



Aerial Filming – including the use of drones

There are various permissions and considerations in order to operate a drone for aerial filming in the City of Hull.

Drones and octocopters may also be referred to as SUA (small unmanned aircraft) UAV (unmanned aerial vehicles) or UAS (unmanned aerial systems) and are becoming more and more popular with filmmakers as they offer great flexibility and range.

This document sets out a non-exhaustive explanation of matters to consider and procedural steps required for the use of drones in the City of Hull.

Obtaining Permissions

In advance of filming you will need to ensure that you have:

- Permission from the Civil Aviation Authority (CAA)
- Permission from the owner or manager the land used for take-off and landing
- Control over the area you intend to use the drone within which includes any person or vehicles in the area

1. Civil Aviation Authority (CAA) Permission

All commercial drone operators must be in possession of a CAA 'permission document'. Any drone flight in an urban area or near large crowds of people, whether for private or commercial purposes, will require the same document. The CAA grants permission for multi-rotor and fixed-wing type and will only grant permission for drones that do not exceed 20kg.

The Air Navigation Order 2009 is the principal piece of UK legislation governing aircraft (including drones) with Articles 166 & 167 the key points covering use of drones for filming. This states that a drone operator must request a "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 drone cannot be operated without 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 the drone 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.

Here's a summary from CAA <http://dronesafe.uk/drone-code/>

Guidance can be found on this can be found at www.caa.co.uk/CAP72

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

2. Land Permission & Area Control

Drone operators must liaise with the organisation or individual responsible for the land required for take-off and landing to obtain permission and a site plan must be submitted prior to flight.

The operator will also need to ensure that the land below the flight path is either clear of people and vehicles by the requisite distances (see above) or that access to the surface is restricted and any people and vehicles are under control of the operator.

A full closure of the road or area to be used will usually need to be in place before the drone can be used.

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

3. Make an Application to Film

Once the appropriate permissions have been obtained the Production Company will need to submit all paperwork listed below to The Hull City Council events team:

- A valid Permission issued to the operator by the CAA. which entitles the operator to conduct the flight that is being requested.
- A Flight Impact Zone (FIZ) Map: a planning map, highlighting the flight area and appropriate control points for the applicable areas where the drones will be flown and include any contingency flight areas e.g where the drone may need to go should there be a reason to abandon the flight

- A RAMS: Risk Assessment and Method Statement of the whole proposed drone shoot, which must be specific to the operation in question
- 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 maybe required:

- 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 drone 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 drone

All use of drones is treated on a case by case basis. As a result notice periods can vary therefore for guidance purposes a minimum notice period for use of a drone that is perceived to have 'no impact' should be 5 working days (1 week) and for those that are likely to involve road closures 6-8 weeks. It is best practice to notify the Hull City Council events team in all instances of commercial drone use even if the drone is to be used on private land and not overflying the highway or council owned property.

The Information Commissioner's Office (ICO) has issued guidelines relating to the Data Protection Act regarding the use of drones for filming purposes. For more information please visit <https://ico.org.uk/for-the-public/drones/>