



Drones, Model Aircraft and Unmanned Aerial Vehicle (“UAV”) Policy

January 2020

Environmental Services
Borough Hall, Cauldwell Street, Bedford MK42 9AP

Bedford Borough Council's Policy on Drones, Model Aircraft and other Unmanned Aerial Vehicle ("UAV")

1. Introduction

Bedford Borough Council has introduced this Policy for land it owns and operates such as parks and open spaces in response to increasing use of UAVs and the resulting increase in the number of enquiries received about the operation of UAVs on land owned by the Council.

Enquiries have tended to focus on the following issues:

- The nuisance caused by the noise of UAVs flying overhead causing a disturbance to members of the public enjoying their leisure time, going about their daily lives or working.
- The potential for UAVs to carry surveillance equipment, which may result in an invasion of privacy or safeguarding concerns.
- The potential injury UAVs may cause to people, animals and wildlife whilst in operation.

2. Parameters/ Scope

This policy covers the flying of UAVs within the Bedford Borough Council area and more particularly the Council's position in relation to the flying a UAV from, to, on and over Council owned land and premises.

The policy covers all types of UAV as set out below.

3. Legislation

What are UAVs?

UAVs are simply machines that are remotely controlled by a person on the ground. They were once exclusively used by the military where it was deemed too dangerous, inaccessible or otherwise inappropriate to send a manned aircraft. Essentially, a UAV is a flying robot that can be remotely controlled or fly autonomously through software-controlled flight plans in their embedded systems, working in conjunction with on-board sensors and GPS.

UAVs are now also used in a wide range of civilian roles ranging from search and rescue, surveillance, traffic monitoring, weather monitoring and firefighting, to business drone-based photography, as well as videography, agriculture and even delivery services. UAVs

are also now becoming more popular with hobbyists as technology improves and the cost goes down.

Are UAVs legal?

Yes, however, there are rules and regulations that UAV owners and users must adhere to in order to ensure they are on the right side of the law. As many UAVs, particularly drones, are still relatively new to the commercial and leisure market, the law around their use is constantly evolving so it is a good idea for UAV owners and users to ensure that they are fully up-to-date with the latest changes.

At the time of creating this policy, the Regulations regarding unmanned Aircraft are set out in The Air Navigation Order 2016, including the 2018 amendment and 2019 amendment. More details regarding registration can be found on the Civil Aviation Authority website.

The Civil Aviation Authority (CAA) [has guidance on using drones](#) for both private and commercial use.

Do I need to register my UAV or myself?

Of particular importance to many owners and users is the new Drone and Model Aircraft Registration and Test Scheme introduced in November, which applies to UAVs weighing between 250g and 20kgs

Anyone responsible for a UAV or flying a UAV between 250g and 20kgs now has to be registered. This includes the requirements that:

- Anyone who wishes to fly a drone must pass a theory test to get a flyer ID
- The person that is responsible for the drone or model aircraft must register to get an operator ID

More details regarding registration can be found on the [Civil Aviation Authority website](#). <https://register-drones.caa.co.uk/individual>

Airfield restrictions

On 13 March 2019 the drone flight restriction zone around airports changed. Find more detailed information regarding [airport and airfield restrictions on the Civil Aviation Authority page](#). <https://www.caa.co.uk/Consumers/Unmanned-aircraft/Our-role/Airspace-restrictions-for-unmanned-aircraft-and-drones/>

What are the rules for flying drones in an open place the UK?

Reference should be made to the CAA website and all owners and operators must satisfy themselves that they are operating in way that complies with the relevant rules and regulations. Importantly, if a UAV weighs between 20kg and 250g:

- The UAV must not fly above 400 feet in altitude or 500 metres from the operator horizontally
- Ensure the UAV is always in sight
- The UAV must always keep away from aircraft, helicopters, airports and airfields
- The UAV must fly safely

If a UAV is fitted with a camera, there are additional limitations:

- The UAV must not fly within 50 metres of people, vehicles, buildings or vessels
- The UAV must not be flown within 150 metres of a congested area or any large group of people such as a concert or sporting event as prosecution may follow.
- If the UAV is being used to record in an area where people are present, the operator must inform them before the start of operations.

Any use of a UAV for commercial purposes [must have permission from the CAA](#) and [comply with additional laws](#) governing their use. To get [guidance on operating permissions for drones](#) see the CAA's website for the latest information and regulations regarding drone use.

Wildlife & Countryside Act (1981)

All operators should be aware of the WCA and the legal protection for birds and wildlife against disturbance, in particular during the breeding season.

4. Objective/ Enforcement

The Council's policy is that:

- (a) It will not allow any UAVs, which weigh more than 20kgs to fly from, to, on or over Council-owned land without the relevant CAA exemptions being in place.
- (b) It will not allow any UAVs, which weigh between 250g and 20kg to fly from, to, on or over Council land without the appropriate CAA

registrations being in place. This means that

- The person who is responsible for the UAV must have completed his or her registration to get an operator ID.
- Anyone who is operating the UAV must have passed a theory test to get a flyer ID.

(c) It will continue to monitor the operation and use of UAVs weighing less than 250g.

Informative:

A drone operator has legal accountability for the safe 'management' of their drones. The **Drone code** issued in October 2019 provides simple steps to make sure you are flying safely and legally.

https://dronesafe.uk/wp-content/uploads/2019/11/Drone-Code_October2019.pdf

This includes when someone else is flying it. Owners of drones may want to insure them or make sure appropriate insurance cover is held.

The Council as a landowner will request any person flying a UAV from, to, on or over its land or premises for the relevant operator's identification and flyer identification. Failure to provide this information may result in the operator being asked to stop immediately and leave the site. Persistent misuse may result in enforcement action being taken by the Council against the owner and/or operator of the UAV.

If a UAV used from, to, on or over a Council owned site is considered by the Council to be causing harassment, alarm or distress to members of the public the operator may be asked to stop immediately and leave the site. Further, the Council may consider taking enforcement action against the owner and/or operator of the UAV.

Reporting misuse of a UAV

Although the Council has formulated this policy to address certain aspects of UAV use on Council sites, the Police are generally responsible for taking action in respect of offences in respect of UAV misuse and have agreed, with a signed memorandum of understanding with the CAA, that they will take the lead in dealing with UAV misuse and other breaches.

If you have any concerns about a UAV being used in your area, either from a safety or privacy perspective, call the Police on 101.

5. Exceptions

- (a) The Police have been granted conditional permission by the Council in respect of the Council's land to fly UAVs in order to prevent and detect crime and maintain public safety.
- (b) The Council may grant conditional permission to fly UAVs in respect of its land for certain activities of a professional or commercial nature, which will be purpose and time limited and must be covered by the appropriate public liability insurance.
- (c) The Council may grant conditional permission to fly UAVs in respect of its land in circumstances where they are being used for the purpose of risk reduction such as for health and safety purposes, highway and building survey work.

6. Permission

Permission under paragraphs 5(b) or 5(c) above should be requested by letter or by email using the following addresses as appropriate. Any general enquiries about permissions should be directed to the same address.

Events Team
Borough Hall
Cauldwell Street
Bedford MK42 9AP

events@bedford.gov.uk

Applicants must provide the following information with the request for permission:

- A description of the purpose of the flight(s)
- A copy of their PfCO license (Permission for Commercial Operation – this is needed to operate a drone for commercial purposes in the UK)
- A copy of their public liability insurance (minimum £10 million)
- A copy of the proposed flight plan including launch and landing points
- A copy of the risk assessment for the proposed flight

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

The decision of the Chief Officer for Environment will be final.

7. Working with event organisers/ third parties/ lessees/ licencees

Once the Council is notified of potential use of a UAV within the area of Bedford Borough, the Council will work with event organisers to provide advice and guidance on the potential permission required and charges associated with this.

8. Policy Monitoring, Assessment & Review

The Council will inform event organisers of this policy by means of including relevant information within booking forms and other promotional materials.

The Council will also at its own discretion and where appropriate include details of this policy within any new leases or licences of land and/ or buildings where permitted events take place at those locations.

This Policy will be reviewed every two years or before as required.