

Application for consent to conduct filming or photography on the public highway in East Sussex

Completed forms to be returned to filming@eastsussexhighways.com

1. Details of Applicant			
Name of Applicant			
Student <input type="checkbox"/>	Charity <input type="checkbox"/>	Company <input type="checkbox"/>	
Company name (If applicable)			
Address			
Contact Tel No.		Emergency Tel No.	
Email			
2. Site Location (please include map for each location with area of filming clearly marked)			
Location Address – (Full Details)		Latitude	Longitude
Town			
Restriction on the: (please tick)	<input type="checkbox"/> Footway	<input type="checkbox"/> Carriageway	<input type="checkbox"/> Verge
Parking restrictions (e.g. yellow lines/bays/meters/controlled parking zone)			
<i>Parking suspensions (of the above) will need to be applied for via the relevant district/borough council/parking team</i>			
3. Notice Period			
<i>The duration of the shoot will determine the notice period required for your application. Your application must be submitted and approved before any filming or photography takes place. This section sets out the minimum notice required, however we would appreciate 14 days notice where possible, with the exception of filming over 10 days where a minimum 3 months notice is required.</i>			
Filming Duration	<input type="checkbox"/> 1-3 days	Minimum 3 days notice	
	<input type="checkbox"/> 4-10 days	Minimum 10 days notice	
	<input type="checkbox"/> 11 days or more	Minimum 3 months notice	

4. Filming Details			
Start date of shoot			
End date of shoot			
Description of scene			
Number of persons involved including film crew actors and extras	<input type="checkbox"/> 0-5	<input type="checkbox"/> 6-20	<input type="checkbox"/> 20+
Film Notice also required (see Guidance Notes for further information)	<input type="checkbox"/>		
<i>Further details may be requested to determine whether a film notice or licence only is required. Film notices may require a TTRN application to be filled in and submitted</i>			
5. Details of Film Equipment			
Please tick as applicable:	Please include description of Film Equipment which apply:		
<input type="checkbox"/> Standard Filming Structures including cameras lighting units and cabling			
<input type="checkbox"/> Special Effects Objects including pyrotechnics & stunt work			
<input type="checkbox"/> Filming Structures including mobile elevated work platforms, camera cranes and tracks, scaffold / lighting towers			
<input type="checkbox"/> Film Production Structures including production vehicles and storage facilities (All these should be kept off the highway wherever possible)			
6. Traffic Management			
Stop/go boards		Temporary traffic signals	Signing only
Footway closure		Lane closure	
Police Consultation			
Evidence of all consultations/agreements required <u>must</u> be provided with the application			
7. Payment method			
BACS		Credit Card	
Submitted by	Name		Tel
Email			Date
8. Declaration			

Please confirm that the following documents will be attached with your application.

Risk Assessment Attached?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Copy of Public Liability Insurance Attached?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Evidence of Consultations / Agreements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Map of location with area of filming clearly marked	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I apply for permission from East Sussex Highways to carry out filming / photography on East Sussex County Council public highway. I agree to comply with the standard conditions and any additional specific conditions and will pay the relevant fees. I agree to indemnify East Sussex County Council / East Sussex Highways against Third Party claims arising.

Signed

Names (block capitals)

Position

Date

To be completed by East Sussex Highways

9. Application checked

Network Officer		Tel	0345 60 80 193		
Date		TTRN required?	Yes / No	Road Category:	1, 2, 3, 4
Decision	<input type="checkbox"/> Granted	<input type="checkbox"/> Refused			
Additional comments/conditions					
Details of Additional Network / TTRN fees required					
Total Additional Network Fee Required	£	Date Payment Received			
Licensing and Enforcement Officer		Tel	0345 60 80 193		
Additional Licences Required	<input type="checkbox"/> Scaffold <input type="checkbox"/> Temporary Deposits on / in / over Highway (Object / Sign / Banner etc) <input type="checkbox"/> Hoarding <input type="checkbox"/> Plant (MEWPS / Cherry Picker / Crane etc)				
Date Applicant informed of additional licence requirement		Date additional licence Forms received			
Total Additional Licence Fees Required	£	Date Payment Received			
Additional Licence Decision	<input type="checkbox"/> Granted	<input type="checkbox"/> Refused			

Guidance Notes

A. Legal Requirements

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

1. Film Notices – A Film Notice will allow us to implement an urgent road closure (or part) for up to 5 days only, however there are no limits on the number that can be made per year. As part of a Film Notice, East Sussex Highways can also issue a licence permitting the placing and use of objects/structures on the highway for the purpose of filming
2. Film Objects/Structures 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 determining which option is appropriate for proposed filming.

You must obtain a licence from East Sussex Highways and where applicable a 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 Notice (as applicable) may constitute an obstruction and nuisance to the highway which is an offence under the Highways Act 1980. East Sussex County Council (ESCC) as the Highway Authority may prosecute you for such offence for which the maximum fine on conviction is £1,000 for each offence. ESCC may also take other associated legal action including, *inter alia*, injunctive relief against filming on the highway in East Sussex.

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); and (c) a copy of a valid certificate of public liability insurance with a minimum cover of £10 million must be submitted to, and approved by, East Sussex Highways before you can film on any part of the highway. You should keep a copy of the submitted application.

A joint 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 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 East Sussex Highways 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

Charges for filming / photography will be applied to all applications, although East Sussex Highways reserves the right to reduce or waive these fees accordingly.

Please see our current fee structure for filming on the Highway. Appendix 1

East Sussex Highways Network Management will contact the applicant confirming the total fees to be paid and arrange the collection of the fee(s) applicable

Note that any charges are non-refundable.

Payment Methods

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

BACS account details are as follows:-

Account Name : Costain Ltd - ESCC

Account Number : 13597868

Sort Code : 30-80-12

Bank : Lloyds Bank Plc

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

FILM / *Road name, Town*

Telephone payment by credit card can be made by calling our licencing team on:

01273 815377

D. Conditions of Film Notices & Licences

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

E. Contact Details

All applications should be sent by post or email to East Sussex Highways at the following address:

Address: East Sussex Highways, Network Management, Ringmer Depot, The Broyle, Ringmer, East Sussex BN8 5NP

Email: filming@eastsussexhighways.com

If you have any queries or require further information please contact us via the email above or on telephone number **0345 60 80 193**

F. Data Protection Act 1998

The personal data you provide on this form will be used by East Sussex County Council and East Sussex Highways 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 East Sussex County Council East Sussex Highways 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.

STANDARD CONDITIONS

LICENCE TO FILM ON THE PUBLIC HIGHWAY AND LICENCE FOR PLACING AND USE OF OBJECTS ASSOCIATED WITH FILMING

The following conditions must be observed in respect of all Filming Notices and/or licences to place and use objects associated with filming granted by East Sussex Highways:

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 5 of the application form and approved by East Sussex Highways):
 - a. 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);
 - b. Traffic management measures risk assessments and method statements must be submitted to East Sussex Highways (unless advised in writing by East Sussex Highways 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;
 - c. 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.
 - d. If a Film Notice is required then no later than 24 hours before the time the Film Notice shall take effect notice of the 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 Notice takes effect.

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

2. 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
3. The applicant must comply with the traffic management risk assessment method statements submitted to East Sussex Highways 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 East Sussex County Council (ESCC) and East Sussex Highways
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 East Sussex Highways:
 - 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, ESCC / East Sussex Highways and the relevant District / Borough Council.

Highway Condition

7. Applicants should inspect the highway before its occupation and report any damage to East Sussex Highways. 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
8. 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

9. A Film Notice once in effect only allows occupation of the highway in question subject to the terms of such 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.
10. 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 East Sussex Highways for the period of this licence.
11. 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.
12. Unless detailed in the application form and approved by East Sussex Highways the applicant must not;
 - a. use rain/snow machines or wet down footways or carriageways; and
 - b. disguise or obscure carriageway markings and street furniture. At no time may carriageway markings be painted out or covered with adhesive tape.
13. 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 East Sussex Highways agrees otherwise. The use of cable ramps as an alternative to flying cables will not be allowed except with the express permission of East Sussex Highways. Street furniture must not be used as a supporting structure for any Film Object under any circumstances.
14. In reference to Standard Filming Structures (as referred to in section 5 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.
15. The Special Effects Objects Filming Structures and Film Production Structures (as referred to in section 5 of the application form) shall:
 - a. only be erected operated and dismantled (where applicable) by competent and suitably qualified person(s); and
 - b. where it is a crane it must be banked at all times and care must be taken to avoid overhead wires and cables
16. Where Film Production Structures have been approved by East Sussex Highways they must at all times be kept within the sections of highway authorised by East Sussex Highways and strictly only for the times so permitted.

Signing and Guarding of Film Objects

17. Any Film Objects that will be kept on the highway overnight must be:
 - a. 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
 - b. Unless advised otherwise by East Sussex Highways, 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
 - c. 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

18. Save for where there is a Film Notice in effect:
 - a. 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;

- b. a 1.5m 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
 - c. the Film object shall be positioned so as not to obstruct the access to any premises, unless done with the consent of the owner
19. 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
20. Unless otherwise approved by East Sussex Highways, 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

21. The applicant must notify East Sussex Highways 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 East Sussex Highways becomes aware of the removal and/or leaving and inspects the highway
22. The highway may be inspected by East Sussex Highways 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
23. No Film Object shall remain on the highway once the approval has expired
24. 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
25. 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
26. If the applicant wishes to extend or renew the approval a further application will need to be made to East Sussex Highways. The application must be received no later than five working days before the expiry of the current approval

Legal Indemnity

27. The applicant indemnifies and saves harmless East Sussex County Council and East Sussex Highways 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.
28. Where the applicant is a body corporate then the person authorised to make this application on its behalf agrees to indemnify East Sussex County Council and East Sussex Highways on the same terms as stated in standard condition 27 above and any costs or expenses incurred by East Sussex County Council / East Sussex Highways due to a breach of any the terms and conditions of this approval, joint and severally
29. 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 East Sussex County Council and East Sussex Highways produce for inspection the relevant policies of insurance together with receipts for the premiums paid
30. The applicant acknowledges that the issue of this approval by East Sussex County Council / East Sussex Highways 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 East Sussex County Council and East Sussex Highways harmless in this regard.
31. This approval pertains only to 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

32. 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

33. 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.
34. Right is reserved to request the removal of the Film Objects (or any part thereof) should East Sussex County Council / East Sussex Highways deem this necessary in the event of an emergency or for operational requirement
35. The applicant shall immediately remove the Film Objects (or any part thereof) at the request of any statutory undertaker who requires the site

Licence/Admin Fees for Filming & Photography on the Highway in East Sussex

Filming & Photography

Filming – This includes Major film productions / TV dramas / series / adverts /feature films/ documentaries / music videos

1. Filming with no traffic management – Causing minor incursion of the highway excluding the carriageway. **Main Admin Fee £296.28** for the duration of the filming project.
(The term Highway will include Carriageway, Footways and Verges)
2. Filming with traffic management – Causing incursion to the carriageway to include signing, Stop and Go boards, traffic signals or speed restriction **Main Admin Fee £296.28 plus Additional Network Coordination Admin Fee of £105.00**
3. If it is deemed a film notice is required this would be limited to a maximum 5 day duration and would be subject to our **Main Admin Fee £296.28 plus additional Network Coordination Admin Fee of £105.00 plus Temporary Traffic Notice fee, please refer to our current Fee Structure for costs**
<https://www.eastsussexhighways.com/files/Forms/ESH-NETWORK-ASSURANCE-LICENCE-PERMIT-FEES-EFFECTIVE-1st-July-2020-Update.xlsx>
4. If an additional site meeting is required with one of our officers, the cost per visit will be **£54**
5. Additional application forms and licence/admin fees will be applicable for the following being placed in/on/over the highway, please refer to our current fee structure for costs
<https://www.eastsussexhighways.com/files/Forms/ESH-NETWORK-ASSURANCE-LICENCE-PERMIT-FEES-EFFECTIVE-1st-July-2020-Update.xlsx> :
 - MEWPS
 - Scaffolding
 - Hoarding
 - Placing any banner, cable, signs, bunting over the highway
 - Placing object in Highway (Gazebo, Stand etc)

Still Photographic projects on the highway

1. Amateur / Student stills/photoshoots - **£58.28** Licence /Admin fee
2. Commercial stills/photoshoots - **£296.28 per day**

VAT is not applicable to any fees

All payments are required to be made prior to any filming with payments being made by BACS transfer or Card payment via our licensing office

All fees are non-refundable