



SURREY HEATH BOROUGH COUNCIL

UNMANNED AERIAL VEHICLE POLICY



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Background

Whilst unmanned aerial vehicles (UAV) have traditionally only been used by model aircraft enthusiasts for recreational purposes, they are increasingly being used for surveillance and data-gathering. Such UAV's may be operated in a way that poses a greater risk to the general public. Unlike manned aircraft or those UAV's which would be classed as model aircraft, used for recreational purposes, there are no established operating guidelines, Operators may not be aware of the potential dangers and risks to public safety that can occur from misuse.

Currently larger UAV's are being developed These UAV's often require a great deal more space when being operated and are required by National and European law to be designed and manufactured to an approved standard. Therefore it is becoming necessary to take additional steps to ensure that the UVA's can be safely integrated with other airspace users - both in the air and on the ground.

In January 2010, the **Civil Aviation Authority** (CAA) introduced new regulations that require operators of small UAV's 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.

The CAA Policy CAP 3939 Air Navigation regulations are intended to protect people and / or properties that are not involved in the activity. They are also aimed at being as 'light touch' and proportionate as possible, so there is a great deal that can be done without the need to approach the CAA at all.

Individuals wishing to use UAV's would need to ensure they are familiar with the current requirements and seek permission if necessary.

For a full copy of the CAA policy CAP 3939 Air Navigation: The Order and Regulations please visit www.caa.co.uk, alongside further information and guidance.

Current Position

Permission will not be granted by Surrey Heath Borough Council to any request to use Unmanned Aerial Vehicles on land owned by Surrey Heath Borough Council whether for recreational or commercial purposes. This decision has been taken for the following reasons:

- If Surrey Heath Borough Council grants permission, it could be liable for subsequent actions brought about by UAV activity when operated from land under our ownership.
- The close proximity of many of our sites to neighbouring residential and business 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 operator or operating error.

Exemptions will only be considered, where users are part of a formalised model aircraft flying club that can demonstrate all health and safety and insurance measures are in place. A license agreement must be made with Surrey Heath Borough Council and the formalised club before site usage can be established.

Enforcement & Byelaws

If a person/ persons are found to be operating a UAV on land owned by Surrey Heath Borough Council without permission, they will be requested to stop immediately. If the user refuses to stop, the Police will be called.

The Surrey Heath Borough Council Byelaws for Pleasure Grounds, Public Walks and Open Spaces states under Paragraphs 23 and 25;

- No person in the pleasure ground:
 - a. Intentionally obstruct any officer of the Council in the proper execution of his duties:
 - b. Intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council, or
 - c. Intentionally obstruct any other person in the proper use of the pleasure ground, or behave so as to give reasonable grounds for annoyance to other persons in the pleasure ground
- Any person offending against any of these byelaws may be removed from the pleasure ground by any officer of the Council, or any contractor employed by the Council and acting on behalf of the Council, or a constable.