

AMENDMENT TO NALC's 2013 MODEL STANDING ORDERS (ENGLAND)

Local Councils Explained (© 2013 NALC)*, published in October 2013, includes a set of model standing orders for parish councils to use as they wish.

The set of model standing orders includes those which confirm the requirements of the Public Bodies (Admission to Meetings) Act 1960 ('the 1960 Act'). Until 5 August 2014, the 1960 Act provided that members of the public had no statutory right to film, take photographs or record full council or committee meetings.

NALC's model standing order 3l, on page 181 of Local Councils Explained, states:

'Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's [prior written] consent.'

On 6 August 2014, the 1960 Act was amended by the Openness of Local Government Bodies Regulations 2014 ("the 2014 Regulations"). The amended 1960 Act provides that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:

- a) film, photograph or make an audio recording of a meeting;
- b) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
- c) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

The new amendments to the 1960 Act mean that a parish council cannot continue to use model standing order 3l or a similar standing order after 5 August 2014. Councils who have adopted model standing order 3l or standing order(s) with similar requirements cannot use them and must therefore suspend their application at council and committee meetings. Councils may update their standing orders to incorporate the new provisions in the 1960 Act in due course.

A detailed explanation of new provisions in the 1960 Act is available in Legal Topic Note 5 – Parish and community council meetings.

This briefing was issued by Jane Moore, Solicitor

* Every effort was made to ensure that the content of book was correct at the time of writing.