



**Policy on the Flying of Unmanned Aerial Vehicles (UAVs) and Drone Usage
From or Above Parish Council Land**

Adopted 5th September 2023 Minute 94.23b

1.0 Introduction

This policy covers the flying of Unmanned Aerial Vehicle (UAVs) above Council land including recreation grounds and public open spaces. It applies to the use of drones which have a camera (unless it is a toy marked as a Class C0 drone) or weighs more than 250g. If the drone meets these criteria it must be registered with the CAA on an annual basis.

For further information please refer to the latest guidance available at the following links:

<https://www.caa.co.uk/drones/>

<https://www.caa.co.uk/drones/rules-and-categories-of-drone-flying/introduction-to-drone-flying-and-the-uk-rules/>

2.0 Guiding Principles

UAVs may not be flown from or above Parish Council land without permission being granted by Tisbury Parish Council. Permission will only be granted where usage of a UAV device aids risk reduction in the workplace, such as working at height, land and building survey work or to undertake a professional service.

The reasons for the Council's zero tolerance or permission policy for either recreational or commercial requests are:

- By granting permission Tisbury Parish Council could leave itself liable for subsequent actions brought about by UAV activity when operated from land under its ownership;
- The proximity of many of the Council's sites to neighbouring residential properties and the potential risk of causing alarm, distress or harassment to occupants, pets or livestock and to users of those recreation grounds and public open spaces; and
- The potential risk of accident, injury to other site users or property as a result of user or UAV error.

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

- Electric-powered, remote-controlled drones capable of vertical take-off and landing;
- Remote-controlled fixed-wing model aircraft;
- Electric fan jet-powered models;
- Any other UAVs that don't meet the above categories cannot be flown.

In most cases the pilot must be a minimum of 12 years old to fly a drone without supervision. If under 12 years old, the pilot must be supervised by someone aged 16 or over and both must have passed the flyer ID test.

A pilot is legally responsible for each flight they make. The Police can trace illegal drone flights and failure to fly responsibly could result in criminal prosecution.

3.0 Obtaining Permission

An email must be sent to the Parish Clerk at tisburyipc@tisbury-wiltshire-pc.gov.uk providing the following information:

- A description of the purpose of the flight(s);
- A copy of your public liability insurance (minimum £5 million);
- A copy of your flight plan including launch and landing points;
- A copy of the risk assessment; and
- A copy of the CAA Registration document (if required).

Upon receipt of these documents, consideration and approval/refusal will be given within 10 working days.

If person/persons are found to be using a UAV device from Tisbury 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 Council land.

4.0 Regulations

The Civil Aviation Authority (CAA) introduced new regulations which 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 UAV is fully responsible for the safe operation of any flight, but it is important for the operator to ascertain whether a permission (not a license) from the CAA is needed.

Permission must be requested from the CAA if a person plans to:

- Fly the aircraft on a commercial basis (ie conducting “aerial work”); or
- Fly a camera/surveillance fitted aircraft within congested areas or closer (than the distances listed within the CAA Policy CAP 3939 Air Navigation: The Order and Regulations; Articles 166 and 167) to people or properties (vehicles; vessels or structures) which are not under the pilot’s control.

5.0 Further Guidance

Further information and advice regarding the use of drones can be found on the following websites for the Civil Aviation Authority and the Information Commissioner’s Office:

<https://icosearch.ico.org.uk/s/search.html?query=Drones&collection=ico-meta&profile= default>

<https://register-drones.caa.co.uk/drone-code>