



Southborough Town Council

Flying of Model Planes and Drones Policy

1. This Policy governs the flying of model planes and drones on Town Council land.
2. Flying of drones, model planes or unmanned Aerial vehicles (UAV) is prohibited on/over Town Council land without the express permission of the Town Council.
3. If a person or company wants to fly a drone or UAV including those carrying photographic equipment for commercial purposes above, launched from or land on property owned or controlled by the Town Council, permission must be first sought and granted by the Finance and Parks Committee.
4. Decisions to grant permission are unlikely to be granted for Town Council owned areas due to the need to consider the needs of the many other people using the public space.
5. **Permission will not generally be granted in relation to any Public Parks, Allotments, Cemetery or Open Spaces in Town Council ownership**, unless the intended purpose is for education, promotion of the place (i.e. Tourism) or there is a compelling commercial reason. The Town Council will charge a minimum fee of £100 for any permission granted.
6. Individuals caught flying UAV's or Drones on Town Council land without the required permission shall be required to cease immediately.

Guidance on Flying Drones and Model planes.

a) If the Town Council does grant permission for the flying of drones or model aircraft on Town Council owned land operators **MUST** follow the following guidelines.

b) Rules for Flying, even with permission granted, are governed by AIR Navigation Order 2009 (SI 2009/3015). Recreational users must comply with requirements about how and where they fly. For an aircraft with a mass of 20kg or less, the Civil Aviation Authority (CAA) requires that:

1. The operation must not endanger anyone or anything.
2. The aircraft must be kept within the visual line of sight.

3. Small unmanned aircraft that are being used for surveillance purposes are subject to restrictions with regard to the minimum distances they can fly near people or properties (50m).

4. CAA permission is also required for all flights that are being conducted for aerial photography work.

5. The 'remote pilot' has responsibility for satisfying him/herself that the flight can be conducted safely.

7. The CAA also says care should be taken about the collection of images of identifiable individuals, even inadvertently, when using surveillance cameras mounted on a small unmanned surveillance aircraft, as these will be subject to **General Data Protection Regulation (EU) 2016/679 (GDPR)**. This Act contains requirements concerning the collection, storage and use of such images, Small Unmanned Aircraft operators need to ensure they are complying with these requirements. It is possible otherwise that individual might be able to bring actions under existing legislation relating to injury, trespass, privacy, and nuisance and data protection

8. Operators should **NOT**:

- Fly a drone over a sports field if it's in use;
- operate over parked vehicles or roads;
- operate within 20 metres of or be flown over other users of the park;
- Fly over or within 50 metres of livestock, sensitive wildlife habitats such as nesting or roosting birds or lakes;
- operate within 20 metres of or fly over park buildings and structures, and overhead wires;
- operate over dry flammable vegetation;
- Fly over adjoining private properties.

9. Operators **SHOULD**:

- be courteous of other park users including people walking dogs;
- keep the UAV in full view at all times (e.g. not operated through binoculars, video monitor or smartphone, unless an observer is present);
- Fly in daylight hours only;
- cease operation if requested by council staff;
- Any breaches of the code of conduct could result in the council terminating your permission to fly UAVs on public land.

10. **All Southborough Town Council owned land is covered by this policy.**

Adopted 24th October 2019.