



**SCREEN
SUFFOLK**

CODE OF
CONDUCT

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The Code of Conduct for Suffolk is voluntary, it provides details of the statutory obligations to which all those engaged in filming must adhere. Everyone who has films under a Screen Suffolk licence must follow the code. The Code embodies the spirit of the Screen Suffolk Partnership, which is to make Suffolk film friendly. It offers assistance to both experienced professionals and new talent alike by providing a clear, simple checklist of practical issues which may arise in relation to filming in Suffolk. It also helps to ensure that the process of filming does not create difficulties for local residents or businesses

This Code of Practice applies to all forms of production (including feature films, television, commercials, drama documentaries, music videos, idents, stills shoots, student and short film crews) shot on location in public places in Suffolk which are likely to, or have the potential to, cause disruption to normal activity. In practice small on-street location shoots (three people or less) may not need to adhere to all aspects of the Code at all times and it is not intended for news crews.

The aims of the Code are to ensure that:

- The industry can film effectively, efficiently and flexibly in Suffolk.
- All involved in location filming act responsibly, professionally and considerately at all times
- The practical impact of filming on people and businesses within Suffolk is minimised.

Through a combination of all the above, the long-term sustainability of filming in Suffolk is secured. This Code complements the production guidelines of the UK broadcasters which will in any event prevail. This Code details the principles of best practice to which the signatories agree to adhere.

By joining the Screen Suffolk Partnership, signatories agree to support their production team to help them to work within the guidelines, to comply with all statutory regulations and to use methods that conform to best practice.

- Filming procedures which involve statutory obligations are indicated with a †.
- Details of the main relevant statutory obligations are set out separately in the Annex.
- Productions are urged to read the Code and relevant obligations closely to ensure that they operate within the law. The Code shall be reviewed and updated regularly by Screen Suffolk. This current draft was updated and approved in January 2019
- Please Note: Although this Code is comprehensive, it cannot cover every eventuality and each production should consult their legal counsel or other advisors in relation to individual concerns.
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Any queries regarding this Code should be addressed to: info@screensuffolk.com

Definitions

'Production' refers to the Producer or Production Company, Production Manager, Location Manager or any other authorised officer or supervising worker of the audiovisual project being made.

'Local Authority' defines the administrative body of a local council responsible for an area or district of Suffolk.

'Film Champion' is the service provided for film-makers by either a Local Authority or an Organisation or Agency.

'Highways Authority' defines the body responsible for managing and maintaining the highway. This includes Local Authorities' Highways Departments.

'Security Industry Authority' (SIA) defines the body responsible for regulating the private security industry. They are responsible for the compulsory licensing of individuals working in specific sectors of the private security industry.

General Location Filming Procedures

All producers undertake to inform Screen Suffolk of any complex shoots well in advance of the start of shooting to ensure effective liaison with all parties affected by the shoot. Screen Suffolk undertakes to facilitate such liaison in a timely and efficient manner.

The Production undertake that they shall inform Screen Suffolk of a shoot that is taking place in a private location where such shooting may have an impact on the relevant Local Authority or Organisation.

All individuals working on location must take responsibility for their own health and safety and that of their colleagues. The producer has the overall responsibility for ensuring that adequate Health and Safety Policy and Management procedures are in place.

A-z

1. Animals †

The Production shall source animals that are trained to meet the Production requirements and this shall be from a known industry supplier/owner.

- When filming with animals, the Production shall agree to follow either the RSPCA Guidelines for the Use of Animals in the AudioVisual Industry or the PAWSI Code, Guidelines and Minimum Standards for the Welfare of Animals in the Audio Visual Industries.
- The RSPCA Guidelines can be obtained by calling the Performing Animals Hotline (0300 123 8787) or you can visit the website (www.rspca.org.uk/performinganimals) for full information.
- Alternatively, for more information on PAWSI and for the PAWSI Code visit the website: www.pawsi.org Please also see HSE Entertainment Sheet 4 and HSE Managing Health & Safety in Zoos.

2. Aerial Filming

Refer to page 22.

3. Building Exteriors

Filming or photographing the exterior of a building does not infringe its copyright. You do not need permission to film a building's exterior and building owners are not entitled to charge a fee. However, there are other intellectual property rights to consider when filming building exteriors such as registered trademarks ie company name or logo. For further information contact Screen Suffolk on 0333 700 7833.

4. Cabling †

The Production shall agree in advance with the Screen Suffolk regarding the appropriate use of cables, the safe laying of agreed cabling and the suitability of attaching cables to street furniture, trees, historic properties and any other relevant items. This process includes all matting, ramping and flying of cables to avoid hazards. Please also see HSE document Preventing Slips and Trips at work and HSE publication Slips and Trips: Guidance for Employers on Identifying Hazards and Controlling Risks HSG155 HSE Books.

5. Camera Track (Dollies)

All matters relating to camera tracking shall be discussed and agreed with Screen Suffolk in advance of filming. Any obstructions or alternative footways planned must be cleared by the Screen Suffolk. Tracking boards may be required in certain circumstances. The Production shall agree to ensure that any action involving tracking is risk assessed.

6. Catering †

Catering arrangements and the positioning of catering vehicles shall be agreed in advance with the Production and Screen Suffolk. The Production shall ensure that no dirty water or food waste be deposited in rainwater gullies and that caterers use a dirty water bowser where possible. Wherever possible the Production shall make use of

environmentally friendly materials. Wherever possible but subject always to the Production's own rules and/or those of its commissioner, which may specify approved caterers, catering is to be sourced from local businesses. Also see Litter Removal and HSE Catering Information Sheets, available from www.hse.gov.uk/catering.

7. Charges

All charges that Screen Suffolk are entitled to levy are detailed on the Screen Suffolk website:

https://app.apply4.com/uploads/instance_document/file/310/Screen_Suffolk_Fees_and_lead_times.pdf

Many Local Authorities do not charge for filming in the street but some may charge an administration fee (either a flat fee or a fee for their time spent assisting filming or both), a fee for the use of council property and a fee for making parking spaces available.

8. Child Performers †

Child Performers under school leaving age usually require a Child Performance Licence. The Production must apply for a Performance Licence for the child well in advance. 21 days is required to issue a licence. Child Performance Licences are issued by the Education Welfare Service for the Local Authority in which the child resides, unless the child is at Boarding School. Where the child is not from the United Kingdom, the child remains subject to the UK requirements when they arrive here. However, care should also be taken to identify and address any additional requirements that arise from the child's usual country of residence or when shooting outside of the UK. The hours that a child is permitted to work will depend upon their age. The Production must check the permitted working hours with the relevant Education Welfare Service. More information on child licensing is available from the NNCEE website: www.NNCEE.org.uk.

9. Coning For Parking

The Production acknowledges that cones have no legal force to secure parking and their use shall be agreed in advance with Screen Suffolk.

10. Council Property

Whenever filming on Council-owned property e.g. in parks, schools, housing estates, town halls etc, Screen Suffolk will negotiate the licence with the relevant district, borough or county council.

11. Cranes/Jibs/Cherry Pickers †

Camera cranes/jib arms In advance of the shoot, the Production shall discuss and agree with Screen Suffolk, and any other relevant authorities, the specific camera crane or jib arm to be used, and the positioning of such equipment. Cherry pickers In advance of the shoot, the Production shall discuss and agree with Screen Suffolk, and any other relevant authorities, the specific cherry picker to be used, and the positioning of such equipment. It may be necessary for the relevant authority to carry out a highway inspection both before and after a cherry picker is used. Camera cranes, jib arms and cherry pickers must be tested and have proof of documentation and shall be operated by certified qualified technicians. Productions shall agree to consult codes and guidance from recognised bodies such as ASPEC's Guidance in the Provision and Safe Operation of Cranes, and shall carry out a risk assessment where using such equipment. Camera cranes and cherry pickers, and in some cases, jib arms are likely to require a licence from the relevant Local Authority. Rigging and de-rigging shall be undertaken with respect for local residents and in accordance with the statutory obligations governing noise levels. Please also see HSE Simple Guide to the Lifting Operations and Lifting Equipment Regulations 1998, Approved Code of Practice and Guidance L113 HSE Books 1998 and HSE Entertainment Information Sheet No. 6: Working at Heights in the Broadcasting and Entertainment Industries.

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12. Employment †

Production must implement all current UK legislation that informs and guides the employment of all workers. The Production must also 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 by following this link www.direct.gov.uk/en/employment. For more information on rights at work, rates of pay etc. contact BECTU on 020 7346 0900 or go to www.bectu.org.uk. Producers must obtain sufficient proof of 'Right to Work' for all those individuals directly engaged by the Production prior to commencement of their engagement, and keep copies of the documents in order to comply with UK Immigration legislation. Such 'proof' includes, but is not limited to, a valid passport, national identity card, residence permit and, where required, a certificate of sponsorship (which as of December 2008 replaces the work permit). If the Production is utilising any foreign nationals (excluding those from a country in the European Economic Area (EEA), but not Romania and Bulgaria, and Swiss nationals) – in front or behind the camera – it must demonstrate that these people are entitled to enter, remain and work in the UK. Under the UK Borders Agency's Points-Based System of Managed Migration, the Production or its parent company will be required to meet the criteria to register as a Sponsor and issue Certificates that will allow such individuals to work in the UK. In addition, visas to enter the UK may be required.

The Production should be aware that there are two Industry Codes of Practice for Performers and Workers that must be observed when it is considering issuing Certificates. A guide to help Productions understand the issues surrounding work placements can be found on the Skillset website. The Production Guild will provide information on areas such as managed migration, available skilled senior production and accounting personnel by contacting them on 01753 651767 or www.productionguild.com. Ff 13. Filming From Vehicles † For the avoidance of doubt this section refers to, but is not limited to filming using low loaders, tracking vehicles and a-frames. The Production shall agree to consult with Screen Suffolk and relevant Highways and Traffic Authority when filming from a moving vehicle on a public road. All Road Traffic Legislation must be complied with subject to the grant of any concessions by the Highways and/or Traffic Authority and the Police. For further information see HSE Information Sheet number 22: Safe filming and recording involving vehicles.

14. Firearms & Weapons †

Filmweapon CAD A message created by the police to notify local officers and armed response teams that firearms or weapons or being used whilst filming. No weapons or firearms of any kind, including prop or replica firearms, shall be used without agreement in advance between the Production and the Police and/or appropriate emergency service and Screen Suffolk. A Filmweapon CAD number must also be obtained from the police. This includes when filming exteriors and/or interiors on public and private property. Where it is a live firing weapon the Production must have a licence holder for that weapon present, or a Registered Firearms Dealer (RFD) or a servant of the RFD. Where it is a blank firing weapon, it is recommended to have the above present. Please refer to the firearms flowchart on page 14, and sections 34 and 36 for information on stunts, special effects and pyrotechnics. Please also see HSE Entertainment Information Sheet No. 20. The Production is bound by law to take reasonable care and measures to ensure that a healthy and safe working environment is created and maintained for all. All relevant Health and Safety legislation must be abided by. Failure to follow appropriate Health & Safety procedures may invalidate any insurance.

15.1 High Visibility Clothing & Personal Protection Equipment †

The Production must ensure that the appropriate level of safety clothing is worn for the safety of the crew when filming on the public highway and in the public domain. Please also see HSE Free Information Line 08701 545500, HSE Publications 01787 881165, HSE Website: www.open.gov.uk/hse/entertainment and HSE Information Booklet 360 Health and Safety in Audio Visual Production – Your Legal Duties.

16. Highways/Traffic Management †

The Production shall liaise with Screen Suffolk when wanting to use public highways and footpaths for filming or for placing down equipment. There are conditions and lead in times to be considered for road closures. Productions shall contact Screen Suffolk for more information and contact them well in advance of the desired shoot date.

17. Historic & Cultural Locations

The Production shall adhere to any conservation regulations laid down by Screen Suffolk.

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18. Indemnity & Insurance †

The Production shall obtain and produce to Screen Suffolk, a copy of the relevant insurance needed before shooting commences. The need for insurance is governed by statutory obligation. Also see, Public Liability Insurance LI

19. Lighting †

The Production shall agree the positioning and safety of lighting in advance with Screen Suffolk and/or designated authority. An appropriate degree of flexibility may be agreed providing it is within the parameters of Health and Safety legislation. Please also see HSE Guidance note GS50 Electrical Safety for Places of Entertainment and HSE Electrical Safety for Entertainers.

20. Litter Removal †

The Production shall ensure that all litter is removed immediately at the end of the filming and that the location and environs are returned to the same condition in which they were found. The Production may ask Screen Suffolk to remove litter; this service is to be provided according to local contract rates. Waste created on location should be recycled wherever possible.

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21. Night Filming †

The Production shall consider and consult with Screen Suffolk, local residents and businesses in the planning process.

22. Noise †

Use of audio playback and megaphones shall only be permitted following agreement between the Production and Screen Suffolk. The parking position of generators shall be agreed in advance between Screen Suffolk and the Production and will depend on local sensitivities.

23. Parking †

The Production shall submit detailed parking plans to be discussed and agreed with Screen Suffolk; in particular for on-street parking for technical vehicles, equipment and bays to be reserved for continuity. The Production shall make every effort to find off street parking for all facilities vehicles. The Production shall not obscure mandatory or warning traffic signs when parking vehicles on highways that are not closed.

24. Police/Emergency Services †

The Production shall inform the Police and/or appropriate emergency service of all proposed filming on the street and/or in a public space in liaison with Screen Suffolk. The staging of crimes and accidents, plus use of firearms (including prop/imitation/deactivated/ replica firearms) and special effects shall be agreed, in advance of the shoot, with the Police and/or appropriate emergency service and the Film Contact. The Production shall inform the police and/or appropriate emergency service when filming involves celebrities who may cause security or crowd control issues.

25. Problem Solving

In the event of a dispute arising between the Production and other parties on location, please contact Screen Suffolk on 0333 700 7833 or email info@screensuffolk.com

26. Publicity

The Production (or in some cases, the Distributor or Broadcaster) shall provide the location/Screen Suffolk with publicity material on release of the project wherever possible.

27. Public Liability Insurance

The Production shall provide a copy of Public Liability Insurance to Screen Suffolk or filming location, for all location filming and agree to indemnify the location owner or representative against any claims arising as a direct result of the activities of the Production. Also see, Indemnity & Insurance

28. Public Transport †

The Production must seek permission from Screen Suffolk before filming on public transport.

29. Residents & Businesses

The Production shall consult with local residents and businesses that may be affected by their filming prior to and during the shoot. The Production shall consider diversity and equality when consulting with residents and businesses. Screen Suffolk should be approached before residents and businesses are contacted as they should be able to provide the Production with relevant local information to aid a fair consultation process.

30. Risk Assessment †

Risk Assessments are required by the self-employed and by any company with employees to be able to satisfy their insurance provisions and statutory obligations to employees and those affected by their actions. Additional location specific Risk Assessments are also required depending on the type and nature of filming. Guidance on writing risk assessments is available at www.hse.gov.uk/entertainment. Please also see HSE A Guide to Risk Assessment Requirements and HSE 5 Steps to Risk Assessment: www.hse.gov.uk/risk/fivesteps.htm

31. Rivers & Waterways

When planning to film on any waterway, the Production must liaise with the relevant governing body as early as possible. Specific health and safety measures will apply.

32. Road Markings

The temporary painting-out or disguising of road markings, lines or other road signs is subject to agreement in advance with the Screen Suffolk and, if necessary, Highways Authority. The Production shall also notify local Police in advance of any such undertaking. The Production agrees to fully reinstate any alterations to road markings to the satisfaction of the Traffic or Highways Authority and when obliged to use official contractors shall pay cost price.

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33. Scaffolding/ Lighting Towers †

All requests to erect scaffolding/ lighting towers in a public area, highway or footway shall be agreed in advance with the Film Contact and/ or designated authority. A temporary structure licence may be required. Please also see HSE Work at Height Regulations 2005: A Brief Guide and HSE Entertainment Information Sheet No. 6: Working at Heights in the Broadcasting and Entertainment Industries.

34. Security †

The Production must use SIA (Security Industry Authority) licensed Security for all licensable activity at all times and follow guidelines that conform to BS7690. SIA Security badges will have individual numbers on which can be checked on the SIA website www.the-sia.org.uk. Licensed activity includes but is not limited to manned guarding (guarding

premises against unauthorized access; guarding property against destruction or damage and theft), close protection (guarding an individual) and guarding cash or valuables in transit. A Door Supervisor license is required if manned guarding activities are undertaken in relation to licensed premises that are open to the public (i.e. a public house, restaurant or bar).

A useful check list when choosing a Security company 1. Are they SIA licenced? 2. Do they have public and employers liability insurance of up to £10m? 3. What list of services do they provide ie: Location Security, Studio Security, Location Support, Lock offs, Crowd Control, Event Security, Street Reservations, Dog Patrols and Close Protection, can they provide a risk assessment?

The Production must respect Security issues local to the borough or location in which the filming is taking place and shall take advice of local Police, the Security provider and Screen Suffolk when deciding upon the number of Security personnel required and their positioning. The Production may be asked to work alongside on-site Security Officers. Such on site Security are not employees of the Production, so in this instance it is advisable to check insurance policies.

35. Signage †

Unless approved by the relevant Traffic or Highways Authority, unit direction signage on the highway is illegal. The Production shall consult Screen Suffolk before attaching all other non-public highways signage.

36. Special Effects/ Pyrotechnics

For the avoidance of doubt this section refers to, but is not limited to, all sequences including physical, atmospheric and pyrotechnic effects. In accordance with statutory Health and Safety obligations, the Production must provide a risk assessment and method statement. The Production shall notify Screen Suffolk or relevant third party whenever physical, or pyrotechnic effects are to be used, and shall consult the Police and Emergency Services in advance. The Production shall inform local residents and businesses of such filming, in consultation with the Film Contact. All special effects shall be under the direct supervision of a JIC graded TV Supervisor or Features Supervisor, or person of similar experience and all pyrotechnics shall be under the direct supervision of a JIC graded Pyrotechnics Supervisor or person of similar experience. Atmospheric effects (e.g. wet downs, snow, mist and rain) may only be carried out with the approval of Screen Suffolk after a proper evaluation of the forecast weather conditions and with the proper signage and a clear up and safe disposal schedule.

Productions shall consider existing industry codes and guidance documents from recognised bodies such as HSE, BECTU Special FX branch, etc. Please also see HSE document: Preventing Slips and Trips at work and HSE publication: Slips and Trips: Guidance for Employers on Identifying Hazards and Controlling Risks HSG155 HSE Books, HSE Entertainment Information Sheet No. 3 [Smoke and Vapour Effects], HSE Entertainment Information Sheet No. 16 [Explosives and Pyrotechnics], and HSE Entertainment Information Sheet No. 22 [Filming Involving Vehicles].

37. Street Signs/Street Furniture/Street Lighting †

The removal of street furniture, including street signs, and the adjustment of street lighting shall be subject to agreement in advance between Screen Suffolk and/or the Highways Authority. All agreed work shall normally be carried out by the Traffic or Highways Authority and charged to the Production at cost. The Production shall agree to cover these costs and those of re-instatement.

38. Stunts †

In accordance with statutory Health and Safety obligations, the Production must provide a risk assessment. The Production shall notify Screen Suffolk or relevant third party whenever stunts are to be used, and shall consult the Police and Emergency Services in advance.

A full method statement and risk assessment may be required by the Film Contact. The Production shall inform local residents and businesses of such filming, in consultation with Screen Suffolk. All stunts shall be under the direct supervision of a recognised JISC (Joint Industry Stunt Committee) Co-ordinator or a person of similar experience.

Please also see HSE document Preventing Slips and Trips at work, HSE publication: Slips and Trips: Guidance for Employers on Identifying Hazards and Controlling Risks HSG155 HSE Books, HSE Entertainment Information Sheet No. 17 [Stunts & Fight Scenes], and HSE Entertainment Information Sheet No. 22 [Filming Involving Vehicles].

Statutory Obligations

1. Animals

Management of Health and Safety Regulations 1999
Management of Health & Safety at Work (Amendment) Regulations 2006 (Amends 1999 Regulations)
Animal Welfare Act 2006 (Repeals parts of 1911 Act, 1954 Act and 1988 Act)
The Protection of Animals Act 1911 to 1988
The Performing Animals (Regulation) Act 1925
The Pet Animals Act 1951 Pet Animals Act 1951 (Amendment) Act 1983
The Dangerous Wild Animals Act 1976
The Wildlife & Countryside Act 1981
The Wildlife & Countryside (Amendment) Act 1985
The Wildlife & Countryside (Amendment) Act 1991

4. Cabling

Health and Safety at Work Act
Management Regulations 1999
Electricity at Work Regulations 1989

6. Catering

Management of Health and Safety Regulations 1999

8. Child Performers

Children and Young Persons Act 1963
Children and Young Persons Act 1969
Children [Performances] Regulations 1968
Protection of Children Act 1978
Children [Performances] Regulations 2000
Children [Protection at Work]
Regulations 1998
Children [Protection at work]
Regulations 2000
Children Act 2004

11. Cranes/Jibs/Cherry Pickers

Lifting Equipment and Lifting Regulations 1998
The Provision and Use of Work Equipment Regulations 1998
The Supply of Machinery [Safety] Regulations 1992
The Supply of Machinery [Safety] (Amendment) Regulations 1994

12. Employment

Immigration Act 1971 (as amended by the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002)
Immigration, Asylum and Nationality Act 2006
National Minimum Wage Act 1998

13. Filming From Vehicles

Road Traffic Act 1988
Road Vehicles [Construction and Use] Regulations 1986

14. Firearms And Weapons

Firearms Act 1968
Criminal Justice Act 1988
Public Order Act 1986
Violent Crime Reduction Act 2006

15. Health & Safety

Health and Safety at Work Act 1974
Management of Health and Safety at Work Regulations 1999
Management of Health and Safety at Work (Amendment) Regulations 2006
Fire Precautions [Workplace] Regulations 1999
The Corporate Manslaughter and Corporate Homicide Act 2007
Visit www.filmlondon.org.uk/cop

15.1 High Visibility

Clothing Personal Protective Equipment Regulations 1992
Personal Protective Equipment Regulations 2002

16. Highways/Traffic Management

Management Regulations 1999
Road Traffic Regulation Act 1984
Highways Act 1980
Highways (Amendment) Act 1986
Road Traffic Act 1988
Traffic Management Act 2004
Roads Vehicles Lighting Regulations 1989
Roads Vehicles [Construction & Use] Regulations 1986

18. Indemnity And Insurance

Employers' Liability Act 1969
Employers' Liability Regulations 1988
Employers' Liability [Compulsory Insurance] (Amendment) Regulations 2004

19. Lighting

Electricity at Work Regulations 1989
BS 7909 Code of Practice for Temporary Electrical Systems for Entertainment Related Purposes

20. Litter Removal

Environmental Protection Act 1990

21. Night Filming

Management of Health and Safety at Work Regulations 1999
Environmental Act 1990

22. Noise

Control of Noise at Work Regulations 2005
Environmental Act 1990

23. Parking

Management of Health and Safety at Work Regulations 1999
Road Traffic Regulation Act 1984
Highways Act 1980
Highways (Amendment) Act 1986
Traffic Management Act 2004

24. Police/Emergency Services

Metropolitan Police Service Film Unit – www.met.police.uk/filmunit For all London Borough Police Contacts see www.filmlondon.org.uk/lists_forms_offers

28. Public Transport

Transport for London Conditions of Carriage 2008

30. Risk Assessment

Health and Safety at Work Act 1974

The Management of Health and Safety at Work Regulations 1999

33. Scaffolding/Lighting Towers

Management of Health and Safety at Work Regulations 1992

The Workplace [Health, Safety and Welfare] Regulations 1992

Construction [Design and Management] Regulations 1994

34. Security

The Private Security Industry Act 2001

35. Signage

Highways act 1980 Section 132(1)

Criminal Justice Act 1982 (ss 35, 37, 38, 46)

36. Special Effects/Pyrotechnics

Stunts:

Management Regulations 1999

Explosives Act 1875

Road Traffic Acts 1988, 1991

Sfx:

Provision and Use of Work Equipment 1998

Fire precautions [Workplace] Regulations 1999

Dangerous Substances and Explosive

Atmospheres Regulations 2002

Storage of dangerous substances 2003

Control of Substances Hazardous to Health Regulations 2002

Control of Substances Hazardous to Health (Amendment) Regulations 2003

Control of Substances Hazardous to Health (Amendment) Regulations 2004

Control of Explosives Regulations 1991

The Corporate Manslaughter and Corporate Homicide Act 2007

37. Street Signs/Street Furniture/ Street Lighting

Traffic Signs Regulations and General Directions 2002 Highways Act 1980

38. Stunts

Appendix 1 - Aerial Filming

Guidance Notes – UAS Operations (Commercial) in Suffolk

These guidance notes are intended to accompany the following documents:

- a) Application Form – UAS Operations (Commercial) in Suffolk; and
- b) Information Sheet – UAS Operations (Commercial) in Suffolk.

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- 4. Named Parties, Roles & Responsibilities**
- 5. Common Requirements**
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Disclaimer: The information set out in this document is offered as guidance only and may be superseded by information given by filming officers.

1. Introduction

The purpose of this document is to set out (i) an overview of the application, consultation and approvals process; (ii) some of the main challenges an organiser may face; and (iii) requirements to ensure safe, successful and compliant practices, for aerial filming with UAS in participating areas of Suffolk. The document has been produced in partnership by local authorities and agencies in Suffolk.

UAS (Unmanned Aerial Systems) are also known as UAV (Unmanned Aerial Vehicles), drones, octocopters and by other names. They offer great flexibility for filmmakers.

Filming with UAS in large open air areas where there are few people is relatively straightforward. However, filming in congested areas is more complex, there are more rules and stakeholders requiring careful management, including multiple landowners and authorities, security issues and busy spaces.

This document sets out a non-exhaustive explanation of matters to consider and procedural steps required in order to use UAS for filming purposes in Suffolk.

2. Application Process

Any intention to use UAS in relation to filming or similar activities (such as scanning), must in the first instance be directed to the local authority's or authorities' film services department. It is also best practice to notify the relevant film services department if the UAS is to be used on private land, even if it will not be overflying the highway or council owned property. Should UAS activity overfly, or be used within 50m of

any thoroughfares, in addition to making a filming application (see Common Requirements paragraph below) further documentation and permissions are likely be required.

It is highly likely you will require a traffic order or notice from the relevant authority, as well as agreements with *Occupiers* and *Landowners/Authorities*, before your activity can proceed. Traffic orders can take a few days or up to twelve weeks to approve, depending on your chosen location.

3. Timescales

Timescales for obtaining permissions will vary widely between film services, depending on the request and practicality. In the majority of cases, applicants will require with either a Road or River closure. Road closures can take anywhere from **5 days** to **twelve weeks** to process.

4. Named parties and definitions

Responsible Party: refers to the individual or legal entity (as applicable) who must (i) sign and agree to the terms and conditions as set out in the “Application Form – UAS Operations (Commercial) in Suffolk” and that constitutes a legal agreement with the council or relevant authority (ii) prove that it has suitable insurance for UAS use; (iii) ensure all necessary documentation, approvals, permits and agreements are secured and are in place; and (iv) assume ultimate responsibility for all aspects of the UAS activities set out in the “Application Form – UAS Operations (Commercial) in Suffolk”.

Drone: an unmanned aircraft having a mass of not more than 20 kg (without its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight, including batteries).

Landowners / Authorities: third parties (i) who either own or are responsible for maintaining the *open-to-air* land, waterways, permanent ways or similar; and (ii) whose consent is be required before any directly or indirectly overflying UAS operation can take place.

UAS: Unmanned Aerial System meaning the Drone, control device and the operators (e.g. pilot and cameraperson).

UAS Operator(s): the individual or company engaged by the *Responsible Party* to provide, plan, and safely execute the operation of the UAS. The UAS Operator(s) is required to fulfil its legal duties with respect to the *Responsible Party*, ensure it is satisfied that any safety conditions are in place for its flight, and who is ultimately responsible for deciding whether a flight should proceed or not.

Occupiers: individuals who inhabit premises, either business or residential, and who are likely to be in residence during the UAS Operations. These *Occupiers* must be consulted with in advance and, if necessary, briefed prior to any UAS activity.

Buffer Zone: a controlled area, within a 50m three dimensional radius of the Drone (or a distance agreed to by the CAA (by an OSC) and by the authority).

5. Common Requirements

- **A Flight Impact Zone Map:** a planning map, highlighting the flight area, plus the *Buffer Zone*. The map must include either closure or control points located at least 50m away from the area where the RPA will be flown. This must be supplied at the beginning of the process.
- **A Traffic Order or Traffic Notice** (where applicable): required if the FIZ is close to or includes a highway.
- **A Traffic Management Plan** (where applicable): required in the vast majority of cases to support the Traffic Order or Traffic Notice application.
- **Evidence of Landowner Permission** (where applicable): required if the FIZ affects any privately owned land.
- **Evidence of Consultation:** reasonable evidence to show an agreement has been secured with all individuals to be impacted by the use of the UAS.
- **RAMS:** Risk Assessment and Method Statement of the whole production, which must be specific to the operation in question.
- **Contingency Plan:** description and maps of where and what safety measures will be in place, should there be a reason to abandon the UAS flight plan.
- **Stewarding Plan:** description and maps of what control measures will be in place and where stewards will be located whilst the UAS in use.
- **Flight Plan:** to be authored and implemented by the UAS Operator, which should include all relevant authorisation and scaled maps, such as CAD or other such as planning maps indicating the FIZ.
- **Operational Safety Case or OSC** (where applicable): as may be issued by the Civil Aviation Authority to the UAS Operator.
- **Consultation:** two forms of consultation will be required with most UAS applications to local authorities and agencies. It is important to understand the distinction and what is required of both:
 - **Landowner Consent:** the Local authority or agency expects the Responsible Party to obtain a formal written consent or permission from the Landowner to operate any open-to-air land within a 50m of the Remotely Piloted Aircraft (RPA). This will need to be in the form of a written agreement between the landowner and the Responsible Party. Where the local authority consent is required, this will often be dependent on confirming occupier agreements, or any other permissions or consents deemed to be required
 - **Occupier Agreement / consultation / briefing:** any premises (building, open space or otherwise) with sitting occupants, such as businesses or residents within *the Flight Impact Zone (FIZ)*, **must** be consulted and this must be evidenced in writing prior to obtaining Local authority or

agency consent. Where access controls are required for safety then a written agreement between the Occupier(s) and the Responsible Party is needed prior to any flights taking place.

6. Legal and liability issues

There are a number of laws that relate to flying and filming with UAS equipment. For details please see the accompanying document "Information Sheet – UAS Operations (Commercial) in Suffolk".