



## **Unmanned Aerial Vehicle**

### **Policy 50**

**Adoption Date: 28.1.2021**

**Next Review Date: When required or January 2023**

#### **1. Introduction**

Cuckfield Parish Council has introduced an Unmanned Aerial Vehicle (UAV) Policy to cover the flying of UAVs on council land including parks and public open spaces.

This policy 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 your 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 on the following website: <https://www.caa.co.uk/consumers/unmanned-aircraft-and-drones/>

#### **2. Guiding Principles**

UAVs may not be flown from or above parish council land without permission granted by Cuckfield 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 behind our zero tolerance or permission policy for recreational or commercial requests are:

- Cuckfield Parish Council granting permission could leave the local authority liable for subsequent actions brought about by UAV activity when operated from land under our ownership.
- The proximity of many of our sites to neighbouring residential properties and the potential risk of causing alarm, distress or harassment to occupants.
- 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 you must be at least 12 years old to fly a drone on your own, if under 12 you must be supervised by someone aged 16 or over and both of you must have passed the flyer ID test.

You are legally responsible for each flight you make. The Police can track and trace illegal drone flights, and failure to fly responsibly could result in criminal prosecution.

### **3. Obtaining Permission**

An email must be sent to the Parish Clerk at [clerk@cuckfield.gov.uk](mailto:clerk@cuckfield.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

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

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

### **4. Regulations**

The Civil Aviation Authority (CAA) introduced new regulations that 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. You must request permission from the CAA if you plan 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) that are not under your control.

### **5. Further Guidance**

Further information and advice regarding the use of drones can be found on the following websites:

[Drones | ICO](#)

[Overview : Flying drones and model aircraft | UK Civil Aviation Authority \(caa.co.uk\)](#)

[Unmanned aircraft and drones | UK Civil Aviation Authority \(caa.co.uk\)](#)