

## Kirkby Malhamdale Parish Council Drone Policy (Reviewed 26 Apr 24)

### Guidelines for Flying Unmanned Aerial Vehicles

1. Kirkby Malhamdale Parish Council has introduced an Unmanned Aerial Vehicle (UAVs) Policy to cover the flying of model aircraft and drones on Parish Council land and open spaces within the Parish. This policy applies to the use of all UAVs including:

- Electric-powered and remote-controlled drones capable of vertical take-off and landing;
- Remote-controlled fixed-wing model aircraft;
- Electric fan jet-powered models.

2. Notwithstanding seasonal restrictions pertaining to protected species nesting (no fly areas), all drone users **must have** the land owner's express permission to launch and recover a drone from private land. **You are legally responsible for each flight you make.** The National Crime Agency has the ability to track and trace illegal drone flights and take appropriate action. Failure to fly UAVs responsibly could result in criminal prosecution. All individuals who fly drones on Kirkby Malhamdale Parish land will be liable for any damage or injury that occurs.

### Obtaining Permission to Fly Drones

3. Drones may not be flown on Kirkby Malhamdale Parish Council land without prior permission being granted by Kirkby Malhamdale Parish Council. Permission will only be granted where the usage of a drone fulfils a tangible need for the user or has a benefit to the Parish. Our zero tolerance on recreational drones is to:

- Reduce the potential risk for causing alarm or distress to livestock;
- Safeguard the public;
- Reduce the potential risk for causing alarm, distress or harassment to both the residents and the public;
- Reduce the risk of accident or injury to members of the public, residents or damage to property as a result of user or drone error.

4. Permission to fly a drone on Kirkby Malhamdale Parish land must be sought from the Parish Council prior to flight. Requests should be emailed to the Parish Council at [chris@malhamdale.com](mailto:chris@malhamdale.com) providing the following information:

- A description of the purpose of the flight(s);
- A copy of the 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 a decision will be given within 10 working days. If person/persons are found to be using a UAV on Kirkby Malhamdale Parish Council land

without a letter of permission they will be instructed to stop immediately. If the user refuses to stop then the police may be called to attend.

### Regulations

5. The 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 licence) from the CAA is needed. You must request permission from the CAA if you plan to:

- Fly the drone on a commercial basis (ie conducting “aerial work”);
- Fly a camera/surveillance fitted drone within congested areas or closer (than the distance 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.

6. However, it is also worth noting that if your drone has a camera (unless it is a toy marked as class CO drone) or weighs more than 250g it **must be registered** with the Civil Aviation Authority (CAA) on an annual basis. Moreover, in most cases you must be at least 12 years old to fly a drone on your own (unless classed as a CO Drone). If you are under the age of 12 you must be supervised by someone aged 16 or over and both of you must have passed the flyer ID test.

### Further Guidance

6. For further information please refer to the latest CAA guidance available at:

- <https://www.caa.co.uk/consumers/unmanned-aircraft-and-drones/>