

**REPORT FOR: Traffic and Road Safety  
Advisory Panel**

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**Date of Meeting:** 23rd June 2011

**Subject:** Proposed procedure for filming on the highway

**Key Decision:** No

**Responsible Officer:** Brendon Hills – Corporate Director  
Community and Environment

**Portfolio Holder:** Councillor Philip O’Dell - Portfolio  
Holder for Environment and  
Community Safety

**Exempt:** No

**Decision subject to  
Call-in:** Yes, following consideration by the  
Portfolio Holder

**Enclosures:** **Appendix A** - Film London Guidance  
- Filming on The Highway

**Appendix B** - Code of Practice for  
Location Filming in London

## Section 1 – Summary and Recommendations

This report sets out a procedure for discharging the council's network management duty in respect of filming on the highway and regulating such activity in accordance with current legislation.

### **Recommendations:**

The Panel is requested to recommend to the Portfolio Holder for Environment and Community Safety that the procedure regarding Filming on the Highway contained in this report is adopted and kept under review.

### **Reason: (For recommendation)**

In order that the Council fulfils its responsibilities under the Traffic Management Act and to mitigate inconvenience to local residents and businesses.

## Section 2 – Report

### **Background**

- 2.1 Filming is an important activity within London and it is recognized that filming can bring many benefits to the borough in both financial terms and in promoting the virtues of the area. In this respect officers will cooperate to facilitate filming wherever practical.
- 2.2 Filming within Harrow can be split into two separate categories. The first is where a building owner makes their property available for filming but the filming does not take place on the highway. These situations could be at a residential or commercial property and the use of the highway is restricted to parking at that location for vehicles and catering. It is not intended that the proposed procedure set out in this report should affect these situations. The effects of such activity are generally localised and the film company has been effectively invited by the building owner to make use of the facilities.
- 2.3 The second filming category is the use of one or more streets where the impact on the local community and traffic /parking is generally much wider. In these cases the council will liaise with Film London in order to agree suitable arrangements. Film London was established in 2004 and is supported by The Mayor of London whose aim is “ *to ensure London has a thriving film sector that enriches the capital's businesses and its people*”
- 2.4 Prior to 2008 a road could only be closed for events using powers under section 16 of the Road Traffic Regulation Act which allowed a road closure by Order for a period of no more than 3 days and once per calendar year per road section. This legislation did not cater very well for filming on the highway as it did not accommodate the frequency of requests or the short time scales involved in arranging filming events. This had a moderating influence on the

number of cases that went ahead. In October 2008 the London Local Authorities and Transport for London Act was introduced which gave wider ranging powers to local authorities specifically to close roads for filming under the Act. The New legislation which is set out in **Appendix A** allows local authorities under section 16 to close a road for filming under two different options and it is up to the local authority as to which route it chooses.

- 2.5 The first option is to close a road by order. The new legislation allows a road to be closed for up to 7 days duration on up to six occasions per year. This is in addition to the one closure per year allowed for other activities like street parties (as set out in 2.4). This approach is expensive and requires 6-8 weeks prior notice and consequently is not so conducive to the normal type of time scales the film industry is accustomed to.
- 2.6 The second option is to close the road using a notice for a period of up to 24 hours which does not require any advance notification to be advertised in a local newspaper. The procedure follows a process similar to that of an emergency road closure for maintenance or statutory authority work. Unlike the use of an order there is no limit as to how many times a road can be closed in any one year by notice.
- 2.7 Clearly the council has two other factors to take into account when considering a request for a road closure. The first is that the council has a Network Management Duty under the Traffic Management Act to ensure the expeditious movement of traffic both on Harrow's highway network and other highway networks. This is relatively easy to consider as this is a day to day function undertaken by the Council's network management team. The second is the negative impact on local residents and businesses which can involve temporary loss of vehicular access to premises and can have an impact on visitors and deliveries. As explained previously whilst closing a road by notice has the benefit of being a swift and efficient method of doing this the disbenefit is that it involves a minimum of notice as a consequence and can be more disruptive.
- 2.8 In all cases officers work with Film London representatives and the filming company to make sure everyone directly affected is informed and suitable arrangements are made where practical to provide alternative access or parking. This is explained in a Code of Practice which (see **Appendix B**) which sets out various aspects associated with filming in a public place as well as the statutory obligations and associated legislation. Filming can also involve suspending parking regulations near the road to be closed although the additional impact on residents and businesses in that area requires careful consideration. The council does derive income from facilitating filming and making the necessary arrangements which assist in recovering costs.
- 2.9 Recently two requests were received in quick succession to close a road in Harrow on The Hill for filming two separate advertisements. It is clear that despite working very closely with Film London and the filming company to mitigate problems there is the potential for some residents to feel upset by

the inconvenience. The impact would likely be especially felt by the elderly, disabled and others with mobility issues and this needs to be considered.

2.10 In the light of the new legislation which effectively removes the previously self regulating effects on frequency of filming it is considered that there should be a clear procedure that strikes a balance between supporting filming in the interest of the borough and the impact on local residents and businesses.

2.11 The proposed procedure would be as follows:

- officers will consider applications for the closure of the same road or section of road for filming by the notice procedure for up to 2 events in any year.
- For any additional requests the proposed method would be to only consider a request to close the road by Order. This would ensure that sufficient lead in time is given to consult and notify local residents and businesses. This would have a self enforcing effect similar to that which existed before the 2008 legislative changes.
- In all cases officers would actively work to minimise the impact on the local community and where possible to seek alternative locations for filming, particularly in respect of vulnerable road users such as children, the elderly and visually / mobility impaired,

### **Options considered**

2.12 Only one option for a procedure has been considered necessary. This option is simply to limit the number of events by notice in order to retain sufficient control over filming activities and thereby look after the interests of residents and businesses.

2.13 As good practice it is recommended that this procedure is kept under review to consider its operational impact and that any future resulting changes proposed are reported to the panel.

### **Financial Implications**

2.14 The council does receive an income from making the necessary arrangements to facilitate filming events but the amount is dependant on the number of filming opportunities available. The income supports the costs of the council in undertaking this function.

### **Risk Management Implications**

2.15 There are no additional risks associated with the introduction of this procedure. The health and safety impacts of applications for activities on the highway will continue to be assessed using current procedures.

## Equalities Implications

- 2.16 An equality impact assessment (EqIA) has been undertaken and indicated this of low relevance at the screening stage. No adverse impact or illegal discrimination on any of the specified equality groups were identified. There will be some positive impacts of the works on all equalities groups, particularly people with mobility difficulties.

## Corporate Priorities

- 2.17 The procedure on filming will support the council's corporate priorities:
- Keeping neighbourhoods clean, green and safe
  - United and involved communities: a Council that listens and leads
  - Supporting and protecting people who are most in need
  - Supporting our Town Centre, our local shopping centres and businesses

## Section 3 - Statutory Officer Clearance

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 25/05/11		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 03/06/11		

## Section 4 - Contact Details and Background Papers

### Contact:

Paul Newman – Team Leader - Parking & Sustainable Transport,  
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### Background Papers:

Further information can be found on the Film London Website at  
<http://filmlondon.org.uk/>