



## Report - Policy and Resources Committee

### Filming and Recording of Public Meetings

*To be presented on Thursday, 1<sup>st</sup> May 2014  
To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

#### Summary

1. This report seeks approval to the adoption of a Protocol on visual and audio recording of the City Corporation's public meetings. The Protocol, a copy of which is attached to this report, has been developed to further assist the organisation in its transparency. It acknowledges the clear direction of travel of Government policy on the issue, the potential for such action to disrupt the conduct of meetings and it sets out the parameters and requirements of those intending to record meetings.
2. There is no legal obligation on the City Corporation to allow members of the public or any other party to film or record meetings of the Court of Common Council, its Committees or Sub-Committees. However, the Local Audit and Accountability Bill, which completed its second reading in the House of Commons towards the end of last year, includes an amendment to enable future secondary legislation concerning access to local government meetings, particularly with regard to audio/visual recording.
3. The City Corporation has on a number of occasions accommodated public filming and given Government's clear direction of travel on the recording of public meetings we believe that it makes sense to now consider the adoption of a formal policy on the matter. In line with this the Protocol has been endorsed by the Court of Alderman in respect of their Court meetings.

#### Recommendations

4. We therefore recommend that the Protocol for the filming and recording of meetings as set out in the appendix to this report be adopted.

## **Main Report**

### **Background**

1. On the 21<sup>st</sup> November 2013, the Local Audit and Accountability Bill completed its second reading in the House of Commons. The Bill includes an amendment to enable future secondary legislation concerning access to local government meetings, particularly audio/visual recording. Further to this the Secretary of State for Communities and Local Government has indicated that regulations in 2014 will require local authorities to allow members of the public to film, photograph or make sound recordings of all committees and sub-committees that are open to the public.
2. The amendment is the latest in a series of clear signs from the Secretary of State that the Government is in favour of such a provision, having previously published a how-to guide for the public giving practical assistance on attending council meetings and accessing documents.<sup>1</sup> The guide, published on 14<sup>th</sup> June 2013, states that 'Councils should.....allow the filming of councillors and officers at meetings that are open to the public'.
3. Earlier this year, the issue of public filming of council meetings received press attention. In January 2013, Wirral Borough Council ejected members of the public with filming equipment from a public meeting on health and safety grounds. It was widely reported that the Health & Safety Executive quashed suggestions that there were any health and safety implications. Similar high profile cases, such as those in Wrexham and Carmarthen, have placed the issue at the centre of the debate around transparency in local government.
4. A number of other authorities have begun to alter their constitutional arrangements to reflect Government policy. South Cambridgeshire District Council committed itself to public filming at its Council meeting last year and the London boroughs of Bexley, Tower Hamlets and Hammersmith and Fulham have all similarly committed to allowing filming and photography at public meetings.

### **The Current Position**

5. At present, there is no legal obligation on the City Corporation to allow members of the public or any other party to film or record meetings of the Court of Common Council, its Committees or Sub-Committees. However, Government policy on the matter is very clear and it is likely that secondary legislation will be published later this year that will change the current position.
6. In practice it is at the discretion of each chairman to determine whether film or sound recording is permissible. Standing Order No. 39 enables chairmen to require a member of the public to be removed from a meeting where their behaviour or actions are causing disorder.

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<sup>1</sup> Department of Communities and Local Government, "*Your council's cabinet – going to its meetings, seeing how it works*" accessed via: <https://www.gov.uk/government/policies/making-local-councils-more-transparent-and-accountable-to-local-people>

7. Codifying the right of the public to film at meetings would present a number of issues. For example, the equipment used by those attending and the manner in which such filming took place would have to be conducive to orderly proceedings, without being obtrusive or too overt. Similarly, where meetings are likely to garner public interest (such as planning or licensing hearings) it is likely that some members of the public might not wish to be filmed. The right of the public to privacy would need to be protected.
8. The City Corporation has previously accommodated public filming. At a meeting of the Planning and Transportation Committee on 17<sup>th</sup> July 2013, a film crew recorded proceedings relating to an application from Smithfield Market. Staff organised internal filming of the meeting so as to ensure that any edited presentation of the hearing would be accurate.
9. Given that secondary legislation, enshrined in the Local Audit and Accountability Bill 2013, will be enacted and will require the City Corporation to accommodate members of the public who wish to film or photograph its proceedings, it makes sense to act on this now by adopting a Protocol to allow filming and recording that can be managed consistently and in a way that allows the smooth running of meetings as well as individual privacy.

### **Proposal**

10. It is proposed that, in anticipation of future regulations and the direction of travel towards transparency and public access, the Protocol attached at Appendix 1 is adopted. Adopting a policy would mean that in future members of the public would be permitted to record the conduct of public meetings by audio, visual or written methods, subject to such recording not disturbing the conduct of the meeting.
11. The Protocol makes allowance for those members of the public who do not wish to be filmed to opt out and enables the Chairman to manage this accordingly. Further, as a matter of courtesy, it requests that anyone wishing to make a video recording or take photographs at a public meeting informs the Public Relations Office in advance of it taking place.
12. The Protocol may have to be revised following the publication of the awaited regulations anticipated in 2014.

### **Corporate & Strategic Implications**

13. The proposed introduction of a protocol on the photography and audio/visual recordings of City of London Corporation meetings is intended to support the organisation's governance and ensure that decision making is effective and transparent.

All of which we submit to the judgement of this Honourable Court.

DATED this 20<sup>th</sup> day of February, 2014.

SIGNED on behalf of the Committee.

**MARK BOLEAT**  
**Chairman of the Policy and Resources Committee**

# APPENDIX 1



## City of London Protocol on the filming/recording of meetings

### PHOTOGRAPHY AND AUDIO/VISUAL RECORDINGS OF MEETINGS

Meetings of the Court of Common Council, its Committee and Sub-committees are open to the press and public under the s. 100A of the Local Government Act 1972. The right to attend an open meeting does not confer the right to take photographs or to record the proceedings but such activities shall be allowed in accordance with this protocol.

Meetings of the Court of Common Council, its Committees and Sub-Committees may be recorded through any audio, visual or written methods provided this does not disturb the conduct of the meeting.

The Chairman of the meeting has the power to rescind this permission should it prove necessary due to the nature of the meeting or if the conduct of the meeting is disturbed, for example through flash photography or intrusive camera equipment (*Standing Order No. 39(b)*).

People need to be informed at the start of the meeting if filming/recording is to take place. Members of the public who speak at a meeting have the option to opt-out of being filmed.

All those wishing to record a meeting through any method are asked to contact the City of London Corporation's Public Relations Office in advance for assistance. Tel: 020 7606 3030 / Email: [pro@cityoflondon.gov.uk](mailto:pro@cityoflondon.gov.uk)

All those visually recording a meeting are requested to only focus on recording Members, officers and the public who are directly involved in the conduct of the meeting.

If a meeting passes a motion to exclude the press and public (because exempt information, as defined by the Local Government Act 1972, is likely to be disclosed) then, in conjunction with this, all rights to record the meeting are removed.

The Corporation is not required to grant access to unlimited numbers of the public and the public may be excluded once the accommodation reasonably made available to them is full.