**Recording of Parish and Town Council Meetings**

Amendments to the Public Bodies ( Admission to Meetings ) Act 1960 now provide that members of the public can film , photograph or make an audio recording of proceedings at meetings of Town and Parish Councils for those parts of the meeting that are open to the press and public.

The 1960 Act at section 1(4) already provides that where a meeting is open to the press and public then, inter alia, accredited representatives of newspapers shall be afforded reasonable facilities for taking their report. The amendments add a provision that whilst a meeting is open to the public any member of the public is allowed to report on the meeting. Reports means –

Filming, photographing or making an audio recording of proceedings at a meeting and using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later, or reporting or providing commentary on proceedings at a meeting orally or in writing so that the report or commentary is available as the meeting takes place or later to persons not present.

However Councils are not required to permit oral reporting or oral commentary on a meeting as it takes place if the person providing the commentary is present at the meeting.

In other words members of the public present at the meeting can during those sections of the meeting that are open to the public –

* Film proceedings
* Take photographs
* Make an audio recording
* Provide a non audio commentary i.e. by tweeting or making other postings on social media sites whilst the meeting is proceeding

You are not required to allow members of the public to provide an oral commentary on proceedings whilst they are present at the meeting (clearly such a practise may be distracting and disruptive)

You can also prohibit persons from seeking to record those parts of the meeting that are closed to the public i.e. by leaving a recording device in the room whilst they are absent.

The above provisions remain without prejudice to any power of a Council to exclude persons to prevent disorderly conduct or other misbehaviour. In other words if a person who is seeking to record a meeting acts in a manner that is disruptive they can be excluded from the meeting.

There is an issue relating to the filming of members of the public. Whilst elected Members will given the new rules have to expect that they may be filmed that is not necessarily the case with members of the public. Some Councils may have a public participation section prior to the start of the meeting proper and it may be that members of the public who speak as part of this may have views as to whether or not they wish to be filmed. At this Council we are adopting the practise of asking members of the public who may speak at a meeting if they would object to being filmed and if they indicate that they would object asking via the Chairman for those who wish to film or record proceedings to respect their wishes.

In light of the above Councils are advised to –

* Amend their standing orders to reflect the above amendments at the earliest opportunity
* Waive any existing provision within their standing orders that prevents recording and filming until they have an opportunity to amend their standing orders

Councils may also wish to consider

* Making it clear at the commencement of the meeting that meetings can be recorded provided that does not disrupt the meeting
* If there is a public participation element to the meeting asking speakers if they would object to being filmed or otherwise recorded and if they would object asking anyone who is recording the meeting to respect their wishes

If you have any queries about the new provisions please contact Democratic Services.