

# DRONE READY CITIES REGULATORY FRAMEWORK

A framework for use by Local Authorities so that they are aware of regulations that apply to the commercial use of drones by councils and businesses. This can help them prepare for the anticipated expansion in the use of drones in UK towns and cities that developing aviation regulation will permit.

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## Executive Summary

This framework is intended to allow Local Authorities to be aware of the regulations that apply to the commercial use of drones in the urban environment. This can help them prepare for expansion of drone use in UK towns and cities that developing aviation regulation will permit.

Drones can benefit our society by:

- Increasing safety & efficiency e.g. blue light services, infrastructure maintenance
- Reducing CO<sub>2</sub> emissions
- Delivering social benefits e.g. faster medical sample transport
- Reducing ground transport congestion
- Reducing costs of logistics deliveries
- Creating new business & job opportunities

Many valuable urban drone applications are technically feasible and can deliver social and economic benefits. Examples include transferring time-sensitive samples between National Health Service (NHS) facilities and infrastructure inspection without scaffolding, working at height or road closures. More than 30 significant drone applications are identified in the Use Cases section.

Most drone operations are performed within 'Visual Line of Sight' (VLOS) with the drone pilot maintaining continuous unaided visual contact with the drone. Many more applications will be unlocked by routine flight of drones Beyond Visual Line of Sight (BVLOS).

Aviation regulations permit BVLOS operations by exception and largely in segregated airspace. Development of the means and regulations to permit qualifying operations using BVLOS routinely in unsegregated airspace is underway. Over the period 2024 to 2027, a phased approach by the Civil Aviation Authority (CAA) will allow for repeatable, scaled BVLOS as described in the Timeline section.

As the routine nature of BVLOS operations increases, so will the feasibility and social and economic benefit Use Cases. Consequently, the services offered and taken up by end-users will increase. For local authorities this will mean an increasing number of drone operations and operators in their areas.

Although the regulation of UK airspace lies with the CAA, drone operation within the local authority area has regulatory and policy implications relating to local airspace, ground infrastructure, supporting services, security, privacy, environment, the carriage of dangerous goods and maintaining social equity.

In November 2022, the UK Government awarded CCC a grant of £268,175 via the Regulators' Pioneer Fund to deliver Drone Ready Cities (DRC), which started in September 2023. The RPF is a grant-based fund to enable UK regulators and local authorities to help create a UK regulatory environment that encourages business innovation and investment. The current £12m round is being delivered by the Department of Science, Innovation & Technology.

Although outside DRC's scope, an aviation regulation framework is included to illustrate its boundaries. Relevant regulations are identified in The Regulatory Framework under the following headings.

- Privacy and Data Protection
- Planning
- Building Regulations
- Fire Safety
- Health & Safety
- Electrical Inspection
- Electronic Communications
- Carriage of Dangerous Goods
- Environmental Protection

## Disclaimer

This document does not constitute legal advice, and the information should not be used in place of legal advice. Although best efforts have been made, the extent of regulation identified should not be considered exhaustive.

## Scope and Applicability

This framework applies to the commercial and public sector use of drones, also referred to as Remotely Piloted Aircraft Systems (RPAS), in the urban environment in the UK.

It is intended for use by local authorities and private or public organisations utilising drones or drone services.

It is not intended to address aviation regulation. Despite this, there are local authority activities identified that do relate to aviation regulation and will require working with the CAA. For the purpose of illustrating the boundaries of airspace regulation, a framework for aviation regulation is included.

## Use Cases

Through review of public materials and engagement with stakeholders, more than 30 significant use cases have been identified with some duplicated across sectors.

Readers may find the end-user stories in ARPAS-UK's [Drones in Action Report](#) useful to bring to life real use cases and the benefits achieved.

This use case list is provided to support the identification of applicable non-aviation regulation.

Name	User	Purpose	Typical distance	Typical payload	Benefits	Challenges
Medical Cargo	NHS	Tissue/organ/blood Transport between facilities	Few-10s of km <sup>1</sup>	<20kg <sup>1</sup>	Reduced delays <sup>2</sup> Cost avoidance <sup>2</sup> Time saving <sup>2</sup>	Airspace integration <sup>2</sup> Noise and privacy <sup>2</sup> Carrying dangerous goods <sup>2</sup>
Medical Last Mile Delivery	NHS	Medicine delivery to remote/ immobile patients	Few km <sup>3</sup>	<3.5kg <sup>3</sup>	Ease of access Cost reduction <sup>3</sup> Better health outcomes <sup>1</sup>	Information sharing Carriage of goods Flight routing

<sup>1</sup> [Northumbria Healthcare, 2023](#)

<sup>2</sup> ROSS, H, 2024

<sup>3</sup> [CURRAN, 2023](#)

Name	User	Purpose	Typical distance	Typical payload	Benefits	Challenges
Last Mile Logistics	Commercial	B2C Delivery/ Collection C2C Delivery/ Collection	Few km <sup>1,3,4</sup>	<3.5kg <sup>3</sup>	Ease of access <sup>1</sup> Cost reduction <sup>1,4</sup> £10bn UK TAM <sup>4</sup>	Information sharing <sup>1</sup> Carriage of goods <sup>1,4</sup> Flight routing <sup>1</sup> Airspace management <sup>4</sup> Public acceptance <sup>4</sup>
Middle Mile Logistics	Commercial	Mail delivery, manufacturing logistics	10s-100s km <sup>5,6</sup>	10s-100s of kg <sup>4,5,6</sup>	Reduced time <sup>4,7</sup> Reduced emissions <sup>4,7</sup> Reduced wastage of perishables <sup>7</sup> Cost reduction <sup>4</sup>	
Reconnaissance & Surveillance	Commercial	Site Security	100s m	Sensors only	Surveillance and Professional Services GDP impact £7.0bn, cost savings £3.0bn	Routine BVLOS in unsegregated airspace <sup>4</sup> Public Privacy <sup>4</sup>
	Blue Light Services	Search and Rescue Emergency Situational Awareness Fire Surveillance Secure Site Security Public Gathering Situational Awareness Suspect Search & Pursuit Traffic Control Flood Impact Assessment	100s m	Sensors only	Reduced Risk to Personnel <sup>4</sup> Reduced time <sup>4</sup> Increased Effectiveness <sup>4</sup> Cost reduction <sup>4</sup>  Emergency Response and Building Inspection GDP impact £14.1bn, cost saving £4.6bn <sup>4</sup>	Routine BVLOS in unsegregated airspace <sup>4</sup>
	Local Authority	Compliance e.g. fly tipping, noise, pollution	100s m – few km	Sensors only	Reduced time Reduced cost Increased coverage	Routine BVLOS in unsegregated airspace

<sup>4</sup> PWC, 2022

<sup>5</sup> Apian.aero, 2024

<sup>6</sup> Dronamics.com, 2024

<sup>7</sup> England.NHS.uk, accessed 6<sup>th</sup> February 2024

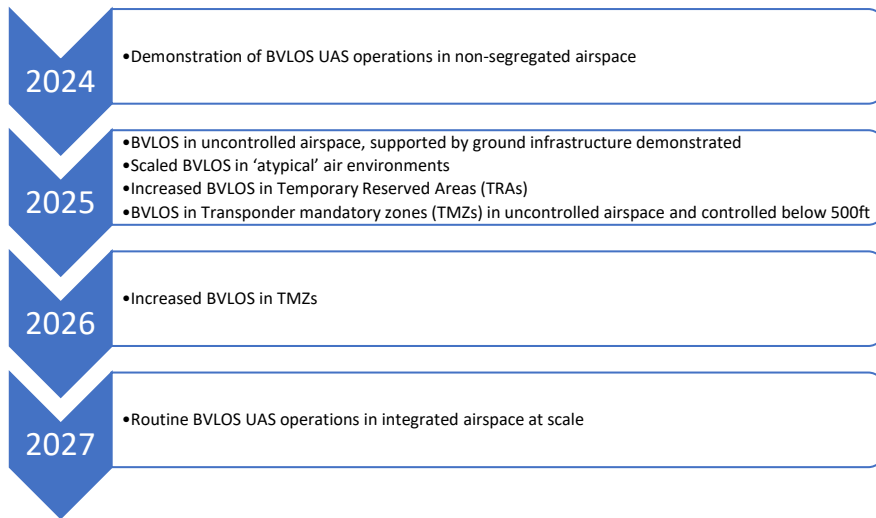
Name	User	Purpose	Typical distance	Typical payload	Benefits	Challenges
Data Gathering	Commercial	Asset Management Land Analysis Mapping	VLOS-10s of km <sup>4</sup>	Sensors only	Reduced Risk to Personnel <sup>4</sup> Reduced time <sup>4</sup> Reduced disruption <sup>4</sup> Reduced Emissions <sup>4</sup> Cost reduction <sup>4</sup>	Routine BVLOS in unsegregated airspace <sup>4</sup> Data integration with business as usual <sup>4</sup>
	Local Authority	Surveys – Thermal, Noise, Air Quality, Traffic Survey			Emergency Response and Building Inspection GDP impact £14.1bn, cost saving £4.6bn <sup>4</sup>  Agriculture, Mining, Water, Gas and electricity GDP impact £3.0bn, Cost savings £4.4bn <sup>4</sup>	

Name	User	Purpose	Typical distance	Typical payload	Benefits	Challenges
Inspection	Commercial	Maintenance Inspection Safety Inspection Construction Progress Inspection	VLOS-10s of km <sup>4</sup>	Sensors only	<p>Reduced Risk to Personnel<sup>4</sup>  Reduced time<sup>4</sup>  Reduced disruption<sup>4</sup>  Cost reduction<sup>4</sup>  Reduced Emissions<sup>4</sup></p> <p>Emergency Response and Building Inspection GDP impact £14.1bn, cost saving £4.6bn<sup>4</sup></p> <p>Infrastructure Inspection GDP impact £2.4bn, cost saving £0.9bn<sup>4</sup></p> <p>Construction and manufacturing GDP impact £2.8bn, cost saving £1.6bn<sup>4</sup></p>	Routine BVLOS in unsegregated airspace <sup>4</sup> Data integration with business as usual <sup>4</sup>
Media & Entertainment	Commercial	Light Show Film	VLOS	Camera Lighting		



## Timeline

In the easing of constraints imposed on BVLOS operations, the Department for Transport (DfT) has published a Uncrewed Aircraft System (UAS) Pathway in its [UK Future of Flight Action Plan](#). This calls for the following timeline:



DfT 2024, CAA 2024b

## The Role of Local Authorities

DRC project research revealed a significant collection of activities that will involve local authorities as commercial drone operations increase in the authority's area (LEWIS, 2024).

	Local Government Activity	Specifics	Regulation Area Having Implications - generic, not intended to indicate specific legislation or standards											Strategy & Policy - generic, not intended to indicate specific policies		
			Planning	Building Regs	Environmental	Privacy	Electronic Communications	Electrical Safety & Inspection	Carriage of Dangerous Goods	Health & Safety	Fire	Aviation	Strategic Plan	Integrated Transport Plan	Decarbonisation Plan	
In collaboration with Civil Aviation Authority	Location of Air Corridors	Considering critical infrastructure, secure facilities, hazards from specific land uses, social equity, noise sensitive areas e.g. hospitals, wildlife, etc			S	S	P						S	S	S	P
	Provision of Aeronautical Data	Static - on location of buildings, antennas, trees, migratory routes, critical infrastructure Dynamic - Movements of people, high-altitude platforms (such as cranes), blowing debris, construction staging, etc.	S										S			
	Defining no-fly zones	Considering critical infrastructure, secure facilities, hazards from specific land uses, noise sensitive areas e.g. hospitals, wildlife, etc			S	S							S			
	Developing Byelaws	Ensuring byelaws relating to drone operations are consistent with civil aviation regulations											S			
	Determining Vertiport/Take-off and Landing Areas	Location - Critical infrastructure, Fire station locality, Transport interconnection, Local land use, Maturing vegetation, Hazards from specific land uses e.g. birds at landfills, ash from burning, Property under approach and departure paths, Noise sensitive area, Nearby animals (zoo, domestic), Protected wildlife habitats, Future property values, Impact of traffic, Privacy, Distraction to other activities e.g. drivers														
			S	S	S	S						S	S	S		
		Integration with other transport modes	S									S	S	S		
		Design	S	S	S					S		P				
	Providing Supporting Services	Ensuring appropriate fire services									S	S	S			
		Police enforcement in the case of improper drone use									S	S	S			
	Accommodating Drone Infrastructure	Utilities - Electricity, data, water, waste water, gas	S	S	S					P	P	S		S		
		Battery Storage & Charging/Refuelling	S	S	S			S		S	S	S				
		Ground-Based Transceivers	S	S			S									
	Ensuring Security	Reporting suspicious activity or usage that presents a threat										S				
		Risk assessments and mitigation of nefarious drone use and on critical entities										S				
		The carriage of goods				P			S		S					
	Protecting the Environment	Sustainability - life-cycle impact	S		S										S	
		Wildlife protection	S		S											
		Noise pollution	S		S											
		Visual impact	S		S											
	Non-regulatory Activities	Community/stakeholder consultation/engagement														
		Equity - evaluate impacts to enable positive outcomes											S			
		Data - Support standards development and processes to facilitate sharing of AAM data					P									

S = Significant implications  
P = Possible implications



## The Regulatory Framework

### The regulatory framework summary table

The regulatory framework summary table	
<p><b>Aviation Regulation: The UK Government, Civil Aviation Authority (CAA) (national aviation regulator), and police</b></p> <p>Reproduced from Jackman &amp; Hooper 2023</p>	<p>The UK Government is responsible for laws governing drones</p> <p>The national aviation regulator, the <a href="#">Civil Aviation Authority</a> (CAA) work to ensure the aviation industry meets the highest safety standards</p> <p>The police lead on action against the misuse of drones</p> <p>Drones fall under two separate legislative frameworks:</p> <ul style="list-style-type: none"> <li>(1) The 'Basic regulation', which outlines the common rules for civil aviation within the UK, makes provisions for Implementing Regulations or Delegated Regulations, and includes a 'UAS regulation package'</li> <li>(2) The Air Navigation Order 2016(as amended), within the Civil Aviation Act 1982. The ANO covers airspace in the UK (excluding flight indoors), sets out the main civil requirements for UK aviation, and provides regulatory and enforcement powers for the CAA in relation to retained aviation safety legislation. Articles 240 and 241 are particularly pertinent</li> </ul> <p>Regulatory requirements are supported by Acceptable Means of Compliance and Guidance Material, and the CAA also provides guidance on regulation through Civil Air Publication (CAP) documents</p> <p>Existing drone regulations and legislation have a focus on safety</p>
<p><b>Privacy and data protection: The CAA, Information Commissioner's Office (ICO), Biometrics and Surveillance Camera Commissioner</b></p> <p>Reproduced from Jackman &amp; Hooper 2023</p>	<p>The Civil Aviation Authority's remit is limited to safety and does not include concerns over privacy, though advises that pilots using drones with cameras should be aware of relevant Data Protection Regulation. <a href="#">The Drone and Model Aircraft Code</a> offers multi-faceted advice regarding respecting people and their privacy</p> <p>The <a href="#">Information Commissioner's Office</a> (ICO) is an independent body responsible for upholding information rights. The ICO recognises that drone flight can involve collecting, using and/or sharing personal data, and poses the potential for collateral intrusion. The ICO distinguishes between hobbyists and professional or commercial flyers, describing compliance with data protection law (e.g., provision of privacy information, undertaking a Data Protection Impact Assessment) and asserting that where required, drone pilots must comply with the Surveillance Camera Code</p> <p>The <a href="#">Biometrics and Surveillance Camera Commissioner</a> advise that the use of drones with cameras by 'relevant authorities' is covered by the Surveillance Camera Code. The Code is not technology specific, rather is principles based and applies to the use of surveillance cameras in public places. It encourages other operators and users of surveillance camera systems to adopt voluntarily. The code specifies that covert surveillance by public authorities is not covered and is instead regulated by <a href="#">Regulation of Investigatory Powers Act 2000</a>.</p>
<p><b>Planning: The Governments of England, Wales, Scotland and Northern Ireland, The</b></p>	<p>Each of England, Wales, Scotland and Northern Ireland have a 'plan-led' system overseen by the country's Secretary of State responsible for national policy, guidance and a framework for local planning. The four countries' policies are, respectively,</p> <ul style="list-style-type: none"> <li>England - <a href="#">National Planning Policy Framework</a></li> </ul>

<p>Department for Transport (DfT), The CAA</p>	<ul style="list-style-type: none"> <li>• Scotland - <a href="#">National Planning Framework 4</a></li> <li>• Wales – <a href="#">Planning Policy Wales</a></li> <li>• Northern Ireland - <a href="#">Policy Statement for Northern Ireland (SPPS)</a></li> </ul> <p>Planning policy for any given area is set out in a Local Development Plan developed and overseen by the relevant Local Planning Authority (LPA)</p> <p>Aviation matters within Local Development Plans are assessed against the UK wide <a href="#">Aviation Policy Framework</a></p> <p>The planning policy hierarchy is summarised as</p> <ul style="list-style-type: none"> <li>• National aviation policy <ul style="list-style-type: none"> <li>○ <a href="#">Aviation Policy Framework</a> 2013</li> <li>○ <a href="#">Jet Zero Strategy</a> 2022</li> </ul> </li> <li>• National planning policy <ul style="list-style-type: none"> <li>○ National Planning Policy Framework (for the country)</li> <li>○ Planning Practice Guidance (for the country)</li> </ul> </li> <li>• Spatial Strategy</li> <li>• Local Development Plans</li> </ul>
<p>Building Regulations England &amp; Wales: The UK Government. The Welsh Government</p>	<p>The <a href="#">Building Act 1984</a> is the most wide-reaching law controlling building in England and Wales. It sets the enforcement powers.</p> <p>The <a href="#">Building Regulations 2010</a> go into more detail about building work.</p> <p>Building work generally includes building new buildings, making buildings bigger, altering buildings and changing what they are used for. It is highly likely that the installation of drone infrastructure will fall into one of these categories.</p> <p>The <a href="#">Building Safety Act 2022</a> amends the <a href="#">Building Act 1984</a> in the case of Higher-Risk Residential Buildings (HRRB) in the wake of the Grenfell Tower tragedy (2017) and could have implications for drone infrastructure installed on or around HRRBs.</p> <p>HM Government has published a <a href="#">Manual to the Building Regulations</a> in two volumes. Volume 1 is a high level guide to the building regulations system and Volume 2 provides more detailed guidance.</p>
<p>Building Regulations Scotland: The Scottish Government</p>	<p>The <a href="#">Building (Scotland) Act 2003</a> gives Scottish Ministers to power to make building regulations with respect to the design, construction, demolition and conversion of buildings and the provision of services, fittings and equipment in or in connection with buildings</p> <p>Building regulations that apply across Scotland are set out in the <a href="#">Building (Scotland) Regulations 2004</a></p> <p>Scottish Government publishes technical handbooks which explain how to achieve the requirements set out in the regulations</p>
<p>Building Regulations Northern Ireland: The Northern Irish Government</p>	<p>The current system was established by the enactment of the Building Regulations (Northern Ireland) Order 1972, which was subsequently amended in 1978, before being replaced by the <a href="#">Building Regulations (Northern Ireland) Order 1979</a> (as amended 1990 and 2009). This is the primary legislation. (Department of Finance, Northern Ireland, n.d.)</p>



	<p>The Department of Finance is responsible for the development and the implementation of policy and for legislation relating to the Building Regulations. (Department of Finance, Northern Ireland, n.d.)</p> <p>The secondary legislation of the <a href="#">Building Regulations (Northern Ireland) 2012</a> sets requirements and standards for building that can reasonably be attained.</p>
Fire Safety: England & Wales, Ministry of Housing, Communities & Local Government	<p><a href="#">The Regulatory Reform (Fire Safety) Order 2005</a> (FSO) is the main piece of legislation governing fire safety in buildings in England and Wales.</p> <p>Section 156 of the <a href="#">Building Safety Act 2022</a> amended the FSO to include additional duties for Responsible Persons.</p> <p><a href="#">The Fire Safety (England) Regulations 2022</a> includes additional responsibilities in the case of high-rise blocks of flats in England only</p>
Fire Safety: Scotland, Scottish Government	<p>The <a href="#">Fire (Scotland) Act 2005</a> and the <a href="#">Fire Safety (Scotland) Regulations 2006</a> place responsibilities on employers and any other person(s) with control of premises (dutyholders) to assess the risk of harm from fire and to put in place appropriate fire safety measures.</p> <p>Further guidance is provided in a series of documents</p>
Fire Safety: Northern Ireland	<p><a href="#">The Fire and Rescue Services (Northern Ireland) Order 2006</a> and <a href="#">The Fire Safety Regulations (Northern Ireland) 2010</a>, set out the important duties that employers and those responsible for premises must fulfil and continue to maintain</p>
Health and Safety: Health and Safety Executive	<p><a href="#">The Health and Safety at Work etc Act 1974</a>: is the primary piece of legislation covering occupational health and safety in Great Britain. This regulation places a duty on employers to ensure the health and safety of their employees while at work. This includes providing a safe working environment.</p>
Electrical Inspection Health and Safety Executive, BSI (re: battery charging)	<p><a href="#">The Electricity at Work Regulations 1989</a>: This regulation requires that all electrical systems, equipment, and installations are maintained to prevent danger. This includes regular inspections to ensure that they are safe to use.</p> <p><a href="#">The Health and Safety at Work Act 1974</a>: This regulation places a duty on employers to ensure the health and safety of their employees while at work. This includes providing a safe working environment, which requires electrical inspections to be carried out regularly.</p> <p><a href="#">The Management of Health and Safety at Work Regulations 1999</a>: This regulation requires employers to assess and manage the risks associated with their work activities. This includes identifying and controlling risks associated with electrical systems and equipment, which require regular inspections.</p> <p><a href="#">The Provision and Use of Work Equipment Regulations 1998</a>: This regulation requires that all work equipment, including electrical equipment, is suitable for its intended use and is maintained in a safe condition. This includes regular inspections to ensure that equipment is safe to use.</p> <p><a href="#">The Wiring Regulations (BS 7671:2018+A2:2022)</a>: This standard sets out the requirements for the design, installation, and maintenance of electrical systems in the UK. It requires that electrical installations are</p>

	inspected and tested at regular intervals to ensure that they are safe to use.
<b>Electronic Communications: The United Nations, The UK Government, Ofcom</b>	<p>The United Nation’s International Telecommunications Union (ITU) maintains the <a href="#">Radio Regulations</a> which contracting States, including the UK, are required to ensure compliance with.</p> <p>The UK electronic communications regulatory framework is mainly contained within:  the <a href="#">Communications Act 2003</a> and the <a href="#">Wireless Telegraphy Act 2006</a></p> <p>This domestic legislation governs the regulation of the telecoms markets, guarantees basic user rights, and sets out the powers and duties of the Office of Communications (Ofcom) as the national regulator, including how radio spectrum in the UK is managed.</p> <p>The EU Common Regulatory Framework is implemented through the above legislation.</p> <p>European Electronic Communications Code (EECC) - was adopted by the EU in December 2018 with EU countries applying the new directive to their national law by 21 December 2020.</p> <p>The UK transposed the <a href="#">European Electronic Communications Code (EECC) Directive</a> into UK law ahead of the transposition deadline of 21st December 2020.</p> <p><a href="#">The Electronic Communications and Wireless Telegraphy (Amendment etc.) (EU Exit) Regulations 2019</a> is secondary legislation made in February 2019 to ensure that the UK telecoms regulatory framework remained operable when the UK left the EU.</p> <p style="text-align: right;">HMG 2020</p> <p>The <a href="#">Radio Equipment Regulations 2017: Great Britain</a>, applies to radio equipment supplied in or into Great Britain</p> <p>The <a href="#">Radio Equipment Regulations 2017: Northern Ireland</a>, applies to radio equipment supplied in or into Northern Ireland</p> <p>CAA - Under agreement with Ofcom and the Ministry of Defence, CAA is the band manager for several sets of radio spectrum frequencies</p>
<b>Carriage of dangerous goods: International Air Transport Association (IATA), CAA</b>	<p>“The global principles governing the safe transport of Dangerous Good (DG) by air are described in Annex 18 to the <a href="#">Convention on International Civil Aviation</a> (the Chicago Convention 1944)</p> <p>These broad principles have been amplified into the detailed ‘Technical Instructions for the Safe Transport of Dangerous Goods by Air’ (Doc 9284)</p> <p>These technical instructions are reproduced in the <a href="#">Dangerous Goods Regulations</a> (DGR) published by the International Air Transport Association (IATA)” GROTE et al 2021</p> <p>EU Regulation (EU) 2002/2786 was retained (and amended in UK domestic law) under the European Union (Withdrawal) Act 2018 and amended by the CAA’s <a href="#">Air Navigation (Dangerous Goods) Regulations 2002</a></p>



	<p><a href="#">CAP2248 Fundamentals: Carriage of Dangerous Goods by Remotely Piloted Aircraft Systems</a> gives guidance for carrying dangerous goods falling within UN3373 Biological Substances, Category B as cargo</p> <p>In 2023, the CAA published <a href="#">CAP2555 Guidance on the Carriage of Dangerous Goods as Cargo for UAS/RPAS Operators in the Specific Category</a> – note that this is guidance rather than regulation</p>
<p><b>Environment: The CAA, ICAO, Environment Agency</b></p>	<p>The section below provides an overview of domestic and international regulatory frameworks which relates to environment protection in relation to the CAA and Environmental Agency within the United Kingdom. As there is no set Environmental Act' towards drone aviation within urban environments it is not intended that this should be taken as the only policy/legislation which applies to environmental protection.</p> <ul style="list-style-type: none"> <li>• The <a href="#">Environment Act 2021</a> – Provides a legal framework for environmental governance and brings in measures for the improvement of the environment in relation to waste, resource efficiency, air quality, water, nature and biodiversity, and conservation. It does so by providing the Government with powers to set new binding targets, including for air quality, water, biodiversity and waste reduction. The Department for Environment, Food and Rural Affairs (DEFRA) published these targets in 2022 after consultation.</li> <li>• The UK is a founding member of the International Civil Aviation Organisation's (ICAO) <a href="#">Committee on Aviation Environmental Protection</a> (CAEP). As the UK is a founding member the operator must adhere to ICAO and 'Standards and Recommended Practices' SARPs for uniformity in regulations, standards and procedures.</li> <li>• CAEP established assists the ICAO Council in developing new policies and SARPs in relation to aviation noise, emissions and other environmental impacts. The ICAO Council subsequently reviews and adopts CAEP recommendations, including amendments to the SARPs, and in turn reports directly to the ICAO Assembly where the main policies on environmental protection are defined. The UK is represented in ICAO and CAEP by the 'Department for Transport' (DfT), while the CAA and other specialists are nominated by the UK to CAEP's technical working groups.</li> <li>• Nature Conservation (Scotland) Act 2004. The Bill for this Act of the Scottish Parliament was passed by the Parliament on 5th May 2004 and received Royal Assent on 11th June 2004. An Act of the Scottish Parliament to make provision in relation to the conservation of biodiversity; to make further provision in relation to the conservation and enhancement of Scotland's natural features; to amend the law relating to the protection of certain birds, animals and plants; and for connected purposes.</li> <li>• Byelaws apply to many areas of the UK that specifically restrict the use of drones for the protection of wildlife.</li> <li>• <a href="#">Wildlife &amp; Countryside Act (1981)</a> is the primary mechanism for wildlife protection in Britain.</li> </ul>

## Aviation Regulation

Domestic Framework: Rules and regulations for drones in the UK (Reproduced from Jackman & Hooper 2023)

As is expanded upon below:

<ul style="list-style-type: none"><li>• The Civil Aviation Authority (CAA) regulates drone use in the UK.</li></ul>
<ul style="list-style-type: none"><li>• Drones are divided into different operation categories: Open, Specific and Certified.</li></ul>
<ul style="list-style-type: none"><li>• In the UK, drones fall 'under two separate legislative frameworks', namely:<ul style="list-style-type: none"><li>• 'Regulations within the framework of UK Regulation (EU) 2018/1139 (the Basic regulation)' and</li><li>• 'The Air Navigation Order 2016, as amended, within the framework of the Civil Aviation Act 1982' (CAP 722: 14-15).</li></ul></li></ul>

### *Civil Aviation Authority (CAA)*

The Civil Aviation Authority is the UK's aviation regulator, a public corporation established by Parliament in 1972 and working to ensure that the 'aviation industry meets the highest safety standards' (Civil Aviation Authority n.d). Regarding drones, the CAA's responsibilities include 'providing permissions for drone operators when required', 'providing advice to the general public and industry on how to fly drones safely and reduce risk to aviation', and ensuring that 'any risks' that potential 'future uses pose to aviation are managed effectively and proportionately' (Civil Aviation Authority n.d). The CAA is not responsible for 'proposals for new Domestic legislative framework laws governing drones' which are a 'matter for Government', nor for 'action against the misuse of drones', which the police lead on (Civil Aviation Authority n.d).

The Civil Aviation Authority provide a range of information on flying drones safely, including rules around drone flight which are 'based on the risk of the flight – where you fly, the proximity to 12 other people, and the size and weight of your drone' (Civil Aviation Authority n.d.a). The drone rules are based around the three categories set out in the Basic regulation at Articles 4-6 (the open category, specific category and certified category) (CAP 1789A). There is 'no distinction between flying commercially and flying for pleasure or recreation', i.e. an 'approval just to operate commercially is not required' (Civil Aviation Authority n.d.a).



Understanding Drone Categories

Summary: Drone operation categories	
<b>The Open Category</b>	<ul style="list-style-type: none"> <li>• <b>Low-risk drone flights</b></li> <li>• Guidance: Drone and Model Aircraft Code; CAP 2012 Drone rules: Requirements for flying in the open category; CAP 722 Unmanned Aircraft Systems in UK airspace; the CAA's webpage under 'Flying in the Open Category'</li> </ul>
<b>The Specific Category</b>	<ul style="list-style-type: none"> <li>• <b>Higher risk drone flights</b></li> <li>• Requires operational authorisation from the CAA</li> <li>• Guidance: CAP 722 Unmanned Aircraft System Operations in UK airspace; the CAA's webpage under 'Flying in the Specific Category'</li> </ul>
<b>The Certified Category</b>	<ul style="list-style-type: none"> <li>• <b>Large drones</b> which have to meet specific safety certifications along the lines of aircraft</li> <li>• Regulations under development and not yet published</li> <li>• Guidance: CAP 722 Unmanned Aircraft System Operations in UK airspace; the CAA's webpage under 'Flying in the Certified Category'</li> </ul>

**The Open Category**

**The Open Category** is 'intended for low-risk drone flights' and covers drones weighing both under 250 grams and between 250 grams and 25 kilograms (Civil Aviation Authority n.d.a). There are various requirements and restrictions for flights in the Open category. These depend on the drone's weight, when the drone was built and/or placed on the market, and whether the drone has a camera onboard. Drones are divided into three categories – A1, A2 and A3, depending on these factors (CAP 2012).

If a drone weighs over 250 grams, drone users are required to obtain a 'flyer ID' which shows they have passed a 'basic flying test' and are responsible for 'flying safely and legally' (Drone and Model Aircraft Code n.d). If a drone weighs under 250 grams and has a camera, or weighs over 250 grams, drone users also need to obtain an 'operator ID' which must be labelled on the drone and indicates that they are 'responsible for the drone or model aircraft, and who they allow to fly it' (Drone and Model Aircraft Code n.d).

Drones flying in the Open Category must not exceed 120 metres (400 feet), are not permitted to drop articles nor to carry dangerous goods, must be kept within the operator's visual line of sight, and must adhere to all applicable airspace restrictions (CAP 2012). In addition to flight restrictions and requirements around 'prisons, military ranges, royal palaces, government buildings' and 'emergency service incidents', drone flyers are required to stay 'well away' from 'airports, airfields or spaceports' as most of these 'have a flight restriction zone (FRZ)' and permitted flight therein would likely require permissions (Drone and Model Aircraft Code n.d; see also CAP 722). Flights in the Open Category are also subject to further restrictions around proximity to 'uninvolved persons' and distance from residential, commercial, industrial or recreational areas (Drone and Model Aircraft Code n.d.; CAP2012).

Guidance can be found in the [Drone and Model Aircraft Code](#), on the CAA's website, in [CAP722 Unmanned Aircraft System Operations in UK airspace](#), and in [CAP2012 Drone rules: Requirements for flying in the open category](#).

**The Specific Category**



**The Specific category** is intended for 'higher risk flights' and/or for those that fall outside the boundaries of the open category (Civil Aviation Authority n.d.a). In distinction to the Open Category, operations in the Specific Category require an '**operational authorisation**' issued by the CAA (Civil Aviation Authority n.d.b). This authorisation is based upon the CAA's 'evaluation of a safety risk assessment' (Civil Aviation Authority n.d.b). It is also 'only permissible to carry dangerous goods by drone in the Specific category', wherein operators need 'approval to carry items that are classified as dangerous goods' (CAP 2248: 2).

### The Certified Category

**The Certified category** is 'for large drones which have to meet specific safety certifications along the lines of' manned aircraft and aviation (Civil Aviation Authority n.d.a). It 'covers operations that present an equivalent risk to that of manned aviation' and are 'subjected to the same regulatory regime' (Civil Aviation Authority n.d.c). The UK's regulations for drone flights in the certified category 'are still being developed are **not yet published**' (Civil Aviation Authority n.d.c).

Domestic legislative framework (Reproduced from Jackman & Hooper 2023)

As above, in the UK, drones fall under two separate legislative frameworks: 'Regulations within the framework of UK Regulation (EU) 2018/1139 (the Basic regulation)' and 'The Air Navigation Order 2016, as amended, within the framework of the Civil Aviation Act 1982' (CAP 722: 14-15). Regulations are supplemented with Acceptable Means of Compliance and Guidance Materials, and the CAA provides guidance on regulation through Civil Air Publications (CAPs).

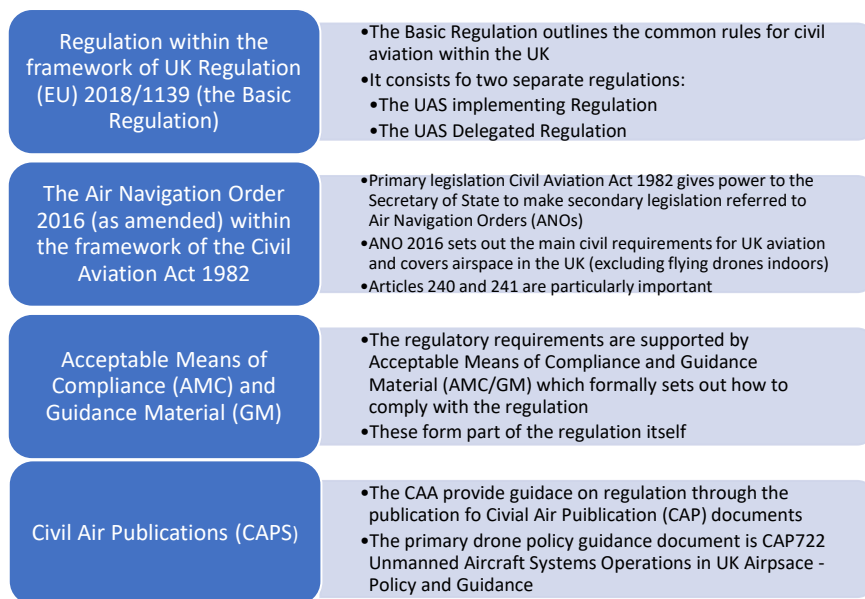


Figure 1 UK regulatory framework. Source JACKMAN & HOOPER 2023 (see also CAP 722)

### *The 'Basic regulation'*

The 'Basic Regulation' outlines the 'common rules for civil aviation within the UK' (CAP722: 16). Delegated legislation from the Basic Regulation (BR) is referred to as the 'UAS regulation package' (UAS, or Unmanned Aerial Systems, is another term for aerial drones), which consists 14 of 'two separate but interlinked regulations' that were 'transferred into UK law at the end of the EU exit transition period' (CAP 722: 17). These include:

- "Regulation (EU) 2019/947 as retained (and amended in UK domestic law) under the European Union (Withdrawal) Act 2018 on the procedures and rules for the operation of unmanned aircraft" (known as the '**UAS Implementing regulation**' and is found in [CAP1789A](#)), and
- "Regulation (EU) 2019/945 as retained (and amended in UK domestic law) under the European Union (Withdrawal) Act 2018 on unmanned aircraft and on third country operators of unmanned aircraft systems" (known as the 'UAS Delegated Regulation' and found in [CAP1789B](#)) (CAP 722: 17).

The relevant EU regulations were transferred across into UK domestic law, as UK regulations. These regulations became 'retained EU law' after the end of the EU-UK transition period following Brexit (Practical Law 2023: 8), and will be 'amended as necessary' (CAP 722: 15). Changes made by the EU are not automatically adopted by the UK and both the EU and UK have amended both regulations since their adoption (CAP 722: 17).

### *The Air Navigation Order 2016*

Under UK primary legislation the [Civil Aviation Act 1982](#) gives 'power to the Secretary of State to make secondary legislation referred to as Air Navigation Orders' (Feild 2019). The 'key legislation is the [Air Navigation Order 2016](#) (S.I. 2016/765), which 'replaced the Air Navigation Order 2009', and has subsequently been amended (Feild 2019).

The ANO 2016 sets out the main civil requirements for UK aviation and covers airspace in the UK (excluding flying drones indoors). The ANO 2016 also provides 'regulatory and enforcement powers for the Civil Aviation Authority needed in respect of retained aviation safety legislation' (House of Commons 2022). The 'provisions in the ANO concerning equipment requirements, operational rules, personnel licensing, aerodrome regulation and regulation of air traffic services apply to all non-military aircraft, organisations, individuals and facilities' (CAP 722: 18). Of particular note are Articles 240 and 241:

- 'Article 240 applies to all persons and stipulates that a person must not recklessly or negligently act in a manner likely to endanger an aircraft or a person within an aircraft' and
- 'Article 241 applies to all operating categories and stipulates that a person must not recklessly or negligently cause or permit an aircraft (manned or unmanned) to endanger any person or property (which includes other aircraft and their occupants)' (CAP 722: 18).

With regards to drones specifically, the ANO provides additional regulatory content that is either:

- 'not covered by other regulations– for example, specific national requirements such as carriage of radio equipment, endangerment regulations and legal penalties for breaches of these regulations; or
- in support of a more general requirement stated within other regulations – for example, airspace restrictions around aerodromes and other 'protected' locations' (CAP 722: 18).

It can be noted that 'only certain parts of the ANO apply to UAS [drones] within the Specific and Open categories' whereas 'Certified category operations and certified unmanned aircraft are subject to the whole of the ANO, unless specifically exempted by the CAA' (CAP 722: 18-19).

The 'regulatory requirements are supported by Acceptable Means of Compliance and Guidance Material (AMC/GM)' which 'formally set out how to comply with the regulation' (CAP 722: 18). These form part of the Regulation itself.

The Civil Aviation Authority also provides guidance on regulation through the publication of Civil Air Publication (CAP) documents. The 'primary' drone 'policy and guidance document' is [CAP722 Unmanned Aircraft System Operations in UK Airspace – Policy and Guidance](#), which 'provides policy and guidance in relation to the operation of UAS [drones] to assist in compliance with the applicable regulatory requirements' (CAP 722: 6). The CAA underscores that CAP documents are not regulation, rather they summarise and reference regulation throughout (CAP 722: 6). Further information about drone-related publications and can be found in the CAA's publications library (Civil Aviation Authority n.d.i).

In August 2023, the Civil Aviation Authority launched a call for input into its review of UK drone regulations (CAP 2569). The review sought feedback on wide-ranging issues, including 'standards adoption' and 'operational categories', including current 'exclusions for users of UAS [drones] weighing below 250 grams' (CAP 2569). On November 22 2023, the CAA published the Call for Input Response Summary (CAP 2609). This document details that the Call for Input received '2,629 responses in total' and that analysis of these responses validated the CAA's 'view that there are opportunities to improve, simplify and strengthen UAS regulation. However, there was limited support for overhauling existing regulatory frameworks, such as operational categorisations and class-marking, due to the cost and wider impacts of change. Collectively, this feedback enabled us [the CAA] to develop a set of proposals that make incremental and targeted improvements to the regulations, while maintaining stability in the overall regulatory framework where possible'. Further information can be found in the Review of UK UAS Regulation Consultation (CAP 2610).

#### [Privacy and data protection \(Reproduced from Jackman & Hooper 2023\)](#)

Drone regulation globally has historically 'been focused primarily upon safety considerations' but as drone usage grows and is anticipated to scale, 'increasing attention will need to be paid to privacy and data protection laws' (Clyde & Co 2022).

#### [UK Data Protection Act 2018 and General Data Protection Regulation 2016](#)

Post Brexit, data protection and privacy in the UK is governed by the [Data Protection Act 2018](#) (as amended) and the version of the General Data Protection Regulation (EU) 2016/679 'EU GDPR' as retained in domestic law which is known as the 'UK GDPR' (as amended by Schedule 1 to the [Data Protection, Privacy and Electronic Communications \(Amendments etc.\) \(EU Exit\) Regulations 2019, \(SI 2019/419\)](#)). The Government intends to replace this with new legislation currently before parliament as the Data Protection and Digital Information Bill (No. 2) 2023 (Parliamentary Bills n.d).

The UK data protection laws apply to information processed through the use of drones, although exceptions may apply to hobbyists. Where data protection law does apply, strict adherence to the data protection principles must be ensured. In some limited cases, an exemption from compliance with GDPR may apply. These are considered on a case-by-case basis and include, for example, provisions relating to:

- Crime, law and public protection
- Regulation, parliament and the judiciary

- Journalism, research and archiving
- Health, social work, education and child abuse
- Finance, management and negotiations
- References and exams
- Subject access requests where information about other people is requested
- National security and defence

(Information Commissioner's Office n.d.a).

See also Annex 1: Further information about Data Protection law in the UK

UK GDPR Guidance: The Information Commissioner's Office (ICO)

In the UK, the Information Commissioner's Office (ICO) is the independent body set up to 'uphold information rights in the public interest' (Information Commissioner's Office n.d.b). The ICO has produced UK GDPR Guidance relating to CCTV and video surveillance and included within this is [Additional Considerations for Technologies other than CCTV](#).

The ICO observes that drone flight 'can result in the collection, use, or sharing of **personal data**, including information about individuals who are not the intended focus of the recordings' (Information Commissioner's Office n.d.c). The ICO notes that the growing popularity of drones has 'raised privacy concerns due to their manoeuvrability and enhanced capabilities of taking photos, videos and sensing the environment' and that drones pose the "potential for 'collateral intrusion' by recording images of other individuals unnecessarily", including indirect or inadvertent identification as individuals can 'still be identified through the context they are captured in or by using the device's ability to zoom in on a specific person' (Information Commissioner's Office n.d.c).

The ICO observe a '**distinction** between...individuals who can be considered as **hobbyists** and are therefore generally using their device for purely personal activities, and those individuals or organisations who use the device for **professional or commercial** purposes' (Information Commissioner's Office n.d.c). They specify that 'organisations using drones are clearly controllers for any personal data that the drone captures, and therefore are required to comply with data protection law' (Information Commissioner's Office n.d.c).

The ICO explains the requirement to provide **privacy information**. They note that a 'key issue with using drones is that, on many occasions, individuals are unlikely to realise they are being recorded or be able to identify who is in control. If you are a controller, you must address the challenge of providing privacy information if you decide to purchase and use such surveillance systems' (Information Commissioner's Office n.d.c). They add that innovative ways of providing this information such as 'placing signage in the area you are operating a drone explaining its use' or having a 'privacy notice...so individuals can access further information' may be needed (Information Commissioner's Office n.d.c). The ICO also suggest that 'if doing that is very difficult or would involve disproportionate effort, document this information in a way that is readily available' (Information Commissioner's Office n.d.c).

In discussion of **data security**, the ICO urges a consideration of whether the drone 'connects or interfaces with other systems', highlighting measures such as 'encryption or another appropriate method of restricting access to the stored information', and of the retention period requirements to 'ensure that you retain data for the shortest time necessary for its purpose and dispose of it appropriately, when you no longer require it' (Information Commissioner's Office n.d.c).

The ICO provides a checklist for drone flyers to consider to help them comply with data protection law including:

- 'We have considered whether there is a genuine need for us to use a drone if alternative systems or methods of surveillance are not suitable to solve a particular problem;
- We have conducted a Data Protection Impact Assessment (DPIA) which includes the risks associated with recording at altitude and capturing footage of individuals that are not intended to be the focus of our surveillance;
- We have registered our drone if the system falls within the specific criteria set by the Civil Aviation Authority (CAA);
- We have robust policies and procedures in place for the use of drones and our operators are appropriately trained with documented credentials;
- We inform individuals that we are using a drone where possible and we have an accessible privacy notice that individuals can read to learn more about our use; We comply with the Surveillance Camera code of practice where required'

*Source: Information Commissioner's Office (n.d.c)*

The ICO's guidance on drones sits under its wider **CCTV and Video Surveillance Guidance**, which includes information on 'handling personal information using video surveillance' from a range of technologies, including CCTV, automatic number plate recognition, smart doorbell cameras, and drones (see [Video surveillance \(including guidance for organisations using CCTV\)](#) on Information Commissioner's Office n.d.d). The ICO recognises that as video surveillance 'becomes more mainstream and affordable' some uses 'can be particularly intrusive' and confirms 'organisations using surveillance systems that process the personal data of identifiable individuals need to comply with the UK GDPR and DPA [Data Protection Act] 2018' (Information Commissioner's Office n.d.d). The ICO highlights that drone flyers must 'comply with the Surveillance Camera code of practice where required' (Information Commissioner's Office n.d.c) (see Biometrics and Surveillance Camera Commissioner).

Further information about **personal data, data subjects, data controllers** and data processors, and **Data Protection Impact Assessments (DPIAs)** and the requirements of data protection laws generally can be found in Annex 2: UK General Data Protection Regulation (GDPR) guidance: The Information Commissioner's Office.

#### Biometrics and Surveillance Camera Commissioner

The Biometrics and Surveillance Camera Commissioner (BSCC) is 'an independent monitoring body of the Home Office' and the BSCC's role is to 'encourage compliance with the surveillance camera code of practice' (Gov.UK n.d). The BSCC observed that from 'drones to body worn video, dashcams and doorbells', 'in recent years we have seen an explosion of surveillance technology in the public and private realms' (Gov.UK 2023). They advise that where drones include cameras, they "are necessarily involved in the 'surveillance' of public space" and as such, 'their use by relevant authorities will often be covered by the provisions of the SC [Surveillance Camera] Code' (Office of Biometrics and Surveillance Camera 2023: 78-79).

The **Surveillance Camera Code** presents a 'single set of guiding principles that are applicable to all surveillance camera systems in public places' and 'allows a system operator to establish a clear rationale' for deployment 'which helps ensure compliance with other legal duties' (Home Office 2021: 8). This 'covers technology systems that are associated with, or otherwise connected with, surveillance cameras' and 'applies to the use of surveillance camera systems as defined by Section

29(6)' of [the Protection of Freedoms Act 2012](#) (Home Office 2021: 6, 7).<sup>8</sup> Wider discussions of the Code specify both that specific technologies (such as drones) are 'already covered under the general definition of surveillance camera systems' and that 'the fact that **the Code is principles based rather than technology specific** helps to ensure it does not rapidly get out of date as technologies and use cases develop' (Gov.UK 2021).<sup>9</sup>

The Code 'provides guidance on the appropriate and effective use of surveillance camera systems by relevant authorities' (Home Office 2021: 6).<sup>10</sup> It also states that 'other operators and users of surveillance camera systems in England and Wales are *encouraged to adopt the code voluntarily*' (Home Office 2021: 6, emphasis added).

The Code applies to overt surveillance, and notes that the 'government is fully supportive of the use of overt surveillance camera systems in a public place whenever that use is: in pursuit of a legitimate aim; necessary to meet a pressing need; proportionate; effective, and compliant with any relevant legal obligations' (Home Office 2021: 6).

The Code specifies that 'covert surveillance by public authorities (as defined in Part II of RIPA 2000) is not covered by this code but is regulated by [RIPA 2000](#)' (Home Office 2021: 7).

#### [The Civil Aviation Authority \(CAA\), data protection and privacy](#)

CAP722 Unmanned Aircraft System Operations in UK Airspace notes that the 'CAA's remit is limited to safety' and 'does not include concerns over privacy or broadcast rights' (CAP 722: 23). It continues that while the 'capture of images or other data solely for the use of controlling or monitoring the aircraft is not considered to be applicable to the meaning of 'a sensor able to capture personal data'', drone flyers should 'be aware that the collection of images of identifiable individuals, even inadvertently, when using surveillance cameras mounted on [drones], may be subject to the General Data Protection Regulation and the Data Protection Act 2018' (CAP 722: 20). It advises that 'further information about these regulations and the circumstances in which they apply can be obtained from the Information Commissioner's Office' (CAP 722: 20).

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<sup>8</sup> The Protection of Freedoms Act 2012 defines surveillance camera systems as: '(a) closed circuit television or automatic number plate recognition systems, (b) any other systems for recording or viewing visual images for surveillance purposes, (c) any systems for storing, receiving, transmitting, processing or checking images or information obtained by systems falling within paragraph (a) or (b), or (d) any other systems associated with, or otherwise connected with, systems falling within paragraph (a), (b) or (c)' (Protection of Freedoms Act 2012).

<sup>9</sup> The 12 principles of the Surveillance Camera Code concern: use for a 'specified purpose' in 'pursuit of a legitimate aim', taking 'into account' the 'effects on individuals and their privacy', 'transparency' around the deployment and a 'published contact point for access to information and complaints', 'clear responsibility and accountability' for 'system activities', 'clear rules and procedures in place', 'no more images and information should be stored than that which is strictly required for the stated purpose', access restricted to 'retained images and information', a consideration of any relevant 'approved operational, technical and competency standards', 'security measures' in place to 'safeguard against unauthorised access and use', 'mechanisms to ensure legal requirements, policies and standards are complied with in practice', the use should be 'in pursuit of a legitimate aim', and information supporting a surveillance camera system should be 'accurate and kept up to date' (Home Office 2019: 10).

<sup>10</sup> Relevant authorities are defined in Article 33(5) in the Protection of Freedoms Act 2012, and includes entities such as (but not limited to): local authorities, 'a police and crime commissioner', 'any chief officer of a police force in England and Wales', and any 'person specified or described by the Secretary of State in an order made by statutory instrument' (Protection of Freedoms Act 2012).



In the **Drone and Model Aircraft Code** (applying to flights in the Open category, A1 and A3), the CAA provides guidance on 'protecting people's privacy', advising flyers to:

- 'Respect other people and their privacy: If your drone or model aircraft is fitted with a camera or listening device, you must respect other people's privacy whenever you use them. If you use these devices where people can expect privacy, such as inside their home or garden, you're likely to be breaking data protection laws', adding that 'it's against the law to take photographs or record video or sound for criminal or terrorist purposes' and 'any photos or recordings you take may be covered by the General Data Protection Regulation (GDPR)';
- To understand what your camera 'can do and the kind of images it can take' (e.g., 'what quality you can record, how close your camera can zoom in, if you can start and stop recording when you are flying'), a step which it states 'will help reduce the risk of taking photos or recording videos that invade privacy'; 2 3 19
- Alongside being 'clearly seen when you're outside flying' so that people are aware of who is 'responsible for' the drone, flyers should 'let people know' before they 'start recording or taking pictures', though acknowledge that this can be 'less practical' in some instances;
- That flyers should 'think before sharing photos and videos' (e.g., to 'social media'), and 'avoid sharing anything that could be unfair or harmful to anyone'
- And that drone imagery should be 'stored safely' and anything that is not needed should be deleted, adding that 'if you record images for commercial use, you'll need to meet further specific requirements as a data controller'.

*Source: Drones and Model Aircraft Code (n.d)*

#### Transportation of clinical samples- *Author's note*

In the case of transporting clinical samples, these will identify patients and measures must be taken to ensure that the patient's data is protected in the event of incident.

#### Planning

(Reproduced from UKRI Future Flight Challenge 2024 with references to out of scope Advanced Air Mobility removed and additions made for the recently published DfT [Future of Flight Action Plan](#))

A hierarchy of plans and policies form the planning policy framework. This begins at the local level, with the LPA local Development Plan and includes regionally and nationally set planning policies. Sector specific policies may also be identified as a material consideration. The aviation sector has its own suite of aviation policies that are applicable to the planning framework. Further commentary on this is provided below.

Development Plans typically set out strategic and non-strategic policies. Strategic policies establish an overall strategy for the pattern, scale and design of development in an area and the quantum of housing, employment and infrastructure required. Non-strategic policies support the strategic policies and relate to more detailed and site-specific matters including amenity, nature conservation, biodiversity, flooding, vehicle parking standards etc.

All plans when drafted need to be justified, with relevant and up-to-date evidence informing the Development Plan production process. Policies in local Development Plans should be reviewed and updated on a regular basis, for example in England, this should happen every five years.

The below sets out an example planning policy hierarchy, comprising national planning and aviation policy; the regional spatial strategy; and local planning policy. In practice, the set of policy applied to any drone proposals coming forward, would depend on where within the UK the proposals are to be



located. These examples are considered representative of an existing framework with an established aviation and aviation related policy position.

- 1) National aviation policy
  - a) Aviation Policy Framework 2013
  - b) Jet Zero Strategy 2022
- 2) National planning policy
  - a) National Planning Policy Framework (England) 2023
  - b) Planning Practice Guidance (England) 2016 (last updated 2024)
- 3) Spatial Strategy (for London only)
  - a) The London Plan 2021
- 4) Local Development Plans (examples)
  - a) London Borough of Hillingdon
  - b) London Borough of Bromley
  - c) Cambridge City Council

From a national perspective, regardless of location across the UK, the same national aviation policy would apply to any aviation development coming forward.

Each of the four countries have their own national planning policy framework. This report has reviewed the national planning framework for England, as a case study, given the policy framework includes aviation specific policies.

The London Plan has been selected, as an example regional spatial strategy, given it has an existing policy on aviation, which has come about in response to Greater London's established network of aviation uses (e.g., Heathrow Airport, London Biggin Hill Airport, RAF Northolt, London City Airport and the London Heliport).

The local Development Plans selected represent local planning authority areas with an established aviation use within its boundary, and a known aviation policy position:

- Hillingdon: Heathrow Airport and RAF Northolt;
- Bromley: London Biggin Hill Airport; and
- Cambridge City Council: Cambridge Airport.

It is acknowledged that these aviation uses are examples of traditional aviation, and as such the corresponding planning policy will likely be cognisant of their 'traditional' nature – however, it is considered an appropriate 'test' as means to ascertain the current planning policy approach for aviation uses coming forward.

National Aviation Policy (relating to planning)

*Aviation Policy Framework*

The [Aviation Policy Framework](#) (APF) (2013) applies to the whole UK and is largely a 'Reserved Matter' that rests with the DfT and CAA. Reserved matters include safety regulation, economic regulation, aviation security, competition issues and international aspects of aviation policy (para. 5.2 and 5.23).

Land-use planning and airport surface access policies are devolved matters, and as such the APF sets out that, in preparing Development Plans, LPAs "...are required to have regard to policies and advice issued by the Secretary of State. This includes the Aviation Policy Framework." (para. 5.6).

The Aviation Policy Framework is therefore a material consideration in planning decisions in the context of drone infrastructure and operations. Whilst the APF does not contain specific policies relating to this technology, the policy objectives are relevant, including:

- A balanced approach to securing the benefits of aviation, whilst managing aviation's environmental impacts;
- Supporting growth and benefits of aviation – including benefits relating to UK GDP, employment, imports and exports, skills development and tourism (paras. 1.4-1.19);
- Tackling Climate Change – the objective is to ensure that the aviation sector makes a significant and cost-effective contribution towards reducing global emissions (para. 2.4);
- Noise and other environmental impacts – the Government's overall policy on aviation noise is to limit and, where possible, reduce the number of people significantly affected by aircraft noise.
- Working together – encouraging the aviation industry and local stakeholders to strengthen and streamline the way in which they work together.

#### *Aviation Strategy*

In 2018, the UK government commenced a review of its framework for aviation and the preparation of a new aviation strategy. The aim of the strategy is to achieve a 'safe, secure and sustainable aviation sector that meets the needs of consumers and a global, outward looking Britain'. The aviation strategy is supported by a series of consultations and documents. Those considered of most relevance to this paper include:

- [Flightpath to the future](#): a strategic framework for the aviation sector (May 2022)
- [Jet Zero strategy](#): delivering net zero aviation by 2050 (July 2022)
- [Future of Flight Action Plan](#) (March 2024)

#### *Flightpath to the Future: a strategic framework for the aviation sector*

Flightpath to the Future is a strategic framework to support the Department for Transport's (DfT) vision for a modern innovate and efficient aviation sector over the next 10 years. It sets out a 10-point plan on how government and industry can work together to deliver a successful aviation sector in the future. The 10-point plan covers the following areas:

##### ***Enhancing global impact for sustainable recovery***

- 1) Recover, learn lessons from the pandemic and sustainably grow the sector.
- 2) Enhance the UK's global aviation impact and leadership.
- 3) Support growth in airport capacity where it is justified, ensuring that capacity is used in a way that delivers for the UK.

##### ***Embracing innovation for a sustainable future***

- 4) Put the sector on course to achieve jet zero by 2050.
- 5) Capture the potential of new technology and its uses.

##### ***Realising benefits for the UK***

- 6) Unlock local benefits and level up.
- 7) Unleash the potential of the next generation of aviation professionals.
- 8) Make the UK the best place in the world for general aviation.

##### ***Delivering for users***

- 9) Improve the consumer experience.

10) Retain our world-leading record on security and safety with a world-leading regulator.

With respect to the fifth point, and specific to drones and AAM, the framework confirms that government will set out a direction, working closely with industry and the regulator, to develop and publish a plan for the Future of Flight. See Future of Flight Action Plan below.

This strategic framework confirms continued support for sustainable airport growth. The framework notes that government's existing policy frameworks on airport planning are considered to provide a robust and balanced framework for sustainable growth and continue to have full effect as a material consideration in decision-taking on applications for planning permission for airport expansion.

Specifically, for drones, it commits to a joint statement with the Drones Industry Action Group that will set out commitment "to deliver the necessary policy and regulatory framework to realise the economic, social, and environmental benefits for the sector." This is not yet published.

DfT 2022a

#### [Jet Zero Strategy](#)

The [Jet Zero Strategy](#) (JZS) (2022) sets out the Government's strategic framework for decarbonising UK aviation by 2050. The JZS recognises the importance of zero emission aircraft and sets a strategic objective for zero emission routes connecting different parts of the UK by 2030 (p.43). It is also recognised that the adoption of novel new technologies will require the establishment of ground infrastructure at airports to handle new types of aircraft and fuel (para. 3.33). It makes specific reference to drones, noting:

*'Maximising opportunities: The Jet Zero transition presents unique opportunities to create new jobs, industries and technologies across the entire sector and UK whilst also decarbonising air travel. It also complements our vision to be a world leader in innovative technology and its uses, such as drones and advanced air mobility' (para. 2.19).*

At that time, Government stated that its plans to capture the potential of these technologies will be set out in the forthcoming Future of Flight Plan. See Future of Flight Action Plan below.

Similar to the 'Flightpath to the Future: a strategic framework for the aviation sector', the Jet Zero Strategy confirms continued support of airport growth where it is justified, and that the existing policy frameworks for airport planning provide a robust and balanced framework for airports to grow sustainably, within a set of strict environmental criteria.

The Jet Zero Strategy also confirms that 'Government's existing planning policy frameworks, along with the Jet Zero Strategy and the Flightpath to the Future strategic framework for aviation, have full effect and are material considerations in the statutory planning process for proposed airport development' (para 3.61).

The Jet Zero Strategy states the following policy position with respect to 'airport development' coming forward (which would be relevant to drone proposals at airports):

"It is vital that local communities and the wider public have confidence that the impacts of airport expansion have been properly considered. Applicants should therefore provide sufficient detail regarding the likely environmental and other effects of airport development to enable communities and planning decision-makers to give these impacts proper consideration. Applicants should engage with the relevant planning authority at an early stage of the planning process to agree an appropriate approach" (para 3.62); and

“Planning authorities and applicants should consider all relevant policy, guidance and other material considerations that may assist appraisal for airport development proposals and decision-making. Applicants should clearly set out their approach and findings in an accessible way that can be easily understood by the general public and decision-makers. The Government recognises the importance of a clear and consistent approach in relation to the assessment of a development’s impacts in the process, and will keep under review whether further guidance is needed to assist airport planning decision-making, with particular reference to environmental impacts” (para 3.63).

The Jet Zero Strategy does not expressly state whether these policies have been crafted using the lens of traditional aviation or whether they also contemplate new technology and its uses; much of the language suggests the former but there is also no rational reason why the policies would not apply to all ‘airport development’ – we consider, they do.

#### Future of Flight Action Plan

The DfT’s [Future of Flight Action Plan](#) 2024 sets out a pathway for achieving its strategic outcomes for UAS. These include:

- a framework for addressing legal implications of Future of Flight technologies, including over privacy and overflight in 2024
- Consider how the planning system can support delivery of infrastructure needed to enable the Future of Flight and make it work for communities through 2024 and 2025
- A National noise policy for UAS – To ensure UAS services are safe and acceptable for communities in 2025

DfT 2024

At this time, the legal frameworks that already exist will apply to planning applications for drone use until after these actions are complete.

#### Building Regulations

England and Wales (reproduced from HMG, 2020 with author comments on drone applicability)

[The Building Act 1984](#) (the Building Act) is the most wide-reaching law controlling building in England. It sets the enforcement powers. [The Building Regulations 2010](#) (the Building Regulations) go into more detail about building work. Most building work carried out in England must comply with the [Building Regulations](#). The legal term ‘building work’ generally includes building new buildings, making buildings bigger, altering buildings and changing what they are used for. It also covers installing a ‘controlled service’ or a ‘controlled fitting’. These are defined in Annex 3 Controlled Service or Controlled Fitting. A replacement window is an example of a controlled fitting. A boiler is an example of a controlled service. ‘Renovation of thermal elements’ is also building work. This includes roofs or external walls. Those responsible for carrying out building work have a duty to meet the requirements of the [Building Regulations](#).

Generally, the [Building Regulations](#) set out the required standards for the building work. For example, a home must be insulated, but the [Building Regulations](#) do not tell you how you should do it. The approved documents give help for some common problems.

There are 15 technical requirements in Schedule 1 to the [Building Regulations](#). Each technical requirement corresponds to a letter – for example, Part B is fire safety. These set out some of the legal requirements of the [Building Regulations](#) – these are rules that must be followed. They are often referred to as technical requirements. In addition to these, there are some other requirements

in the [Building Regulations](#). Some of these are about keeping energy use low. The people planning the work can decide how best to meet the rules, and there is guidance to help them (see the next section on approved documents). Everyone involved in carrying out building work must obey the rules. That includes: the building owner, agents, designers, builders and installers. The [Building Regulations](#) also allow inspections and enforcement to take place. Building control bodies or building inspectors will need to be satisfied too. Building control bodies is the term used for the organisations which check or inspect building work.

#### Approved documents

The Building Act allows the government to publish approved documents. The government may also approve other guidance. The approved documents give more detailed advice on how to meet the legal requirements of the [Building Regulations](#) for some common situations. The approved documents should be useful for most domestic projects. The approved documents may not be relevant for all situations. Limitations on using the approved documents are discussed in Chapter 7 of volume 1 and Chapter F in Volume 2 of the [Manual to the Building Regulations](#). You do not have to follow the guidance in approved documents, but if you don't you need to be sure that your building work meets the legal rules.

Following the approved documents does not always guarantee that you are complying with the [Building Regulations](#). A list of the approved documents is set out in Table 1.1 of the [Manual to the Building Regulations](#) reproduced below. When working on a building that is already there, you should agree with the building control body the approach to standards.

Dwellings		Other buildings	
New	Existing <sup>1</sup>	New	Existing <sup>1</sup>
<b>A: Structure</b>			
<b>B: Fire safety, Volume 1: Dwellings</b>		<b>B: Fire safety, Volume 2: Buildings other than dwellings</b>	
<b>C: Site preparation and resistance to contaminants and moisture</b>			
<b>D: Toxic substances</b>			
<b>E: Resistance to the passage of sound</b>			
<b>F: Ventilation</b>			
<b>G: Sanitation, hot water safety and water efficiency</b>			
<b>H: Drainage and waste disposal</b>			
<b>J: Combustion appliances and fuel storage systems</b>			
<b>K: Protection from falling, collision and impact</b>			
<b>L: Conservation of fuel and power</b> <b>L1A New dwellings</b>	<b>L: Conservation of fuel and power</b> <b>L1B Existing dwellings</b>	<b>L: Conservation of fuel and power</b> <b>L2A New buildings other than dwellings</b>	<b>L: Conservation of fuel and power</b> <b>L2B Existing buildings other than dwellings</b>
<b>M: Access to and use of buildings</b> Volume 1: Dwellings		<b>M: Access to and use of buildings</b> Volume 2: Buildings other than dwellings	
<b>P: Electrical safety – dwellings<sup>2</sup></b>		<b>P: No approved document</b>	
<b>Q: Security – dwellings</b>	<b>Q: No requirement</b>	<b>Q: No requirement</b>	
<b>R: Physical infrastructure for high-speed electronic communications networks</b>			
<b>NOTES:</b>			
1. The requirements that apply to material changes of use are covered in Table A2 in Volume 2.			
2. Approved Document P provides guidance for other buildings if the supply is shared with a dwelling.			

The regulation does not identify any specific measures for buildings accommodating the operation of drones. Considering the use of Lithium-Ion batteries and/or flammable fuels to power drones, [Approved Document B, Fire Safety Volume 2](#), is likely to be of significant importance to buildings used for drone operations. In particular, the requirements to manage the spread of fire in requirements B2 to B4 and provide access and facilities for the fire service in requirement B5 will be of key importance for drone operations.

*Statutory undertakers and airport operators*

Statutory undertakers are bodies that have been given statutory powers in relation to functions that are of a public character. Generally, they are utilities, telecoms companies or companies such as Network Rail, but you should check. Gas and electricity suppliers are not regarded as statutory undertakers under Section 4 of the Building Act.

A building that belongs to a statutory undertaker, the Civil Aviation Authority or an airport operator is exempt from the [Building Regulations](#) if both of the following apply:

- 1) The company uses the building for the purposes of its undertaking.
- 2) Any building owned by a statutory undertaker is not used as either of the following:
  - a) a house or hotel
  - b) an office or showroom, unless it is part of a railway station or airport.

*Exempt buildings*

Regulation 9 of the [Building Regulations](#) exempts some small buildings, extensions, and buildings used for specific purposes from the [Building Regulations](#). Exempt buildings are defined in Schedule 2 to the [Building Regulations](#) and 29tilize292929 in Table A1 (reproduced below). The buildings must continue to meet the definitions in Schedule 2 after the works are complete.

Table A1 Buildings exempt from the Building Regulations	
Class 1	Buildings controlled under legislation for explosives, nuclear facilities or ancient monuments
Class 2	Certain buildings not visited by people, such as plant rooms
Class 3	Certain greenhouses, agricultural buildings and buildings for animals
Class 4	Temporary buildings not intended to remain in situ for more than 28 days
Class 5	Buildings used for site accommodation
Class 6	Certain small detached buildings, generally without sleeping accommodation
Class 7	Includes certain conservatories, porches and open-sided carports (see paragraphs A12 and A13). Any glazing in a Class 7 building must comply with the safety requirements of Schedule 1 to the Building Regulations, which are set out in Approved Document K (see K4 and K5)
<p><b>NOTE:</b> If any water or electricity in an exempt greenhouse or building exempted under Class 6 or 7 is supplied from or shared with a dwelling, the work must comply with the requirements of Schedule 1 for water supply and electricity. See Regulation 9 of the Building Regulations and Approved Documents G (G1 and G3) and P (P1). Certain works may be carried out under a competent person scheme, and these works will not require Building Regulations approval.</p>	

Scotland

[Building \(Scotland\) Act 2003](#) (the Building Act) is the most wide-reaching law controlling building in Scotland. It sets the enforcement powers. [The Building \(Scotland\) Regulations 2004](#) (the Building Regulations) go into more detail about building work.



The regulation does not identify any specific measures for buildings accommodating the operation of drones.

Amongst exempted buildings listed in Schedule 1 of the [Building Regulations](#), are temporary buildings which are defined as:

A building which, during any period of 12 months, is either erected or used on a site–

(a) for a period not exceeding 28 consecutive days; or

(b) for a number of days not exceeding 60,

and any alterations to such buildings.

If works change the occupancy or use of a building this may be considered a Conversion as listed in Schedule 2 of the [Building Regulations](#) and require compliance with the [Building Regulations](#).

An exemption from the [Building Regulations](#) that could be of note for drone related developments applies for a non-residential detached single-storey building having an area not exceeding 8 square metres.

A warrant may be required before starting building work. Exemptions for some simpler work are identified in Schedule 3 of the [Building Regulations](#), although the regulations still apply. Exceptions that could be of note for drone related developments are for non-residential building to which the public does not have access and single-storey buildings, having an area exceeding 8 square metres but not exceeding 30 square metres.

Regulation 6 of the [Building Regulations](#) gives some concessions to Limited Life Buildings that are intended to have only a life span of less than five years. These concessions only apply to buildings which are not dwellings. The concessions are:

- Standard 3.1 Site preparation – harmful and dangerous substances in schedule 5 allows a lesser standard for the treatment of the site;
- Section 6 Energy, indicates that less demanding U-values can be adopted for the insulation envelope of certain types of limited life buildings, other than dwellings and residential buildings and
- Section 7 Sustainability, does not apply.

Building standards applicable to design and construction are identified in Schedule 5 of the [Building Regulations](#). Considering the use of Lithium-Ion batteries and/or flammable fuels to power drones, those relating to fire in Section 2 and noise in Section 5 are likely to be of significance for landing, take-off, storage and charging facilities.

Guidance on how to comply with the [Building Regulations](#) is provided in the [Domestic Technical Handbook April 2024](#) and the [Non-domestic Technical Handbook April 2024](#). Each includes Sections 1 to 7 giving guidance on how to achieve the standards set by the regulations. The seven sections each cover a number of related standards. They are:

- Section 1 Structure
- Section 2 Fire
- Section 3 Environment
- Section 4 Safety
- Section 5 Noise
- Section 6 Energy



- Section 7 Sustainability

Northern Ireland

[The Building Regulations \(Northern Ireland\) Order 1979](#)

[The Building Regulations \(Northern Ireland\) Order 1979](#) (the Order) gives the Department of Finance, Northern Ireland (the Department), the power to make building regulations. It permits the Department of Finance to prepare and publish guidance with respect to the requirements and sets out its responsibilities of consultation.

The Order sets out the approval and enforcement powers of district councils and the powers of relaxation of the Department.

Schedule 1 of the Order sets out the matters in regard to which building regulations may be made. Likely to be of particular interest relating to drone infrastructure are the following paragraphs:

- 4 – Fire precautions;
- 7 – Measures affecting the transmission of sound;
- 13 – Installations utilising solid fuel, oil, gas, electricity or any other fuel or power;
- 14 – Communications services] (including telephones and radio and television wiring installations) and

Department of Finance, Northern Ireland, (1979)

[The Building Regulations \(Northern Ireland\) 2012](#)

[The Building Regulations \(Northern Ireland\) 2012](#) (the Regulations) define “work” as the erection of a building, the alteration or extension of a building, the execution of works, the installation of a fitting or the making of a material change of use (within the meaning of the [Building Regulations \(Northern Ireland\) 1990\(1\)](#)).

Considering the use of Lithium-Ion batteries and/or flammable fuels to power drones, Part E – Fire Safety likely to be of significance for landing, take-off, storage and charging facilities.

Notably, Part G – Resistance to the passage of sound, applies to dwelling or residential properties. It is considered to apply only if drone operations were conducted to or from buildings for these uses. Although regulation 49 requires provision for reasonable resistance to the passage of sound from other parts of the same building outside the dwelling or room for residential purposes and from adjoining buildings, no regulation protects other buildings from sound emanating from the building subject to the regulation.

If liquid fuel storage is required to support drone operations, Regulation 76, “An oil storage tank and connecting pipework shall be so constructed and protected as to minimise the risk of an escape of oil causing pollution to the environment.”, may apply.

Schedule 2 identifies classes of buildings exempted from the Regulations. Exemptions of note for particular drone applications are:

- Class 2 – Buildings used for the purpose of national security;
- Class 3 – Buildings not frequented by people
- Class 5 – Temporary buildings (not intended to remain where it is erected for more than 28 days)
- Class 6 – Ancillary buildings (to construction, mines or quarries)
- Class 7 – Small detached buildings



- Class 8 – Certain extensions
- Class 8(f) – Any part of an airfield which does not form part of, give support to or gain support from, a building to which these regulations apply and which is not required for the purposes of Part R (Access to and use of buildings) of the Regulations
- Class 8(g) – A structure (other than a chimney) not incorporating any covered space with headroom exceeding 1.5 m, except where the structure is attached to or within a building to which the regulations apply; a tower mast not attached to a building to which these regulations apply

#### Airports

Although it is anticipated that the majority of drone operations will not involve take off or landing at an airport, special regulations apply to airports that may be relevant.

[UK Reg \(EU\) No 139/2014](#) as retained (and amended in UK domestic law) under the European Union (Withdrawal) Act 2018 (CAA 2024c), sets out design requirements for Aerodromes and related [Guidance Material and Certification Specifications](#) (CAA n.d.j.), Chapter set out guidance and design rules for Aerodromes. Guidance is provided for the physical characteristics of the operating environment such as the design of operating areas, obstacle limitation surfaces and visual aids, as well as rescue and firefighting services rather than the regulate building works. These are relevant to operations of passenger aircraft and aircraft larger than drones. As such, they have little applicability. Further, it is envisaged that a minority of drone operations will be to or from aerodromes.

The CAA has recently consulted on proposals for existing aerodromes that wish to accommodate Vertical Take-Off and Landing (VTOL) aircraft (CAA n.d.k.) as it anticipates that flights of electric VTOL (eVTOL) aircraft will be from existing infrastructure. The findings of this consultation are expected to lead a performance-based design standard, which may require increased or decreased dimensions to those in [UK Reg \(EU\) No 139/2014](#). (CAA n.d.k) indicates that “The design proposals set out in this consultation will also form the initial basis of bespoke vertiport design ...”. As with current aerodrome regulation, planned regulation is expected to address the physical characteristics of the operating environment rather than regulate building work.

#### Fire Safety

[The Regulatory Reform \(Fire Safety\) Order 2005](#) (FSO) as amended by Section 156 of the [Building Safety Act 2022](#)

The responsible person of an employer must—

- (a) take such general fire precautions as will ensure, so far as is reasonably practicable, the safety of any of his employees; and
- (b) in relation to relevant persons who are not his employees, take such general fire precautions as may reasonably be required in the circumstances of the case to ensure that the premises are safe.

The required risk assessment would need to consider the fire risk presented drone use, particularly in the case of charging Lithium batteries. Risk mitigation would need to consider equipping the premises “with appropriate fire-fighting equipment and with fire detectors and alarms; and any non-automatic fire-fighting equipment so provided is easily accessible, simple to use and indicated by signs.” It might be considered appropriate to take measures for fire-fighting, to nominate, train and equip competent persons to implement those measures, and to arrange any necessary contacts with external emergency services.

If risks are identified, the responsible person is required to

- provide certain information to employees and the employer of any employees from an outside undertaking if risks are identified
- provide safety training to employees
- provide certain information to residents of domestic premises

The FSO calls for additional measures in the presence of dangerous substances. Although Lithium-Ion batteries are considered 'articles' rather than 'substances' (DAVIES 2021), a Lithium-Ion battery fire does generate dangerous substances and this risk could be considered in the risk assessment. This is especially so as the FSO requires measures to reduce quantities of dangerous substances to a minimum and to avoid, minimize and control their release.

#### [The Fire Safety \(England\) Regulations 2022](#)

Following the Grenfell Tower Inquiry Phase 1 report, these regulations, that apply to England, "made it a requirement in law for responsible persons of high-rise blocks of flats to provide information to Fire and Rescue Services to assist them to plan and, if needed, provide an effective operational response." The information includes a single page building plan which identifies key firefighting equipment, in a secure information box on site. If a risk assessment led to the installation of firefighting equipment specific to drones or their batteries, including them would be a requirement.

The requirement for monthly checks of fire safety systems would apply to any equipment specifically relating to drone use.

#### [Fire \(Scotland\) Act 2005](#)

Part 3 of the act sets out fire safety duties for employers and employees.

Employers are required to

- 1) ensure, so far as is reasonably practicable, the safety of the employer's employees in respect of harm caused by fire in the workplace.
- 2) carry out an assessment of the workplace for the purpose of identifying any risks to the safety of the employer's employees in respect of harm caused by fire in the workplace;
- 3) take in relation to the workplace such of the fire safety measures as are necessary to enable the employer to comply with the duty imposed by 1).

Similar requirements apply where a person has control to any extent of relevant premises and a person who has, by virtue of a contract or tenancy, an obligation for the maintenance or repair of relevant premises or anything in relevant premises or safety in respect of harm caused by fire in relevant premises.

Employees are required to take reasonable care for the safety in respect of harm caused by fire of the employee; and any other relevant person who may be affected by acts or omissions of the employee. They are also required to co-operate with the employer in so far as is necessary for the purpose of enabling the employer to comply with the requirement.

Employers are required to carry out a risk assessment identifying any risks to the safety of employees in respect of harm caused by fire in the workplace.

Note that all new buildings must be designed to mandatory standards set out in the [Building \(Scotland\) Regulations 2004](#) as covered in the Building Regulations section of this document.

### [The Fire Safety \(Scotland\) Regulations 2006](#)

Amongst duties, The Regulations require employers and persons with control to any extent of relevant premises, to:

1. review risk assessments regularly, if it is suspected that it is no longer valid or there has been significant change in the matters to which it relates
2. make fire safety arrangements
3. record the arrangements
4. eliminate or reduce risks from dangerous substances
5. equip relevant premises with means for fighting fire and means for giving warning to the extent that it is appropriate
6. maintain means of escape
7. maintain procedures for serious and imminent danger from fire and for danger areas
8. put in place additional emergency measures in respect of dangerous substances
9. provide information and training to employees

Of particular relevance to drone operations, an assessment must be carried out where a dangerous substance is or is liable to be present in the relevant premises. An assessment would need to consider the risk from the presence of and charging of Lithium-Ion batteries.

Scottish Government provides guidance to implementing the regulations including [carrying out a risk assessment](#), and [dutyholders of existing non-residential premises](#) and [dutyholders of existing premises with sleeping accommodation](#)

### [The Fire and Rescue Services \(Northern Ireland\) Order 2006](#) and [The Fire Safety Regulations \(Northern Ireland\) 2010](#)

The Fire and Rescue Services (Northern Ireland) Order 2006 and The Fire Safety Regulations (Northern Ireland) 2010, set out the important duties that employers and those responsible for premises must fulfil and continue to maintain, including:

- Carrying out a Fire Risk Assessment of the workplace, for the purpose of identifying any risks to the safety of employees in respect of harm caused by fire in the workplace.
- Where appropriate, equipping the building with means for fighting fire and means for giving warning.
- Providing clear emergency exit routes.
- Ensuring any provisions or systems in place maintained in an efficient state, in efficient working order and in good repair.

BAFE n.d.

Of relevance to drone operations, an assessment must be carried out where a dangerous substance is or is liable to be present in the relevant premises. An assessment would need to consider the risk from the presence of and charging of Lithium batteries. This is especially so as the Order requires additional measures relating to dangerous substances.

### Health & Safety

#### [Health and Safety at Work etc Act 1974](#)

The Health and Safety at Work etc Act 1974 is the primary piece of legislation covering occupational health and safety in Great Britain. It is sometimes referred to as HSWA, the HSW Act, the 1974 Act or HASAWA.

It sets out the general duties which:

- employers have towards employees and members of the public
- employees have to themselves and to each other
- certain self-employed have towards themselves and others

HSE n.d.

Other industry specific legislation may be relevant and lists of these can be found at <https://www.hse.gov.uk/legislation/acts.htm> and <https://www.hse.gov.uk/legislation/statinstruments.htm>. Codes of practice for particular circumstances can be found at <https://www.hse.gov.uk/pubns/books/index-legal-ref.htm>.

Employers must “...ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.”, including

*(a) the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health;*

*(b) arrangements for ensuring, so far as is reasonably practicable, safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;*

*(c) the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees;*

*(d) so far as is reasonably practicable as regards any place of work under the employer’s control, the maintenance of it in a condition that is safe and without risks to health and the provision and maintenance of means of access to and egress from it that are safe and without such risks;*

*(e) the provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work.*

Employers are also required to “...ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.”

Duties are conferred on “...those who are not employees but use non-domestic premises made available to them as a place of work or as a place where they may use plant or substances provided for their use there.”

In the case of drones use, the particular risks created by this would need to be considered and reasonable steps taken to comply. In particular, the possibility of safety issues generated by the use or charging of Lithium batteries. Considerations would include:

- Risk assessment
  - Employers should identify and manage the risks associated with lithium-ion batteries, including fire risk.
- Training
  - Employees should be trained on how to work with lithium-ion batteries, including emergency procedures.
- Personal protective equipment (PPE)

- Employees should be provided with appropriate PPE for working with lithium-ion batteries.
- Storage and handling
  - Batteries should be stored in a cool, dry, well-ventilated area away from flammable materials and sharp objects. Batteries should be kept in appropriate containers, such as a fireproof safety bag or metal battery storage cabinet.
- Charging
  - Charging areas should be well-ventilated, and charging points should be protected from physical damage. Batteries should be removed from chargers once charging is complete, and should not be left unattended on charge.
- Inspection
  - Batteries should be regularly inspected for damage.
- Employee behavior
  - They should report any concerns about the batteries to their line manager.

#### Restrictions of application of Health and Safety at Work etc Act 1974 in Scotland

Except as respects its application in relation to the aspects of fire safety set out in paragraph (b) of the sentence on interpretation in Section H2 of Part II [of Schedule 5 to the Scotland Act 1998](#) (c. 46) (reserved matters), Part I of the Health and Safety at Work etc. Act 1974 (c. 37) (“the 1974 Act”) and any regulations and orders made under it shall not apply in relation to fire safety.

#### Electrical Inspection

Regarding battery charging, on the basis that charging is via a standard type G socket on existing, single phase electrical infrastructure, the primary consideration is on the electrical inspection requirements (summarised in The Regulatory Framework table). There are recommendations for batteries to have health monitoring systems and 'safe' storage solutions, and especially for multiple charging stations, regulations may follow to meet fire regulations discussed above.

#### Electronic Communications

##### International Telecommunications Union (ITU)

The ITU and contracting States are required to ensure compliance with these requirements, typically through national legal instruments and enforcement. The ITU maintains the Radio Regulations, which among other things define:

- the allocation of different frequency bands to different radio services;
- technical parameters to be observed by radio stations, especially transmitters;
- procedures for coordination and notification of frequency assignments by States

CAA n.d.I.

##### The Communications Act 2003

The [Communications Act 2003](#), confers functions on Ofcom, amongst others: to make provision about the regulation of the provision of electronic communications networks and services and of the use of the electro-magnetic spectrum. (HMG 2003)

It requires Ofcom to take into account the different needs and interests, so far as the use of the spectrum for wireless telegraphy is concerned, of all those who may wish to make use of it.

##### Wireless Telegraphy Act 2006

[Wireless Telegraphy Act 2006](#) (the WTA) is the most relevant Act concerning enforcement.

Ofcom must have regard, amongst other things, to the extent to which the spectrum is available for use for wireless telegraphy and the demand for such use. It must also take into account the desirability of promoting the efficient management and use of the spectrum that is available for use for wireless telegraphy.

The way many different users utilise the spectrum has the potential to interfere with one another. Ofcom's statutory duties require it to balance the needs and interests of the different spectrum users and uses. Importantly, none of these duties require it to eradicate all interference and guarantee any particular user interference-free spectrum use. The WTA sets up a statutory scheme for managing that issue.

Section 8 of the WTA sets up a scheme for licensing spectrum use. Users must either have a licence for their spectrum use, issued by Ofcom, or be exempt from the need for a licence under regulations we have made.

Under section 54 of the WTA, Ofcom can make regulations which set requirements to ensure that, when it is used, apparatus does not cause undue interference to wireless telegraphy. Ofcom has made the [Wireless Telegraphy \(Control of Interference from Apparatus\) Regulations 2016](#). Very broadly, these apply to certain kinds of apparatus. Under section 55, Ofcom can serve prohibition notices which prevent a person using equipment that causes certain kinds of undue interference. Failure to comply is a criminal offence under section 58.

The WTA contains specific definitions of "Interference" and "undue" and "harmful" interference. Those are quite detailed, but the former covers situations where electromagnetic energy or signals cause all or part of a wireless communication to be compromised. Such interference is "undue" and "harmful" if it endangers navigation or safety of life services or degrades, obstructs or repeatedly interrupts lawful wireless telegraphy transmissions.

Ofcom n.d.

Radio Equipment Regulations 2017: Great Britain and Radio Equipment Regulations 2017: Northern Ireland

The [Radio Equipment Regulations 2017: Great Britain](#), applies to radio equipment supplied in or into Great Britain.

The Radio Equipment Regulations 2017 implemented Directive 2014/53/EU on radio equipment. The EU Withdrawal Act 2018 preserved the Regulations and enabled them to be amended so as to continue to function effectively now the UK has left the EU.

HMG 2023a

The [Radio Equipment Regulations 2017: Northern Ireland](#), applies to radio equipment supplied in or into Northern Ireland.

Radio equipment placed on the NI market must follow UK law as it applies to NI. The relevant law is the Radio Equipment Regulations 2017, which apply across the UK but some of their provisions apply differently in NI so that they implement in NI Directive 2014/53/EU on radio equipment.

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These set essential requirements for safety and health, electromagnetic compatibility, and the efficient use of the radio spectrum. It also provides the basis for further regulation governing some additional aspects. These include technical features for the protection of privacy, personal data and

against fraud. Furthermore, additional aspects cover interoperability, access to emergency services, and compliance regarding the combination of radio equipment and software.

As such, the regulations are largely concerned with the design and labelling of equipment and software.

EU 2014

#### The Civil Aviation Authority

Under agreement with Ofcom and the Ministry of Defence, CAA is the band manager for several sets of radio spectrum frequencies, including:

- 117.975 – 137.000 MHz (VHF Aeronautical communications)
- 960-1164 MHz (Distance Measuring Equipment and Secondary Surveillance Radar)
- 2.7-2.9 GHz (Primary Surveillance Radar)

As band manager, CAA assigns frequencies for UK aeronautical use in these bands and ensure that users of this band meet the safety requirements of the aeronautical sector, including the UK's international obligations under ICAO.

In the event Secondary Surveillance Radar (SSR) being used to detect and track drones, operators must apply to the CAA to operate them using [DAP 1910](#) for ground based platforms and [DAP 1911](#) for maritime or airborne platforms (CAA n.d.I.). The application procedures and the basic planning principles are set out in CAP 761 (CAP 761).

CAA n.d.I.

Automatic dependent surveillance—broadcast (ADS-B) is a means by which aircraft, aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link (Skybrary n.d.). Other aircraft electronic conspicuity systems exist including [FLARM](#), Power FLARM, [Pilot Aware Rosetta](#), [Sky Echo 2](#).

In ground applications, such devices are likely to be receivers only and therefore not the concern of the CAA regulation.

[CAP 670](#) is applicable if the receiver data is to be used for Air Traffic Control (ATC) purposes as 'assured surveillance data'.

#### Carriage of dangerous goods

Technical Instructions for the Safe Transport of Dangerous Goods by Air' (Doc 9284)

Doc 9284 amplifies the principles governing the safe transport of DG by air are described in Annex 18 to the Convention on International Civil Aviation (the Chicago Convention) (the Technical Instructions).

These technical instructions are reproduced in the Dangerous Goods Regulations (DGR) published by the International Air Transport Association (IATA).

#### IATA Dangerous Goods Regulations (DGR)

The DGR sets out:

- **Applicability** - (shipper and operator responsibilities, training, security, incident reporting)

- **Limitations** - (forbidden and hidden goods, storage and transport quantities, transport by post, transport by passengers/crew)
- **Classification** - (explosives, gases, flammable, toxic, oxidizing, radioactive and corrosive and multiple hazard material)
- **Packing Instructions** - (explosives, gases, flammable, toxic, infectious, oxidizing, radioactive and corrosive and multiple hazard material)
- **Packaging Specifications** - (inner, UN, construction and testing, limited quantity)
- **Documentation** - (shipper's declaration, air waybill)
- **Handling** - (storage, loading, inspection, information provision, reporting, training, document retention)
- **Radioactive material** - (transport, limitations, classification, identification, packing, testing, labelling, documentation, handling)

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The DGR defines what cannot be carried by air and dangerous goods (DG) that can with appropriate procedures, training, packaging, labelling and declarations. These are offered by material name and United Nations (UN) ID number. Materials not listed are classified by properties.

Exceptions to the DGR may be applicable when carrying small quantities of DG.

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GROTE et al 2021, observed that at the time, these DG regulations had been developed "...exclusively from the perspective of their application to crewed aircraft. Consequently, carriage of DG by uncrewed aircraft is a new area in terms of regulation and governance, and it is unclear how the current DG regulations should apply." At this time, CAP2248 Fundamentals: Carriage of Dangerous Goods by Remotely Piloted Aircraft Systems, had been issued but not CAP2555 Guidance on the Carriage of Dangerous Goods as Cargo for UAS/RPAS Operators in the Specific Category.

#### Air Navigation (Dangerous Goods) Regulations 2002

The Air Navigation (Dangerous Goods) Regulations 2002 effectively enacts the IATA DGR in the UK and sets out requirements relevant to carriage of DG by drone for:

- Approval of operator
- Prohibition of carriage of dangerous goods and exceptions
- Provision of information to crew (including ground crew) etc
- Acceptance of dangerous goods by the operator
- Method of loading
- Inspections by the operator for damage, leakage or contamination
- Removal of contamination
- Shipper's responsibilities
- Pilot in Command's duty to inform air traffic services in the event of an in-flight emergency
- Provision of training
- Keeping of documents and records
- Production of documents and records
- Powers of enforcement
- Occurrence reporting
- Exceptions for
  - dropping articles for agricultural, horticultural, forestry or pollution control purposes



- Police aircraft

CAP2248 Fundamentals: Carriage of Dangerous Goods by Remotely Piloted Aircraft Systems  
[CAP 2248 - Carriage of Dangerous Goods by Remotely Piloted Aircraft Systems \(CAP 2248\)](#) was created by CAA Innovation to support carriage of UN3373, Biological Substances, Category B, during COVID relief efforts.

CAP2555 Guidance on the Carriage of Dangerous Goods as Cargo for UAS/ RPAS Operators in the Specific Category

In 2023, the CAA published [CAP2555 Guidance on the Carriage of Dangerous Goods as Cargo for UAS/ RPAS Operators in the Specific Category](#). This is guidance rather than regulation and it is the CAA's intention to update the relevant regulations so that they are also applicable to the carriage of DG by air with UAS/ RPAS with due regard to proportionality.

It expands the scope and content of CAP 2248 to enable the carriage of DG, in addition to UN3373 Biological Substances, Category B by UAS.

Since drones not in the Certified Category carrying DG fall into the Specified Category, (see Understanding Drone Categories, they would be covered by CAP2555.

It relies upon the Technical Instructions to define DG and states that:

*“To the extent possible, the full scope of Technical Instructions should be complied with. However, considering the differences in the type of operations carried out by UAS\RPAS and the type/s of aircraft involved, there may be circumstances when the full provisions of the Technical Instructions are not appropriate or necessary.*

*In such circumstances and when appropriate, the CAA may grant an alleviation in the Operational Authorisation to permit the carriage of DG without all the requirements of the Technical Instructions being fulfilled, provided an equivalent level of safety can be achieved. The applicable conditions will be described in the approval document (Operational Authorisation).”*

CAP2555 sets out the guidance for:

- use of a crash-protected container where there is a high risk to third parties in the event of a crash. A crash-protected container is not required if the excepted quantities of DG in Division 6.2, Category B as defined by the Technical Instructions are carried;
- applying the national regulations for each of the other modes of transport in the case of multimodal transport;
- recommended structure and content for a Dangerous Goods Procedures Manual;
- a risk assessment in accordance with the requirements of [UK Regulations \(EU\) 2019/947](#), Article 11 to obtain approval to carry DG in the Specific Category;
- documenting and implementing and Emergency Response Plan (ERP) in accordance with Part 7; 4.7 and 7; 4.9 of the Technical Instructions;
- training and
- documents to be held.

CAP2555

## Environmental Protection

### [Environment Act \(2021\) Chapter 30](#)

(Reproduced from (['Legislation.gov.uk Environment Act 2021'](#)))

The '[environment act](#)' makes provisions about target plans and policies for improving the natural environment as well as statements and reports about general environmental protection and office for environmental protection about waste and resource efficiency; air quality for products for such which do not meet the environmental standards; water, nature and biodiversity; for conservation covenants about regulation of chemicals and for connected purposes.

### [Nature Conservation Scotland \(2004\) Act](#)

(Reproduced from (['Legislation.gov.uk Nature Conservation \(Scotland\) Act 2004'](#)))

The '[nature conservation \(Scotland\) Act 2004](#)' is designed to conserve the biodiversity as well as protecting as well as enhancing the geological natural heritage of Scotland. With this current act is provides the principle legislative components of a newer integrated system for nature conservation within Scotland.

The act has been incremented to five parts and contributions to the new system for nature conservation by means of the new measures as well as the amendments to the existing legislation.

### Transport Act 2000

[Section 70\(2\) of the Transport Act 2000](#) requires the Civil Aviation Authority (CAA) to take account of any guidance on environmental objectives given to it by the Secretary of State (SoS) when carrying out its air navigation functions. These functions are set out in the SoS's Air Navigation Directions, made under [sections 66\(1\)](#) and [68 of the Transport Act 2000](#).

The general noise overview for aviation / aircrafts as for the [Transport Act 2000](#) has been directed on behalf of the CAA meaning the CAA states for rule has to be followed in aircraft noise.

### The Civil Aviation Authority

The CAA helps with regulation relating to noise. The work on aviation is divided into 3 main categories:

- [Regulatory Function](#) - Questions as to decision of changing controlled airspace in accordance with the CAA statutory functions which includes obligation to consider the Air Navigation Guidance 2017 (set for in CAP1616).
- [Commercial Function](#) – Monitoring of noise around UK airports. Publishing the information around noise. Advising the noise management and mitigation.
- [Advisory Functions](#) – Collaboration and review of research of effects of noise and how it can be minimised and providing guidance on the effects and other relevant material.

CAA n.d.m

The CAA does not make decisions about the amount of noise which is measured to be damaging or annoying to people or make decisions about plans for airports for example, expansions.

The CAA has an expertise in the area:

- Monitoring Noise
- Noise contours

- Noise effects
- The development and analysis of noise
- Assessment of the environmental impacts of noise along with the certification

Within the government aviation policy framework, the aim is stated to be “...limit and where possible to reduce the number of people in the UK significantly affected by aircraft noise”

This is achieved through:

- Planning Decisions – different planning policies throughout the country covering Scotland, England and Wales. All broadly aimed to limit the impact of noise in any new development.
- Working closely with aviation industry for the development of quieter aircrafts as well as supporting the airport operators to enforce a quiet environment.
- Through the CAA’s work to license airports and airlines, applying laws on the aircrafts and managing airspace – all to help reduce the impact of aircraft noise.

Central Government is responsible for managing noise at Heathrow, Gatwick and Stansted airports which are designated as being of strategic importance.

[Air Navigation Guidance 2017](#)

There is currently no specific noise regulation applying to drone aviation however there is [‘Air Navigation Guidance 2017’](#) which is produced by Department for Transport.

The Air Navigation Guidance 2017 gives no guidance for drone aviation. The majority of the noise issues are measured for only airports and aviation surrounding airports being focused on more traditional forms of aviation.

This guidance is for the CAA on the environmental objectives when air space functions are carried out as well as the CAA in general and wider industry on airspace and noise management. This covers noise and other general aviation functions.

When proposing an airspace change, CAP 1616 provides guidance to change sponsors, including how to explain the consideration and assessment the likely noise impact of proposals. (CAP 1616)

CAP 2505 provides an overview of current state of knowledge concerning eVTOL aircraft noise and the potential impacts it has on people. The information and findings are summarised from conferences including Internoise and [Quiet Drones](#) as well as publications.

CAP 2506 states it “...presents a review of literature on noise emissions from eVTOL aircraft. The outcome of the review is the provision of suitable data to support the development of a CAA noise modelling capability for UAS operations. Information obtained from the review will also inform CAA guidance to assist airspace change sponsors with noise assessments for their UAS activities.”

It points out that “eVTOL...aircraft in the UK, for example, are not subject to noise certification requirements... as a result limited data exists on their noise characteristics”

It is stated that this is ongoing research, more findings are due to be expected with effects of eVTOL at further conferences with attendance from the CAA. The further research will help prove importance for developing noise policy and legislations for eVTOL aircrafts. (CAP2506)

CAP 2620 is largely focused on large commercial aircraft. However, it does recommend “...that further research is conducted into the environmental impacts associated with new and emerging



technology so that future environmental policy is informed by an extensive evidence base.” This is without specifically mentioning drones. It points out that ICAO is considering developing noise standards for ‘Emerging Aircraft Technology’ and cites the ICAO [“Noise from Emerging Technology Aircraft”](#) webpage.

In the area of “...aircraft noise, ICAO is following up possible environmental issues from the operation of Emerging Technology Aircraft (ETA), including urban air mobility concepts, unmanned aircraft and remotely piloted aircraft... This information will be consolidated as a potential best practice guidance for States.” (ICAO n.d.a)

#### *The Air Navigation Order 2016*

Prohibited Areas are established by secondary legislation under article 239 of the Air Navigation Order 2016 (ANO) and usually apply to all aircraft as defined in the ANO.

There are Prohibited Areas throughout the UK which apply to both unmanned and manned aircrafts. Some of these are for environmental reasons.

Some prohibited areas include:

- Airports
- Heliports
- National Parks
- Wildlife Refuges

On the disturbance of wildlife and animals, the CAA states that flights may be restricted at ‘Sites of Special Scientific Interest’ (SSSI).

#### *Byelaws*

Local authorities and some many landowners prohibit the use of drones over their land without permission, some with the power of byelaws. This is very often for environmental reasons, largely, the protection of wildlife. For example, “National Park Byelaws prohibit the use of drones and model aircraft on or over any common land within a National Park, except with prior written authority from the National Park Authority.”

#### *Wildlife & Countryside Act (1981)*

Where the use of a drone is likely to cause disturbance to any bird species that is listed on schedule 1 of the Wildlife & Countryside Act, alternatives must be sought. If potential impacts cannot be avoided, a licence may be required and Natural England, Natural Resources Wales, NatureScot or the Northern Ireland Environment Agency (NIEA) wildlife team should be consulted as appropriate for the country of operation.

## Abbreviations

AAM	Advanced Air Mobility
ADS-B	automatic dependent surveillance—broadcast
ANO	Air Navigation Order
APF	Aviation Policy Framework 2013
BSCC	Biometrics and Surveillance Camera Commissioner
BVLOS	Beyond Visual Line of Sight
CAA	Civil Aviation Authority
CAEP	Committee on Aviation Environmental Protection
CAP	Civil Aviation Publication
DAA	Detect and Avoid
DfT	Department for Transport
DG	Dangerous Goods
DPA	Data Protection Act 2018
DPIA	Data Protection Impact Assessment
DEFRA	Department for Environment, Food and Rural Areas
DRC	Drone Ready Cities
DSIT	Department of Science, Innovation and Technology
EC	Electronic Conspicuity
EECC	European Electronic Communications Code
EU	European Union
eVTOL	Electronic Vertical Take-Off Landing
GPDO	General Permitted Development Order
GDPR	General Data Protection Regulation
HRRB	Higher-Risk Residential Building
ICAO	International Civil Aviation Organisation
ICO	The Information Commissioner's Office
ITA	International Telecommunications Union (of the United Nations)
JZS	Jet Zero Strategy 2022
LiPo	Lithium Polymer (battery)
LPA	Local Planning Authority

MAA	Midlands Aerospace Alliance
Ofcom	Office of Communications
PD rights	Permitted development rights
RIPA	Regulation of Investigatory Powers
RPAS	Remotely Piloted Aircraft Systems
SARP	Standards and Recommended Practice
SoS	Secretary of State (SoS)
SSR	Secondary Surveillance Radar
SSSI	Site of Special Scientific Interest
TCPA	Town and Country Planning Act 1947
TMZ	Transponder mandatory zone – an airspace of defined dimensions wherein the carriage and operation of pressure-altitude reporting transponders is mandatory (CAP 2533)
TRA	Temporary Reserved Areas – an airspace that is temporarily reserved and allocated for the specific use of a particular user during a determined period of time and through which other traffic may or may not be allowed to transit in accordance with the air traffic management arrangements notified for that volume of airspace (CAP 2533)
UAS	Uncrewed Aircraft System/Unmanned Aerial System
UN	United Nations
VLOS	Visual Line of Sight
VTOL	Vertical Take-Off and Landing
WTA	Wireless Telegraphy Act 2006

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## Annex 1: Further information about Data Protection law in the UK

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- The General Data Protection Regulation 'lays down rules relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data' and 'protects fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data' (Article 1, Regulation (EU) 2016/679). The GDPR 'does not apply to: the processing of personal data by an individual in the course of a purely personal or household activity' (Article 2, Regulation (EU) 2016/679) (GDPR-info n.d).
- In the context of drones, the Data Protection Act 2018 adds that 'part 2 supplements the GDPR' and 'applies a broadly equivalent regime to certain types of processing to which the GDPR does not apply (see Chapter 3)'. Chapter 3 (21) states that 'this Chapter does not apply to the processing of personal data by an individual in the course of a purely personal or household activity' (Data Protection act 2018).
- The 'Data Protection Act 2018 controls how your personal information is used by organisations, businesses or the government' (Gov.UK n.d.a). Those 'responsible for using personal data' must 'follow strict rules called data protection principles', which ensure that personal data is used:
  - fairly, lawfully and transparently;
  - for specified, explicit purposes;
  - in a way that is adequate, relevant and limited to only what is necessary;
  - accurate and, where necessary, kept up to date;
  - Kept in a form which permits identification of the data subject for no longer than is necessary and
  - handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

(Gov.UK n.d.a, (Article 5 GDPR)).

- As with GDPR, under the Data Protection Act 2018, 'you have the right to find out what information the government and other organisations store about you' (Gov.UK n.d.a). This includes the right to:
  - Be informed about how your data is being used
  - Access your personal data
  - Have incorrect data updated
  - Have data erased
  - Stop or restrict the processing of your data
  - Data portability
  - Object to how your data is being processed.
- There are additional rights where data is being used for automated processing or profiling.
- Where an exemption applies, compliance with GDPR is not required. Whether or not you can rely on an exemption often depends on why you process personal data' and 'if no exemption covers what you do with personal data, you need to comply with the UK GDPR as normal' (Information Commissioner's Office n.d.a). Exemptions are considered on a case by case basis and include provisions relating to:
  - Crime, law and public protection
  - Regulation, parliament and the judiciary
  - Journalism, research and archiving

- Health, social work, education and child abuse
- Finance, management and negotiations
- References and exams
- Subject access requests where information about other people is requested
- National security and defence.

*(Information Commissioner's Office n.d.a).*

The exemptions most likely to affect drone usage are those relating to journalism, academia, art and literature and research.

## Annex 2: UK General Data Protection Regulation (GDPR) guidance: The Information Commissioner's Office

- **'Personal data'** is 'information relating to an identified or identifiable natural person ('data subject')'. An 'identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person" (Information Commissioner's Office n.d.i). (UK GDPR article 4(1)).
- A **'data subject'** refers to 'someone who can be identified from personal data', they are the 'subject of that data' (Information Commissioner's Office n.d.j) (UK GDPR Article 4(1), Data Protection Act 2018 section 3(5)).
- The Information Commissioner's Office (ICO) distinguishes between a 'data controller' and a 'data processor'. A data controller 'has the responsibility of deciding how personal data is processed and protecting it from harm' (Information Commissioner's Office n.d.j). The data processor processes the data 'on behalf of the data controller', but still needs to 'protect people's private data' (Information Commissioner's Office n.d.j). 'Controllers can delegate the processing of personal data to data processors, but the responsibility for keeping it safe will still rest with the controller' (Information Commissioner's Office n.d.j).
- The ICO provides further information about **Data Protection Impact Assessments (DPIA)**, stating that 'a DPIA is a process designed to help you systematically analyse, identify and minimise the data protection risks of a project or plan. It is a key part of your accountability obligations under the UK GDPR, and when done properly helps you assess and demonstrate how you comply with all of your data protection obligations' (Information Commissioner's Office n.d.k). Crucially, conducting a DPIA is 'a legal requirement for any type of processing, including certain specified types of processing that are likely to result in a high risk to the rights and freedoms of individuals. Under UK GDPR, failure to carry out a DPIA when required may leave you open to enforcement action' (Information Commissioner's Office n.d.c). Undertaking a DPIA and 'considering the risks related to your intended processing before you begin' supports compliance with another general obligation under UK GDPR: data protection by design and default, which per article 25 states that: 'the controller shall, both at the time of the determination of the means for processing and at the time of the processing itself, implement appropriate technical and organisational measures... and... integrate the necessary safeguards into the processing in order to meet the requirements of this Regulation and protect the rights of data subjects' (Information Commissioner's Office n.d.k). Please note that the proposed Data Protection and Digital Information (No. 2) Bill would replace DPIAs with risk assessments, but at present the law remains DPIAs



## Annex 3 Controlled Service or Controlled Fitting

The controlled service or fitting is defined in as:

- Sanitation, hot water safety and water efficiency – this includes hot water systems, WCs and washing facilities.
- Drainage and waste disposal – this includes drainage systems and septic tanks.
- Combustion appliances and fuel storage systems – this includes boilers, fireplaces, flues, air supply to combustion appliances and fuel tanks.
- Conservation of fuel and power – this includes heating and air conditioning systems, mechanical ventilation systems, external windows and doors and solar panels.
- Electrical safety – dwellings – this covers the fixed electrical system in dwellings or common parts of blocks of flats

### Change history

ISSUE	NOTES	DATE
1	Initial issue	November 2024
2	Addition of link to ARPAS-UK Drones in Action Report	February 2025