



FOUR MARKS PARISH COUNCIL

UNMANNED AERIAL SYSTEM POLICY

Four Marks Parish Council has updated its previous Unmanned Aerial Vehicle (UAV) Policy [adopted July 2017] to Unmanned Aerial System (UAS) Policy to reflect the changes in CAA guidance. This policy includes 'any unmanned aircraft, other than a balloon or a kite, having a mass of not more than 20kg without its fuel, but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight'.

UAS's may not be operated from any land owned by the Parish Council without the express permission of the Council, and any application will be determined upon a case by case basis, for example where use of a specified device aids risk reduction in the work place, such as working at height, land and building survey work or to undertake a professional service, including festivals and events media.

The reasons why this policy is in place for both recreational and commercial requests are as follows:

- Without prior permission, Four Marks Parish Council could be left liable for subsequent actions brought about by UAS activity when operated from land under their ownership.
- The proximity of Council owned land to neighbouring residential properties may cause alarm, distress, harassment and loss of privacy to occupants.
- As all Council owned areas of public open space are used for public participation sports and recreational activities, and therefore a potential risk of accident and/or injury to users of the public open space as a result of user error or UAS malfunction.

Types of UAS's, including model aircraft and drones, prohibited by this policy are:

- All electric powered, remote-controlled drones capable of vertical take-off and landing;
- All remote controlled fixed-wing model aircraft;
- All electric fan jet-powered models;
- Any other UAS that does not fall into the above categories.

How to Request Permission to operate a UAS from the Recreation Ground

Please send an email to the Clerk to clerk@fourmarks-pc.org.uk and provide the following information:

- i. A description of the purpose of the flight(s)
- ii. A copy of your Flyer ID and Operator ID for any drone over 250g with or without a camera
- iii. A copy of your Flyer ID and Operator ID for any drone under 250g with a camera
- iv. A copy of your public liability insurance (minimum £5 million)
- ~~v.~~ A copy of your flight plan including launch and landing points.
- vi. A copy of the risk assessment, where applicable.

Upon receipt of these documents, consideration and approval or rejection will be advised after the next appropriate Council meeting (which are held on the first and third Wednesday of every month)

If person / persons are found to be using a prohibited UAS device on 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 Four Marks Parish Council land.

From January 2022 the Council requires that all applicants use a UAV/UAS that complies with Electronic Conspicuously (EC) which means the device's flight path can be tracked by the CAA.

<https://www.caa.co.uk/General-aviation/Aircraft-ownership-and-maintenance/Electronic-Conspicuity-devices/>

CIVIL AVIATION AUTHORITY

For more detailed information on current CAA guidance;

[Unmanned aircraft and drones | UK Civil Aviation Authority \(caa.co.uk\)](https://www.caa.co.uk/General-aviation/Aircraft-ownership-and-maintenance/Electronic-Conspicuity-devices/)

<https://www.noflydrones.co.uk/the-rules>

"UAS operators must fully consider any other applicable restrictions and legitimate interests of other statutory bodies such as Local Authorities, many of which have established local byelaws. These byelaws often restrict the take-off/landing of UAS from council land. Such a restriction, on its own, is not an airspace restriction, and therefore is not considered a UAS Geographical Zone.

It is important to distinguish between the permission required to operate from council land and the permission required to operate in certain portions of airspace. Should a UAS operator be given permission by a council to operate on their land this does not necessarily mean that they have permission to fly. UAS operators and remote pilots must be aware of all the restrictions that may affect their flight and to seek all necessary authorisations prior to commencing operations. A permission from a Local Authority in accordance with a Byelaw may be just one of many permissions needed, such as a permission to fly within an FRZ, or an authorisation from the CAA to fly within the Specific category."