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**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE  
SERVICES COMMITTEE ON 5 SEPTEMBER 2023**

**SUBJECT: USE OF COUNCIL BUILDINGS AND STRUCTURES FOR  
ABSEILING ETC.**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND  
FINANCE)**

**1. REASON FOR REPORT**

- 1.1 The Committee is asked to approve an exception to the existing policy on the use of Council buildings and structures for abseiling or similar activities.
- 1.2 This report is submitted to Committee in terms of Section III F (28) of the Council's Scheme of Administration relating to the promotion of tourism development in Moray.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Committee approves an exception to the current policy on the use of Council buildings and structures for abseiling or similar activities, for Film and Television purposes only, due to the economic benefit screen tourism brings, as set out in para 3.5 of the report.**

**3. BACKGROUND**

- 3.1 On 2 March 2010, Policy and Resources Committee (paragraph 7 of the minute refers) agreed a new policy whereby the Council does not permit the use of its buildings for abseiling, aerial runways or similar events organised by external organisations.
- 3.2 From time to time, the Council receives requests, through its Film Liaison Service, from film and television production companies seeking permission to use its buildings and structures for filming which involves abseiling or aerial runways or similar events. The existing policy prevents permission for these requests and as such the policy may be adversely impacting the potential economic benefits that screen tourism can bring to Moray.
- 3.3 Tourism is a key sector which makes a significant contribution to Scotland's economy and is a major part of Moray's economy, accounting for 10% of jobs and providing an economic impact of over £96m annually.

- 3.4 Television programmes and films which are set in Scotland or have links to Scotland, play a role in inspiring visitors to come to Scotland. They act as a prompt to visit, in particular for European and long-haul markets. When here, visitors may take part in specific TV and film related activities which form part of their visitor experience. Screen tourism provides a tangible connection with the location.

Visitor expenditure for Scottish businesses as a result of screen tourism activities is £64.9million annually. (Source: Screen Scotland)

- 3.5 **Proposal** – it is proposed that the Council amends the existing policy to allow an exception so that permission can be granted to corporate entities involved in film and television production only, where use of one of its buildings or structures for abseiling, aerial runways or similar events will bring economic benefit to the area, subject to the following conditions:

(a) The corporate entity instructs an appropriate independent survey of the building or structure which can be relied upon by the Council indicating that the property is structurally safe for the activity and would not be damaged by the proposed activity. The survey report would be submitted to the Council for review.

(b) The corporate entity would pay a non-refundable fixed fee to the Council, which would cover the administrative costs of undertaking appropriate checks and reviewing the independent survey report and other relevant paperwork. (The Council would establish a fixed charge for the issue of such permits, which would be reviewed on an annual basis with all other charges.)

These charges would be applied over and above those charged by the Open Spaces Team for commercial filming in Council owned open spaces.

(c) Sufficient notice is received for all conditions to be met prior to the commencement of filming. (As a guide, the corporate entity should submit an application to the Council 2 months prior to filming).

(d) The corporate entity is required to provide to the Council proof of certification of fitness for purpose of all equipment to be used for the event. (This may include for example ropes, wires, harnesses, cranes and scaffolds).

(e) The corporate entity is required to provide the Council with a statement of the risk assessment and risk mitigation measures in respect of the filming.

(f) The corporate entity is required to provide the Council with details of insurance certificates which must cover their own risk, public liability and indemnity insurances and any other appropriate documentation in respect of qualifications, licences or certificates required to undertake.

(g) The corporate entity undertakes to make good any damage caused.

#### **4. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

An amendment to the existing policy will contribute to achieving the corporate plan priority to promote economic development and growth, also the LOIP priority of a growing and sustainable economy.

**(b) Policy and Legal**

This report seeks the amendment of an existing policy.

The Council considers support for economic development issues on their merits, against the objective to facilitate sustainable economic growth and the desired outcomes of the Ten Year Plan and Corporate Plan.

It is important that the Council complies with its duties under the Health and Safety at Work etc. Act 1974 and ensures that the television and film productions are properly regulated.

**(c) Financial implications**

A fixed fee to the Council, which would cover fully the costs of undertaking all appropriate checks including reviewing the independent survey report and other relevant paperwork

**(d) Risk Implications**

Risks identified include:

- Ensuring full compliance with health and safety regulations
- Television and film production companies selecting other local authority areas for their filming locations
- Adverse impact on the potential economic benefits that screen tourism can bring to Moray if no change to existing policy

**(e) Staffing Implications**

There will be a requirement for documentation checking and arranging any necessary surveys (e.g. structural), which will be accommodated within existing staffing resources with assistance from departments if needed e.g. Legal, Estates etc.

**(f) Property**

There will be no specific property impacts on the basis that all requests are progressed in line with the procedure and all necessary investigations are completed prior to any access being granted.

**(g) Equalities/Socio Economic Impact**  
An impact assessment is not required.

**(h) Climate Change and Biodiversity Impacts**  
The potential increase in tourism to Moray could result in an impact due to tourism causing carbon emissions through transport, accommodation etc. The promotion of sustainable tourism in addition to supporting tourism businesses to reduce their carbon footprint will assist in preventing some of the impacts of tourism on the climate

**(i) Consultations**  
The following officers have been consulted on the contents of this report: Depute Chief Executive (Economy, Environment and Finance), Head of Economic Growth and Development, Head of Environmental and Commercial Services, Head of Housing and Property, Legal Services Manager, Committee Services Officer and their comments have been included in the report.

## **5. CONCLUSION**

**5.1 This report provides the Council with the opportunity to permit use of council buildings and structures for abseiling etc., solely for the purpose of film and television production, and to levy an appropriate charge for associated costs.**

**5.2 An amendment to the existing policy has the prospect of bringing additional economic benefits from screen tourism to the Moray area.**

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Background Papers:

Ref: SPMAN-813460984-413