

MIDDLESBROUGH COUNCIL

COMMITTEE REPORT

CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE

24 June 2014

Filming of Council Meetings – Code of Practice

Tony Parkinson, Director of Commercial and Corporate Services

PURPOSE OF REPORT

1. To consider the adoption of a Council Code of Practice in relation to filming, photographing and making audio recordings of Council meetings to which the public have a right of access.

BACKGROUND

2. Due to an anticipated change in the legislation, which is expected to be effective from mid-July, the law will allow for the public to film public meetings of the Council.
3. The new regulations will enable any person attending a public meeting (or part of a meeting) to "report" on that meeting. "Reporting" is defined as filming, photographing or making an audio recording of proceedings at a meeting. Consequently filming of Council and Executive meetings (which includes committees and sub-committees) will be permitted.
4. Indeed, the regulations require that "a person attending a meeting ... for the purpose of reporting on the meeting must, so far as is practicable, be afforded reasonable facilities for doing so."
5. Given the change, it is important to ensure that appropriate guidance is made available that will not only be of assistance to members of the public should they wish to film meetings, but also help with the conduct of the meeting itself.
6. Accordingly, a draft Code of Conduct has been produced and is attached at Appendix A on which the views and comments of this Committee are sought. This Code has been drafted with the principles of common courtesy and respect firmly in mind.

7. Whilst every attempt has been made to keep it as succinct as possible, its key elements are:
 - those circumstances where it would not be possible to film. This would include whenever exempt confidential reports were to be considered and which would require, under legislation, the exclusion of the press and public;
 - possible limitations on who might be filmed which would include members of the public, particularly children; and
 - the role of the Chair in circumstances where they might need to provide advice and guidance (see also paragraph 9 below).
8. In circumstances where a member of the public interrupts proceedings, or through their actions disturbs proceedings, which may or may not be in connection with the filming of meetings, the Chair will warn the person concerned. If they continue to interrupt or disrupt, the Chair will order their removal from the meeting room. This would be in accordance with provisions within the Council's Constitution.
9. It is acknowledged that, subject to the comments of this Committee, the change in legislation and the adoption of the Code will require some consequential changes to the Council's Constitution. Accordingly it is suggested that the Assistant Director of Organisation and Governance is authorised to make those changes in consultation with the Chair of Council.
10. It should also be noted that steps are being taken for the Council itself to film the proceedings of Council meetings and, where feasible and practical to do so, other meetings which are open to the public. It is intended to then place the footage taken on the Council's website for public viewing.

WARD IMPLICATIONS

11. This report is of interest to all Members.

FINANCIAL CONSIDERATIONS

12. Whilst there are no direct financial consequences associated with the change in legislation, as indicated in the report, the Council is taking steps to film future meetings. The costs associated with this will come from within existing resources.

RECOMMENDATIONS

- a) The views of the Committee are sought on the proposed Code of Conduct detailed at Appendix A;
- b) Support the proposal that the Assistant Director of Organisation and Governance is authorised to make those consequential changes to the Constitution, in consultation with the Chair of Council; and

- c) Note that the views of this Committee will be reported to Council.

REASONS

Due to an impending change in the legislation it is necessary to ensure that appropriate arrangements are in place to assist in the running of meetings and help ensure that members of the public are provided with guidance.

BACKGROUND PAPERS

The Council's Constitution
The Openness of Local Government Bodies Regulations 2014

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