GUIDANCE ON THE USE OF SMALL UNMANNED AIRCRAFT (DRONES)

Summary

- Only qualified and competent pilots should be allowed to operate small unmanned aircraft.
- Only qualified and competent pilots should be engaged to operate small unmanned aircraft to do work for the cathedral.
- Staff and volunteers (unless they are also qualified and competent pilots) should not fly or operate small unmanned aircraft.
- Members of the public, including visitors, should never be permitted to fly small unmanned aircraft on cathedral property without permission.

Conditions for permitting flights

Applications for permission to fly a small unmanned aircraft (SUA) should only be considered in the following circumstances:

- The pilot operating the SUA has either a BNUC, BNUC-S or RPQ-S certificate (Pilot's Licence), and can provide copies of his or her Civil Aviation Authority (CAA) approved Operations Manual (which includes details of the pilot's risk Assessment/ method statement, testing process, pilot training and continued practice) and CAA-issued Permission to Operate (which includes details of agreed special permissions regarding the distance from the public or public buildings that the system can be operated).
- The pilot has adequate suitable insurance and can provide a copy of the relevant policies (see below).

No flight should be permitted without permission. If someone attempts a flight without permission it should be stopped immediately.

The pilot should adhere to all of the conditions below, particularly if the footage is being used for commercial purposes:

- The pilot should only fly the SUA if reasonably satisfied that the flight can be made safely.
- The pilot should maintain direct, unaided visual contact with the aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels and structures to avoid collisions.
- The pilot should have special permission from the CAA to fly the aircraft:
    - over or within 150 metres of any congested area;
    - over or within 150 metres of an organised open-air assembly of more than 1,000 people;
    - within 50 metres of any vessel, vehicle or structure which is not under the control of the person in charge of the aircraft;
    - within 50 metres of any person; and
    - at take-off or landing, a small unmanned aircraft must not be flown within 30 metres of any person.

Information and guidance from the CAA can be found on its website (see http://www.caa.co.uk/Consumers/Model-aircraft-and-drones/Flying-drones).

You should discuss planned use of a SUA with your insurer before giving permission – even though the pilot must have adequate insurance.

The BBC uses SUAs for filming in and around ecclesiastical buildings. If you are approached by the BBC, experience shows that it understands the requirements and ensures that those it commissions to do the filming are properly certified and insured.

Engaging a contractor

There are a number of professional firms which offer a service using the aircraft to photograph areas which it is either impossible or difficult to access. It can be cheaper to use a SUA than to erect scaffolding if you wish to conduct investigatory work.

Work should be sourced from a competent contractor, defined as follows:

- The contractor must hold a formal Unmanned Aircraft Systems (UAS) qualification from a training provider accredited by the CAA such as:
    - EuroUSC: Basic National Unmanned Aircraft Systems Certificate (BNUC) for UASs over 20kg and BNUC-Small (BNUC-S) for UASs up to 20kg
    - Resource UAS: Remote Pilot Qualification - Small (RPQ-S) up to 20kg
- The contractor must have permission to undertake aerial work in the UK. This can be checked directly on the CAA website (http://www.caa.co.uk/Consumers/Model-aircraft-and-drones/Flying-drones). From this page click on the 'Finding an approved drone operator' link and then the 'all individuals and organisations that hold a CAA Permission for Aerial Work' to view an up-to-date full list of authorised pilots.
- The contractor should provide copies of his or her CAA-approved Operations Manual (which includes details of the pilot's risk Assessment/ method statement, testing process, pilot training and continued practice) and CAA-issued Permission to Operate (which includes details of agreed special permissions regarding the distance from the public or public buildings that the system can be operated).
- The contractor must hold sufficient insurances commensurate with the activity undertaken (see below).

Insurances

You should request evidence of the following insurances which should be photocopied and retained.

- Public liability insurance - operators must evidence public liability cover for the work they will be doing on the ground and for their equipment on site. Commercial activity must be included. The level of cover required should reflect the maximum possible claim you consider could arise from their activities.
- Aviation Liability Insurance - this is normally excluded from standard public liability insurance policies and there should either be a separate aviation policy or the Public Liability insurance should specifically indicate that aviation activity is included.
- Motor insurance - if the operator is driving vehicles onto the cathedral site they should have motor insurance.

- Employee liability insurance - generally all firms employing people are required to have employee liability insurance, so this should be seen in all cases where the contractor employs people.

Risk assessment and other conditions

When permitting a flight or engaging a contractor you should understand the way they intend to work and conduct a risk assessment for the period of time they will be on site. In addition you should make the pilot aware of any known hazards they may encounter whilst on the site (e.g. local byelaws, obstructions, any known risks associated with accessing the site).

If you permit use of a SUA within a cathedral building, you should ensure the building is empty at the time of the flight. You should also expect a hexacopter to generate a down draft so, if the building has high level ledges covered in stone dust, it will dislodge the dust and will disturb fabric hangings.

You may need to consider temporarily shutting other parts of the cathedral site if the SUA is to be flown over areas where people may be present.

At all times the operator of the SUA should be wearing high visibility clothing which clearly identifies them as the pilot.

The contractor should be supervised and they should comply with basic restrictions connected with their CAA registration and conditions set out above.

Most SUAs are powered by Lithium Ion Polymer batteries. There is a low risk of explosion/ fire during charging. As part of your risk assessment, you should ensure that the SUA is charged off site or in a building where there is either a fire detection system or a fire marshal present provided with a suitable fire extinguisher. These arrangements should be made known to the operator before they come to the site.

Data Protection

Restricting use and operation of SUAs on cathedral property minimises data protection issues. Data protection requirements are sensible and courteous steps to take to ensure the activity is undertaken without causing distress:

- Operators must wear high visibility clothing identifying them as the SUA pilot.
- Place appropriate signage stating that filming is taking place using a SUA.
- Consider the impact any SUA flight may have on individuals' privacy, and take into account the potential impact on visitors and residents and users of the Close and precincts when planning the date and time of the activity.

Other flying

We recommend that there should be a general 'no flying without permission' policy for SUAs on cathedral property, including ad hoc hobbyists and amateur clubs. Photographs and video taken from SUAs have data protection and loss of enjoyment implications for members of the public and residents and users of the Close or precincts, could potentially result in a loss of income to the cathedral from the third party sale of aerial imagery, and obtaining them could be a risk to cathedral property.

It may be difficult to enforce a no-fly policy, particularly where a SUA takes off and lands outside of cathedral property, but where the activity is seen it should be stopped. If you have a SUA problem and cannot identify the pilot and/or cannot enforce the no-fly policy, the incident should be reported to the local police.

The reasons cathedral staff and volunteers might give to explain to those not given permission to fly and/ or those flying SUAs without permission that the cathedral has a policy banning the use of SUAs on cathedral property for the following reasons:

- The use of SUAs is regulated by the CAA and is a developing area which is coming under greater scrutiny. Users must have the correct training and permission to operate SUAs, and flights by untrained and unqualified operators create a serious risk to cathedral staff, volunteers, visitors, property and neighbours.
- Should An SUA cause damage or harm, pilots generally do not have the correct insurances to compensate the cathedral for remedial actions.
- SUAs should not be flown over people or near the cathedral buildings due to the risks of harm or damage.
- Taking photographs or filming without permission with a SUA infringes data protection laws (filming people without permission) and contravenes the cathedral's rules on photography and filming.

A reminder

It's better to use the term 'small unmanned aircraft' or 'unmanned aircraft system' rather than 'drone' as the latter term carries baggage, but 'drone' is the more commonly used and widely understood term.

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