

Consultation Title: Taking Flight: the future of drones in the UK

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Scottish Land & Estates (SLE) represents the interests of land owners, land managers and rural based businesses in Scotland. We welcome the opportunity to make some brief comments in relation to the consultation by the Department for Transport on the future use of drones. We believe that the drone industry is an area which is likely to continue expanding considerably over the coming years and that there is much potential for this technology to further benefit a wide variety of industries, not least in agriculture, saving time and increasing yields. However, we equally recognise the issues and problems which recreational drone usage can cause private landowners and managers in rural Scotland and elsewhere in the UK.

- SLE agrees that the responsibilities of being an SUA operator require that a minimum age should be set, as most insurance policies are available from 18 this appears an appropriate age limit.
Whilst it is a legal requirement for commercial operators to have insurance SLE believes it is important for recreational users to have insurance too and it should be mandatory. An uninsured recreational SUA operator that causes significant property damage or personal injury may be unable to meet the cost of the damage caused. As a result, the cost of insuring such liability is likely to be allocated private landowners and farmers, potentially resulting in increases in their public liability premiums which would be inequitable.
- SLE believes consideration should be given to other jurisdictions, such as the approach in New Zealand towards drones:
Regulations should be put in place to make it a requirement for recreational users to seek the permission of the landowner before overflying private land. This would be easy to achieve by regulation. Such a system operates in New Zealand, as

described in New Zealand's (NZ) Civil Aviation Authority's guide: Flying with Control:
https://www.caa.govt.nz/assets/legacy/Publications/Other/Flying_with_Control.pdf

In NZ everyone must fly within the rules as set out in Part 101 unless they have been granted a variation to those rules by the NZ CAA:
https://www.caa.govt.nz/rules/Rule_Consolidations/Part_101_Consolidation.pdf

Part 102 details the requirements for gaining an Unmanned Aircraft Operator Certificate. Anybody flying an unmanned aircraft with a take-off weight of more than 25kg, or requiring a variation from the Part 101 rules must be certificated.
https://www.caa.govt.nz/rules/Rule_Consolidations/Part_102_Consolidation.pdf

- In terms of flight information notification systems we believe it is right that the police and other intelligence organisations and agencies should have instance access in order to promote safety, security and privacy. The limited power currently available to the police in relation to irresponsible or illegal drone use is likely to hamper effective enforcement.
- Poor signal should be an exception from using real time data on the flight information notification systems. It needs to be borne in mind that there are still many areas without reliable comprehensive mobile coverage.
- We agree with the police having powers to instruct a remote pilot to land a drone, if there is a reasonable suspicion of the commission of an offence. However, obviously enforcement will be key.