



Filming Code of Practice for the Borough of Welwyn Hatfield

**Policy and Communications Service
October 2013**

1. Introduction

We welcome filming in the borough of Welwyn Hatfield and recognise the benefits that filming can bring. We also recognise that we have to balance this with the needs of our residents and local businesses, and the use of our public resources. This means that sometimes we may not be able to accommodate all requests, but we will always tell you as soon as possible if this is the case.

For this reason, we view any filming undertaken in the borough as being the sole responsibility of the filmmaker. Before any filming in the borough takes place we encourage all prospective filmmakers to read this Code of Practice, and to submit an online Film Form giving all the relevant details about their proposal.

Our Film Form enables you to highlight your intentions and, if filming takes place on council-owned land, identifies any potential challenges to us. For example, any specific equipment you may wish to use which may cause a disturbance or require you to formally notify local residents. Similarly, if you are intending to film during the night or early morning, or have specific parking or other location requests, this should be clearly set out on the Film Form.

Filming activity in public areas of the borough should only take place after the council, relevant agencies and landowners have given their expressed permission. If you are not sure if land you wish to film on is publicly or privately owned, we can help to check this for you. If it is privately owned, you must seek the landowner's permission directly.

Filming requests are coordinated by the council's Communications team. They can be contacted on 01707 357282 or by email to media@welhat.gov.uk during normal office hours.

2. Applications to Film

Once you have completed our Film Form and submitted it to the council's Communications team, we will send it on to those local agencies who are collectively known as the Safety Advisory Team (SAT). They are:

- Hertfordshire Police
- Hertfordshire Fire and Rescue Service
- East of England Ambulance Service
- Hertfordshire Highways

The SAT offers advice for planning major events and filming. Following sight of the Film Form, they may raise any concerns regarding filming requests via the council's Communications team. (Following this, direct discussion with one or more of these agencies may be required of the film maker.)

Concerns may be raised for the following reasons:

- the subject matter of the filming is likely to cause public offence
- the impact of the filming in the community means there is a need to put contingency planning arrangements in place.

It will also be sent to our Public Health and Protection Service here at the council. They are the statutory health and safety authority for the borough. Separate

permissions from these agencies may be needed, but you will receive advice on this following receipt of your completed Film Form.

Large Scale Filming

Filming which takes more than one day to complete, involves more than five crew and uses equipment which could cause disruption to a number of people, requires more careful consideration before approval can be given if it takes place on our land.

Please make sure you allow for at least 8 weeks' notice for large scale productions that require parking suspensions in our town centres. Please also allow for at least 4 weeks' notice for parking suspensions outside of our town centres.

If the above is not needed then we will ask for at least 14 working days' notice for your application to be considered.

Small Scale Filming

There are occasions in which a completed Film Form may not be required. These are where:

- Filming takes place in a public area which is not council-owned land.
- Filming is for a short period of time only (e.g. up to one day).
- Filming does not restrict pedestrian movement or obscure public highways.
- Filming uses no special effects (e.g. the use of fire, explosions, and large scale structures).
- Filming is not outside of social hours (e.g. after 10.00pm or before 8.00am).

In such instances you can submit relevant information in an email to media@welhat.gov.uk. A request for small scale filming will often receive an answer within 48 hours.

3. Permissions to Film

In considering the impact of filming activity, we have to take into account the nature and extent of the filming period, the impact on the local community, the use of public land and any other disruption. It may mean that the filming activities are restricted to particular days and / or times so that the impact is minimised.

We will liaise with the following services within the council as appropriate:

- Parking Services – this team has responsibility for controlled parking areas, roads with waiting restrictions within the town centre and also council-owned car parks within the borough.
- Environmental Health Service – will consider your request if you are filming for prolonged periods, outside of social hours or using loud stunts / equipment or extra lighting.
- Corporate Property Service – will check whether the request to film is on council owned land or not. If it is they will get in touch with the Location Manager or designated point of contact for the filmmaker directly with a request to complete a Special Indemnity Form.

- Town Centre Management Service – is the liaison point for council-run events that are held in Hatfield and Welwyn Garden City town centres, so they need to know if any filming impacts on these areas.
- Environment Service – which has responsibility for our public gardens and parks. Also if monuments, temporary structures or features are requested to be added, removed or changed in any way, then they need to be consulted.
- Landscape and Ecology Service – which has responsibility for trees and woodland in the borough, so if you need to film in woods or ‘dress’ / change trees in any way they need to be consulted.

Student Filming

This is defined as filming by groups or individuals through accredited schools, colleges and universities, and is directly linked to student academic studies. We understand that students usually have far less access to funding and other resources than other filmmakers do, and will be filming on a much smaller scale. With this in mind, we have agreed a simpler process that does not incur any fees or charges.

In telling us of your intention to film you should still fill in our online Film Form. This provides us with your basic details and lets us know of the scale of your filming requirements. Where there is a requirement to provide a contact name and details, please give one along with the name and contact number of your tutor. Alternatively, email us at media@welhat.gov.uk.

We will also send you a copy of our indemnity form for you to fill in, if filming on council-owned land. This covers us in the eventuality that there is any damage caused while filming. We will require a copy of your University or College’s Public Liability Insurance and confirmation you have any landowner’s permission to film if you are not using council-owned land.

It is the responsibility of your school, college or university to have in place health and safety measures that protect both students who are filming and those around them who are directly or indirectly affected. Please ask your tutor about this. We reserve the right to request sight of such plans if necessary.

The police are also required to be present during filming if your production includes any of the following. Please declare on your Film Form if:

- a character in the film is dressed as a Police officer;
- there is use of a real weapon or replica weapon in the film; or
- a simulated illegal act is being filmed

You will also need to tick any specific filming scenarios listed on the Film Form that apply to your production. The SAT will need to review this information and may raise concerns through the council’s Communications team, which will be referred on to you.

Please be aware of public sensibilities when developing themes or scenarios for your shoot which may or are likely to cause offence (e.g. religious, violent, racial or gender prejudice themes).

4. Respect for Residents and Businesses

Filmmakers must always pay due consideration to the sensitivities of the community in which they are filming. Residents should be treated with respect and courtesy at all times.

All residents and businesses affected by the intention to film should be notified at least a week in advance by letter to their home or place of business. All letters should first be seen and agreed with our Communications team. It is the filmmaker's responsibility to also seek permission from any other relevant landowner before filming takes place. We reserve the right to ask if such permission has been obtained, and to request evidence of this.

When sending a formal notification to residents, you should specify the hours of operation and, if possible, provide a named contact and telephone number for any queries or complaints relating to the proposed filming. You should ensure that any artificial lighting on site and within its perimeter should be orientated so that it does not cause intrusion to any adjacent residential property, unless you have the expressed permission of the occupier.

Noise levels should be kept to a minimum, especially during unsociable hours of filming (in this case 10.00pm-8.00am). If the filming activity is going to be inherently noisy over this period, then this information should also be provided to all affected residents in advance.

Generators, and all proposals for their use, should be included on the Film Form. Ideally they should be located away from all residential areas. Temporary structures and barriers to mitigate generator noise should be considered if filming is due to take place at night.

Your Film Form should also include all information relating to any possible obstruction to public footpaths, pavements, roads or bridges. This will enable us to notify the relevant agency at the earliest opportunity. If access to public footpaths needs to be blocked, an alternative safe route must be provided and supervised for pedestrians. This must be agreed with Hertfordshire Highways in advance.

If you think your filming activity could be a distraction to drivers, or have an impact on traffic flow or result in an obstruction, you must let us know and comply with any requests from the Police and Hertfordshire Highways.

Filmmakers must limit their filming activities to the areas where they have been given permission. No trespassing on private land or designated 'out of bounds' areas should take place. No smoking areas must be observed and complied with, and all cigarettes and other tobacco should be stubbed out in ashtrays and disposed of properly.

5. Taking Care on Location

Preserving the surroundings in which you are filming is the responsibility of the filmmaker. Similarly care must be taken to protect furniture and flooring on council-owned properties.

If you have a requirement to remove anything temporarily, whether it is street furniture or other assets, permission should be sought from the land owner or the council (if on council-owned land) before it is moved. All items should be put back as they were originally found and in the same condition.

The filmmaker is responsible for, and should rectify any damage, to the property or area in which filming takes place and notify all parties concerned at the earliest opportunity.

All rubbish and other equipment should be removed and disposed of responsibly unless otherwise agreed with the council or the relevant landowner.

Production Vehicles

Production vehicles must only be parked where agreed and at pre-arranged times. The engine should be switched off as soon as possible after the vehicle has been parked. Vehicles should not obstruct public highways or entrances to nearby homes or business premises unless prior permission has been given.

If production vehicles need to be in the vicinity of the shoot (i.e. to provide specific lighting / power) then we must receive at least one week's notice of the intended location.

Health and Safety

It is the responsibility of the filmmaker to ensure that all persons involved in filming comply with current health and safety legislation, and that any third parties are not unduly put at risk. If requested, the filmmaker must supply a copy of their health and safety policy / statement and / or other risk assessments related to their proposed filming, either via email or as a hard copy.

Management of crowds and the public during the set up, filming and dismantling of any equipment is the responsibility of the filmmaker, which includes ensuring third parties are not put at risk. Please ensure this is included in the Film Form if applicable.

Safeguarding

It is the filmmaker's responsibility to ensure there are robust measures in place to safeguard children and vulnerable adults who are affected by, or connected to, the proposed filming.

Public Liability Insurance

We will require, at the earliest possible time, a copy of an appropriate Public Liability Insurance Certificate from the filmmaker if filming is due to take place on council-owned land. This insurance should ideally be for a minimum cover level of £5 million.

6. Fees and Charges

We reserve the right to set and apply a scale of fees and charges for activities relating to filming in the borough. Wherever possible, these are limited to covering our costs in making arrangements to enable filming to take place.

These are the current fees and charges related to our services and these will be reviewed and, if necessary, updated on an annual basis every April.

Parking Services

We manage all parking restrictions, pay and display bays, residents' parking bays and council-owned car parks within the borough. If there are no restrictions in force, but the parking could cause an obstruction, then Hertfordshire Highways and Hertfordshire Police should be contacted.

Our charges depend on what is being requested:

Parking dispensation (e.g. to park on single and double yellow lines or to use designated permit areas) is £15.00 per vehicle per week. The standard charge for the time spent on administering parking suspensions is £50.00 per hour.

The cost of producing and erecting signage warning of upcoming parking suspensions is £60.00 per sign. Please note we will require eight weeks notice of your intention to do this.

Campus East Lower Car Park – there is a standard charge of £4.50 per space per day (00.00 -23.59 hours, or part thereof).

Top levels of the Hunter's Bridge Car Park – there is a standard charge of £5.00 per space per day (as above).

Osborn Way Car Park – there is a standard charge of £5.00 per space per day (as above).

In the event of a block booking for crew vehicles or base units in a council-owned car park, the fee for the administration needed to add these to the exemption list is £500.00.

Other physical parking suspensions, and any consultation need to accommodate filming, will be considered on a case by case basis and quoted upon receipt of all requirements.

Council Services

Landscape and Ecology Service - the standard charge for Officer time is £50.00 per hour (plus any essential expenses where necessary).

Corporate Property Service - the standard charge for Officer time is £50.00 per hour (plus any essential expenses where necessary).

Communications team - the standard charge for Officer time is £50.00 per hour (plus any essential expenses where necessary).

Town Centre Management Service - the standard charge for Officer time is £50.00 per hour (plus any essential expenses where necessary).

Other services - the standard charge for Officer time is £50.00 per hour (plus any essential expenses where necessary).

7. A to Z Guide

We recognise that most filmmakers act in a responsible and professional manner. We expect them to take their surroundings into consideration, not to obstruct others from carrying out their business and not to cause a disturbance or safety hazard.

This A-Z Guide for the Borough of Welwyn Hatfield serves as a check list for everyone involved in filming in the borough. This is based on a general guide produced by Creative England for use by public bodies when considering filming requests.

Animals

If filming with animals, the filmmaker must refer to RSPCA Guidelines for the Use of Animals in the Audio-Visual Industry. Full information on this can be found at:

<http://performinganimals.rspca.org.uk/home>

Buildings

Filming or photographing the exterior of a building must not infringe its copyright. The filmmaker will not usually require permission to film a building's exterior and the building's owners are not usually entitled to charge a fee. However if there are intellectual rights to consider, such as company logos, then the filmmaker will require permission from the respective organisation.

Cables

All cables on a film location must be made safe as they are laid, and not at some later time. Cables must be laid in the gutter along the highway or in the junction between a wall and the footway. Cables on steps must be securely taped down to avoid the risk of tripping.

Wherever possible, cables should be flown at a minimum 17' (5.2m) above a public carriageway and 8'6" (2.6m) above footways. We will, wherever possible, seek to make generator parking available which avoids the need to cable across the highway. If there is a need to lay cabling across a footway there may be times when it will be sufficient to lay cables at right angles under a taped rubber mat. This matting should be a minimum of one metre wide and visible to the public by proper lighting, cones or high-visibility hazard tape.

Rubber matting should be regarded as essential safety equipment and carried as a matter of course. On quieter roads it may be permissible to lay cables using proper cable ramps. If so then appropriate signage must be used for this.

Catering

The filmmaker should ensure that all dirty water and food waste is removed from location at the end of each day's filming. Wherever possible the production should make use of film friendly catering materials.

Children

Under current UK law the school leaving age is 16 years old. The hours that a child is permitted to work will depend upon their age. Child performers under school leaving age will normally require a Child Performance Licence, which is issued by the Education Welfare Service. In Hertfordshire this is administered by the County's Schools Service.

Where the child is not from the UK they will still remain subject to UK requirements. More information on child performer licensing is available from www.NNCEE.org.uk.

Cherry Pickers / Camera Cranes / Jibs

If such equipment is being used as part of location filming it may be necessary for Hertfordshire County Council's Highways team to carry out a highway inspection both before and after use. All camera cranes, jib arms and cherry pickers must be tested, with proof of documentation, and be operated by certified qualified technicians during location shooting.

The filmmaker can consult codes and guidance from recognised bodies such as ASPEC's 'Guidance in the Provision and Safe Operation of Cranes', and carry out a risk assessment where using such equipment. Any rigging and de-rigging must be undertaken with respect for local residents, and in accordance with the statutory obligations governing noise levels.

Council Property

When filming on council-owned land or property the filmmaker will need permission from Welwyn Hatfield Borough Council.

Employment

All filmmakers must adhere to the current UK legislation that informs and guides the employment of workers. The filmmaker must observe their legal responsibilities and obligations with regard to the National Minimum Wage and the Working Time Regulations. Further detailed information on these can be found here: <https://www.gov.uk/browse/working>.

For more information on rights at work, rates of pay and so forth, this can be found at www.bectu.org.uk. If the filmmaker is using any foreign nationals as part of either its cast or crew, information and guidance can be found at <http://www.ukba.homeoffice.gov.uk/>.

Firearms, Weapons & Representation of Criminal Activity

The use of firearms of any kind, including replicas, must be discussed in advance with the Police, the council and the appropriate Emergency Service. If a live firing weapon is being used, the filmmaker must have a licence holder for that weapon present, or a registered firearms dealer (RFD) or servant of the RFD. Where the weapon is blank, it is still recommended to have the above present.

Health and Safety

The filmmaker must abide by all current Health and Safety legislation which can be found on the HSE website: www.open.gov.uk/hse/entertainment.

Highways & Traffic Management

When filming on the public highway and footpaths it may be possible to hold traffic in specific areas. However, advice will need to be sought from Hertfordshire Highways and the Police to determine your requirements. Where traffic management is required a qualified traffic management company should be used.

High Visibility Clothing

All location crew working on roads and highways must wear high-visibility clothing to standard EN471. This is an essential safety requirement under the New Roads and Street Works Act and it is an offence not to comply with this.

Historic Buildings and Conservation Areas

Special attention and care must be taken when filming in historic buildings, heritage sites or conservation areas. Access by the general public may be a requirement by law. Filmmakers may be required to increase the indemnity on their Public Liability Insurance.

The use of props, lights, and any tracking in historic properties must be assessed by the custodian and, where relevant, a chemical or a heat analysis must be provided. Filming in Areas of Outstanding Natural Beauty (AONB) and Sites of Special Scientific Interest (SSSI) also have restricted use and will require an assessment first.

Litter Removal

All litter must be removed immediately at the end of filming and the location returned to the same condition in which it was found. The removal of litter can be organised through the council at a fee. Any waste should be recycled wherever possible.

Low Loaders / Tracking Vehicles / A-Frames

When filming from a moving vehicle on a public road or highway, permission must be sought from the Highways Agency and/or Hertfordshire Highways.

Parking Cones

Please note that parking cones have no legal force to secure parking and their use must be agreed with us as the local authority for Welwyn Hatfield.

Police Assistance

Police assistance can be provided if the relevant criterion is met. This may also attract a charge under the provisions of 'Special Police Services'. Assistance could be necessary depending upon the filmmaker's requirements. Advice can be given by the Police once details of the shoot are confirmed.

Public Liability Insurance

The filmmaker must be able to provide a copy of their Public Liability Insurance to the council for all location filming, and agree to indemnify the location owner against any claims arising as a direct result of filming.

Residents, the Public and Businesses

When filming on location, the filmmaker must be respectful and considerate at all times by consulting with the local residents, public and businesses that may be affected by their filming prior to, and during, their shoot.

Risk Assessments

Risk Assessments are required depending on the type and nature of filming. Guidance on writing risk assessments for filmmaking is available at www.hse.gov.uk/entertainment.

Special Effects / Pyrotechnics

A qualified Special Effects Supervisor must be in direct control of any special effects that are scheduled to take place during filming on location. The Police and Emergency Services must be consulted by the production prior to filming. A Risk Assessment and Method Statement must be carried out by the Special Effects Supervisors and be available on request.

Stunts

A qualified Stunt Coordinator must be in direct control of any stunts that are scheduled to take place during filming on location. The Police and Emergency Services must be consulted by the production prior to filming. A Risk Assessment and Method Statement must be carried out by the Stunt Coordinator and be available on request.