

## **AGENDA ITEM NO:**

### **HAMBLETON DISTRICT COUNCIL**

**Report To:** Audit, Governance and Standards Committee  
26 June 2013

**From:** Director of Corporate Services

**Subject:** **SPEAKING, FILMING AND SOCIAL MEDIA AT COUNCIL MEETINGS**

All Wards

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#### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 Access to the Council's meetings is governed by the Local Government Act and Regulations together with more detailed rules contained in the Council's Constitution.
- 1.2 This report deals with recent guidance provided by the Government to the public about their rights to attend and record public meetings. In particular, it deals with the specific issues of filming meetings and using social media to report on meetings and whether any amendments are needed to the Council's Constitution.
- 1.3 The report also recommends that the current practice of speaking at Planning Committee meetings be formally included in the Constitution.

#### **2.0 THE GUIDANCE:**

- 2.1 Earlier in June the Department for Communities and Local Government issued "A Guide for Local People" entitled "Your Council's Cabinet – Going to its Meetings, Seeing How It Works". This guide, which is directed to the public rather than the Council, sets out a summary of the public's rights to attend meetings and have access to documents. It also includes references to whether the public can film meetings and use social media (blogs, tweets, Facebook and YouTube, etc.) to report on those meetings (copy extract attached at Annex 'A' to this report). The Council's Constitution sets out the rights of the public to attend meetings in the Access to Information Procedure Rules which form part of the Constitution. The Council also allows the public to speak at the Planning Committee in accordance with rules which have been adopted by the Planning Committee, although this has not to date formed part of the Constitution.
- 2.2 The Access to Information Rules in the Council's Constitution deal with most aspects of access to meetings and information on behalf of the public. In Rule 3 they specify that members of the public may attend meetings, but say nothing more about what members of the public can do in those meetings. As explained above, members of the public do address the Planning Committee, although this has not been incorporated into the Constitution. It is therefore recommended that Rule 3 be amended as set out in paragraph 3.1 of Annex 'B' to this report to make it clear that members of the public may address the Planning Committee, but not other meetings without the consent of the Chairman of that meeting.
- 2.3 Although the bulk of "The Guide for Local People" deals with matters which have been incorporated into the Council's Constitution and Procedures, those parts relating to filming and social media are not dealt with formally by the Council. Members will see that it is the Government's view that filming and social media should be permitted in Cabinet meetings.

There seems no reason why this should not also apply to other public meetings of the Council. It is therefore recommended that the Council's Access to Information Rules be amended as set out in paragraph 3.2 of Annex 'B'.

### **3.0 RECOMMENDATIONS:**

3.1 It is recommended to Council that the Access to Information Rules in the Council's Constitution be amended as set out in Annex 'B' to this report.

MARTYN RICHARDS

**Background papers:** "Your Council's Cabinet – Going to Its Meetings, Seeing How It Works: A Guide for Local People (Department for Communities and Local Government – June 2013)

**Author ref:** JMR

**Contact:** Martyn Richards  
Director of Corporate Services  
Direct Line No: (01609) 767010

**EXTRACT FROM DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT  
GUIDE – “YOUR COUNCIL’S CABINET – GOING TO ITS MEETINGS,  
SEEING HOW IT WORKS**

**Can I film the meeting?**

Council meetings are public meetings. Elected representatives and Council officers acting in the public sphere should expect to be held to account for their comments and votes in such meetings. The rules require Councils to provide reasonable facilities for any member of the public to report on meetings. Councils should thus allow the filming of Councillors and officers at meetings that are open to the public.

The Data Protection Act does not prohibit such overt filming of public meetings. Councils may reasonably ask for the filming to be undertaken in such a way that it is not disruptive or distracting to the good order and conduct of the meeting. As a courtesy, attendees should be informed at the start of the meeting that it is being filmed; we recommend that those wanting to film liaise with Council staff before the start of the meeting.

The Council should consider adopting a policy on the filming of members of the public speaking at a meeting, such as allowing those who actively object to being filmed not to be filmed, without undermining the broader transparency of the meeting.

**Will I be able to tweet or blog council meetings?**

Similarly under the new rules there can be social media reporting of meetings. Thus bloggers, tweeters, facebook and YouTube users, and individuals with their own website, should be able to report meetings. You should ask your Council for details of the facilities they are providing for citizen journalists.

**SUGGESTED AMENDMENT TO RULE 3  
OF THE ACCESS TO INFORMATION RULES**

**3. RIGHTS TO ATTEND MEETINGS**

- 3.1 Members of the public may attend all public meetings, subject to the exceptions in these Rules and may address the Planning Committee in accordance with rules to be approved from time to time by that Committee. Members of the public will not be allowed to address other meetings except with the approval of the Chairman of the meeting.
- 3.2 Members of the public will be allowed to film, make sound recordings and/or use social media to record all public meetings provided that:-
- (a) they provide advance notice to the Chairman of the meeting;
  - (b) filming and recording is overt;
  - (c) filming and recording is not undertaken in a manner which the Chairman considers to be disruptive or distracting to the good order and conduct of the meeting;
  - (d) they do not record any members of the public who have actively objected to being recorded.