

**“FILM LOCATION RECOVERY PLAN”  
(Edited Version)**

**CAPE TOWN & THE WESTERN CAPE**

**MAY 2010**

**PREAMBLE**

The film industry’s dissatisfaction regarding the handling of all matters pertaining to locations by the Cape Film Commission and the Cape Town Film Permit Office has been well documented over the last 3 years.

The failure of the CFC and CTFPO to react proactively to the industry’s concerns has created an endemic and serious situation which needs to be addressed as a matter of urgency to safeguard the future of our industry in the Western Cape. Failure to implement a comprehensive plan to reverse the situation could have dire consequences – most notably a sharp decline in work and confirmation of the growing perception amongst both national and international clients that Cape Town is a City which seeks to repel rather than encourage filmmaking. Aside from the negative effect this will have on the entire production community and our extensive supplier base, the newly developed Cape Town Film Studio may also be at risk as Cape Town is first and foremost a location film destination.

We acknowledge the commitment of the City and Province to try to resolve these issues. The development and imminent implementation of an on-line booking system (proposed at our meeting with Mansoor Mohamed in Dec 2008) is an encouraging start to the process however much more needs to be done to reverse the ill-effects which have unfortunately accumulated over the last 5 years.

The following document is a proposed solution of how the industry and government can work together to substantially improve the situation over the forthcoming year. We would like nothing more than to enable our membership to be able to work unhindered and with the full support of local Government, thereby facilitating the return of Cape Town to its status as one of the World’s premier film destinations.

## **SECTION A: THE 6 POINT STRATEGY OF THE “FILM LOCATION RECOVERY PLAN”**

### **1. POLITICAL SUPPORT & EFFECTIVE MANAGEMENT OF STAKEHOLDER RELATIONS**

Although the film industry is aware that it has political support from the City/Province, this message has not been effectively communicated to City/Provincial line departments, residents association, business associations, the general public etc.

This perceived lack of support has resulted in opposition to the industry from all quarters. City Line departments resist issuing permits for no good reason and prejudicially restrict filming activity in their jurisdictions, resident’s associations run interference and bring permitted shoots to a stand-still, provincial line departments close early on Fridays and shrug off the objections of production companies waiting for permits to shoot over the weekend, SANParks increase tariffs by up to 1000% with no consultation or notice, businesses try to extort money from production companies as compensation for unsubstantiated “loss of earnings”.

Failure to effectively lobby these groups and to implement a public relations campaign to improve the industry’s image has seen the negative effects multiply over time.

The key to resolving this issue is, we believe, for the City/Province to publically endorse the Industry and to request that all stakeholders provide full support to the Industry instead of obstructing its progress. In the event that resistance is encountered, meetings must be convened to resolve matters before they reach crisis proportions. The Gauteng Film Commission employs this strategy very effectively by informing problematic authorities that the promotion of filmmaking is promoted (via the Commission) at the request of the Provincial Government and that unless there is a very good reason for opposition, none should be encountered.

The key is to proactively deal with these issues as and when they arise and effectively publicising the City/Province support for the film industry. The message should be that the Film industry is one which is valued by the Province/City; which contributes to the GDP of the Western Cape; creates jobs; promotes high end tourism and investment etc. A “can do” approach must be cultivated as opposed to the existing one which sends a message of bureaucratic indifference. Most importantly, the Film Industry in Cape Town is here to stay and has as much right to operate as any other sector of the economy.

### **RECOMMENDATION**

- *A suitably qualified and experienced consultant to be hired for a 6 to 12 month period to oversee an outsourced and properly executed Stakeholder Relations campaign, to include:*
  - *A Public Relations campaign aimed at the citizens, communities and resident’s associations of Cape Town to make the case for the Industry and communicate Govt support.*

- *An Internal Relations campaign aimed at City/Provincial line departments, again to make the case for the Industry and communicate Govt priorities of assistance and support.*
- *The consultant will also troubleshoot problems with all stakeholders and implement strategies and solutions. He/She will also communicate with the Industry on all important resolutions and assist the industry with location problems and promote effective self-regulation.*
- *A Legal Review of the rights and obligations of the City Line Department's film sector management protocols (eg. 3 parking rule, 3 stills shoots on beaches)*

**Duration of Project:** 6 Months – July to November 2010

## **2. RESTRUCTURING OF THE CAPE TOWN FILM PERMIT OFFICE**

The membership of the CPA & SAASP (representing 60 production companies) are unanimous that we have no alternative but to voice an immediate VOTE OF NO CONFIDENCE in the Cape Town Film Permit Office. This position has been ratified at recent meetings of both Associations.

Our collective experience with the CTFPO has become untenable and the hostility between the CTFPO and industry has increased to the point where we do not believe the situation can improve under the CTFPO's current management.

It is therefore requested that the City consider the following alternatives:

1. The separation of the Film & Event offices as it is clear that film has been sidelined in favour of events;
2. The complete re-staffing of the existing film office with pro-active, properly trained and equipped individuals who support and understand the unique requirements of the film industry and who are committed to assisting in the efficient issuing of permits. The staff will use the new on-line booking system, interact with the industry and City line departments and flag potential location problems before they become barriers to entry. The Film Office will develop proper procedures and internal controls and become accountable and service orientated. Most importantly, they will be tasked with promoting the needs of the industry rather than obstructing them;
3. The integration of the Film Office into the Cape Town Film Partnership. (This is the option favoured by the Film Industry);
4. The proposal to make the Film Office part of the CFC is not recommended.

## **RECOMMENDATION**

- *It is requested that the existing film office be completely overhauled and re-staffed in a manner most conducive and acceptable to the City of Cape Town.*
- *It is recommended that this function is outsourced to the Cape Town Partnership. The Cape Town Partnership is a collaboration between the public and private sectors working together to develop, promote and manage Cape Town Central City. It is an independent non-profit organisation (Section 21 company) governed by a Board of Directors. The directors, drawn from a diverse range of stakeholders, bring their expertise and networks together for the benefit of the Central City. Cape Town Partnership already manages a range of services in central Cape Town, including security and cleansing, and is therefore already operating at the intersection of the City and business on behalf of an improved operating environment.*
- *It is recommended that, though permits themselves may be free, Cape Town Partnership would charge an administration fee for the processing of permits. A portion of these fees would be used for Cape Town Partnership expense and a portion would be allocated to a fund that would “give back” to the communities in which filming takes place.*
- *It is further proposed that a consultant from the industry (preferably an experienced location manager) be appointed for a period of 6 months to work with the staff of the Film Office to ensure a full understanding of the process, the “on set” experience and the requirements of production companies and location scouts and managers. This will ensure that efficiency and good service are prioritized.*
- *It is recommended that any overhaul of the CTFPO take cognisance of a legal application of fair and non-discriminatory sector management protocols (e.g. Removal of 3 parking rule, 3 stills shoots on beaches)*

*Duration of Project: 6 to 12 Months (July – November 2010/May 2011)*

### **3. THE LOCATIONS MANIFIESTO**

The Locations Manifesto, sent in the form of an industry petition to the CFC and CTFPO in December 2007, has unfortunately been ignored. This is a great pity as the 18 points of the Manifesto were intended as a set of solutions designed to resolve the various issues.

The Manifesto remains as relevant today as it was 2 ½ years ago and all points should be revisited. The industry would like clarity on how the regulations implemented by the CTFPO were decided as there was no transparency or consultation in the process. There is confusion regarding the legality of certain rules implemented by the CTFPO and these must be thoroughly assessed.

## RECOMMENDATION

- *It is requested that all points contained within the Location Manifesto of December 2007 be urgently addressed and resolved. Onerous restrictions which have been implemented without transparency or consultation by the Cape Town Film Permit Office to be urgently reviewed.*

### 4. ESTABLISHMENT OF THE LOCATION GUILD

The establishment of a professional location guild in Cape Town has been a proposal of industry for many years.

The Guild is important in that it will enable the industry to share information, formalize procedures and to self regulate. Location professionals in Cape Town represent production companies “on the ground” and are usually the first point of contact with the film office, issuing permit authorities and the citizens of Cape Town.

The Location Guild would also be instrumental in bringing to the attention of the Film Office, Film Commission and the relevant associations new developments, restrictions and problem (they are usually the first to encounter them) and they will also be in a position to raise concerns regarding rogue production companies that compromise locations and operate outside the of the legal parameters.

This information is vital in making production companies accountable for their actions – the production community welcomes this as it will put an end to unscrupulous “producers” operating with impunity in Cape Town thereby compromising those who adhere to the regulations.

The location managers are in the process of formulating a proposal which includes the following issues, amongst others:

- Establishment of the Guild as a legal entity
- A membership drive – location managers, scouts, ECO's, production managers, photographers etc
- A part time employee to run the activities of the Guild
- Development of a website and blog via which all location professionals can communicate.
- An accreditation system for location managers and scouts
- Up-skilling and training of location personnel

## RECOMMENDATION

- *It is proposed that a working Location Guild be urgently established to assist in the monitoring and resolution of location problems experienced to date.*

## **5. TRAFFIC OFFICERS**

One of the single biggest problems experienced over the last 5 years is the lack of availability of Traffic Officers, especially over weekends, public holidays and for the duration of events such as the J&B Met, Cape Argus etc. Last season, traffic officers were in short supply as they were dispatched to De Doorns to deal with civil unrest. Traffic Officers were not available for shoots which required road closures on certain toll roads and on Chapman's Peak for a variety of reasons, including a lack of insurance outside their area of jurisdiction and a reluctance to pay toll fees to access locations.

Although the industry is unanimous in its praise for Mr Michaels, concern exists regarding who will replace him once he retires. It is acknowledged that the traffic department are the 'friends of the film industry', however they appear to be under-resourced and facilitating road closures for filming is understandably not their top priority.

It has been proposed in the past that retired traffic officers be returned to part-time duty to assist with film & events and also that a small dedicated force be set up for this purpose (similar to the Outsurance/JMPD initiative in Johannesburg which makes traffic officers available to direct traffic at intersections with non-functioning traffic lights – a common occurrence on Johannesburg streets!

### **RECOMMENDATIONS**

- *It is requested that the City urgently review the requirements for traffic officers for film & events and consider the implementation of a "dedicated traffic force".*
- *If necessary, additional fees to be implemented for the services of traffic officers if cost is the prohibiting factor and if this will guarantee the continued availability of traffic officers.*
- *Traffic officers comprising the "dedicated force" should be enabled to work overtime, when required. The industry is fully prepared to cover overtime costs, if necessary.*

## **6. PRIVATELY OWNED LOCATIONS & THE CASE FOR THE DEVELOPMENT OF THE LOCAL FILM INDUSTRY**

The prohibitively high cost of shooting in private locations has been a cause for concern for Cape Town producers over the last 5 years. Although there is not much that the Industry can expect local government to do about this problem (we must accept some responsibility), the support of local government is an important part of the solution.

This issue will be addressed in the Public Relations campaign – designed to get buy in from all of Cape Town citizens – however there is also a political imperative at play. The cost of locations (and production in general) is so high in Cape Town that production of quality local content is all but impossible.

Even in Johannesburg, where location costs are generally much lower and local content budgets are at their highest, companies producing local content cannot afford the “high” location fees routinely paid by producers who have the benefit of service budgets. This is one of the reasons that local content is shot primarily in studio and not on location.

The higher cost of locations is therefore a contributing factor to the lack of local production and the stunted development of a successful local film industry in Cape Town. Cape Town is often referred to by the local production fraternity as a “service centre” which simply offers a cost effective alternative for international production but has no intention to contribute to the growth of a culturally rich and diverse South African film industry. This perception is borne out by the lack of local production taking place in Cape Town and the stalled efforts to launch a viable television industry in the City.

In order to encourage more local production and expand the base of the industry, the public must be made aware of a political imperative to develop a local industry. While we do not agree that location costs should be different for local and international production, the perception that the international industry is a “cash cow” with unlimited resources must be tempered with the recognition that the local industry remains severely under-resourced.

## **RECOMMENDATIONS**

- *The associations and location guild to continue in their efforts to bring down the cost of shooting in private locations.*
- *The City/Province to communicate its desire for a feasible local industry for television, corporate, commercials, documentaries and feature films.*
- *An awareness to be built around a national imperative for the development of an indigenous local film industry in the Western Cape – an appeal to be made to the public to do away with the ‘greed factor’ fuelled by foreign money in favour of building something meaningful for all South Africans.*

## **SECTION B – IMPLEMENTATION OF THE “LOCATION RECOVERY PLAN”**

1. We estimate that the “Location Recovery Plan” will cost R1.5 Million to implement. Should local & Provincial Government be in agreement we will compile a detailed budget for review.

While we acknowledge this is a substantial cost, the plan will reverse years of neglect and bring much needed resolution. .

There is no absolutely no point in marketing Cape Town as a world-class film destination when it is impossible to get permits – doing so makes the product you are marketing unavailable and causes untold damage to its future credibility.

2. The industry would like to see the implementation of the Location Recovery Plan within the next 4 to 6 weeks.
3. The urgency is as a result of our desire to begin the process of resolving these long-standing and vexing problems which threaten the well being of our industry as quickly as possible and definitely before the start of the 2010/2011 season which commences in September 2010. Winter is the optimal time for this type of work in Cape Town as people have time to contribute which they do not have in the busy summer months.
4. It is recommended that the 4 Industry Associations, the CPA, SAASP, IPO and the Location Guild would ideally form a committee to oversee the effective roll out of the Location Recovery Plan.

If required, the associations will form a Section 21 company to ensure transparency and accountability in the process. This company should replace the CFC in all future dealings with authorities in respect of locations.

### **IN CONCLUSION**

In conclusion we would like to thank both the City of Cape Town and the Provincial Government for the opportunity to present our concerns and for inviting us to engage with them. We see this as a tremendous step forward considering the frustration that has gone before in attempting to deal with this issue.

Although many of our concerns may be viewed as being negative, we propose that the implementation of the Location Recovery Plan is what is required to begin the process of resolving the issues thereby safeguarding the future of our industry.

If this can be achieved we are optimistic for the future. We reiterate our “in principle” support for an effective Film Commission & Film Office and firmly believe that Cape Town can have a proactive Commission/Film Office supported by the entire industry provided that the necessary steps are taken to rectify the errors of the past.

We are quite prepared to put the negatives behind us and offer our advice and service to both the City and Province to resolve all outstanding issues.

Yours sincerely

CPA & SAASP Executive Committees

[www.cpasatv.com](http://www.cpasatv.com) / [www.saasp.co.za](http://www.saasp.co.za)