

**ANGUS COUNCIL**

**COMMUNITIES COMMITTEE – 27 SEPTEMBER 2016**

**DRONE PROTOCOL**

**REPORT BY HEAD OF TECHNICAL AND PROPERTY SERVICES**

**ABSTRACT**

This report proposes the introduction of a protocol for managing the increasing requests for drone flights.

**1 RECOMMENDATION**

It is recommended that the Committee agrees the introduction of the attached protocol.

**2 ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN**

This report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Angus is a good place to live in, work in and visit.
- Our Communities are safe, secure and vibrant.

**3 DETAILS**

The protocol in **Appendix 1** has been drafted to address the increasing requests for drone flights, with a view to enabling the use of drones and publicising the landscape of Angus. The protocol extends existing restrictions in our parks and recreational areas. Committee are asked to agree the protocol,

**4 FINANCIAL IMPLICATIONS**

There are no financial implications from the contents of this report.

**5 CONSULTATION**

The Chief Executive, Strategic Director – Resources, Head of Corporate Improvement & Finance, Head of Legal and Democratic Services were consulted in the preparation of this report and FifeScreen and TayScreen Scotland were consulted in the preparation of the protocol.

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**NOTE:** The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

**List of Appendices:**

Appendix 1:- Drone Protocol

**ANGUS COUNCIL****Drone (Unmanned Aerial Vehicles - UAV) Protocol**

**(Civil Aviation Authority refers to these as remotely piloted aircraft systems (RPAS))**

**Introduction**

The Council are receiving an increasing number of enquiries about flying and filming with drones involving council property/land. A drone operator/pilot requires permission of the landowner to take off and land the drone on their property. To help with requests, we have produced some guidelines for operators. Our general principle is that we welcome the opportunity that drones provide for filming the landscape of Angus and publicising this to others; the practical use for drones to carry out aerial inspections of buildings; and the recreational enjoyment that drones can give, in the context of ensuring that drone flights do not interfere inappropriately with the use and enjoyment of council property and land by others.

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

**Guidance**Parks and Recreational Areas

For our parks and recreational areas, to ensure activities such as use of remote controlled aircraft do not interfere with the enjoyment of such areas by our other customers. This existing arrangement is extended to not allowing drones to be launched from such areas.

Drone Filming Guidelines

If the Council wishes to film using a drone, we will only hire a Civil Aviation Authority (CAA) licensed pilot/company.

If we are approached by a company, requesting to fly a drone for filming for any purpose on our land, they must be CAA licensed, where required, and have a valid "Permissions for Aerial Works" certificate along with public liability insurance to the value of £5 million. The responsibility of any flight and its legalities rests with the drone operator.

Anyone using a small drone needs to be aware of the regulations contained in the Air Navigation Order.

The drone pilot will be required to complete a site specific assessment, and apply appropriate control measures such as spotters or timing of the flights, and this assessment should include various factors such as:

- Safety of the public, including children, and domestic pets;
- Wildlife, particularly birds, in consultation with Scottish National Heritage, Scottish Wildlife Trust as appropriate;
- Prevention of any data protection infringements;
- Prevention of any filming of people/property out with the area for which permission is being granted (i.e. overlooking of other properties).

Using a drone to record images of other people without their consent could be construed as a breach of the Data Protection Act or the CCTV Code of Practice which was recently

extended to include public use of drones where they are collecting information about individuals.

When requesting landowner's permission, pilots are asked to give the Council adequate advance notice of their proposals, and provide the information above timeously to allow the Council to give approval and to give advance notice to staff who may have an involvement. We understand that drone flights are weather dependant and dates may need to be changed but early provision of information will allow agreement in principle. Pilots must submit their request and information a minimum of 7 working days in advance of their initial flight dates. Failure to provide the information above will delay the granting of any permission and ultimately permission will be refused.

As part of the request to use council land operators should therefore provide, at the time of their request, at least 7 working days in advance of the proposed flight, a copy of their:

- Civil Aviation Authority licence;
- Permissions for Aerial Works certificate;
- Public liability insurance to the value of £5million;
- Details of their site specific assessment;
- Confirmation of contact with other bodies such as SNH and their agreement to the proposals
- Details of their site control measures as required following the assessment
- Proposed date and time of flights and duration of operations.

Film makers are advised to contact FifeScreen and TayScreen Scotland for assistance and advice <http://www.tayscreen.com/>

For more information or making a request, please email [CommunitiesBusinessSupport@angus.gov.uk](mailto:CommunitiesBusinessSupport@angus.gov.uk)

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