

ANNEX A

APPLICATION TO FILM ON THE SCOTTISH TRUNK ROAD NETWORK

Please provide the following information so that Transport Scotland can consider your request to film on the Scottish Trunk Road Network.

This application and any subsequent filming on the trunk road network is subject to the attached terms and conditions entitled “Terms and Conditions Governing Requests for Filming On The Scottish Trunk Road Network”.

Permission to film on the trunk road network is at the discretion of Transport Scotland. Permission may be granted as requested or subject to such conditions as Transport Scotland consider appropriate.

Please send completed applications to: filming@transport.gov.scot

NAME AND CONTACT DETAILS OF APPLICANT MEDIA PRODUCTION/TV/FILM COMPANY:

DETAILS OF AND DURATION OF SHOOT INCLUDING DATES AND PROPOSED FILMING TIMES:

Specific details of any proposed traffic restrictions required to permit filming and proposals for implementation of traffic management and monitoring of traffic delays*:

Please note that for trunk road closures, Transport Scotland requires to follow a statutory procedure which has set timescales. In order to give full consideration to the request please give as much notice as possible ideally 6 weeks in advance.

Will any temporary changes to the Trunk Road be requested eg? Removal of signs/poles etc?

If YES please provide details

Please see the terms and conditions re costs and reinstatement etc.

Specific details of proposals affecting road or bridge infrastructure including use of any special effects such as pyrotechnics:

Please provide details

DETAILS OF ANY CONSULTATIONS CARRIED OUT BY THE FILM COMPANY WITH POLICE, LOCAL AUTHORITY, COMMUNITIES ETC. REGARDING THE PROPOSAL:

Have you consulted/contacted the following? If so please provide details.

Police Scotland: Yes No

[Large empty box for details]

Other Emergency Services (if appropriate) : Yes No

[Large empty box for details]

Local Authority: Yes

No

Community Council/Local Community: Yes No

Trunk Road Operating Company: Yes No

By signing below you confirm that you have the power and authority to sign on behalf of the applicant and that you agree to the terms and conditions attached to this application.

Signed for and on behalf of _____

by _____

at _____

Signed _____

Date _____

Witness (Signed): _____

Witness Name _____

Witness Address _____

TERMS AND CONDITIONS GOVERNING REQUESTS FOR FILMING ON THE SCOTTISH TRUNK ROAD NETWORK

These terms and conditions (“Conditions”) apply to any request to film on Scottish Trunk Road network and to any subsequently approved filming on a trunk road. The Conditions have been prepared by Transport Scotland, an agency of the Scottish Government responsible for managing and maintaining trunk roads in Scotland and which has its head office at Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

Unless otherwise agreed by Transport Scotland in writing, no filming may take place on a trunk road in Scotland until all the information specified in the application form and has been received and consent for the filming to proceed has been granted in writing.

All sections of the application form should be completed and submitted to Transport Scotland, a minimum of six weeks in advance of the intended start date of the filming. Requests involving road closures may require more notice as a statutory order, which alone, can take up to six weeks to complete, may be required to close the road. Every effort should therefore be made to give at least three months initial notice of proposed filming, even if the actual dates, or some details, are not known at that time. Many requests do not require a full road closure, and some do not require any closure so can be processed more quickly.

1. NOTIFICATIONS AND PERMISSIONS

It is the responsibility of the applicant to obtain all consents and permissions required to carry out the proposed filming. Where the applicant intends to use premises or property belonging to any person other than the Scottish Government, it is the responsibility of the applicant to obtain such consents and permissions for the use of such property.

The applicant must also contact Police Scotland prior to any filming commencing.

In the event of impersonation of emergency service staff other than the police or use of mock emergency service vehicles other than the police, the relevant emergency service must be contacted (i.e. where fire-fighters are impersonated and/or mock fire engines are used, the Scottish Fire and Rescue Service must be contacted).

2. TRAFFIC MANAGEMENT

Requests for specific traffic management restrictions, such as a road or lane closure shall be considered by Transport Scotland on a case by case basis. However Transport Scotland has a statutory duty to keep trunk roads open and such restrictions will only be permitted on consideration of the impact on traffic and the extent to which alternative routes are available.

- 1) Applications which may require a road closure will require a Statutory Order to be put in place which has a fixed timetable. Therefore should any such restrictions be anticipated by the film company this must be communicated to Transport Scotland ideally with no less than three months' notice. The majority of requests do not require full road closures and therefore can be dealt with more quickly. However a six week notice period should be given for any application.
- 2) If Transport Scotland give permission for filming, then the applicant must contact the Trunk Road Operating Company, to agree traffic management details and to agree an exact timetable for filming. There may be other works activities by the Operating Company or Public Utility Undertakers on the network, which will preclude the film company being able to film exactly when they wish but the Operating Company will make every effort to assist them getting 'Roadspace' when they want it.
- 3) Only an appropriately experienced and qualified Traffic Management contractor can be employed to implement traffic management measures on a Trunk Road.

3. HEALTH AND SAFETY

It is the responsibility of the applicant to ensure the safety of all personnel working, or present at the location. The applicant must comply with all relevant Health and Safety legislation, including but not limited to the Health and Safety at Work etc Act 1974.

Police Scotland must be consulted in relation to all crashes, explosions and stunts in advance of filming. Any stipulations or conditions attached to filming advised by Police Scotland or any other any emergency service must be adhered to by the applicant.

It is the responsibility of the applicant to carry out risk assessments with regard to all its activities, including working adjacent to live traffic. Any guidance given with regard to this by the Operating Company must be followed. In particular, personnel working adjacent to live traffic must comply with all instructions from our Operating Company with regard to Health and Safety issues on the Trunk Road Network, including the wearing of high visibility clothing where appropriate.

Security staff should be used where necessary for the protection of staff at the filming location.

Transport Scotland cannot be held liable for any injuries sustained at the location and the applicant should ensure that it is adequately insured for any such incidents (see Insurance section below).

4. RESPECT FOR ROAD AND LOCAL AREA

All private and public property should be treated with the utmost respect. Any damage to the filming location, the road, Transport Scotland property or any objects at the location must be re-instated to their condition prior to filming immediately after filming has concluded. The applicant shall (at its own cost):-

- ensure that any signs or other objects found at the location that have been altered or disguised are reinstated to their condition and position prior to filming;
- promptly notify Transport Scotland of any damage to infrastructure or other objects at the filming location and if so required, ensure any such damage is repaired to the satisfaction of Transport Scotland in timescales to be agreed;
- ensure rubbish is cleared away promptly and bins provided at the location if necessary; and
- re-instate the location and remove all evidence of filming.

Transport Scotland or its agents shall be entitled to inspect the filming location at any time to ensure that the location is kept in a clean, tidy and safe condition. Transport Scotland shall endeavour to give reasonable notice to the applicant to minimise disruption to filming.

Where the filming will impact (in any way) upon local residents, the applicant must make such residents aware of the filming, giving reasonable notice (preferably no less than one week) of the intended nature and duration of the filming. Any objections to filming on a trunk road received by the applicant must be communicated to Transport Scotland.

Transport Scotland may revoke, amend or qualify any consent given to film on the trunk road in light of any objections received.

5. COSTS

Transport Scotland does not charge a fee for giving consent to film on a trunk road. The applicant is responsible for all costs connecting with filming, including the cost of re-instating the location, road and other property after filming.

In the event that Transport Scotland are required to carry out any works to clean, repair or re-instate the location, the road or any Transport Scotland property following filming, the relevant costs incurred will be charged to the applicant in accordance with the provisions below.

If the applicant requires a road closure or other traffic management which requires Transport Scotland to promote a traffic regulation order in accordance with the Road Traffic Regulation Act 1984, the cost of making the Order and publishing the associated press notice will be charged to the applicant.

The applicant may also be charged for any practical services Transport Scotland provides. For example: risk assessment, structural assessments, dedicating

staffing prior or during filming, clear-up costs, Operating Company costs or Traffic Management costs.

In the event that any fees or other costs are charged to or payable by the applicant in accordance with these Conditions, an invoice will be prepared by Transport Scotland and sent to the applicant for payment within 30 days.

6. INDEMNITY

The applicant shall indemnify the Scottish Ministers against all liabilities, costs, reasonable expenses, damages and losses suffered or incurred by them arising directly out of the applicant's breach of, or non-compliance with, these Conditions, or any claim made against Scottish Ministers by a third party arising out of or in connection with the filming.

7. CONFIDENTIALITY

Where required, Transport Scotland will maintain the confidentiality of the nature and details of the filming.

8. INSURANCE

All filming taking place on trunk roads in Scotland must be covered by adequate insurance. Proof of public liability or other relevant insurance may be requested. Depending on the nature of the filming, insurance in addition to public liability insurance may be required. For example, employers liability insurance, negative insurance, errors and omissions insurance, props and sets insurance and hired equipment insurance may be required. Proof of adequate cover may be requested and filming may be refused if no such evidence can be provided.

9. CREATIVE SCOTLAND

Creative Scotland will be informed of any request to film on the trunk road network, however you may want to contact them directly. The Location Service at Creative Scotland deal with filming requests in Scotland, and provide advice to Scottish Ministers and governmental bodies about film and TV productions and related issues. They can be contacted at:-

Enquiries Service: 0845 603 6000 or enquiries@creativescotland.com

Film Location Enquiries: 0141 302 1723 or locations@creativescotland.com

10. LAW AND JURISDICTION

The application form and these Conditions are governed by the laws of Scotland and any dispute in connection with the filming or these Conditions shall be subject to the non-exclusive jurisdiction of the Scottish Courts.

11. CONTACT

Any questions relating to filming on a Scottish Trunk Road or relating to these Conditions should be sent to: filming@transport.gov.scot.