

## Charmouth Parish Council

### Policy Statement – Drones (Issue 3)

It is the Parish Council's policy is that Unmanned Aerial Vehicle (UAVs) more commonly known as 'Drones' shall not be flown over or from any of the Parish Council's including the playing fields, foreshore and car parks.

This is because they can cause injury or damage if they are not used responsibly and so are subject to safety rules, which are underpinned by UK law.

The Parish Council does not believe it is practically possible for an operator of a UAV to ensure compliance with either the requirements of (a) or (b) below without restricting access of the public to the Parish Council's lands. Further, the flying of UAVs would cause a nuisance if flown over Evan's Cliff. This would be contrary to the provisions of the land's restrictive covenant.

(a) The Drone Code as issued by the Civil Aviation Authority (CAA) states that drones should be kept away by more than 150ft (50m) from people and properties and kept away by more than 500ft (150m) and not to overfly crowds and built-up areas;

or

(b) Article 95 (small unmanned surveillance aircraft) of the Air Navigation Order which has similar provisions

Article 95 of the Air Navigation Order states:

(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 area<sup>1</sup>;

(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.

Nothing in this policy statement overrules any provision within an Act of Parliament or a Statutory Instrument approved by both Houses or Parliament. In particular flights approved by the CAA in accordance with the Air Navigation Order are not constrained by any provision of the Policy Statement.

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<sup>1</sup> The Air Navigation Order defines a congested area as being 'any area of a city, town or settlement which is substantially used for residential, industrial, commercial or recreational purposes'.

## **Actions to be taken by Council Staff in the event of a person found flying a UAV over the Foreshore**

Parish Council staff are instructed to advise the member of the public of the Parish Council policy. That policy being, UAVs (Drones) shall not be flown over or from the Parish Council's lands at the foreshore including the car parks, and that are to ask them to refrain from the activity.