

**Teignbridge District Council
Audit Scrutiny Committee
22 March 2023
Part i**

Video Recording and Retention of Council Meetings

Purpose of Report

To consider the following Notices of Motion submitted to full Council. The Motions did not secure the required votes to be discussed at full Council, hence referral to this Committee for consideration.

Recommendation(s)

It is recommended that the Audit Scrutiny Committee considers the information presented in this report and makes a recommendation to Council on future video streaming and retention policy.

Financial Implications

Financial implications where known, are included in the report. There is no additional budget for these, so any costs arising from changes to current policy would be a budget pressure requiring savings to be found elsewhere.

Legal Implications

There is no legal requirement for any Council meetings to be live streamed. The written minutes provide the formal record of the meeting in accordance with the [Local Government Act 1972](#). There are also Data Protection implications arising from the fact that the images and voices constitute personal data under the Data Protection Act 2018 and UK GDPR. These considerations are outlined in the report.

Risk Assessment

There is a possible risk from non-compliance with Data Protection legislation should the Council not manage data lawfully.

Live streaming of meetings can also increase potential for legal exposure relating to any inappropriate behaviours of those in attendance, such as defamatory statements that could give rise to civil action. In mitigation, Councillors and Council Staff should be guided by their Codes of Conduct and refrain from making such statements.

Environmental/ Climate Change Implications

Webcasting meetings may prevent the need for the public to travel unnecessarily, however, public participation is low for the meetings not currently live streamed, as can be seen by the statistics in the report, therefore any positive impact would be minimal in this respect.

If increased data storage caused a requirement for additional servers this may have a minor negative impact. Generally, the energy consumption of data centres is a growing concern, with some studies suggesting data centres account for around 1-2% of electricity used globally. YouTube is estimated to store over 500 hours of uploaded video every minute, which requires large scale data storage. The more we store the more we contribute this statistic.

Report Author

Christopher Morgan
Email: Christopher.Morgan@teignbridge.gov.uk

Executive Member

Councillor Richard Keeling – Executive Member for Corporate Resources

1. Introduction

The Motions are set out below. One calls for the reinstating of webcasted footage held by the council onto a free, public website, for an indefinite period of time. One calls for live streaming of **all** Council meetings (as opposed to the current practice of doing this for just Full Council, Executive, Planning and Overview and Scrutiny Committees):

[17th October 2023](#) (item 63)

The following motion on recordings of meetings has been presented by Cllr Daws and supported by Cllrs Hall, J Taylor, P Parker, Gearon, Bradford, Macgregor, Mullone, Radford and Ryan.

Recordings of council meetings. The council records public meetings for ease of access for residents. To maintain a full public record of meetings it is proposed that the council halts with immediate effect its current policy of deleting recordings of meetings after a set number of years and maintains public access

to meetings on streaming platforms, such as YouTube currently. It is proposed that all meetings currently in the possession of the council or in existence, are reinstated to a free publicly available platform and that all future meetings saved and are uploaded in a similar manner.

[27th February 2024](#) (item 13)

The following motion on live streaming of public council meetings has been presented by Cllr J Taylor and supported by Cllrs Gearon, Hall, Bradford, Daws, Ryan, Radford, Macgregor, Atkins, P Parker

“I would like to discuss the issue of the live streaming of public council meetings.

I first identified that all meetings were not live streamed when attending a Standards meeting, which I expected to be live streamed but was not. My understanding was that this was due to an error and I wrongly assumed that all public meetings held in the Council Chamber were live streamed. Again, at the latest Procedures Committee, which covered many of the motions not debated in Full Council, which were of public interest, was not live streamed.

I raised this at that meeting and was informed that live streaming is not governed by a policy which rationalises or prioritises which meetings are to be live streamed and it was believed it was purely based on cost.

In the interest of transparency and public engagement, I propose that all public meetings which are held in the council chamber should be live streamed and that all public meetings, not to be live streamed have the reason recorded in the minutes.”

2. Background Information for Consideration

Whilst there is currently no legal requirement for public meetings to be video recorded, from 2020 onwards, meetings were held using Zoom and livestreamed on YouTube as a result of the Covid-19 pandemic. From mid-2021 public meetings returned to the Council Chamber where they have been recorded in person and uploaded to the Public-I Webcasting library on the Teignbridge website. From mid-2022 to May 2023 meetings were held in Buckland Athletic Football Club and were livestreamed to YouTube.

The current data retention policy for this footage is **two years** with our Webcasting provider, Public-I. This retention period was carefully chosen on the advice of relevant officers, to strike a balance between transparency, and data protection principles.

UK GDPR (General Data Protection Regulations) relevant provisions include:

- the Data Minimisation Principle: data should be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed. We should therefore identify the MINIMUM amount of personal data required and hold no more.
- the Storage Limitation Principle: data must not keep data longer than required. Individuals have the right to be forgotten.

If footage is kept an unreasonable amount of time, we risk claims from individuals who did not expect their recorded presence to persist indefinitely under the right to erasure (council members, staff, public speakers). This could involve lengthy and potentially costly work to redact footage.

The prospect of being permanently recorded may also have a chilling effect, discouraging some individuals from participating freely in discussion.

Costs of Retention

The current cost of retaining meetings for two years is **£3,087.60** per year. The cost of increasing this to indefinite online retention is an additional **£1,926.72** per year. Currently the webcasting is provided under a contract with Public-I who provide services to 150+ other councils.

YouTube

The motion proposes using YouTube as a streaming platform and uploading all recordings currently in the possession of the Council to YouTube.

Use of YouTube is currently free, however there is a likelihood charges will be introduced in the future (amount unknown at present). There is also a degree of internal resource required to do this, as it takes some time to upload files. To reinstate an entire archive of files would be quite a considerable task.

Benchmarking

Comparison with other Devon authorities found West Devon, North Devon, South Hams, and East Devon Councils livestream all meetings to Youtube. Exeter City Council only record Executive, Planning, and Full Council, also using Youtube. Mid Devon record the audio of meetings and upload it to Soundcloud.

The main difference between these authorities and Teignbridge is that Teignbridge uses the Public-I system and webcast library as part of a signed contract.

Benchmarking with our CIPFA nearest neighbour group revealed:

- West Norfolk and New Forest Councils upload all meetings to YouTube with no specified retention
- Fylde livestream full Council and upload (not livestream) planning meetings
- Arun and Lewes record all meetings but only keep for 6 months
- Fareham and Wyre don't record any meetings

Viewing Statistics

The viewing figures for the past 6 months of livestreamed meetings highlight the variances between committees in terms of public interest. For example, September's Overview and Scrutiny 1 and 2 were watched live by 21 and 15 individual viewers respectively whereas October's Full Council meeting was viewed live by 232 people. When further analysed, the data reveals that at least half of those live viewers are from areas other than Teignbridge. The table below provides a breakdown of meetings held since May 2023 including views. It should be noted that the data includes repeat viewers, bots, and viewers from outside the county.

| Webcast | Live date | All views | Live views | Archive views | Total length | Times shared |
|--------------|-----------|-----------|------------|---------------|--------------|--------------|
| Full Council | 23/05/23 | 46 | 114 | 354 | 237:06:24 | 0 |
| Full Council | 25/07/23 | 36 | 32 | 334 | 95:46:24 | 0 |
| Full Council | 17/10/23 | 34 | 232 | 116 | 233:02:13 | 0 |
| Planning | 13/06/23 | 32 | 80 | 248 | 86:43:39 | 0 |
| Executive | 12/09/23 | 19 | 27 | 164 | 38:39:28 | 1 |
| Full Council | 28/09/23 | 18 | 46 | 141 | 36:28:12 | 0 |
| Scrutiny | 11/07/23 | 18 | 36 | 145 | 37:30:10 | 0 |
| Full Council | 05/09/23 | 17 | 91 | 86 | 67:19:25 | 0 |
| Planning | 18/07/23 | 16 | 27 | 140 | 29:13:20 | 0 |
| Executive | 06/06/23 | 15 | 19 | 136 | 32:57:10 | 0 |
| Planning | 19/09/23 | 15 | 52 | 100 | 48:25:55 | 0 |
| Planning | 22/08/23 | 13 | 40 | 96 | 23:34:09 | 0 |
| Executive | 22/08/23 | 13 | 28 | 105 | 45:45:19 | 0 |
| Executive | 10/07/23 | 13 | 25 | 105 | 20:00:38 | 0 |
| Executive | 03/10/23 | 90 | 12 | 78 | 13:12:36 | 0 |
| Scrutiny | 20/06/23 | 72 | 19 | 53 | 08:33:30 | 0 |
| Scrutiny | 26/09/23 | 69 | 21 | 48 | 16:00:05 | 0 |
| Scrutiny | 26/09/23 | 63 | 15 | 48 | 09:52:35 | 0 |
| Full Council | 29/04/23 | 47 | 0 | 47 | 04:28:13 | 0 |

Request to live stream all meetings (NOM 27th February 2024)

Currently Teignbridge live stream:

- Full Council
- Executive
- Planning
- both Overview and Scrutiny committee meetings

Committee meetings not currently live streamed:

- Appointments and Remuneration
- Audit Scrutiny
- Devon Building Control Partnership
- Licensing and Regulatory
- Licensing Sub Committee
- Procedures

- Standards
- Strata – joint Executive
- Strata – joint Scrutiny

Live streamed meetings require at least two Democratic Services staff to facilitate. The team is already stretched and would require additional resources to be brought in to assist, should all meetings need to be webcast. It is estimated this could cost in the region of **£17,100** (including on cost) for a part time post.

Public-I charges would also increase. It currently costs £38.59 per hour per meeting and we have a contract for 80 hours. A very crude estimate based on the likely frequency of these additional meetings taking an average 2 hrs each would require an additional 60 hours added to the contract, costing approximately **£2,315**.

Options Summary

Councillors are reminded that there are 3 aspects to the Notices of Motion:

- the online retention of future meetings indefinitely
- the reupload of any meetings held over 2 years ago
- the livestreaming and retention of recordings for **all** Council meetings

The choices for this Committee to consider are:

- to continue the current cycle of keeping recorded meetings online for 2 years
- to change the retention period to a longer time frame
- to make all future livestreamed meetings uploaded indefinitely but not reupload meetings from over 2 years ago
- to live stream **all** meetings as opposed to just key meetings, i.e. full Council, Executive, Planning and Overview and Scrutiny
- to keep to the current recording practice of just the key meetings mentioned above, or consider which, if any further meetings should be added

3. Conclusion

The Local Government Act 1972 requires meetings to be open to the public however this is specifically for in-person attendance. The written minutes are the legal record of the meeting. There is no legal requirement for the livestreaming of council meetings. The retention period of meetings must be balanced when considering the good governance of data. There are costs to both retention of data and for webcasting additional meetings to those already covered. The decision made by Councillors must balance the desire for openness and transparency with a realistic understanding of the costs of administering webcasting.