

West Surrey Shadow Authority		
Report title: Proposed Changes to Council Procedure Rules – Work before Meetings and At the Meeting		
Report to: Constitution Sub-Committee		
Date: 17 September 2026		
Executive Portfolio Holder: Cllr. Victoria Kiehl Contact Email: Victoria.Kiehl@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	Susan Sale on behalf of Vicky Radford	11 September 2026
Monitoring Officer	Susan Sale	11 September 2026
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	11 September 2026
Committee Chair consultation	Cllr Joanne Shaw	11 September 2026
Head of Paid Service	Susan Sale on behalf of Andy Brown	11 September 2026

1. Executive Summary

- 1.1** This report sets out a draft of the first part of the suggested Council Procedure Rules, to be considered by the Constitution Sub-Committee at its meeting on 17th August.

2 Recommendations:

- 2.1** That the Constitution Sub-Committee resolves:-
- to consider the proposed Part 1 of the Council Procedure Rules and recommend them to the Standards Committee.

3 Reason(s) for recommendation:

- 3.1** 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.
- 3.2** The Council Procedure Rules have a number of parts to them, and inter-relate to other areas of the Constitution. This is the first part which members agreed to consider.

4 Next steps

- 4.1** If this report is approved by the Constitution Sub-Committee, then it will be considered by the Standards Committee who will decide whether to incorporate it into the new draft Constitution for approval by the Shadow Authority, with effect from Vesting Day.

5 Exemption from publication

- 5.1** This report is not exempt from publication.

6 Background and Proposal

- 6.1** 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

6.2 The CPRs should be considered by members to ensure that they are suitable for the purposes of West Surrey Council. They are in sections and members of the sub-committee agreed to consider them in 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 those other areas will also need to be considered as part of the work programme, before the Council Procedure Rules as a whole are recommended to the Standards Committee.

6.3 The main areas of the CPRs to be covered in this report 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

6.4 The proposed Council Procedure Rules are arranged in sections rather than being organised by subject. This makes the rules easier for members and the public to navigate according to the stage of the meeting.

6.5 In considering changes to the Council Procedure Rules, we have had regard to Councils where governance arrangements including Council Procedure Rules were substantially reviewed after external reviews on governance. We have also considered the CPRs of upper tier councils with membership between 85-95 members.

6.6 The revised Rules contain an express purpose clause which identifies their relationship with other parts of the Constitution e.g. Access to Information, O&S, Code of Conduct etc. This makes it clear what other parts of the Constitution should also be considered.

6.7 The Chair's interpretation is applied generally rather than predominantly within the Rules of Debate.

- 6.8** There is a single definition of a 'clear working day' at the start of the Rules, to ensure there is no ambiguity or repetition.
- 6.9** In respect of members questions, we are suggesting a total overall time of 30 minutes which is in line with other comparator size councils. The urgency provisions are drafted to allow an urgent question on one hour's notice provided the member being asked the question, and the Chair, agrees – but members are requested to consider whether this should be changed.
- 6.10** These Rules provide five clear working days for responses to be prepared for member questions. Once West Surrey Council is fully operational there will be a need for a more suitable length of time for responses to be prepared due to the range of services and subjects, and the size of the workforce and we suggest five clear working days.
- 6.11** The proposed rule on motions on notice requires a seconder to be identified when the notice is submitted. This ensures there is genuine support before publication.
- 6.12** Comparator size Councils use a range of measures when considering motions; these range from an overall time limit (90 minutes for Surrey CC, 30 minutes for Durham) to a maximum of 3 motions (Hartlepool) and up to 3 allocated between political groups proportionally (Islington) and 25 minutes per motion (Lancashire). Members are asked to give consideration to this area.
- 6.13** The Rules encourage members to lodge substantive amendments in advance, which helps to ensure that legal and financial advice has been taken and reduces confusion during meetings, or the need for an adjournment.
- 6.14** The Rules deal with the situation when no quorum is present within a specified time and provides clarity on this, with an express requirement to adjourn if the quorum is lost. An alternative to this is to allow 'reasonable time' but this could lead to different interpretations of 'reasonable' depending on the Chair. There is a mechanism for the remaining business, and the quorum is 'rounded up' as the number of members doesn't allow an exact split.

7 Consultation

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

8 Key Risks

- 8.1** There is a risk that the Council Procedure Rules will need to be revisited, or that they overlap/conflict with other parts of the Constitution. This risk will be managed through the work programme. And for this reason the Standards Committee will be asked to consider the Council Procedure Rules as a whole when the Sub Committee have finished their work on them.

9 Options

- 9.1** To consider and provide comments on the Council Procedure Rules, to enable these to be put before the Standards Committee (recommended).
- 9.2** Not to consider the Council Procedure Rules (not recommended).

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 There are no financial implications to this report

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.

10.4 Monitoring Officer Commentary

- 10.4.1 The Sub-Committee has the responsibility for recommending changes in the Constitution, and the Council Procedure Rules are the foundation of

ensuring that meetings are properly constituted and that decision making is lawful.

10.5 People/Human Resources Implications

10.5.1 There are no HR implications.

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 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 and the Council Procedure Rules.

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 bearing 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 Draft Council Procedure Rules Part 1

13 List of Background papers

13.1 None