constitution Sub-Committee, for areas of the West Surrey Shadow Authority Constitution they would like to see reviewed and amended.

At the meeting of the Constitution Sub-Committee the following two requests were received:

1. Cllr Austin's Request –

Clarification sought that member questions at Executive can be put to the meeting and not taken as read.

Monitoring Officer's Response –

Confirmation was provided that the Executive Procedure rules set out that a question should be put to the meeting and a response can be provided at the meeting or in writing following the meeting. – No Further Action Required

2. Cllr Hulley's Request –

Review of the seating arrangements for members attending a committee meeting for which they are not a committee member.

Monitoring Officer's Response –

This can be reviewed as part of the next phase of the Council Procedure Rules review.

One request had been received since the last meeting of the Constitution Sub-Committee as follows:

1. Cllr Macdonald's Request

To amend the Executive Procedure Rules for Extraordinary meetings to set out that member questions should not be permitted.

Monitoring Officer's Response –

The Executive Procedure rules are within the remit of the Leader of the Council to amend. This issue is not considered urgent or critical, so it is proposed that this be considered post vesting day.

The Constitution Working Group **RESOLVED** to:

1. Note the agreed responses to requests raised at the last Constitution Sub-Committee meeting held on 27 August 2026 as set out in paragraph 6.2 of the report; and
2. Determine whether any newly requested items as set out in paragraph 6.3 or raised at the meeting itself, should be included in the Working Group's Work Programme and authorise the Monitoring Officer to update it accordingly and to bring forward further reports for consideration as appropriate.

9 Work Programme

The Working Group considered the Work Programme for the Constitution Working Group that was distributed separately to the agenda.

The Working Group **RESOLVED** to note the contents of the Work Programme.

This page is intentionally left blank

WEST SURREY SHADOW AUTHORITY
CONSTITUTION SUB COMMITTEE OF THE STANDARDS COMMITTEE
WORK PROGRAMME
August 2026 – December 2026

Meeting Date	Number of Items	Feeding Into
6 August 2026	5	Standards Committee 02/09/2026 and Shadow Authority 23/09/2026 (if required)
27 August 2026	5	Standards Committee 02/09/2026 and Shadow Authority 23/09/2026 (if required)
17 September 2026	8	Standards Committee 22/10/2026 and Shadow Authority 19/11/2026 (if required)
8 October 2026	7	Standards Committee 22/10/2026 and Shadow Authority 19/11/2026 (if required)
29 October 2026	11	Standards Committee 02/11/2026 and Shadow Authority 19/11/2026 (if required)
3 December 2026	6	Standards Committee 15/12/26 and Shadow Authority 14/01/2027 (for adoption)

(Note Extraordinary meeting of the Standards Committee has been arranged for 22 October).

Meeting Date	Item	Description	Portfolio Holder	Lead Officer	Contact
6 August 2026	Council Procedure Rules	To Consider particular issues within the Council Procedure Rules that require member engagement eg questions, motions, statements, opposition business	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
6 August 2026	Gifts & Hospitality Policy	To consider a Policy to support the provisions in the Member Code of Conduct	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
6 August 2026	Member Conduct Complaints Procedure	To consider arrangements for dealing with allegations that a Member has breached the Code of Conduct for Members	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

6 August 2026	Social Media Policy for Members	To consider a Social Media Policy for Members to be included in the Constitution	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
6 August 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues	Participation in Committee by non Committee members and seating arrangements (Cllr Hulley); Chairs and Vice Chair roles eg for O&S Committee (Cllr Austin); and Remote attendance by committee members to debate but not vote (Cllr Macdonald)	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August 2026	Review of Constitution Sub Committee	Proposal for the Constitution Sub Committee to become a Working Group of the Standards Committee rather than a Sub Committee	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August 2026	Proposed Scrutiny Structure	High level consideration of an initial future Post Vesting Day design	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August 2026	Review of Member Officer Protocol	Consideration of the current and future Code of Conduct for members and also of the Protocol for relationships between Members and Officers	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August	Review of Employment Committee TOR	Consideration of the Employment Committee having the ability to approve employment policies without the need for Council approval	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Financial Procedure Rules – High	To consider the High Level Principles for the Financial Procedure Rules for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

	Level Principles				
17 September 2026	Contract and Procurement Procedure Rules – High Level Principles	To consider the High Level Principles for the Contract & Procurement Procedure Rules for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Council Procedure Rules (1)	Review of the Council procedure Rules for post Vesting Day relating to 'Before the Meeting Rules' and 'At the Meeting Rules'.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Responsibility for Functions: Local Choice Functions	Review of additional local choice governance requirements for post vesting day and agree which body will have responsibility for them.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Review of Proper Officer designations	Review of Proper Officer designations during the shadow period to designate a scrutiny officer who is not the MO to align with good practice	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	Petition Scheme	To consider public engagement with West Surrey Council and in particular developing a Petition Scheme if required	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	Council Procedure Rules (2)	Review of the Council Procedure Rules for post Vesting Day relating to 'Debate' and 'Decision Making'.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	Responsibility for Functions:	Review of additional governance requirements for post vesting day and determine which are to be Executive	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

	Council v Executive	functions and which are non Executive functions.			
8 October 2026	Articles	Review of the articles of the constitution to ensure fit for purpose for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Council Procedure Rules (3)	Review of the Council Procedure Rules for post Vesting Day relating to 'Special Business' and 'After the Meeting'.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Budget Procedure Rules	To consider formal adoption of specific Budget Procedure Rules to be used in place of the usual Shadow Authority Procedure Rules for the SA Budget meeting	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Budget and Policy Framework Rules	To review the existing Budget and Policy Framework Rules in Part 4 to ensure they are fit for purpose for post vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Access to Information Procedure Rules	To review the procedures for both councillors and members of the public accessing council information, including exempt material, and accessing meetings, including when in exempt session.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Post Vesting Day Scrutiny Arrangements Scrutiny Function	Detailed design of future Scrutiny arrangements post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

29 October 2026	Planning Function	To agree terms of reference, procedure rules and codes of practice for a post Vesting Day Planning function to ensure compliance with statutory guidance and good practice	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Licensing Function	To agree terms of reference, procedure rules and codes of practice for a post Vesting Day Licensing function to ensure compliance with statutory guidance and good practice	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Company Governance Protocol	For post vesting day constitution to agree arrangements for dealing with any companies that WS has an interest in, whether transferring to them, shared ownership or hosted.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Review of Audit & Governance Committee	Review of terms of reference and procedure rules for post vesting day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Review of Employment Committee	Review of terms of reference and procedure rules for post vesting day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Financial Procedure Rules	To consider proposed new Financial Procedure Rules for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Contract & Procurement Procedure Rules	To consider proposed new Contract & Procurement Procedure Rules for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

3 December 2026	Consideration of any additional governance arrangements including joint	To consider any specific governance arrangements that may be required for specific functions post vesting day eg. Joint with ESC, Pension body, Fire and Rescue body, Community Safety Boards, Health Boards etc	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	Appointments to Outside Bodies	To consider what outside bodies WSC may make appointments to, which are executive functions and which are not and agree a protocol for post vesting day regarding appointments, roles and remits.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	Officer Scheme of Delegations	To develop a high level Officer Scheme of Delegations for post vesting day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	Scheme of Delegation to Executive Members	To develop, in consultation with the Leader, a high level Executive Scheme of Delegations to Executive Members for Post vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	Review of Proper Officer designations for the Shadow Period	To review the Proper Officer Designations and develop them for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

West Surrey Shadow Authority		
Report title: Motion from Shadow Authority: Recorded Votes		
Report to: West Surrey Shadow Authority Standards Committee		
Date: 22 October 2026		
Executive Portfolio Holder: Cllr Victoria Kiehl		
Report of: Susan Sale, Monitoring Officer (interim)		
Report author(s): Susan Sale, Monitoring Officer (interim)		
Wards affected: All		
Ward councillors informed: No		
Exempt from publication: No		
Key Decision: No	If a Key Decision, date registered on Forward Plan: N/A	
Report cleared for publication by:		
People Workstream	N/A	
Equalities Impact Assessment complete	N/A	
Implementation Team Leader (or their delegate)	N/A	
S151 Officer	Susan Sale on behalf of Vicky Radford	15 October 2026
Monitoring Officer	Susan Sale	15 October 2026
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	15 October 2026
Committee Chair consultation	Cllr Richard Wilson	15 October 2026
Head of Paid Service	Susan Sale on behalf of Andy Brown	15 October 2026

1. Executive Summary

- 1.1** The West Surrey Shadow Authority met on 23 September 2026, when a motion was proposed by Cllr Jim McIlroy. The Shadow Authority resolved to refer the motion to the next meeting of the Standards Committee for their consideration.

2 Recommendations:

- 2.1** That the Standards Committee resolves to:

2.1.1 Consider the motion referred to it by the Shadow Authority; and

2.1.2 Taking into account the debate at the Shadow Authority, and the views of the Constitution Working Group attached at appendix 1, determine their recommendation to the Shadow Authority in respect of any proposed changes to Council Procedure Rule 10.3 during the shadow period.

3 Reason(s) for recommendation:

- 3.1** The West Surrey Shadow Authority Constitution sets out the procedure rules for meetings of the Shadow Authority and their Committees.
- 3.2** The terms of reference for the Standards Committee provide that the Committee is responsible for advising the Shadow Authority on the development of a Constitution for West Surrey Council to be effective post vesting day, and the Articles are clear that any changes to the West Surrey Shadow Authority Constitution during the shadow period can only be made by the shadow authority on the recommendation of the Standards Committee.

4 Next steps

- 4.1** The Standards Committee shall make a recommendation to the Shadow Authority of any proposed changes to Council procedure Rule 10.3 of the West Surrey Shadow Authority Constitution, to take effect within the shadow period.
- 4.2** The Shadow Authority shall consider and determine those recommendations at their meeting on 19 November 2026.
- 4.3** If the Shadow Authority resolve to make any changes, they will be implemented by the Monitoring Officer during the shadow period.
- 4.4** It should be noted that it is anticipated that the Standards Committee will, at their meeting on 2 November 2026, receive recommendations from the Constitution Working Group relating to the Council procedure Rules more

generally, including Rule 10.3, for the West Surrey Council constitution to be effective from Vesting Day.

5 Exemption from publication

5.1 This report is not exempt from publication.

6 Background and Proposal

6.1 At the West Surrey Shadow Authority meeting on 23 September 2026 a motion was proposed in accordance with Council Procedure Rule 6 by Cllr McIlroy.

6.2 The draft minute from the meeting is set out below:

“The Chair reminded members that, under Shadow Authority Procedure Rule 6.3.1, where the subject matter of a motion fell within the remit of a committee of the Authority, a vote must be taken following the debate on whether the matter should be referred to that committee. The Chair indicated that, as the motion related to constitutional and standards matters, she intended to take a vote on referral to the Shadow Standards Committee following the debate on the motion.

In accordance with Shadow Authority Procedure Rule 6, Councillor Jim McIlroy proposed, and Councillor Vinny Mitchell seconded, the following motion:

“This Council believes residents are entitled to know how their elected representatives vote on matters affecting their communities.

The present requirement in Part 4-1, Procedure Rule 10.3.3, that ten Members must request a recorded vote creates a barrier to transparency. It may prevent the public record from showing how individual Members voted, particularly where fewer than ten Members support making that information available.

This Council believes recorded votes strengthen democratic accountability, improve public confidence, and enable residents to assess whether their representatives are acting in accordance with the interests of the communities they serve. Madam Chair, political group discipline should never prevent residents from seeing how decisions are made or how their representatives vote.

This Council therefore resolves:

1. To amend the recorded-vote provision in Procedure Rule 10.3.3 to provide that, at any meeting of the Shadow Authority, a Committee or a

Sub-Committee, a recorded vote must be taken when requested by five or more voting Members of that body before the vote is taken.

2. To authorise the Monitoring Officer to make the necessary and consequential amendments to the Constitution to give effect to this decision.”

In presenting the motion, Councillor McIlroy argued that it would improve transparency, accountability and public confidence in the Council's decision-making. Councillor Mitchell supported the proposal, describing it as a modest amendment designed to make the existing recorded vote procedure more accessible.

During the debate, a number of members expressed support for the principle of recorded voting and greater transparency. However, several members argued that the appropriate threshold for recorded votes required wider consideration, including whether a fixed number or percentage-based threshold would be preferable, and highlighted the practical implications of conducting recorded votes by roll-call in a chamber of 90 members. Reference was also made to ongoing work within the Constitution Working Group and Standards Committee on the issue, and to the potential future introduction of an electronic voting system.

At the conclusion of the debate, the Chair put to the meeting the procedural motion that Motion 1 be referred to the Shadow Standards Committee for consideration at its next meeting in accordance with Procedure Rule 6.3.1.

Before moving to the vote on the procedural motion, ten councillors requested a recorded vote in accordance with Shadow Authority Procedure Rule 10.3.3. The recorded vote taken was as follows:

Councillors voting for the procedural motion (45):

Councillors Alan Ashbery, Attia Aslam, Ann-Marie Barker, Laura Barker, Chris Bateson, Phil Bellamy, Harry Boparai, Ben Bristow, Simon Browne, Keith Buchanan, Jamie Calder, Tony Fairclough, Paul Follows, Steve Greentree, Richard Herman, Steve Hives, Julie Hoad, Ian Johnson, Nirmal Kang, Sarbie Kang, Vanessa King, Oli Leach, Shaun Macdonald, Julia McShane, Masuk Miah, Louise Morales, John Morley, Carla Morson, Ellen Nicholson, Ying Perrett, George Potter, Zafar Rasab, Leslie Rice, Penny Rivers, Dale Roberts, Joanne Shaw, Lance Spencer, Brian Steel, Richard Steijger, Ruth Thomson, James Thornton, Liz Townsend, Paul Vanni, Terry Weldon, and Richard Wilson.

Councillors voting against the procedural motion (23):

Councillors Bilal Akhtar, Maureen Attewell, Jane Austin, Richard Barratt, Phil Basey, Josh Brown, Paul Deach, Kevin Deanus, David Evans, George Gladstone-New, Bob Hughes, Jonathan Hulley, Scott Kelly, Scott Lewis,

Jim McIlroy, Vinny Mitchell, Sinead Mooney, Rory O'Brien, Harry Phillips, Catherine Powell, Victoria Sena, Phoebe Sullivan, and Catherine Young.

Councillors abstaining (0)

(Councillors Lyons and Shorthose had left the meeting before this vote was taken.)

The Shadow Authority

RESOLVED:

That, in accordance with Shadow Authority Procedure Rule 6.3.1, the motion be referred to the next meeting of the Shadow Standards Committee for consideration.”

- 6.3** This meeting of the Standards Committee on 22 October is the next meeting following the Shadow Authority meeting on 23 September 2026. The motion is therefore before the Standards Committee for their consideration.
- 6.4** The Shadow Authority had the power to decide whether the matter should be determined by the Standards Committee or whether the Standards Committee is to report back to the Shadow Authority with a recommendation for their determination at a future meeting. The Shadow Authority did not make any such decision and therefore as the Shadow Authority has the authority to make amendments to the Constitution, the Standards Committee should determine what recommendation they should make to the Shadow Authority in respect of any changes to Council Procedure Rule 10.3 to be effective during the shadow period, for determination by the Shadow Authority at their meeting on 19 November 2026.
- 6.5** It should be noted that in the meantime, the Constitution Working Group has met to consider the proposed Council Procedure Rules for the West Surrey Council constitution, to be effective from Vesting Day. The Constitution Working Group anticipating making recommendations to the Standards Committee at their meeting on 2nd November regarding all of the Council Procedure Rules including Rule 10.3 relating to recorded votes.
- 6.6** In considering the motion and the recommendation to the Shadow Authority for any change to Council Procedure Rule 10.3 during the shadow period, the Standards Committee will want to take into account the views of the Constitution Working Group and the recommendations they are likely to bring forwards for post vesting day. Therefore a summary of the consideration of this matter at the Constitution Working Group on 8th October may be found at appendix 1 to this report.

7 Consultation

- 7.1** Consultation has taken place with the Constitution Working Group on 8th October 2026 and their views are summarised in appendix 1 to this report.
- 7.2** Consultation has taken place with the Chair of the Standards Committee and the relevant Portfolio Holder and any feedback will be provided verbally to the Committee at their meeting.

8 Key Risks

- 8.1** There is a risk of a lack of transparency of procedures unless the Council Procedure Rules are clear and published.
- 8.2** There is a risk of recorded votes being used for political purposes and impacting the agility of decision making.

9 Options

- 9.1** The Standards Committee should consider various the motion put to the Shadow Authority, and the debate held there, as well as the views of the Constitution Working Group. They should in particular consider whether there should be a fixed number of members required at Council meetings to call for a recorded vote, or a percentage of those members present. And they should consider whether the same provisions regarding recorded votes should apply to Committees of the Council or not.
- 9.2** The first option is to make a recommendation to the Shadow Authority to be considered at their meeting on 19 November, which is recommended.
- 9.3** The other option is not to make a recommendation to the Shadow Authority which is not recommended.

10 Issues for consideration

10.1 Financial Implications

- 10.1.1** There are no financial implications arising from this report.

10.2 Section 151 Officer Commentary

- 10.2.1** There are no additional comments

10.3 Legal Implications

- 10.3.1 Local Government legislation does not prescribe any parameters as to how many members are required to call for a recorded vote at a meeting of the Council or its Committees.

10.4 Monitoring Officer Commentary

- 10.4.1 Council Procedure Rule 6.3.1 provides that if the subject matter, of any motion of which notice has been given falls within the remit of any Committee of the Shadow Authority, once it has been proposed, seconded and debated, a vote shall be taken as to whether to refer it to the next meeting of that Committee.
- 10.4.2 Council Procedure Rule 6.3.2 provides that if the matter is referred to a Committee, the Shadow Authority may decide whether the motion shall be decided by that Committee or whether that Committee is to report back to the Shadow Authority with a recommendation for their determination at a future meeting.
- 10.4.3 The current Council Procedure Rule 10.3.2 provides that if ten or more Members request a recorded vote, before the vote is taken, then the vote is to be recorded and reflected in the minutes. Council Procedure Rule 21.2 provides that the Shadow Authority Procedure Rules also apply to meetings of Committees and Sub Committees where the context so permits and they do not contradict with any specific procedure rules for that Committee or Sub Committee.
- 10.4.4 Article 14 of the Constitution provides that amendments to the Constitution are made by the Shadow Authority on recommendation from the Standards Committee, other than minor and consequential amendments that may be made by the Monitoring Officer.

10.5 People/Human Resources Implications

- 10.5.1 There are no people implications arising from this report

10.6 Equality and Diversity Implications

- 10.6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.

- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 10.6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 10.6.3 The Equalities Comprehensive Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.
- 10.6.4 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

10.7 Climate Change and Sustainability Implications

- 10.7.1 There are no climate change or sustainability implications arising from this report.

10.8 Stakeholders Implications

- 10.8.1 There are no stakeholder implications arising from this report.

11 Overview & Scrutiny Comments

- 11.1 N/A

12 List of Appendices

- 12.1 Appendix 1: Note from the Constitution Working Group meeting on 8 October 2026

13 List of Background papers

- 13.1 West Surrey Shadow Authority Constitution
- 13.2 Report to Constitution Working Group meeting on 8th October 2026 regarding Council Procedure Rules
- 13.3 Agenda, reports and draft minutes of the Shadow Authority meeting on 23 September 2026

APPENDIX 1

- 1.1** At their meeting on 8 October 2026 the Constitution Working Group received a report regarding the proposed Council Procedure Rules to be recommended in due course for adoption into the West Surrey Council constitution, effective from 1 April 2027. This Appendix sets out the comments from the Constitution Working Group held on 8 October 2026 in respect of recorded votes.
- 1.2** Council Procedure Rules ensure that the Council has adequate arrangements in place to deal with the conduct of business at council and committee meetings, in an effective and efficient manner that meets statutory requirements.
- 1.3** Recorded Votes. The Constitution Working Group agreed that they would recommend for post vesting day arrangements, that the recorded votes for the Council should remain at needing a request from 10 members, but that the Council Procedure Rules be changed so that any one member at a Committee meeting could call for and trigger a recorded vote.
- 1.4** In reaching its decision, members of the Working Group had regard to the practice at other similar size Councils.
- 1.5** The Constitution Working Group is currently considering all of the Council Procedure Rules and intends to make recommendations to the 2 November 2026 meeting of the Standards Committee regarding new rules for post vesting day.

This page is intentionally left blank