

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

*PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted - N/A

SERVICE DIRECTORATE: Place directorate

1. DECISION TAKEN

North Herts Council has always been a film-friendly council and welcomed filming requests in locations across the district.

In 2022, the decision was taken to utilise the services of FAME Pro, a free film permit management service for UK councils, to handle filming enquires on behalf of North Herts Council.

Prior to working with FAME Pro, it was agreed that North Herts Council should formalise their filming request process into a Filming Code of Practice. The North Herts Filming Code of Practice has now been approved and is therefore confirmed in this Delegated Decision.

2. DECISION TAKER

Sarah Kingsley, Service Director: Place

3. DATE DECISION TAKEN:

4 July 2023

4. REASON FOR DECISION

- 4.1 To formalise our filming request process through a voluntary agreement designed to work alongside our filming guidelines and applying to all forms of production.
- 4.2 To make our filming request process more efficient and streamlined.
- 4.3 To enhance our reputation as a film-friendly district, making the district more desirable to future producers as they'll be familiar and confident in our processes.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 No other options were considered, as a Filming Code of Practice is recommended.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

- 6.1 Consultation was undertaken with the Council's Political Liaison Board regarding the decision to work with FAME Pro.
- 6.2 Consultation on the contents of our Filming Code of Practice was undertaken with the Service Director, Legal and Community and the Legal Commercial Team Manager.
- 6.3 The Service Director: Place has been consulted on the Filming Code of Practice and agreed with its publication and future use.

7. FORWARD PLAN

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

- 8.1 North Herts Council signed up to Creative England's Film Friendly Charter several years ago and has welcomed filming requests since, however, there has never been a formalised filming process or promotion of the fact we are a film-friendly council.
- 8.2 A formalised filming request process will ensure the Council's processes for managing and approving filming requests are efficient, streamlined and not open to interpretation.
- 8.3 In July 2022, the decision to work with FAME Pro was agreed with our Political Liaison Board to assist the council with managing filming applications and to build our reputation as a film-friendly location.
- 8.4 FAME Pro's easy application process and fast turn-around times for filming enquiries will attract film producers and photographers, helping us build our reputation as a film-friendly district.
- 8.5 FAME Pro's experience should also result in a greater number of enquiries (as proved by other councils using their services) and higher quality requests, enabling us to showcase North Herts to its greatest potential.
- 8.6 Alongside working with FAME Pro, a North Herts Filming Code of Practice has been created and approved by the Leader of the Council; Executive Member for Enterprise and Arts; Service Director – Legal and Community; Service Director – Resources; Legal Commercial Team Manager, Policies and Communities Manager, HR Services Manager; Policy and Strategy Team Leader and Procurement.
- 8.7 The North Herts Filming Code of Practice will be launched alongside an improved online presence of our filming locations (on the North Herts Council and 'Filming in England' websites) and continue to be promoted through improved marketing of our filming locations (by the North Herts Council Communications team and FAME Pro).
- 8.8 The Filming charges that will sit alongside the Filming Code of Practice (and will be published on our website) have been set following a review by our Enterprise team of what councils in Hertfordshire and surrounding areas charge for filming. They have been approved by our Legal team.

9. LEGAL IMPLICATIONS

- 9.1 TOR delegates to the Service Director for Place at 14.6.9 (b) (ix) the following service responsibility in consultation with the Leader and Executive Member for Community and Partnerships; "*Communications including public relations and consultations.*" Additionally, TOR 14.6.4 (a) (viii) delegates to the Service Directors, to "*set fees and charges in accordance with the Council's Financial Regulations and relevant policies, in consultation with the Executive Member.*"
- 9.2 The Local Government Act 2003 provides that if Councils are charging for discretionary services then they cannot make a surplus/profit. The approach adopted in the North Herts Filming Code of Practice adheres to this, as the focus is on covering any direct costs, overheads and a contribution to maintaining areas that are being used.

10. FINANCIAL IMPLICATIONS

- 10.1 There is no set-up fee, contract, or cost for the Council to use FAME Pro, as they are borne by the industry.
- 10.2 There are no financial risks as the income generated will cover 1) the officer time used to approve all filming requests and 2) loss of earnings, should our Leisure Centres, Outdoor Pools or Hitchin Market be the location requested and need to either part or fully close.
- 10.3 The Council could generate more income than it does currently. Where this is covering additional direct costs, then there will be no net impact on Council budgets. Where this is providing a fair contribution towards overheads and other existing costs, then this would be additional net income. This will be reviewed annually (as per the Local Government Act 2003)

11. RISK IMPLICATIONS

- 11.1 There is no inherent risk with working with FAME Pro (as 12+ UK Councils work with them already) or having a Filming Code of Practice (as this is standard practice).
- 11.2 The Filming Code of Practice clearly states that risk assessments may be required to satisfy the insurance provisions and statutory obligations to employees/anyone affected by their actions.
- 11.3 A copy of the requestor's Public Liability Insurance should be included alongside their risk assessment.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 The Filming Code of Practice clearly states that filming on Council owned premises will not include any representation of prejudiced or bigoted material, nor will the promotion of any religious intolerances be permitted.
- 12.3 North Herts Council will support both amateur and student film enquiries and is keen to support emerging talent and will offer reduced rates where possible.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Council's aim is that North Herts is a place where location filming can deliver the significant economic benefits associated with efficient and successful filming, such as local employment and tourism, whilst also being sensitive to the needs of those who live and work in North Herts.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. Our Filming Code of Practice stipulates that production companies act in a responsible and professional manner. Productions must be sympathetic to the environment that is to be used and must take their surroundings into consideration.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1. There are no Human Resources implications as filming requests already form part of the Communications and other relevant team's daily tasks.

15.2. In addition, using FAME Pro to manage future filming enquiries should reduce the council resources needed to manage and approve applications efficiently.

16. BACKGROUND PAPERS

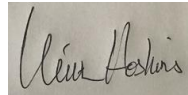
16.1 None.

17. APPENDICES

17.1 Filming Code of Practice for the District of North Hertfordshire 2023.

NOTIFICATION DATE

Date 7 July 2023



Signature of Executive Member Consulted

Date 7 July 2023



Signature of Decision Taker