

USING A DRONE IN PUBLIC

The number of Drones, otherwise known as Unmanned Air Systems (UAS), has increased rapidly in recent years as devices become more affordable to the general public, especially casual hobbyists. Many of these persons may be unaware of the regulations applying to flying a UAS or the danger they can pose to other members of the public. The following information is offered to hopefully keep the operator within the law and the rest of us safe.

The UK Air Navigation Order 2016 contains the regulations pertaining to operating a UAS, the breach of which is an offence. The Civil Police have responsibility for enforcing and investigating offences in relation to the Air Navigation Order, below is a short summary of the regulations:

- a. The drone pilot is directly responsible for ensuring that the aircraft is flown safely – this includes when letting someone else “have a go”.
- b. The drone pilot must not fly the aircraft out of his/her sight in order to ensure that collisions can be avoided eg with trees or property.
- c. The pilot must not recklessly or negligently cause a drone to endanger any person or property.
- d. The pilot must not fly the drone above 400ft unless permission from air traffic control has been granted (in restricted airspace).
- e. The pilot must not fly the drone within 50 metres of any person (30 meters for take-off and landing) except in accordance with any permissions issued by the Civil Aviation Authority (CAA).
- f. The pilot must not fly the drone within 50 meters of any vessel, vehicle or structure which is not under the control of the person in charge of the drone, except in accordance with any permission issued by the CAA.
- g. The pilot must not fly their drone within 150m of a gathering in excess of 1000 people.

The rules changed on 4 Nov 2019, and to fly a drone heavier than 250g a pilot must pass an online knowledge test and apply for a “Flyer ID” from the CAA which has to be renewed every 3 years. Moreover, the owner of a drone heavier than 250g must also apply for an “Operator ID” which is a chargeable application and has to be renewed every year. The Operator ID has to be marked on any drone owned. In addition, the Operator of the drone is required to ensure that only people with a Flyer ID fly their drone.

It is a criminal offence to fly a drone without an Operator ID marked on the drone or if the pilot does not have a Flyer ID, which they must be able to prove whilst flying. These new rules apply to recreational flying as well as commercial. There are expected to be additional regulations for drone flying in summer 2020. The practical application of these regulations therefore would preclude the use of a drone over a built-up area. Anyone flying without a Permit for Commercial Operations may not fly a drone within 150m of a congested area.

We are all aware of news items referring to “snoopers” using these devices for malicious intent as opposed to a “force for good”, and also for causing major havoc such as the disruption at Gatwick Airport last Christmas. It should be noted that these regulations were written prior to the activities of eco-terrorists, and not in response to it, but rather to set out sensible regulation which protect the right to privacy and safety of all citizens whilst permitting the legal use of drones in the congested airspace of the UK.

Other regulations and parameters cover the operation of drones in the vicinity of airfields. For instance, drone usage in Belton and Barkston fall under a restricted zone for RAF Barkston Heath whereas cliff villages such as Leadenham and Fulbeck are outside of both the RAF Cranwell and Barkston Heath air traffic zones.

More detailed information can be found in the Air Navigation Order 2016 (plus 2018 and 2019 amendments) which is available on the CAA website.