

- **Q – What is the position if you want to fly your drone within 50m of your neighbour’s property and you have obtained their permission?**
 - The starting point is Article 95 of the Order which sets out the distances that are permitted unless permission is obtained from the CAA. Point 4 of the Drone Code sets out that you should never fly a drone closer than 50m to buildings, cars, trains or boat but that if the owner of the building has given you permission to fly closer then this does not apply. However, this is not expressly mirrored in the Air Navigation Order which talks about being able to fly closer if the building or structure is under your ‘control’ hence it should be remembered that the Drone Code is non-binding statutory guidance and whilst the Code does not specify whether that permission should be in writing or can be verbal, our advice would be to obtain it in writing and that a prudent course would be to ‘risk assess’ the proposed flight in the same way as you would do in applying for permission from the CAA. Hence, if you have permission from your neighbour then a more pragmatic approach can be taken. However, you should also consider the worse case scenario in the event that something goes wrong and where you would stand with your neighbour. It may be preferable to have applied for a CAA permission (and thus had your ‘approach’ approved and CAA permission obtained) prior to undertaking the flight and / or to consult a commercial drone operator for advice and or guidance.

- **Q – What is the position if you see someone flying a drone on the road near to your property, can you speak to them / move them away?**
 - If you have concerns about the safety/privacy aspects of the drone usage then you can either approach the operator or contact the local police on 101. If you are happy to approach the operator, then it is important to wait until the drone is on the ground, the propellers have stopped and the operator has indicated that it is safe for you to approach; it is illegal and potentially dangerous to engage with someone whilst they are flying a drone. Hopefully a brief chat will put your mind at rest but if you are still concerned about the usage then it is important not to try to move the operator on yourself but to call the police.

- **Q – What can you do if drones replace helicopters to survey railways or similar on your land and cause livestock to panic / harm themselves?**
 - Although the Code states that drones should not be flown where animals will be disturbed (Point 7), if permission has been obtained for the flight (from the CAA) then Article 241 of the Air Navigation Order 2016 sets out the standard position that a person must not recklessly or negligently cause or permit an aircraft to endanger any person or property. Once again, any concerns should be brought to the attention of the police and records kept or reported in accordance with the guidance on the CAA website.

- **Q – What should you do if you see a drone being flown in breach of the Code (e.g. out of sight)? Who should you report them to?**
 - If you have any concerns about drone usage – whether from a safety or privacy perspective – then do not take matters into your own hands. You must contact your local police on 101 and we would advise you to keep detailed records of any incidents. There is also guidance on the CAA website as to the reporting of certain types of incident to the CAA (in general terms non dangerous breaches of aviation regulations) and to other bodies.