

Unmanned Ariel Vehicle (UAV) and Drone Usage Policy

Introduction

This policy sets out the use of unmanned ariel vehicle (UAV) or drones and model aircraft in parks and green spaces or other Council owned land.

The Civil Aviation Authority (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. Current legislation over the use of UAV and drone use is restrictive but largely unknown by the public.

For the purpose of this policy the terms 'UAV' and 'drone' covers all forms of remotely operated aircraft.

Civil Aviation Authority Guidance

In January 2010 the CAA introduced new regulations that required 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 167) to people or properties (vehicles; vessels or structures) that are not under your control.

The CAA Drone and Model Aircraft Code

(Published: October 2019 / updated: June 2021)

To fly a UAV that weighs less than 25kg outdoors, such as drones, model aeroplanes, model gliders, model helicopters, and other unmanned aircraft systems outdoors in the Open A1 and A3 categories, you must follow [The Drone and Model Aircraft Code | UK Civil Aviation Authority \(caa.co.uk\)](https://www.caa.co.uk/UK-Civil-Aviation-Authority)

The policy

The Council does not permit the use of UAV and drones may not be flown from or above Council land without permission granted by Colchester Borough Council.

Permission will only be granted, where usage of UAV drone device aids risk reduction in the workplace 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 for recreational or commercial requests is:

- The 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 from people, vehicles and buildings and/or over congested areas.

How to Request Permission

By email to: Neighbourhood Services: shrubend@colchester.gov.uk

Providing the following:

1. Completed Permission Form (Appendix A) including a description of the purpose of the flight(s)
2. A copy of your public liability insurance (minimum £5 million)
3. A copy of your flight plan including launch and landing points
4. A copy of the risk assessment
5. A copy of your CAA issued Permission for Commercial Operation (PfCO) document.

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 will be due before final permission is granted.

Park & Public Open Space Enforcement & Bylaws

If person/persons are found to be using a drone device from Colchester Borough Council land without 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 Colchester Borough Council land and subsequent action may be taken under Council bylaws where these apply.

In circumstances where bylaws do not apply security accredited Council staff or private security officers will be called to attend to cease activity and remove the user.

Drone filming by the Council

If the Council wishes to use a UAV or drone then it will only hire a pilot or company with the appropriate CAA permission/accreditation.

Appendix A**Colchester Borough Council Drone Flight Permission Form**

Drone Flight Permission	
Purpose of flight/s	
Name of Operator	
Address	
Areas of Drone Flight	
Date/s Of Drone Flights	
Documents Provided List:	
Permission granted by Neighbourhood Services	
Date:	