Filming on Isle of Wight Council land

**Filming means making a video or film, or part of one, using any kind of recording equipment that stores moving images. In some circumstances filmmakers need the consent of the landowner to make a film on their property. This guide explains when this is necessary for property controlled by the Isle of Wight Council and how to obtain it; and gives advice on other consents you may need.**

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| If you are filming on land controlled by the Isle of Wight Council, its tenants, or agentsYou need our consent if any of these apply:* You are making a film which will be, or could be, commercially distributed; shown or broadcast publicly or online; or is being made for business purposes
* You are filming in a non-public place or inside any building or structure

We do not require you to apply for consent if any of these apply:* You are filming in a [public place](http://www.legislation.gov.uk/ukpga/1972/71/section/33#:~:text=%E2%80%9CPublic%20place%E2%80%9D%20includes%20any%20highway,whether%20on%20payment%20or%20otherwise%20%E2%80%9D.) for your own personal use only
* You are filming broadcast or online news journalism in a public place for immediate use

For these purposes broadcast or online news journalism does not include documentary film-making or speculative recording of stock footage.  |

Fees

For productions using directly-controlled Isle of Wight Council land or buildings, fees may be payable dependent upon the nature of the filming and the purpose to which the film is to be put. Due to the diverse nature and extent of this it is not possible to indicate here what level of fees may be payable. Please contact us to discuss further.

On land owned or managed by other parties, fees may be payable but this is a matter between you and the respective land occupiers.

What property is controlled by the Isle of Wight Council?

A lot of land and buildings are controlled by the council or its agents and it is not possible to list it all. To determine whether you need our consent you will need to identify as specifically as you can where your shooting will take place. If we find this covers land owned or controlled by others we will, if possible, suggest who you need to contact to obtain permission. Unless your production is extremely localised, we strongly advise you give us a map showing the extent of the areas you will work in. A list of site names is rarely adequate.

Highways and town centres

If you are filming around the highway, including pavements, footpaths and public accessible areas such as town centres, we will get consent from our Highways contractor, Island Roads, for this. You do not need to approach them separately. To help with this it is important that you identify the location or area of filming as exactly as you can, using a map if possible and street names if not.

Productions which use only hand-held equipment (i.e. no tripods, gimbal or mechanical stabilizers) do not need separate approval from Highways to film on the highway. If your production uses hand-held equipment only, please let us know as this will speed up your request.

You can film on a highway without closing it, if we consent, but if so, you must allow others to use it if they need to. Most smaller productions can film in public places without needing to close off highways or obstruct them. You can work around the flow of people or traffic in the area you are filming but you must not stop anyone using the highway. It is an offence to obstruct the free passage of a car or pedestrian along a road, path or street without consent. If your production causes an obstruction in a highway area, and you have not applied to close the highway, you may be asked to stop filming at any time without notice.

If you do expect to close off a highway area (for example to erect a scaffold or to exclude the public) we can arrange this. You must tell us well in advance as a further application is needed for this: to get consent to close off a road can take many weeks.

You are strongly advised to use a professional traffic management company if you intend to close off any roads. They will know the best ways to do this and the legal requirements you must follow.

Parking

If you just want to use parking spaces and pay normally you do not need our consent, but the spaces may not be available. If you want to use parking spaces in other ways – e.g. to park for longer than normal, or to keep clear during a shoot, you must ask for permission in advance and pay a fee.

You may request to suspend parking in on-street parking locations. Such requests are not always agreed, and it is a good idea to discuss this in advance if you can and negotiate an acceptable solution.

**Suspensions:** Suspending a bay means that no one can park there except the company or person granted the suspension. Cost of a suspension is £20 per bay per day.

**Dispensations**: a dispensation allows a vehicle to park where normally it would not be allowed. Dispensations are charged at £25 per vehicle per day.

To find out more and to apply for a parking suspension or dispensation go to [our parking website](https://www.iow.gov.uk/Residents/Transport-Parking-and-Streets/Parking-Services/Parking-Suspension-Dispensations/Parking-Suspension1). You can do this separately to sending back this form, and we advise you do this as soon as you can.

All applications require ten working days’ notice to be approved. If an application is not paid by five working days before the date applied for, it will be rejected.

Schools

The Isle of Wight Council is not responsible for giving consent to film in schools or educational establishments. Each school is responsible for giving such consents, so you would need to approach the school directly.

Beaches

Most of the main resort beaches are owned and managed by the Isle of Wight Council; most of the rest is owned by the Crown Estate. There are also parts of the Isle of Wight shoreline that are privately owned, often by numerous frontagers. Bembridge is one of the most prominent of these. A map showing which beaches are owned or controlled by the council is available as a part of [this metal-detecting leaflet](https://www.iwight.com/azservices/documents/1390-2679-ETL-metal-detectors-on-Isle-of-Wight.pdf).

Totland Bay is a private beach and the contact is Marine Leisure, marineleisurelimited@gmail.com

Most beaches and foreshores on the Island are internationally protected areas and anything that could disturb them may need separate consent from [Natural England](https://www.gov.uk/government/publications/request-permission-for-works-or-an-activity-on-an-sssi).

Offshore

The Isle of Wight Council has no authority to give consent beyond mean low water. You may need to contact the Crown Estate or Maritime and Coastguard Agency. See contact details below.

Insurance

All productions need proof of Public Liability Insurance to receive permission to film. The minimum required amount is £10 million. We will need to see a copy of your PLI certificate before consent can be granted. Students should be able to get this from their college.

Risk assessments

All productions need to submit a risk assessment for filming. The form this takes will vary depending on the size and complexity of the crew and production. A blank risk assessment form and guidance notes are available, but you do not need to use this if you prefer to use another format or already have an assessment available.

Drones

Additional information is needed for any drone flights. We will require:

* Permissions for Commercial Operations certification from a CAA-approved provider
* Intended flight paths or map of areas which could be overflown
* An additional or extended risk assessment which includes specific reference to the drone activity

Timescales: apply early to save time

Some filming requests can be quite complex. We can help with this by getting the consent of council agencies and contractors, but this can take time. Please allow as much time as possible to process an application. Applications will be considered at any time, but if gaining consent is critical to your project then you should apply to us at least **four working weeks in advance** to get consent.

We understand that locations may be added or changed as filming draws closer, so we encourage you to apply in advance even if you have not finalised your schedule. So, for example, we can approve a risk assessment and insurance document before we know your full location list, which can save valuable time.

Finding out more

If you have any queries before you apply for consent, please email media@iow.gov.uk.
We will be happy to give advice and suggestions before you apply if we can.

To apply for consent

Please send the form “Isle of Wight Council: application for filming consent”, with your initial information, to media@iow.gov.uk.

Location agreements

Once you have our agreement to proceed, usually given by email, the IW Council will not normally sign a separate location agreement or contract unless a location fee is agreed.

Other consents

You should be aware that you may need to obtain other consents to film. This guidance and form is for obtaining landowner consent from the Isle of Wight Council only.

Useful contacts and resources

[*Film Wight*](https://www.filmwight.com/): company providing support to the film industry on the Isle of Wight

[*IW Film Fixers*](https://iowfilmfixers.co.uk/): company providing support to the film industry on the Isle of Wight

* [*National Trust*](http://www.nationaltrustimages.org.uk/filming-locations) *controls many of the rural and more scenic beaches and cliffs including Culver, the Needles and Compton*
* [*Island Roads live roadworks map*](http://www.islandroads.com/157-islandwide-roadworks-live.html) *shows current and proposed roadworks – you can check the date of your production up to 12 months in advance*
* [*Wightlink*](https://www.wightlink.co.uk/) *controls Ryde Pier and Yarmouth slipway*
* [*Yarmouth Harbour Commissioners*](https://www.yarmouth-harbour.co.uk/) *own Yarmouth Harbour and the Western Yar river.*
* [*Forestry Commission*](https://www.forestryengland.uk/) *controls Parkhurst Forest, Brighstone Forest, and many other woodlands*
* [*Crown Estate Asset Map*](https://www.thecrownestate.co.uk/en-gb/our-places/) *- interactive online map showing all areas controlled by the Crown Estate. Useful for checking if they control a beach or foreshore area*
* [*Find the current local contact for the Crown Estate*](https://www.thecrownestate.co.uk/en-gb/agent-finder/)
* *Totland Bay is a private beach and the contact is Marine Leisure, marineleisurelimited@gmail.com*
* [*Gift to Nature*](https://gifttonature.org.uk/) *– controls a range of council-owned countryside and nature reserves including Brading Down, Blackgang Viewpoint and Golden Hill Country Park*
* [*Maritime and Coastguard Agency*](https://www.gov.uk/government/organisations/maritime-and-coastguard-agency)*: 020 381 72210. Marine Management Office: portsmouth@marinemanagement.org.uk or 02392 373435 (Both of these are not within the area covered by the Isle of Wight Council but useful if you are filming offshore)*
* [*HM Land Registry*](https://www.gov.uk/government/organisations/land-registry) *- last resort if you need to know who owns a bit of land and we don’t know either*
* [*OpenStreetMap*](https://www.openstreetmap.org/#map=11/50.6613/-1.3655) *- free online mapping tool that you can use to get a base map and add in your areas of work (without breaking everybody’s licencing rules)*

Isle of Wight Council: application for filming consent

|  |  |
| --- | --- |
| Name of production |  |
| Name of organisation |  |
| Contact person name |  |
| Contact details |  |

Description of production type, dates, specific locations and street names. Town names are not sufficient. If filming on a beach you must specify where on the beach you will be.

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Do you intend to close or obstruct any roads, highways, footpaths, cycleways, or pavements?

**YES / NO**

Details of highway requirements if any (provide information separately if it won’t fit here):

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|  |

Checklist

|  |  |
| --- | --- |
| **Name of document** | **Submitted ✔** |
| Certificate of £10M Public Liability Insurance |  |
| Risk assessment |  |
| Map showing location/s |  |
| Permissions for Commercial Operations certification from a CAA-approved provider\* |  |
| Intended flight paths or map of areas which could be overflown\* |  |
| An additional or extended risk assessment which includes specific reference to the drone activity\* |  |

\*Only required if you are using a drone

|  |  |
| --- | --- |
| Signature/Name |  |
| Date |  |

Please return this page by email to media@iow.gov.uk or by post to
Communications, Isle of Wight Council, County Hall, NEWPORT, Isle of Wight PO30 1UD

# Production Risk Assessment Form

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Production:** |  | **Date/s:** |  | **Locations:** |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **(1)****Activity /****Area of Concern**What is taking place as part of the production? | **(2)****Hazards Identified**What can cause harm? | **(3)****Persons at Risk**Who could be harmed by the hazard? | **(4)****Current Risk Factor** (high, medium or low)Determine the level of risk | **(5)****Actions to be Taken to Minimize each Risk**What action can you take to lower the level of risk | **(6)****New Risk Factor**(high, medium or low) Risk factor after action taken to minimize the risk  |
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|  |  |  |  |  |  |

Name of person completing Risk Assessment (printed): ………………………………………………………….

Signature: ………………………………………………… Date: …………………………. *(Use further copies of this page if needed)*

This blank risk assessment form and guidance notes is provided for your information, but you do not need to use this if you prefer to use another format or already have an assessment available.

**Guidance for Filming Risk Assessments**

**Risk Assessment**

Please remember that film productions have a legal responsibility to ensure the Health, Safety and Welfare of any employees, volunteer helpers or contractors involved in arranging the production and to the public and participants attending, carrying out a detailed risk assessment should ensure this. All hazards associated with the production should be identified, the level of risk assessed, and appropriate action taken to reduce these risks to an acceptable level. All productions must comply with recognised safety standards and you must take all reasonable precautions to ensure the production takes place safely. A formal record should be kept of the risk assessments. A simple guidance note is provided with this pack. Completed forms should be retained for future reference.

You do not need special training or qualifications to carry out a risk assessment, but you do need a good understanding of the production and how it is likely to be organised. Where the production consists of more than one location or crew a written risk assessment may be required for each activity. In these circumstances, the enclosed risk assessment form can be photocopied. Any contractors involved in the production should also carry out risk assessments. Where relevant, you should obtain copies of these.

More information regarding risk assessments can be obtained from the Health and Safety Executive (HSE) publications at HSE information Centre, Broad Lane, Sheffield, S3 7HQ. Tel: 01787 881165.

**Guidance Notes**

As the organiser of a production you have legal responsibilities to ensure the health, safety and welfare of any employees, volunteers, and contractors involved in arranging the production; and of the public and participants attending. All productions must comply with recognised safety standards and you must take all reasonable precautions to ensure the production takes place safely.

The production organiser’s best tool for determining potential hazards connected to their production is a risk assessment. A full risk assessment must be carried out for all productions. A risk assessment needs to identify the activities, which make up a production and the hazards that are associated with each activity, together with a risk rating. Any independent contractors involved in your production must also carry out risk assessments. Accordingly, if you are employing contractors/other organisations it is your duty to ensure that you obtain copies of the risk assessments. The following guidance should aid you in carrying out your risk assessments. The paragraph numbers below relate to the headings on the Production Risk Assessment Form for ease of reference.

**1.1 Identifying the Activity / Area of Concern**

Simple productions may have only one or two items on this list. Complex ones may have many more. An activity is anything which is taking place as part of your production, e.g.: working in a street, working on a beach, use of scaffold, use of vehicles, pyrotechnics, working at night, use of animals etc. In addition, within the activities column you must also include the provisions you must make to enable the activities to take place safely, i.e.: first aid, stewarding/security, crowd management, car parking, site fencing/barriers, fire precautions and equipment, temporary structures. Please note that these lists are not exhaustive. All activities must be clearly identified on the production/site layout plan you submit.

**1.2 Identifying the hazards**

All hazards must be identified for each activity. A hazard is something with the potential to cause harm, i.e.: slipping/tripping/falling hazards, hazards relating to fire risks or fire evacuation procedures, any chemicals/fumes/substances hazardous to health, moving parts of machinery, vehicle movement, electrical safety including use of portable electrical appliances, lifting/carrying/moving, high noise levels, poor lighting/heating/ventilation, any possible hazard from specific activities. This list is not exhaustive, and care should be taken to identify any other hazards associated with the specific activities within the production.

**1.3 Identifying the persons at risk**

For each hazard identified, list all those who may be affected. Do not list individuals by name, just list groups of people, i.e.: crew, cast, volunteers, contractors, members of the public, people with disabilities, children/elderly people, expectant mothers and residents. This list is not exhaustive.

**1.4 Identifying the current risk factor**

Risk is the chance that someone will be harmed by the hazard. The extent of the risk arising from the hazards identified must be evaluated, i.e.: high, medium or low, and actions then taken to minimize the risk. You should be taking into account any information, instruction and training regarding the production and the activities involved; and compliance with legislative standards, industry good practice and any relevant British and international standards. Examples of risks and their categories are as follows: ­

**High** A crew filming on a cliff edge at night

**Medium**  Working in a public car park where vehicles are passing by

**Low**  Extras sitting on a beach in the sun

For each risk consider whether it can be eliminated completely. If it cannot, then decide what must be done to reduce it to as low a risk as far as is reasonably practicable.

**1.5 Identifying the actions to be taken to minimize each risk**

All identified risks can be minimized by taking appropriate action. i.e.: preventing access to the hazard by enclosure/segregation, safe working procedures, adequate signage/training/instruction, find a substitute for that activity/machine etc, provide welfare facilities for removal of contamination/first aid, removal of the hazard, etc. Personal Protective equipment should be considered as a last resort. This list is not exhaustive. For the examples listed in 4 above, an example action taken to minimize the risk could be to have dangerous drops barriered off; close part of the car park to vehicles; offer the extras water and sun protection.

**1.6 Identifying the New Risk Factor**

Once you have identified the action to be taken as per 5, insert the appropriate new High, Medium or Low risk rating.

**Review and Revise**

Please remember that if the nature of the activities or hazards change during the planning of the production, the risk assessment will need to be reviewed and updated. Finally, please print your name, sign and date the form.

**Further information**

* [5 Steps to Risk Assessment](https://www.aber.ac.uk/en/media/departmental/healthsafetyenvironment/riskassessment/indg163%28v2%29.pdf)