

Corporate Policy and Strategy Committee

10.00 am, Tuesday, 1 December 2015

Filming in Edinburgh

Item number	7.4
Report number	
Executive/routine	
Wards	All

Executive summary

It is proposed that, where practical, Film Edinburgh is consulted on changes in Council policies relating to traffic management with the potential to impact on filming in Edinburgh. The Committee is asked to approve in principle the introduction of a scheme that will enable filmmakers filming in Edinburgh to apply for a “notice of no objection” and to refer this report to the City of Edinburgh Council to reflect the addition to the Scheme of Delegation. The Committee is asked to note the proposed development of a 35 hectare film and television studio complex at Old Pentland in the Midlothian local authority area which has the potential to significantly increase filming in Edinburgh.

Filming in Edinburgh

Recommendations

- 1.1 To note the potential for changes in Council policies relating to traffic management in Edinburgh to impact upon the delivery of the Film Charter and agree that, where practical, Film Edinburgh should be consulted on proposals of this nature to determine any negative impacts on filming in Edinburgh.
- 1.2 To approve in principle the introduction of a “notice of no objection” scheme wherein filmmakers will be able to apply for a non-contractual notice stating that the Council has no objection to them filming on the street provided the Code of Practice for filming in Edinburgh is adhered to. Authority to endorse the notices will be delegated to the Director of City Strategy and Economy.
- 1.3 If agreed, to note that appropriate adjustments will be made during the current review of the Scheme of Delegation to Officers.
- 1.4 To note the proposed development of a film and television studio complex at Old Pentland in the Midlothian local authority area.

Background

- 2.1 Edinburgh is a popular filming location. In 2014, 361 productions filmed in and around Edinburgh, up 6% on 2013. This generated an estimated £4.6 million for the local economy
- 2.2 Film Edinburgh is the film commission for Edinburgh, East Lothian and the Scottish Borders. It provides support for producers who are filming in Edinburgh. Film Edinburgh is part of Marketing Edinburgh Ltd, an arm’s length company of the City of Edinburgh Council.
- 2.3 Although Edinburgh and, more widely, Scotland is a popular filming location, the lack of large studio spaces in Scotland means the country is unable to compete for the largest and most high impact productions. For example, the producers of the television series “Games of Thrones” considered filming in Scotland but ultimately chose Ireland due to its superior facilities. In May 2013, the Scottish Government established a Film Studio Delivery Group to address the lack of a large-scale film studio facility in Scotland.

- 2.4 In 2014, Pentland Studios Ltd announced plans to develop a 35 hectare film and television studio complex at Old Pentland to the south of Edinburgh. The development would be privately funded with no reliance on state aid. In light of the potential benefits to Edinburgh of having an industry-standard film studio on the city's outskirts, the Council's Investor Support team has worked closely with Pentland Studios Ltd to support its plans. An application for planning permission in principle was made to Midlothian Council in May 2015. Pentland Studios Ltd hopes to begin construction in the first quarter of 2016.
- 2.5 On 6 March 2014, the Economy Committee approved an updated Film Charter and Code of Practice for filming in Edinburgh. These documents – developed in conjunction with Film Edinburgh – set out the Council's policies on filming in Edinburgh: how the Council and Film Edinburgh will facilitate filmmaking and the Council's expectations of the conduct of filmmakers.
- 2.6 In April 2015, the City of Edinburgh Council introduced an upfront administrative charge of £10.00 for granting single yellow line dispensations. Film Edinburgh has stated that this policy makes it more challenging for filmmakers to undertake location filming in Edinburgh and has expressed concern that it was not consulted in advance on the introduction of the charges. Film Edinburgh is now working with the film industry to assess the impact of the new policy on filming in Edinburgh and has indicated a desire to work with the Council more closely on policy changes which have an impact in future.

Main report

Film Charter

- 3.1 The Council's Film Charter sets out how the Council will support filming in Edinburgh. In practice, the main area of interaction between the Council and filmmakers is around outdoor filming and its requirements for traffic management. Changes to the Council's policies on traffic management can therefore have implications for filmmakers.
- 3.2 In light of the economic benefits to Edinburgh from filming undertaken in the city, it is desirable that, where possible, filming is facilitated and policies are not introduced that unduly restrict filming. As the film industry is an important source of investment into the city and the Council manages and funds Marketing Edinburgh Ltd, the Investor Support team acts as a conduit between Film Edinburgh and the Council.
- 3.3 As an arm's length Council company with the mandate of supporting filming in Edinburgh, Film Edinburgh is well placed to act as an intermediary between the Council and the film industry and to advise the Council of any potential

implications for filming in Edinburgh of changes to policies relating to traffic management to avoid any unanticipated negative impacts. It is proposed that, where practical, Film Edinburgh is consulted on policy changes of this nature with the potential to impact on filming in Edinburgh.

Notice of no objection

- 3.4 A notice of no objection is a notice stating that the Council raises no objection to filming being undertaken on a road in Edinburgh. The Council has no statutory powers to restrict anyone from filming on roads in Edinburgh, and a notice of this nature therefore has no legal weight. Despite this, filmmakers frequently request notices of no objection as they are often found to be helpful when approached by police officers, private security guards and members of the public. Film Edinburgh currently receives on average between 100 and 200 requests for notices of no objection each year which it is currently unable to respond to.
- 3.5 A number of local authorities in the UK currently offer notices of no objection. These include the London Borough of Hammersmith & Fulham and the London Borough of Richmond upon Thames.
- 3.6 In response to the demand from filmmakers, a notice of no objection template has been prepared by the Council's Investor Support team. It is proposed that Film Edinburgh will receive applications for notices from filmmakers, pass the applications to the Council's Director of City Strategy and Economy along with a recommendation as to whether a notice be granted and pass ratified notices to the filmmaker.

Pentland Studios

- 3.7 Pentland Studios Ltd made an application to Midlothian Council in May 2015 for planning permission in principle for a 35 hectare film and television studio complex. If planning permission is secured, the company hopes to begin development in the first quarter of 2016, with the first buildings complete in 2017.
- 3.8 While the development site is outwith the boundaries of the City of Edinburgh Council, its scale and proximity means that it would impact on the city economy. An assessment of the potential economic impact of the development by WSP concluded that it could potentially support 320 full-time equivalent jobs upon completion, rising to 900 during filming. Film Edinburgh has stated that the establishment of the complex could be expected to significantly expand the number of film productions in Edinburgh.
- 3.9 The Council's City Strategy and Economy service and Film Edinburgh have worked with Pentland Studios Ltd since June 2014 to help progress the project.

Measures of success

- 4.1 Film Edinburgh publishes annual figures relating to the number of enquiries received from filmmakers, the number of film productions undertaken in Edinburgh and the surrounding area and the value thereof to the economy. All other factors being equal, increased support for filming in Edinburgh can be expected to deliver improved performance against all three metrics.

Financial impact

- 5.1 There are no identifiable financial impacts associated with this project.

Risk, policy, compliance and governance impact

- 6.1 There is a risk that introducing policies on traffic management in Edinburgh without prior consultation with Film Edinburgh could result in unforeseen negative impacts on filming in Edinburgh to the detriment of the economy. By consulting with Film Edinburgh in advance where practical, any potential negative impacts can be better understood.

Equalities impact

- 7.1 There are no identifiable equalities impacts associated with this project.

Sustainability impact

- 8.1 There are no identifiable sustainability impacts associated with this project.

Consultation and engagement

- 9.1 Consultation on the “notice of no objection” has taken place with Film Edinburgh and with the Council’s Roads Services: Events & Project Development section.

Background reading / external references

“Film Charter and Code of Practice” (report to the Economy Committee, 6 March 2014)

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Links

Coalition pledges	P28 – Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the City
Council outcomes	CO8 – Edinburgh’s economy creates and sustains jobs opportunities. CO23 – Developed our reputation and ensured customers have a positive perception of the Council. CO26 – Visibly enhanced our city’s cultural and sporting future.
Single Outcome Agreement Appendices	SO1 – Edinburgh’s economy delivers increased investment, jobs, and opportunities for all