

APPENDIX A



On 22 September 2008 the **London Local Authorities (LLA) and Transport for London (TfL) Act 2008** became law. This Act provides new legislation which means that road closures can be granted by the Traffic Authority specifically for the purpose of filming on London's streets and highways.

This is fantastic news for London and will do much to enhance the capital's status as a globally competitive production centre. Previous legislation was neither clear nor satisfactory and was considered restrictive when compared to other cities worldwide. The 2008 Act therefore provides much needed clarity to those servicing the road closure and those affected by it. It will also considerably strengthen London's reputation as a world class location in which to film.

The following information, which has been developed in consultation with the London Boroughs, provides guidance to film-makers about what they need to consider if they want to use the legislation.

What is the legal bit?

Clauses 12 and 13 of the London Local Authorities & Transport for London Act 2008 amends Section 16A to Section 16C of the Road Traffic Regulations Act 1984 and Part II of the Road Traffic Regulations Act 1984, enabling Traffic Authorities to close roads for filming purposes. This long awaited piece of legislation enables London Local Authorities to assist filming in the Capital.

What benefits does the new legislation bring to filming in London?

The legislation allows closures either by an Order or a Notice.

The previous legislation only allowed a road closure by Order for a period of no more than 3 days and only once per road section in a calendar year. The amendment to Section 16A through the LLA/TfL Act 2008 now allows closures by Order for the making of a film, and, in addition to the one Order permitted for events it allows for a further six per road for filming - each of these may potentially be used for up to a maximum of 7 days in duration, provided that this is agreed by the Traffic Authority. The new amendment to Section 16A also allows the restriction or prohibition of traffic on a road by Notice for the making of a film where the Traffic Authority believes that it will be expedient and that it should come into force without delay. These Notices are restricted to a maximum 24 hour period. There is no restriction on the amount of Notices that can be issued per street.

APPENDIX A

It is important to note that Traffic Authorities may not offer both application methods. Please refer to our 'Borough Road Closures and Traffic Management' document for more detailed information. All information contained within this document is indicative only and will not necessarily reflect the exact cost or lead in time required for your filming. Each application has to be considered on a case-by-case basis.

How does a Closure by Order work?

The new legislation allows the film and television industries to apply to the Traffic Authority (in most cases the 'Highway Authority' and the 'Local Authority' is the same as the 'Traffic Authority') to close a road by Order for up to 7 days. The Traffic Authority may close a road by Order a total of 6 times per year on each road for filming.

There will be a fee involved which will either be a set rate or a rate per application. There will also be a lead in time. This may vary on application but is likely to be longer in central areas and on busy roads. Please see our 'Borough Road Closures and Traffic Management' document for more detailed information.

As closures by Order are usually in the region of £1,000 - £2,000 and most Traffic Authorities require a minimum lead in time of 8 weeks, with some requiring 24 weeks notice, they may be an unsuitable option for many smaller productions.

How does a Closure by Notice work?

The new legislation allows the film and television industries to apply to the Traffic Authority to close a road by Notice for up to 24 hours. Traffic Authorities can use this power to enable the prohibition or restriction of traffic at relatively short notice. However, many Traffic Authorities do not currently use closures by Notice under any section of the Road Traffic Regulation Act for anything other than emergency closures on their road network. In these boroughs it is unlikely that they will allow Notices to be used for filming.

As with closures by Order, boroughs that do allow closures for filming by Notice will have an associated fee which could either be a set rate or on application. Notices will also be subject to a lead in time that may vary on application. Please see our 'Borough Road Closures and Traffic Management' document for more detailed information.

What is involved in the application process?

Where an application to close a road is made, the application should include information on how traffic is to be directed and managed (a 'Traffic Management Plan') for example:

- use of appropriate signage
- using agreed diversion routes
- use of appropriately trained individuals or companies

APPENDIX A

The Traffic Authority (and the Local Authority if a different agency) will assess whether the planned activity and control measures meet all legal obligations, in conjunction with the local Metropolitan Police office or the Metropolitan Police Service Film Unit.

Who is responsible for giving us the decision?

Initial enquiries should continue to go through the Borough Film Services. However, road closures are the responsibility of the Traffic Authority (in most cases the 'Highway Authority' and the 'Local Authority' is the same as the 'Traffic Authority'). It is the Traffic Authority that is required to assess the impact of the filming event on traffic flow and the local community before accepting or rejecting applications for closure. Traffic Authorities will make this assessment on a case – by - case basis – the LLA and TfL Act 2008 provides Traffic Authorities with the power to close roads for filming but does not dictate that this power must or should be used.

What criteria will be taken into account?

In permitting this use of the highway, the Traffic Authority will be required to take regard of all proposed filming activities and agree robust contingencies with the film makers and production companies to ensure that all legal obligations are met by both parties. All Traffic Authorities have a Network Management Duty – a duty to manage their road network to secure movement of traffic on that network and the network of others. This, and many other factors, needs to be taken into consideration by the Traffic Authority before agreeing to the closure.

What if my application is rejected?

Where the application is rejected, the Traffic Authority (and the Local Authority if a different agency) will advise the Production Company on how they may meet their obligations in conjunction with the local Metropolitan Police office or the Metropolitan Police Service Film Unit.

How much will it cost to close a road?

Production companies or film-makers will be charged for the cost of implementing an Order or Notice. The production companies will also be responsible for the cost of the necessary traffic management plans, stewarding, policing and security plans, the provision, maintenance and removal of all advance signing, traffic management signs, cones and barriers as agreed with the Traffic Authority

Production companies or film-makers will also have to cover the cost of any parking suspensions, any crane licenses and any other licenses that are necessary as a result of the closure or the filming

Charges for the making of the Order or Notice could include officer time for drafting it, the cost of advertisement in a local paper, the erection and maintenance of Public Notice signage on lamp columns in the vicinity (some boroughs ask the film company to

place notices), or any costs associated with the Order over and above that published for other Orders.

APPENDIX A

For closures by Order or by Notice, costs vary between Local Authorities. The reason for this is that costs vary by location within London and the costs associated with advertising the Order or Notice can vary considerably. Hourly costs per officer also vary according to location, as does the seniority employed to give permissions, approvals or raise 'no objection'.

For more indications on cost please see our 'Borough Road Closures and Traffic Management' document.

Will I need qualified personnel to assist with a closure?

There are companies that can assist with traffic management. They will hold relevant qualifications and will know which signs are appropriate to inform drivers and pedestrians of the closure and will know where these need to go.

The majority of boroughs have stated that they will only agree to closures or short holds if those carrying out the traffic management are trained to Supervisor level in the Street Works Qualification which is in accordance with the New Roads and Street Works Act, and work in accordance to Chapter 8 of the Traffic Signs Manual 2006. The majority of the boroughs would also be happy for Police to assist where there is a closure by Order or by Notice in place. Please see our 'Borough Road Closures and Traffic Management' document for more information.

Who else do I need to consult if I want to close a road?

Production companies and film-makers will be expected to consult with local transport providers at the early stage of discussions (such as London Underground and London Buses). The reasons for this are that any disruption 'above ground' affects below, and any diversions needed for traffic management purposes may involve a 'disruption to business' fees to be paid to London Buses, who may incur additional identifiable costs.

The London Ambulance Service and London Fire and Emergency Planning Authority will also need to be notified as both their statutory response times and the access to buildings may be blocked or modified.

The Local Authority's film officer will assist in co-ordinating these meetings to ensure that they can satisfy all their statutory obligations in balance with your proposed activities and road closure.

During the preparation of an Order or Notice, production companies will be expected to consult, advise and warn local communities, which may be a letter drop to all those affected, or a group meeting, or via other activities otherwise agreed by the Local Authority (as represented by the Borough Film Service).

Can I expect police assistance when closing a road?

APPENDIX A

Until Film London is advised otherwise, in the majority of boroughs police officers will be able to continue holding traffic on health and safety grounds (on a case by case basis – the Metropolitan Police Service Film Unit (MPSFU) does advise that alternative options should be pursued in the first instance). The MPS can assist with traffic holds where there is a road closure by Order or by Notice in place and will charge for these services.

Can I film on the highway without closing a road by Order or by Notice?

You may be able to complete your filming without having a road closure in place. The Borough Film Services should be able to advise you on what can be done outside the LLA/TfL Act 2008.

Film London has consulted with the boroughs of London on what other methods of traffic control may be available for use. Please see our 'Borough Road Closures and Traffic Management' document for more detailed information.

Please note: all information contained within the document is indicative only. Each application has to be considered on a case-by-case basis and initial enquiries should be made directly to the Borough Film Service.