

Appendix No.1

Guidance Notes for the use of Small Unmanned Aircraft (Drones)

The use of SUAs (Small Unmanned Aircraft, may also be referred to Unmanned Aerial Vehicles), drones, octocopters as well as by other names are becoming more and more popular with filmmakers as they offer great flexibility.

Filming with SUAs in large open air areas where there are few people is relatively straightforward. However, filming in congested areas such as City Centres is more complex, there are multiple stakeholders and authorities and presents greater risk.

This document sets out a non-exhaustive explanation of matters to consider and procedural steps required in order to use SUAs

Obtaining Permissions

There are 2 basic permissions needed to film with a SUA these are;

1. **Permission to fly from the Civil Aviation Authority (CAA)**
2. **Permission to from owner, manager or authority for the land in which the SUA will be taking off and landing**

1. **Civil Aviation Authority (CAA) Permission**

The Air Navigation Order 2009 is the principal piece of legislation governing aircraft, including SUAs, in the UK with articles 166 and 167 being the main points covering use SUAs for filming. This states that an SUA operator must request "Permission" from the CAA if it plans to:

- fly the aircraft on a commercial basis (i.e. conducting "Aerial Work"); or
- fly a camera/surveillance fitted aircraft within Congested Areas or closer than the distances listed within Article 167 to people or properties (vehicles, vessels or structures) that are not under its control.

The Air Navigation Order states the circumstances in which a camera/surveillance fitted SUA cannot be operated without an additional permission from the CAA;

- **Over or within 50 metres of any person, vessel, vehicle or structure** which is not under the control of the aircraft operator.

- **Over or within 150 metres of any Congested Area** (this is defined as a City, Town or settlement that is substantially used for residential, industrial, commercial or recreational purposes).

- **Over or within 150 metres of an organised open-air assembly of more than 1,000 persons.**

If the complete mass (including camera) of your SUA is less than 7kg a CAA permission will normally include an approval to operate within 150m of a congested area, however the requirement to remain 50m clear of third parties (persons, vehicles, vessels or structures not under the control of the operator) still applies.

A reduced separation distance of 30m from uninvolved persons is permitted during take-off and landing, but note that this reduction was originally intended for specific circumstances, such as model aircraft flight lines.

Remember, however, that it is the responsibility of the person in charge of the aircraft to maintain these distances.

Some operators have been granted permission by the CAA to fly larger sized aircraft within congested areas, these operators have been subjected to additional scrutiny by the CAA and the revised details will be indicated in the operators Permission.

In all cases the SUA should not be flown over people, vessels or vehicles that are not under the control of the SUA operator or the production.

Application to the CAA can be made at www.caa.co.uk/SRG1320

Guidance can be found on this can be found at www.caa.co.uk/CAP722

For further information you can contact the CAA via UAVenquiries@caa.co.uk

2. Land Owner/Authorities Permission

The CAA will look at your flight operations however permission to take off and land and assessment of your Flight Impact Zone is likely to come from the owner, manager and/or authorities over the area the SUA is operating. This is likely to come from the appropriate Film Office and must demonstrate how this area will be controlled

To make this assessment the responsible party (the individual or legal entity assume ultimate responsibility for all aspects of the SUA activities – most commonly the Production Company) must submit an application form to film using the SUA which will include the following;

Drone Filming Application Form

- A valid Permission issued to the operator by the CAA. Operational Safety Case (OSC) (where applicable): as may be issued by the Civil Aviation Authority to the UAS Operator.
- A Flight Impact Zone (FIZ) Map: a planning map, highlighting the flight area and appropriate control points for the applicable areas where the SUAs will be flown, this should also include any Contingency flight area - any area the SUA may need to go should there be a reason to abandon the flight.
- RAMS: Risk Assessment and Method Statement of the whole production, which must be specific to the operation in question and include
- Responsible Parties Public Liability Insurance (minimum £5million however depending on location and activity may need to be £10million)

Depending on the assessment of the above further documentation is likely, these commonly include

- A Traffic Order or Traffic Notice as well as A Traffic Management Plan: required if the FIZ is close to or includes a highway.
- Stewarding Plan: description and maps of what control measures will be in place and where stewards will be located whilst the UAS in use.
- Evidence of Consultation: reasonable evidence to show an agreement has been secured with all individuals to be impacted by the use of the UAS.

All uses of SUAs are treated on a case by case basis as such further documentation may be required. Because of this notice periods can vary dramatically however for guidance a minimum notice period for use of SUAs perceived to have no impact should 5 working days (1 week) and for those that are likely to involve road closures 6 to 8 weeks.

It is also best practice to notify the relevant Film Office if the SUA is to be used on private land, even if it will not be overflying the highway or council owned property. Should SUA activity overfly, or be used within 50m of any thoroughfares, in addition to making a filming application further documentation and permissions are likely be required.

Privacy and Copyright

The Information Commissioner's Office (ICO) has issued guidelines relating to the Data Protection Act regarding the use of SUVs for filming purposes – highlighting the privacy risk their use pose.

For more information please visit <https://ico.org.uk/for-the-public/drones>