H

**APPLICATION TO FILM ON THE PUBLIC HIGHWAY AND LICENCE FOR PLACING AND USE OF OBJECTS ASSOCIATED WITH FILMING** Hertfordshire County Council (Filming on Highways) Act 2014

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| --- | --- |
| Completed forms to be returned to the dedicated filming email | **Filming@hertfordshire.gov.uk** |
|  |
| **1. Details of Applicant** |
| Applicants name |  |
| Company name(if you are a student or charity please state) |  |
| Address |  |
| Tel |  | Emergency Tel |  |
| Email |  |
|  |
|  |
| **2. Site Location** |
| Location Address(es) |  |
| Town |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Restriction on the:(please tick) | [ ]  Footway | [ ]  Carriageway | [ ]  Verge |

|  |  |
| --- | --- |
| Parking restrictions(e.g. yellow lines/bays/meters/controlled parking zone) |  |
| *Parking suspensions (of the above) will need to be applied for via the district council* |
|  |
|  |
| **3. Details of filming operation** |
| Start date of shoot |  |
| End date of shoot |  |
| Description of scene |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Number of persons involved including film crew actors and extras | [ ]  0-5 | [ ]  6-20 | [ ]  20+ |
| Film Order or Film Notice also required (see Guidance Notes for further information) | [ ]  Film Order | [ ]  Film Notice |

|  |
| --- |
| *Further details may be requested to determine whether a film order, film notice or only licence is required.* ***Film notices and orders will require a TTRO application to be filled in and submitted*** |
|  |
| **4. Details of Film Objects** |
|  |
| Please tick as applicable: | Please include description of Film Objects which apply: |
| [ ]  Standard Filming Structures including cameras lighting units and cabling  |  |
| [ ]  Special Effects Objects including pyrotechnics & stunt work |  |
| [ ]  Filming Structures including mobile elevated work platforms, camera cranes and tracks, scaffold / lighting towers |  |
| [ ]  Film Production Structures including production vehicles and storage facilities(**Please note that Film Production Structures should be kept off the highway wherever possible)** |  |
|  |
| **5. Traffic Management**  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Stop/go boards |  | Temporary traffic signals |  | Signing only |  |
| Road closure |  | Footway closure |  | Lane closure |  |

|  |  |
| --- | --- |
| Consultation with police |  |
| ***Evidence of all consultations/agreements required must be provided with the application*** |
|  |  |  |  |
|  |
| **6. Payment method** |
| Cheque  |  | BACS |  | Credit Card |  |
|  |
| Submitted by | Name |  | Tel |  |
| Email |  | Date |  |
|  |
|  |
| ***To be completed by Hertfordshire County Council*** |
| **7. Application checked** |
| Network Officer |  | Tel | 0300 1234047 |
| Date |  | TTRO/TTRN required? | Yes / No | Road Category: | 1, 2, 3, 4 |
| Exempt from charge | [ ]  Yes | [ ]  No |
| Decision | [ ]  Granted | [ ]  Refused |
| Additional comments/conditions |  |

**GUIDANCE NOTES**

**A. Legal Requirements**

Hertfordshire County Council has been granted special powers under the Hertfordshire County Council (Filming on Highways) Act 2013 (“the Filming Act”) which, through its amendments to section 16A & 16B of the Road Traffic Regulation Act 1984, entitles it to effect temporary road closures (or part of the road) for the purposes of allowing filming. Hertfordshire County Council also, under the Filming Act, has powers to authorise the placing and use of objects and things on the road in relation to filming activities. Filming is referred hereto as commercial or professional filming or filming intended for public release. Generally such filming will involve at least 5 or more persons during the intended occupation of the highway. It does not include news crews.

There are three options available for filming on the highway depending upon the size and scale of the proposed filming. These are:

1. Film Orders – A Film Order will allow a road closure (or part) for upto 7 days, however only 6 Film Orders may be made per year for each length of road. As part of a Film Order, Hertfordshire County Council can also issue a licence permitting the placing and use of objects/structures on the highway for the purpose of filming
2. Film Notices – A Film Notice will allow an urgent road closure (or part) for upto 24 hours only, however there are no limits on the number that can be made per year. As part of a Film Notice, Hertfordshire County Council can also issue a licence permitting the placing and use of objects/structures on the highway for the purpose of filming
3. Film Objects/Structues Licence – Where no road closure (or part) is required a licence can be issued permitting the placing and use of objects/structures on the highway for the purpose of filming

All of these options are covered under this application form and the accompanying terms and conditions. Officers will be able to assist the applicant in determing which option is appropriate for proposed filming.

Where the road in question is a trunk road then Hertfordshire County Council may make a Film Order subject to the consent of the Secretary of State. Applicants should contact the Secretary of State (Highways England) for comments and approval before making any application to Hertfordshire County Council and include such correspondence in its application.

You must obtain a licence from Hertfordshire County Council and where applicable an additional Film Order/Film Notice before you can film on any part of the highway which includes all verges, footways and carriageways. Failure to obtain such licence and a Film Order/Film Notice (as applicable) may constitute an obstruction and nuisnace to the highway which is an offence under the Highways Act 1980. Hertfordshire County Council may prosecute you for such offence for which the maximum fine on conviction is £1,000 for each offence. Hertfordshire County Council may also take other associated legal action including, *inter* alia, injunctive relief against filming on the highway in Hertfordshire.

Applicants should obtain a copy of Hertfordshire County Council’s Filming on Highways Code of Practice, available on Hertfordshire.gov.uk, before considering making an application.

**B. Application Process**

A completed application together with (a) the non-refundable application fee; (b) a copy of the response from the local Police (where applicable); (c) a TTRO application form and fee (where applicable) and (d) a copy of a valid certificate of public liability insurance with a minimum cover of £10 million must be submitted to, and approved by, Hertfordshire County Council before you can film on any part of the highway. You should keep a copy of the submitted application.

You must allow a minimum of 4 weeks from date of receipt by Hertfordshire County Council to process your request for a licence and filming notice and 8 weeks to process a film order. Most officers facilitating filming requests do so above the job they are usually tasked with by the council, so have to schedule dealing with requests into their normal working day. Therefore, Hertfordshire County Council has devised the above deadlines in which permits can be achieved to give film companies maximum flexibility, while at the same time giving officers reasonable timeframes in which to process requests.

A site meeting may be required. You will be advised in writing of the outcome of your application together with any additional conditions imposed.

Applying for a road closure and/or licence does not guarantee that a road closure and/or licence will be issued. The filming on the highway including any Film Order/Film Notice and the licence for placing and use of objects and things will only be permitted on the highway if it does not cause an unreasonable nuisance or obstruction to the public, and there so are no reasonable convenient alternative arrangements which are of a less obstructive manner.

Applicants should note that any traffic management measures required by Hertfordshire County Council can only be undertaken by an accredited traffic management company. All traffic management must comply with Safety at Street Works and Road Works - A Code of Practice, the Traffic Signs Regulations and General Directions, and with Chapter 8 of the Traffic Signs Manual.

There is no right of appeal if your application is refused.

**C. Cost of Application**

The fee for each application will be based on HCCs current permit scheme charges:

|  |  |  |
| --- | --- | --- |
| REINSTATEMENT CATEGORY OF STREET | CATEGORY 0, 1 AND 2 | CATEGORY 3 AND 4 |
| STREET DESIGNATED AS TRAFFIC SENSITIVE OR NOT | ALL STREETS | TRAFFIC SENSITIVE AT SOME TIMES/LOCATIONS | NON TRAFFIC SENSITIVE AT ANY TIME OR LOCATION |
| TIME AND LOCATION OF ACTIVITY | ANY TIME AND LOCATION | ANY PART WITHIN TRAFFIC SENSITIVE TIMES AT TRAFFIC SENSITIVE LOCATIONS | WHOLLY WITHIN NON TRAFFIC SENSITIVE TIMES/LOCATIONS | ANY TIME AND LOCATION |
| Provisional Advance Authorisation (where closures are required or duration exceeds 10days) | £105 | £105 | £75 | £75 |
| Major Activity (where closures are required or duration exceeds 10days) | £240 | £240 | £150 | £150 |
| Standard Activity (4-10 day duration) | £130 | £130 | £75 | £75 |
| Minor Activity (less than 3 day duration) | £65 | £65 | £45 | £45 |
|  |  |  |  |  |
| Filming notice (no newspaper advertising required) | £675 |  |  |  |
| Filming Order (full advertising required) | £1,144 |  |  |  |

Filming Licence: Highway Cost £45-£130 dependant on road classification

Filming Notice: For closures up to 24 hours Highways Cost £225-£345 (PAA and Major notice required)

Filming Order: For closures up to 7 days Highways Cost £225-£345 (PAA and Major notice required)

These charges are in **addition** to Film Notice and Film Order charges.

***A request for payment will be sent to applicant confirming the total fees to be paid***

**Note that any charges are non-refundable.**

**Students and Charities are exempt from fees**

**Payment Methods**

Payment can be made by cheque, BACS transfer or credit card payment over the phone.

BACS account details are as follows:-

 **Account Name** Hertfordshire County Council – General Account

 **Account Number** 18396704

 **Sort Code** 60-10-39

 **Bank** NatWest Bank

 **VAT no. GB** 214527877

The BACS payment must be referenced in the following way:-

 FILM / *relevant Herts area* [either MidHerts, SouthWestHerts, NorthHerts or East Herts] **/** *Road name, Town*

 For example; ***FILM/ MidHerts / Victoria Street, St Albans***

Telephone payment by credit card can be done by calling our cashiers on:

 **01992 555407 or 01992 555408**

When making payment please quote: General Ledger Code 748201, Cost Centre Code 52065, together with ‘Film’ the relevant amount, Streetname, Town, Postcode along with your Works Reference Number and proposed Start Date.

Cheques must be made payable to ‘Hertfordshire County Council’. Please reference the reverse of the cheque

**D. Conditions of Granted Film Orders/Film Notices & Licences**

Standard conditions as attached to this form will apply to all Filming Orders/ Filming Notices and/or licences to place and use objects associated with filming granted by Hertfordshire County Council. Additional conditions specific to individual circumstances may also be imposed by Hertfordshire County Council when granting the application.

**E. Contact Details**

All applications should be sent by post or email to Hertfordshire County Council Highways at the following address:

Address: Highways Business Support, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG13 8DN

 Email: **Filming@hertfordshire.gov.uk**

If you have any queries or require further information please contact us via the email above or on telephone number 0300 123 4047

**F. Data Protection Act 1998**

The personal data you provide on this form will be used by Hertfordshire County Council to administer your licence. In order to protect public safety, this may include the use of sensitive personal data (criminal offences) to help assess whether you are a fit and proper person to hold a licence.

We may occasionally share your personal data with other Hertfordshire County Council departments and with other bodies (notably Housing Benefits, the Police, Inland Revenue) for the purposes of protecting public money, preventing and detecting crime and/or fraud and ensuring public safety. Such sharing will only occur on a case-by-case basis where a justifiable purpose in line with legislation has been demonstrated. The information may also be used for internal training.

**APPLICATION TO FILM ON THE PUBLIC HIGHWAY AND LICENCE**

**FOR PLACING AND USE OF OBJECTS ASSOCIATED WITH FILMING**

 [Hertfordshire County Council (Filming on Highways) Act 2013]



**Standard Conditions**

***The following conditions must be observed in respect of all Filming Orders/ Filming Notices and/or licences to place and use objects associated with filming granted by Hertfordshire County Council:***

**General Filming Requirements**

1. Before any occupation occurs for the filming on the highway (including the placing and use of Film Objects (such term meaning those objects specified in section 4 of the application form and approved by Hertfordshire County Council):
	1. The applicant must discuss the Filming Operation in detail with the local Police (if applicable) for the area and provide written confirmation of their response and requirements (if any);
	2. Traffic management measures risk assessments and method statements must be submitted to Hertfordshire County Council (unless advised in writing by Hertfordshire County Council such items are not required). All traffic management must comply with Safety at Street Works and Road Works - A Code of Practice the Traffic Signs Regulations and General Directions, and with Chapter 8 of the Traffic Signs Manual;
	3. The applicant must send written notice of the Filming Operation to all frontagers in the immediate vicinity of the proposed filming location no less than 2 weeks prior to the start of filming. Such notice must give details of the location, duration and timing of the filming, any exterior sequences, lighting arrangements, use of cranes or tracking, any proposed parking arrangements, the number of people on location, any dressing of the location, any stunts and any other special arrangements as well as film production contact details.
	4. If a Film Order or Film Notice is required then no later than 24 hours before the time the Film Order or Film Notice shall take effect notice of the Film Order or Film Notice in the prescribed form shall be posted by the applicant on site at each end of the highway the subject of the closure and occupation shall not occur until the Film Order or Film Notice takes effect.

For the purposes of these standard conditions ‘Filming Operation’ shall mean the filming and all related activities and operations

1. The applicant must comply with any conditions imposed by the local Police whether as provided in their response referred to in condition 1(a) above or otherwise
2. The applicant must comply with the ‘Hertfordshire County Council Filming on Highways Code of Practice’ and any variations thereto. A copy is available on Herfordshire.gov.uk
3. The applicant must comply with the traffic management risk assessment method statements submitted to Hertfordshire County Council as referred to in condition 1(b) above and any variations thereto.
4. The applicant must take full responsibility for all relevant obligations under the Health and Safety at Work Act 1974 in respect of the Filming Operation and must carry out and act upon a full, site-specific risk assessment for the Filming Operation. The applicant must nominate a competent safety officer who must ensure that health and safety issues are addressed whilst the production is “on-location‟ on the highway.
5. Location and/or filming credits must be acknowledged for all filming activity on the highway. Credits should refer to “Hertfordshire County Council‟
6. Filming on the highway shall only take place during the hours specified and approved in the application form and must not take place between the following hours without the express permission of Hertfordshire County Council:

a. 22:00 hours and 08:00 hours

Permission to film outside of these hours will only be granted with the full agreement of local residents, the Police Service, Hertfordshire County Council and the relevant District / Borough Council.

**Highway Condition**

1. Applicants should inspect the highway before its occupation and report any damage to Hertfordshire County Council. Failure to do so will imply that the highway is in good order and the applicant will be charged for repairs to any damage subsequently reported during the approval period
2. The highway the subject of Filming Operations shall be kept/maintained in a clean and tidy condition during the approval period and any spillage or debris shall be swept and removed from the highway

**Place and Use of Objects on the Highway**

1. A Film Order and Film Notice once in effect only allows occupation of the highway in question subject to the terms of such order or notice and does not save as provided by this approval authorise the placement and/or use of objects and structures within the highway which would otherwise be unlawful.
2. The applicant shall only be authorised to place and use such Film Objects on the highway as detailed in the application form and approved by Hertfordshire County Council for the period of this licence.
3. The operation and use of all Film Objects shall at all times be under the care and supervision of a competent and suitable qualified person.
4. Unless detailed in the application form and approved by Hertfordshire County Council the applicant must not;
	1. use rain/snow machines or wet down footways or carriageways; and
	2. disguise or obscure carriageway markings and street furniture. At no time may carriageway markings be painted out or covered with adhesive tape.
5. The applicant must not run cables over the highway in such a manner to cause a hazard to the general public, residents or businesses. Cables must be suspended over the highway at a minimum clearance of 2.6 metres (8 ft 6 in) above the footway, or 5.2 metres (17 ft) above the carriageway, unless Hertfordshire County Council agrees otherwise. The use of cable ramps as an alternative to flying cables will not be allowed except with the express permission of Hertfordshire County Council. Street furniture must not be used as a supporting structure for any Film Object under any circumstances.
6. In reference to Standard Filming Structures (as referred to in section 4 of the application form) the applicant must not use any lighting units, cameras or other equipment in such a manner to cause a hazard to the general public, residents or businesses.
7. The Special Effects Objects Filming Structures and Film Production Structures (as referred to in section 4 of the application form) shall:
	1. only be erected operated and dismantled (where applicable) by competent and suitably qualified person(s); and
	2. where it is a crane it must be banked at all times and care must be taken to avoid overhead wires and cables
8. Where Film Production Structures have been approved by Hertfordshire County Council they must at all times be kept within the sections of highway authorised by Hertfordshire County Council and strictly only for the times so permitted.

**Signing and Guarding of Film Objects**

1. Any Film Objects that will be kept on the highway overnight must be:
	1. clearly marked with the licence number, owner’s name, address and a 24hour telephone number and these must be kept clean and legible at all times on a board measuring no greater than 1.0 Sqm. The structure shall not display any advertisement
	2. Unless advised otherwise by Hertfordshire County Council, lit and the lights maintained between half an hour before sunset and half an hour after sunrise. Lights shall comply with Safety at Street Works and Road Works - A Code of Practice, the Traffic Signs Regulations and General Directions, and with Chapter 8 of the Traffic Signs Manual
	3. signed and guarded in accordance with Safety at Street Works and Road Works - A Code of Practice, the Traffic Signs Regulations and General Directions, and with Chapter 8 of the Traffic Signs Manual

**Highway Safety**

1. Save for where there is a Film Order or Film Notice in effect:
	1. no Film Object shall obstruct visibility of junctions, road signs, traffic lights or other street furniture or interfere with the pedestrian or vehicle traffic flow;
	2. a 1.2m clear walkway must be maintained at all times on the footway. If this cannot be provided on the footway then a suitable alternative must be provided and shall comply with Safety at Street Works and Road Works - A Code of Practice; and
	3. the Film object shall be positioned so as not to obstruct the access to any premises, unless done with the consent of the owner
2. Film Objects are not to be positioned over gullies, fire hydrants, inspection valves or other covers, and where necessary shall be placed approximately 150mm away from the kerb edge (where stored on the carriageway) so that the surface water drainage is not impeded
3. Unless otherwise approved by Hertfordshire County Council Film Objects shall not contain any flammable, explosive, corrosive, noxious materials or any material which is likely to putrefy, damage, pollute the highway or become a nuisance to users of the highway

**Expiry and Breaches of the Approval**

1. The applicant must notify Hertfordshire County Council by telephone or email no later than one working day after removal of the Film Objects from the highway and/or the leaving of occupation of the highway. If the applicant fails to provide such notice then it shall be deemed the condition of the highway upon removal of the Film Objects and/or the leaving of occupation of the highway is that condition as of the date Hertfordshire County Council becomes aware of the removal and/or leaving and inspects the highway
2. The highway may be inspected by Hertfordshire County Council upon removal of the Film Objects and/or leaving of occupation of the highway and any damage to the highway shall be recharged to the applicant
3. No Film Object shall remain on the highway once the approval has expired
4. Right is reserved to remove the Film Objects from the highway without notice if conditions of the approval have not been complied with. Costs will be recharged to the applicant
5. All Film Objects on the highway without an approval will be removed without notice. Cost will be charged to the owner of the Film Objects and/or the person that has directed the depositing of the objects
6. If the applicant wishes to extend or renew the approval a further application will need to be made to Hertfordshire County Council. The application must be received no later than five working days before the expiry of the current approval

**Legal Indemnity**

1. The applicant indemnifies and saves harmless Hertfordshire County Council and/or its officers and agents against and from all claims, demands, actions, costs and damages however arising out of by or in consequence of the occupation of the highway and the placing and use of Film Objects on the highway.
2. Where the applicant is a body corporate then the person authorised to make this application on its behalf agrees to indemnify Hertfordshire County Council on the same terms as stated in standard condition 29 above and any costs or expenses incurred by Hertfordshire County Council due to a breach of any the terms and conditions of this approval, joint and severally
3. The applicant must take out and maintain public liability insurance for a sum of at least ten million pounds (£10,000,000) in respect of any one claim and shall on request by the Hertfordshire County Council produce for inspection the relevant policies of insurance together with receipts for the premiums paid
4. The applicant acknowledges that the issue of this approval by Hertfordshire County Council does not imply that the highway in question is suitable or fit for the intended purpose and the applicant warrants that it has relied upon its own enquiries and holds Hertfordshire County Council harmless in this regard.
5. This approval pertains only to Film Orders, Film Notices and licences for placing and using Film Objects on the highway and for no other purpose or consent. The applicant must obtain any other consent which may be required.

**Miscellaneous Provisions**

1. Additional conditions may apply and these may be determined by a site visit prior to an approval being issued. These additional conditions form part of the approval
2. When a Film Object is to be retained in a parking area which normally has a parking charge or resident parking, permission must be sought from the Parking Authority.
3. Right is reserved to request the removal of the Film Objects (or any part thereof) should Hertfordshire County Council deem this necessary in the event of an emergency or for operational requirement
4. The applicant shall immediately remove the Film Objects (or any part thereof) at the request of any statutory undertaker who requires the site
5. The applicant acknowledges and agrees to comply with the provisions of section 6(3) of the Hertfordshire County Council (Filming on Highways) Act 2014