

DRAFT Drone Policy / Procedure

Date: Jan 2020
Version: DRAFT

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Background

Unmanned aerial vehicle (UAV) or drones as they are more commonly known are a relatively modern technology and are extensively used by the military. Their benefits are immense when coupled with high definition cameras. As with any development of technology the sophistication has expanded as the size and price has decreased. Current legislation over their use is restrictive but largely unknown by the public. Additionally, the use of drones are open to misuse and illegal use – these are not explicitly covered by Civil Aviation Authority (CAA) regulations since their main issue is safety and in particular aircraft safety. Notwithstanding this the CAA grant permissions for commercial operations (PfCO) which is essentially a licence to operate on a commercial basis, but this is not for domestic / pleasure drones. For the purpose of this policy the terms ‘UAV’ and ‘drone’ covers all forms of remotely operated aircraft.

The council’s policy on drone usage

This policy is in response to an upsurge in public request and usage occurrences on public land including parks, public open spaces and beaches. The law stipulates that any drone may only be flown from and over land for which the land owner has given written permission.

Drones may not be flown from or above council land without first obtaining written permission from East Devon District Council.

Permission will only be granted, where usage of a drone device aids risk reduction in the work place such as working at height, land and building survey work and / or undertaking professional services such as festivals, archaeological survey, events media, etc and then subject to conditions.

The reasons for this policy

- The close proximity of many of our parks and open spaces or other council owned land to neighbouring residential and business properties and the potential risk of causing disturbance, annoyance or harassment to occupants and the users.

- Potential risk of accident, injury to visitors and site users to parks and green spaces or council property as a result of user or drone error.
- Granting permission could leave the council liable for subsequent actions brought about by drone activity when operated from land in the council's ownership.
- Potential risk of causing alarm, distress or harassment to the wildlife and biodiversity within the council's parks and green spaces.
- Civil Aviation Authority guidance specifying that drones must not be flown within 50m of people, vehicles and buildings and/or over congested areas.
- Granting permission could leave the council liable for subsequent actions brought about by drone activity when operated from land in the council's ownership.

How to request permission for council owned land

You will be required to submit the following information for us in order to consider granting permission for drone flights over council owned land:-

1. A description of the purpose of the flight(s).
2. A copy of your public liability insurance certificate (with provides cover for a minimum of £10,000,000 in respect of any one claim).
3. A copy of your flight plan including specified launch and landing points.
4. A copy of the site assessment.
5. A copy of your CAA issued Permission for Commercial Operation (PfCO) document.

By email to:-

property@eastdevon.gov.uk

By post to:-

Place, Assets & Commercialisation, Blackdown House, Border Road
Heathpark Industrial Estate, Honiton, Devon, EX14 1EJ

Upon receipt of these documents, consideration and approval/rejection will be given within 10 working days. At this point the fee for commercial photography / filming / other drone activity of £200.00 will be due before final permission is granted.

In addition to the above, if permission is granted then the operator must also agree to:-

- Make sure the area is safe at all times whilst using the drone.
- Ensure that they at all times comply with the current Civil Aviation Authority Air Navigation Order and the current Drone Code.
- Indemnify the council against any injury or damage caused.
- Have in place suitable secure arrangements for the handling of personal data captured.

Enforcement

If any person/persons are found to be using a drone device from East Devon District Council land without a letter of permission they will be instructed to stop immediately.

Drone filming by the council

If the council wishes to film using a drone then we will only hire a pilot or company with the appropriate Civil Aviation Authority permission/accreditation.

Release of lanterns

The Council will not consent to the release of lanterns from Council land.