

West Surrey Shadow Authority		
Report title: Proposed Changes to Council Procedure Rules		
Report to: Constitution Sub-Committee		
Date: 6 August 2026		
Executive Portfolio Holder: Cllr. Victoria Kiehl Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of Statutory Officer: Susan Sale, Interim Monitoring Officer Contact Email: Susan.Sale@westsurrey.gov.uk		
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Wards affected: All Ward councillors informed: Yes		
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	N/A
Equalities Impact Assessment complete	N/A	N/A
Senior Responsible Officer (or their delegate)	N/A	N/A
S151 Officer	Vicky Radford	28 July 2026
Monitoring Officer	Susan Sale	28 July 2026
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	28 July 2026
Committee Chair consultation	Cllr Richard Wilson	28 July 2026
Head of Paid Service	Andy Brown	Not available

1. Executive Summary

- 1.1** This report sets out suggested arrangements for dealing with proposed changes to the Council Procedure Rules in the West Surrey Shadow Authority Constitution.

2 Recommendations:

- 2.1** That the Constitution Sub-Committee resolves:

2.1.1 whether to consider the Council Procedure Rules as a whole at their meeting in September 2026 or in parts at their meetings in September, October and November 2026, and

2.1.2 authorises the Monitoring Officer to amend the work programme for the Sub-Committee to give effect to its decision.

3 Reason(s) for recommendation:

3.1 Council Procedure Rules ensure that the Shadow Authority 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.

3.2 The Council Procedure Rules have a number of parts to them, and inter-relate to other areas of the Constitution. The Monitoring Officer requests that members should decide how they wish to consider amendments to the Council Procedure Rules, to maximise their input.

4 Next steps

4.1 If this report is approved by the Constitution Sub-Committee, then the work programme will be updated and further reports brought back to the Sub Committee with detailed proposals in due course.

4.2 When the Sub Committee considers the detailed amendments to the Council Procedure Rules, at its future meeting(s), it's recommendations will be considered by the Standards Committee who will decide whether to recommend the changes to the Shadow Authority at its next meeting.

4.3 It is intended that any changes proposed by the Sub Committee for the Council Procedure Rules will be effective for the remainder of the Shadow Period and also be incorporated into the West Surrey Council Constitution to be effective post Vesting Day.

5 Exemption from publication

5.1 This report is not exempt from publication.

6 Background and Proposal

6.1 The Shadow Authority adopted its constitution on 21 May 2026. It contains Council Procedure Rules at Part 4.1, and a change to these in respect of member questions has already been considered by the Standards Committee.

6.2 The Council Procedure Rules (“CPRs”) ensure that the following are covered:

(a) How to get an item considered by the meeting

(b) How to participate effectively in debate

(c) How decisions are made

(d) How to follow the correct procedures

6.3 The CPRs should be considered by councillors to ensure that they are suitable for the purposes of both the West Surrey Shadow Authority and West Surrey Council post Vesting Day. They are in sections and members of the Constitution Sub Committee may wish to consider them in their sections rather than agree them in whole, due to the detailed nature of the CPRs. The CPR’s also relate to other areas of the Constitution and so should be considered alongside those other areas.

6.4 The main areas of the CPRs are:

Area	Covered	Why
Before the Meeting	Notice & Summons Questions Motions Substitutes Access to Information	Members need to know what to do in advance to ensure business can be covered
At the Meeting	Quorum Election of Chair (if needed) Declarations of Interest Order of Business	Establish whether the meeting is legally constituted
Debate	Speaking Rules Personal Explanations Points of Order Motions & Amendments Time limits	Help the meeting to run efficiently and ensures consistency

Decision Making	Voting Recorded Votes Withdrawal of Motions Rescinding decisions	Sets out how valid decisions are reached
Special business	Budget Constitutional amendments Urgent Business Suspending Standing Orders Extraordinary Meetings	Although used infrequently, these are critically important to business
After the Meeting	Minutes Implementing Decisions Publication	Sets out the wider governance process to complete decision making

6.5 Members are asked to consider whether they wish to look at the CPRs in sections. If so, it is recommended that the areas set out in paragraph 6.4 above seem a logical way of starting and officers would suggest that members consider those relating to before the meeting and at the meeting at their September Sub Committee meeting, those relating to Debate and Decision Making at their October meeting and those relating to Special business and After the Meeting at their November meeting. This would ensure that all Council Procedure Rules have been considered, reviewed and if, appropriate, amended, before the draft of the West Surrey Council constitution is considered by the Standards Committee in December 2026.

6.6 Alternatively, members may prefer to consider the CPRs as a whole and officers could bring forward proposals to the Sub Committee meeting in September 2026.

6.7 Alternatively, members of the Sub Committee may consider that they do not wish to consider and review all Council Procedure Rules and may be able to specify those rules that they would wish to review in detail, delegating the review of others to the Monitoring Officer.

7 Consultation

7.1 The portfolio holder has been consulted and her comments will be reported to the Sub-Committee.

7.2 The chair of the Standards Committee has been consulted and his comments will be reported to the Sub-Committee.

8 Key Risks

- 8.1** There is a risk that if the CPRs are considered as a whole then members will not be able to give detailed time to the work. However there is a large work programme for the Constitution Sub-Committee and members may consider that they do not have adequate time to look at sections of the CPRs in detail.

9 Options

- 9.1** To consider the CPRs as a whole; or
- 9.2** To consider the CPRs in sections, as suggested in paragraph 6.4 and 6.5 above; or
- 9.3** To specify which CPRs they wish to consider within their work programme and delegate review of the remaining to the Monitoring Officer.

10 Issues for consideration

10.1 Financial Implications

- 10.1.1** There are no financial implications to this report.

10.2 Section 151 Officer Commentary

- 10.2.1** West Surrey will operate in a very challenging financial environment, with significant budgetary pressures from increasing demand and costs of service delivery, coupled with limited financial resources and reducing government funding. West Surrey Council will be increasingly reliant on Council Tax as the primary source of income.
- 10.2.2** Decisions made by the sovereign councils in West Surrey and the West Surrey Shadow Authority will need to consider the ongoing financial impact and ensure that expenditure does not exceed the resources available. It is vital that significant importance is placed on effective financial management and medium-term financial sustainability to achieve a balanced budget position and protect delivery service.
- 10.2.3** Having robust and clear CPRs ensure good governance in West Surrey, which is essential to ensure the smooth running of the new Council.

10.3 Legal Implications

- 10.3.1 The Council Procedure Rules will need to meet the requirements for Standing Orders, as provided for by the Local Government Act 1972, Local Government and Housing Act 1989, and Local Government Act 2000.
- 10.3.2 The Local Government Act 2000 requires all Councils to have a Constitution which is kept up to date, and to make it available to the public.
- 10.3.3 The Surrey (Structural Changes) Order 2026 requires West Surrey to have a constitution both in the shadow period and post Vesting Day.

10.4 Monitoring Officer Commentary

- 10.4.1 The Sub-Committee has the responsibility for recommending changes in the Constitution, and the Council Procedure Rules form an important part of that, and are the foundation of ensuring that meetings are properly constituted and that decision making is lawful.
- 10.4.2 In the event that members decide to consider the Council Procedure Rules in sections, then this will be built into the work programme for the Sub-Committee.

10.5 People/Human Resources Implications

- 10.5.1 There are no HR 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 implications arising from this report.

10.8 Stakeholders Implications

10.8.1 The Council Procedure Rules are a matter for members themselves to agree, whilst having in mind that they have an impact on the wider community and democratic accountability.

11 Overview & Scrutiny Comments

11.1 N/A

12 List of Appendices

12.1 None

13 List of Background papers

13.1 None