

## North Somerset Council Procedure for the Use of Drones and Model Aircraft (UAV)

Drones and Model Aircraft are more formally known as Unmanned Aerial Vehicles (UAV).

North Somerset Council has developed this procedure for those wishing to **film commercially** in the district using a drone or model aircraft including inspections of Council buildings and assets. A pilot requires permission of the landowner to take off and/ or land their UAV, this includes council land/ property.

**Please note permission will not be granted for hobbyist pilots to take off, or land on council land/ property.**

Remember you are legally responsible for safely flying your UAV.

### General Requirements under the Drone and Model Aircraft Code:

To fly a UAV that weighs less than 25kg outdoors, you must follow the [Drone and Model Aircraft Code](#) from the [Civil Aviation Authority](#) (CAA). This includes general responsibilities for safe flying including the following (please note this is not exhaustive and you should refer to the code for full details):

- You must keep the UAV in direct sight when flying and maintain a full view of the surrounding airspace.
- You must not fly your UAV above 400ft/ 120m from the surface of the earth.
- You must not fly a UAV within 50 metres of a person, building, structure (including cranes, masts, wires) or transport (including vehicles, boats, trains), unless you own the building/ structure or transport or have the permission from the owner.
- You must not fly your UAV closer than 150 metres to residential, recreational, commercial and industrial areas.
- You must not fly your UAV over crowds or above them at any height e.g. sporting events, beaches or parks, shopping area etc.
- Do not fly near airports or airfields - most have a flight restriction zone (FRZ). You must never fly in this zone unless you have permission from the airport. This can be checked on the [Drone Safe website](#).
- You must check and follow any flying restrictions. This includes permanent restricted airspace e.g. relating to prisons, military bases, royal residences, and any temporary restrictions e.g. relating to events, and emergency incidents. Further information can be found on apps listed on the [Drone Safe website](#), on the air traffic control organisation [NATS drone website](#) or the Aeronautical Information Publication.
- You must check for any local byelaws, temporary hazards and exclusions.
- You must not fly where you may disturb or endanger animals and wildlife.
- You must make sure every flight is safe. This includes following the UAV manufacturer's instructions, checking battery/ fuel levels, checking built in software is up to date, being aware of weather conditions that can adversely affect the flight and not flying e.g. strong winds, glare from sun, fog.
- You must be fit and well to fly and not under the influence of alcohol/ drugs or while you could be distracted by another activity (driving, on a call etc)

- You must report dangerous incidents, near misses or suspicious activity, [report the incident to the Civil Aviation Authority](#)
- If you make a forced landing or crash on private property you must get the property owners permission to retrieve the drone.

Before flying a UAV that weighs between 250g to 25kg:

- anyone who will fly must pass a basic flying test (theory) every five years and obtain a flyer ID from the CAA
- the person that's responsible for the drone or model aircraft must also register to get an operator ID from the CAA (which is valid for one year). Every drone or model aircraft you're responsible for must be labelled with this operator ID.

If your UAV is fitted with a camera, you must respect other people and their privacy and comply with associated laws e.g. General Data Protection Regulation (GDPR) and the CCTV Code of Practice which was extended to include use of drones.

### **Commercial filming in North Somerset:**

To film commercially in the district, including via the use of UAVs, you must apply via:

<https://innorthsomerset.co.uk/filming-requests/>

As well as abiding by the requirements detailed in [The Drone and Model Aircraft Code](#) as part of this application you must:

- provide the council with a health and safety risk assessment completed beforehand to identify associated risks and the steps to mitigate those risks
- provide evidence of permission(s) gained from the CAA as appropriate
- provide copies of the flyer ID / operator ID
- submit a flight plan which includes proposed take-off and landing sites
- provide evidence of your public liability insurance cover (minimum of £10,000,000)

### **Associated Acts, Regulations and further information:**

The following acts and regulations include some of the key points of law that the Drone and Model Aircraft Code is based on, that must be followed wherever applicable. You must ensure that the use of your drone or model aircraft remains within all existing laws, not just aviation law.

- [The Air Navigation Order 2016](#), including the [2018 amendment](#), [2019 amendment](#) and [2020 amendment](#)
- The Civil Aviation Authority has published a copy of the [Air Navigation Order](#)
- The [Data Protection Act 2018](#)

Remember, you are responsible for how and what you use your drone or model aircraft for, and you may be prosecuted if you break any law with it.

- The [Information Commissioner's Office](#) has issued guidelines regarding privacy and the use of drones for filming purposes. It also includes a link to the CCTV Code of Practice
- The [drone section of the CAA website](#) has further information on all aspects of UAV's

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Corporate Health and Safety Team