

CONSTITUTION COMMITTEE

A meeting of the Constitution Committee was held on 9 August 2013.

PRESENT: Councillors Bloundele, (Chair), Brady, Brunton, Budd, J Hobson and Rooney

OFFICERS: S Harker, L Henman and R Long

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Mawston, Harvey and Rostron.

DECLARATIONS OF INTERESTS

There were no Declarations of Interest at this point of the meeting.

13/1 MINUTES - CONSTITUTION COMMITTEE - 19 NOVEMBER 2010 - 20 APRIL 2012

The minutes of the meetings of the Constitution Committee held on 19 November 2010 and 20 April 2012 were taken as read and approved as correct records.

13/2 FILMING - COUNCIL MEETINGS

The Director of Legal and Democratic Services presented a report to inform Members of the content of a Government press release and guidance in relation to the filming of Council meetings. A copy of the press release and the guidance was attached to the submitted report.

The press release stated that the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 allowed citizens to report, blog, tweet and film Council meetings in England. While a meeting was open to the public, any person attending should be afforded reasonable facilities for reporting.

However, the legislation only applied to meetings of the Executive or its sub committees and not Council meetings. The Plain English Guide issued by the Government to explain the new regulations stated that Councils should allow the filming of Councillors and Officers at meetings that were open to the public. It further stated that members of the public who objected to being filmed should not be filmed, provided it did not undermine the broader transparency of the meeting.

The Guidance did not appear to have given due consideration to Section 1 of the Public Bodies (Admission to Meetings) Act 1960 or Section 100 (A) of the Local Government Act 1972. Both provisions effectively stated that notwithstanding the right of the public to attend meetings, nothing in those sections required the Council to permit the taking of photographs or the recording of any meetings.

The Director of Legal and Democratic Services had obtained clarification from the Department for Communities and Local Government that the 2012 regulations by definition only applied to Executive functions and there was no similar provision in respect of non-Executive functions.

Members voiced concern in relation to protecting members of the public who objected to being filmed. Given the layout of the Council Chamber it would be difficult to film a meeting with a single camera and exclude those who did not wish to be filmed. It was suggested that the Council would have to make arrangements to film Council meetings in their entirety in order that other people who might film meetings could not publish items that had been taken out of context.

Members agreed that if filming of all public Council meetings was to be permitted, a Code of Conduct should be developed in order to safeguard the public. Members requested that further information should be obtained in respect of current practice in other local authorities and the costs incurred in filming meetings.

RECOMMENDED that:

1. The Council complied with current legislation and allowed filming of Executive meetings.
2. Information in relation to filming of Council meetings, best practice in other Local Authorities, and costs, would be obtained and presented to a future meeting of Constitution Committee for further discussion.