



# MARTOCK PARISH COUNCIL

## Unmanned Aerial Systems Policy

*This policy was adopted by the Full Council at its meeting on 25<sup>th</sup> September 2019*

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### Introduction

#### What are Unmanned Aerial Systems (UAS)?

UAS are known by a variety of names perhaps the most familiar of which are remote controlled aircraft or drones. Their key characteristics are that they are unmanned; they fly and are operated remotely. Some have cameras or other means of collecting information.

#### Wider Legal Framework

#### Civil Aviation Authority Guidance

In January 2010 the Civil Aviation Authority (CAA) introduced new regulations that require operators of small unmanned aircraft used for aerial work purposes and those equipped for data acquisition and / or surveillance to obtain permission from the CAA before commencing a flight within a congested area or in proximity to people or property.

Essentially, the person controlling a small Unmanned Aircraft System (UAS) is fully responsible for the safe operation of any flight, but it is important for the operator to ascertain whether a permission (not a licence) from the CAA is needed.

You must request permission from the CAA if you plan to:

- Fly the aircraft on a commercial basis (i.e. conducting "aerial work")  
OR
- Fly a camera / surveillance fitted aircraft within congested areas or closer (than the distances listed within Article 95) to people or properties (vehicles; vessels or structures) that are not under your control.

#### CAA Policy CAP 393 Air Navigation: The Order and Regulations

##### Article 94 Small unmanned aircraft

1. A person must not cause or permit any article or animal (whether or not attached to a parachute) to be dropped from a small unmanned aircraft so as to endanger persons or property.
2. The person in charge of a small unmanned aircraft may only fly the aircraft if reasonably satisfied that the flight can safely be made.
3. The person in charge of a small unmanned aircraft must maintain direct, unaided visual contact with the aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels and structures for the purpose of avoiding collisions.
4. The person in charge of a small unmanned aircraft which has a mass of more than 7kg excluding its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight, must not fly the aircraft:

- a) In Class A, C, D or E airspace unless the permission of the appropriate air traffic control unit has been obtained.
  - b) Within an aerodrome traffic zone during the notified hours of watch of the air traffic control unit (if any) at that aerodrome unless the permission of any such air traffic control unit has been obtained;  
OR
  - c) At a height of more than 400 feet above the surface unless it is flying in airspace described in sub-paragraph (a) or (b) and in accordance with the requirements for that airspace.
5. The person in charge of a small unmanned aircraft must not fly the aircraft for the purposes of aerial work except in accordance with a permission granted by the CAA.

#### Article 95 Small unmanned surveillance aircraft

1. The person in charge of a small unmanned surveillance aircraft must not fly the aircraft in any of the circumstances described in paragraph (2) except in accordance with a permission issued by the CAA.
2. The circumstances referred to in paragraph (1) are:
  - a) Over or within 150 metres of any congested areas;
  - b) Over or within 150 metres of an organised open-air assembly of more than 1,000 persons;
  - c) Within 50 metres of any vessel, vehicle or structure which is not under the control of the person in charge of the aircraft;  
OR
  - d) Subject to paragraphs (3) and (4) within 50 metres of any person
3. Subject to paragraph (4), during take-off or landing, a small unmanned surveillance aircraft must not be flown within 30 metres of any person.
4. Paragraphs (2) (d) and (3) do not apply to the person in charge of the small unmanned surveillance aircraft or a person under the control of the person in charge of the aircraft.
5. In this article "a small unmanned surveillance aircraft" means a small unmanned aircraft which is equipped to undertake any form of surveillance or data acquisition.

***For a full copy of the CAA policy CAP 393 Air Navigation: The Order and Regulations please visit [www.caa.co.uk](http://www.caa.co.uk) alongside further information and guidance on operation, safety, formal permission request etc***

#### **The Policy**

Martock Parish Council has introduced a Drone Policy in response to an increase in public requests for and usage on council land.

Drones may not be flown from or above parish council land without permission granted by Martock Parish 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 or to undertake a professional service such as festivals & events media.

Reasons behind our zero tolerance or permission policy for recreational or commercial requests.

- MPC granting permission could leave the local authority liable for subsequent actions brought about by drone activity when operated from land under our ownership.
- The close proximity of many of the Recreation Ground to neighbouring residential and business properties and the potential risk of causing alarm, distress or harassment to occupants.
- Potential risk of accident, injury to other site users or property as a result of user or drone error.

Exemptions will only be considered, where users are part of a formalised model aircraft flying club that can demonstrate all health and safety and insurance measures are in place. A license agreement must be made with Martock Parish Council and the formalised club before site usage can be established.

Types of Model aircraft, drones and other UAVs covered by this policy are:

- Electric-powered, remote-controlled drones capable of vertical take-off and landing;
- Remote-controlled fixed-wing model aircraft with a wingspan under two metres;
- Electric fan jet-powered models, weighing less than 1.5kg;
- UAVs that don't meet the above categories cannot be flown without express permission.

How to Request Permission by sending an email to the Parish Clerk at [clerk@martock-pc.gov.uk](mailto:clerk@martock-pc.gov.uk), providing the following:

- i. A description of the purpose of the flight(s)
- ii. A copy of your public liability insurance (minimum £5 million)
- iii. A copy of your flight plan including launch and landing points
- iv. A copy of the risk assessment upon receipt of these documents, consideration and approval / rejection will be given within 10 working days.

If person / persons are found to be using a drone device from Martock Parish Council land without a letter of permission, they will be instructed to stop immediately. If the user refuses to stop, the Police will be called to attend to cease activity and remove the user from Martock Parish Council land.

Martock Parish Council

Adopted Date: 25<sup>th</sup> September 2019

Review due: September 2020

Date of Amendment	Amendment No	Details of changes made	Changed by