



A Guide to Filming at Historic Environment Scotland Properties

1. Introduction

Historic Environment Scotland has over 300 properties in its care from early farming settlements to Iron Age fortifications, Roman forts and Pictish stones, to medieval palaces, castles, abbeys, cathedrals and churches, to military fortifications, industrial sites and 19th-century houses.

This wide portfolio of properties can provide ideal locations for film and TV productions. You will find details about the properties on our website at <https://www.historicenvironment.scot/visit-a-place/>.

Previous productions that have filmed at our sites include television series *Outlander*, feature films *T2 Trainspotting*, *Under the Skin*, *Burke and Hare*, *Filth* and the documentary series' *A History of Scotland* and *History of Scottish Art*.

While we welcome enquiries to film at our sites, our primary aims are to ensure that our sites are protected and the visitor experience is not significantly disrupted. Historic Environment Scotland exists to safeguard Scotland's built heritage for the enjoyment of the people of and visitors to Scotland. **For this reason we cannot allow film crews to disrupt visitors' experience of sites by asking them to move out of shot etc., however, with sufficient planning we can close sites and parts of sites in certain circumstances.** We will make every effort possible to ensure that productions, with which we have entered into agreements, can get what they need from Historic Environment Scotland sites, while also protecting the property and visitor experience.

2. Permission

Permission from Historic Environment Scotland will always be required well in advance of any on-site filming. For commercial filming we require a minimum notice period of 14 working days. This notice period will be longer the larger and more complicated the size of your filming proposal. In instances where Scheduled Monument Consent (see Section 3 for details) is likely to be necessary, the timescale involved will be considerably lengthened. In these cases, a lead time of at least three months is essential.

All requests to film are assessed on a case-by-case basis taking in to account factors such as likely visitor numbers, existing scheduled events, planned maintenance work and site-specific sensitivities including fragility of masonry, rare species, availability of parking etc.

Historic Environment Scotland may choose to permit filming and waive the fee for the following:



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- Promotional filming – usually small-scale filming, where Historic Environment Scotland is directly promoted as an organisation
- Student filming – filming carried out as non-commercial, educational projects by students/school children.

3. Scheduled Ancient Monuments

Scotland's Properties in Care are conserved and managed by Historic Environment Scotland on behalf of Scottish Ministers. They are 'in care' because of their cultural significance and are often extremely sensitive sites. As a result every care has to be taken to ensure that no damage is caused by visiting film crews.

Many of the properties in the care of Historic Environment Scotland are designated as scheduled monuments. This means that they are deemed to be of national importance and prior written consent of Scottish Ministers is required for **any** works at those sites. The presumption of scheduling is that any future works affecting the monument will be the minimum necessary consistent with the preservation of the site.

Any person carrying out unauthorised works or allowing unauthorised works to be carried out on a scheduled monument without consent is guilty of an offence and can be prosecuted.

To ensure the protection of the monuments we stipulate certain restrictions on equipment used and activities undertaken. Examples include that all stands must have rubber footings, nothing must penetrate the ground and no attachments whatsoever are made to stonework or the fabric of any monument.

Despite the constraints that the protection of the monuments demands we can, through discussion, generally find solutions to reasonable filming requests.

4. Contact Information

If you are interested in filming at a Historic Environment Scotland property, please contact the below mailbox, where our colleagues will start the process for you.

Filming@hes.scot

+44 (0)131 668 8747

5. The Application Process

Filming requests are processed through discussion and negotiation.

There are seven key steps:

1. Pre-application advice and receipt of blank filming questionnaire.
2. Submission of completed questionnaire and formal application.



3. Site meeting held if appropriate.

4. Discussions of plans and revision of proposal if necessary.

5. Fees agreed if applicable.

6. Legally binding contract signed.

7. Payment requested if applicable.

1. Once you have made contact with the appropriate person in Historic Environment Scotland you will be sent our standard questionnaire for completion with details of your proposed filming.

You should provide as much detail as possible when completing the questionnaire. Information provided should include proposed dates and times, potential locations, content and nature of the script, detailed description of any equipment to be brought on site, set dressing, number of vehicles, cast, crew and extras.

2. The completed questionnaire should be returned to the relevant contact and at this point your request will be circulated internally to relevant teams within Historic Environment Scotland for comments. Straightforward requests may not require a site meeting and the process can continue through telephone and e-mail correspondence. For more complicated requests a site meeting may be necessary.

3. A site meeting is held if required. This meeting will involve a number of Historic Environment Scotland representatives from teams such as Visitor Operations, Monument Conservation Unit and Cultural Resources.

4. Any questions, concerns or issues raised in the application process are discussed at this stage to determine whether your request can be accommodated at our site/s. At this point we will be able to confirm whether or not we can take your request forward. All being well an agreement will then be reached.

5. Fees are agreed (for commercial filming projects). Our standard fees are based on an hourly rate (see Section 13) but your project will be assessed on a number of factors including the number of people involved, the impact it will have on the site and the duration of the filming. Additional charges may be applicable, for example the cost to Historic Environment Scotland of providing additional staffing or loss of admissions income if the site needs to close.

6. When all agreements are in place, for straightforward requests we will issue a formal Filming Agreement document. This **must** be signed and returned in full before filming can take place. In the interests of expediency, we can accept a scanned copy of the contract of hire by email, but we will require to receive a hard copy of the document to complete the agreement.

To note, no changes to our contract, of any nature, will be accepted and the document must be signed as presented in order to proceed.

To note, Historic Environment Scotland does not sign any location agreements or terms and conditions submitted by third parties. All agreements will be through our standard contracts.

Proof of public liability insurance and a risk assessment must be submitted. Public liability insurance should be to a claim value of not less than £5 million; although higher levels may be required or lower levels accepted in certain circumstances.

A comprehensive risk assessment for the filming is required **before** the Filming Agreement can be issued. This will be examined by our Monument Conservation team, and any issues or inadequacies will have to be resolved prior to filming commencing. If an applicant is unsure of how to write a risk assessment, guidance can be sought from the Health and Safety Executive. More information can be found at www.hse.gov.uk/risk.

7. Invoices will be issued to you as per the agreed contract. This may include a pre-start stage payment and a refundable remediation deposit (See Section 13). Depending on the extent and nature of the filming further stages will be charged up to full amount agreed.

6. Student Filming Requests for Educational Projects

Historic Environment Scotland recognises the educational benefit of planning and carrying out filming projects for students of media and other subjects, and as such will consider student requests, potentially free of charge. All parts of the permission stages set out in this document apply to students, including the need for risk assessments and public liability insurance. Additionally, we will require proof of necessity and confirmation that the project forms part of an accredited course of study, by way of a letter from the lecturer or equivalent.

Please note that we limit the number, size and complexity of student filming projects on our sites along the following lines:

Type	Example	Max total crew size	Max time on site
Busy	Edinburgh Castle	5	2 hours
Mid-range	Aberdour Castle	7	3 hours
Unmanned	Duffus Castle	10	4 hours
Other	Holyrood Park	20	4 hours

This is a guide only, and each request will be considered individually. We may ask you to cut down time on site, crew size or other.

Although we will do our best to help, as demand is high we cannot guarantee authorisation of all requests in this category. Submitting your request as far in advance as possible is strongly advised.

Once a student filming request has been authorised you will be required to make an education booking through our free education visits scheme (please note charges apply at Edinburgh & Stirling Castles from May – August).



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To visit Edinburgh and Stirling Castles call Learning Services on 0131 652 8155 / 8156 or email learning@hes.scot. To visit any other properties please call the site directly. Contact details can be found on our website. **Please note education visits must be booked at least 2 weeks in advance.**

Groups with students aged 16 or under must be accompanied a teacher or group leader. Full terms and conditions can be found on our website <https://www.historicenvironment.scot/learn/>.

7. Unmanned Aerial Vehicles Policy

Requests to use UAVs will be considered on a case-by-case basis. We will only allow UAV filming if the following is in place:

- The flying is carried out by a CAA accredited operator, whose credentials must be proven to Historic Environment Scotland
- A risk assessment and method statement including flight paths and area control must be received from the operator, which must be approved by our Monument Conservation Unit and in-house UAV operator
- The operator must abide by all CAA guidelines for UAV usage
- The site must be closed to the public, and must be unoccupied
- A member of the HES staff must be available and be on site to supervise filming.

Further information may be obtained from the Civil Aviation Authority website <http://www.caa.co.uk/>. UAV usage requests will be dealt with on a case-by-case basis, and the District Works Manager will have the final say on their use on site.

For clarity, please note that all other filming guidelines in this document also apply to UAV filming.

8. Physical and Special Effects

All applications that include the use of smoke or other effects must state:

- the effect you wish to use/achieve
- where you intend to use the effect
- the chemical composition of the materials involved in the effect

It may be possible to use certain effects in some areas (e.g. on grass) and not others (e.g. on or near stone). Each effect will be considered on a case-by-case basis and must be included in the risk assessment.

9. Film Crew Size



We may ask you to reduce your numbers if you request a large crew for a busy site. While a crew of 20 might be manageable in, for example, Holyrood Park, it could cause disruption at Edinburgh Castle, which welcomes more than 1.8 million visitors each year.

10. Replica Weapons

Prop weapons such as swords and other bladed weapons can be brought on site as long as they are blunted and risk assessed. We must see certification for any replica guns before filming begins.

Fort George and Edinburgh Castle are run in partnership with the Ministry of Defence (MOD) and both have a military presence. The MOD will be told of all requests to use replica weapons at these sites and they may ask to inspect such items.

11. Use of Animals

You may be able to use animals on site in certain circumstances as long as:

- they are controlled properly
- their use is risk assessed and their welfare appropriately safeguarded
- you hold the relevant paperwork for the movement of any cattle or other livestock.

12. Equipment

Equipment **cannot** be attached to any part of a monument under any circumstances whatsoever.

All lighting, tripods and any other structures must:

- be freestanding
- have rubber footing to avoid any damage to the monument.

For example, freestanding counterweighted rigs may be used for overhead camera shots.

Nothing must penetrate the ground. This is to protect any hitherto undiscovered archaeological remains. Most of our sites are Scheduled Ancient Monuments protected for the archaeological and historical evidence they contain both above and below ground.

13. Fees & Remediation Deposits

Filming Fee: The standard charge for filming at Historic Environment Scotland properties is £150 + VAT per hour.



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Staff Cost Recovery Charge: Productions that take place outside of normal opening hours for a site, or which require additional HES staff attendance, will also incur a charge to cover our staffing costs.

There will be no filming fee incurred if your filming is judged to be directly promoting our organisation, Historic Environment Scotland. However, in these instances we will still charge for any additional staffing costs.

Loss of Income Recovery Charge: Should we agree to close a property and in so doing lose admissions, retail or catering income, we will re-charge that loss to your project. The level of that re-charge will be based on sales figures from equivalent dates from previous years, adjusted to take account of particular circumstances, e.g. Easter weekend, school holidays.

Remediation Deposit: Should we judge that there is a risk of damage to the monument as a result of your proposed project we will request a refundable remediation deposit from you. The payment of that deposit prior to the commencement of filming will be a requirement. Should no damage occur the full deposit will be refunded to you by an agreed date at the end of the filming. A dilapidations survey will be required before and after your activity on site to evaluate any damage done. This may be as simply as taking photographs of the ground conditions before and after or may be more complex if you propose to film inside, for example, Doune Castle.

14. Filming Not Considered

Not all themes for filming will be considered by Historic Environment Scotland.

Political filming - Historic Environment Scotland is a Non Departmental Public Body with charitable status. We care for the Properties in Care on behalf of Scottish Ministers and as such must remain strictly politically neutral at all times. For this reason we do not allow any filming of a political nature whatsoever.

Paranormal filming - Historic Environment Scotland does not actively promote the use of its sites for the investigation of alleged paranormal activity and we do not encourage activities that would potentially damage the integrity of the site. Consequently we only allow research which will not be published. For this avoidance of doubt this also means that the investigation process relating to such research also cannot be publicised. Prior to any such work at our site a contract to this effect would be required. Filming requests of this nature are unlikely to be granted permission.

Inappropriate filming – Historic Environment Scotland will not permit or accommodate requests for filming that are deemed unsuitable insofar as they do not align with the organisation's objectives or are considered to be blasphemous, salacious or derogatory in nature.

15. Filming Questionnaire Example

Filming, Photography or Sound Recording Request

Historic Environment Scotland - Scottish Charity No. SC045925
Registered Address: Longmore House, Salisbury Place, Edinburgh, EH9 1SH
VAT Registration number GB 221868015



BOOKING FORM

Customer Contact Details

Contact Name:			
Production/ Broadcast Company:			
Address:		Invoice Address (if different):	
Telephone:	Mobile:		
Email:			

Activity Details

Property/ies:			
Activity: <i>(details of proposed filming/photography/radio broadcast activity)</i>			
Nature of Programme:	Film	<input type="checkbox"/>	
	TV Drama	<input type="checkbox"/>	
	TV Light Entertainment	<input type="checkbox"/>	
	Commercial	<input type="checkbox"/>	
	Pop Promo	<input type="checkbox"/>	
	Short Student	<input type="checkbox"/>	
	Photography	<input type="checkbox"/>	
	Documentary	<input type="checkbox"/>	
	Live Social Media Feed	<input type="checkbox"/>	
	Webinar	<input type="checkbox"/>	
	Other (please specify)		
Production title/ working title:			
Estimated date and time of release/ screening/broadcast:			
Activity Duration			
Start Date:		End Date:	
Start Time:		End Time:	

Detail of equipment that will be on the Property

Equipment details: <i>(If UAV to be used please complete the UAV section of the Schedule)</i>			
Number of crew:		Number of cast:	



Type and Number of Vehicles:	
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Unmanned Aerial Vehicles	
CAA Pilot Licence	<input type="checkbox"/>
UVA Operator Public Liability Insurance £5M	<input type="checkbox"/>
Risk Assessment	<input type="checkbox"/>
Method Statement e.g. flight paths etc.	<input type="checkbox"/>

Insurance Details		
Public Liability Insurance: The box ticked by the Rights Holder indicates what you are required to obtain	£5 million per occurrence	<input type="checkbox"/>
	£1 million per occurrence	<input type="checkbox"/>
	Not applicable	<input type="checkbox"/>

Consent to the activity will only be granted on signed acceptance of our Terms and Conditions. If you wish to see these in advance please ask for them to be sent to you.