

Drone Filming in Edinburgh

The City of Edinburgh Council has a Drone Policy due to an upsurge in public request and usage of drones (or Unmanned Aircraft Systems (UAS)) on council managed land including parks, roads and public open spaces.

Since 31 December 2020 there is no longer a regulatory distinction between commercial and non-commercial operation. Drone categories and sub-categories, which determine what operators are allowed to do, are now based only on the estimated risk associated with that category or drone, which is determined by the weight of the drone.

The person controlling a UAS is fully responsible for the safe operation of any flight, but it is important to consider whether permission, in addition to and separate from a license from the CAA or others, is needed.

The key restriction that covers all drone activity is Article 241 of the Air Navigation Order 2016 which states that: "A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property."

CAA regulations: <https://www.caa.co.uk/media/q1il5nqs/the-drone-code-january-2026.pdf>

Drone Flights in Urban Areas

There are certain types of drones you can fly within residential, commercial or industrial areas. While these regulations enable you to fly within urban areas, it is always important to consider whether a flight can be carried out safely.

Drone below 250g / within UK0, UK1, C0 or C1 class:

- You can fly closer than 50m horizontally and you can overfly them, including people not involved in what you are doing.
- You still cannot fly over crowds, so please bear in mind the high volume of people within the city.
- You can fly in residential, recreational, commercial or industrial areas.

Drones below 2kg / within the UK2 or C2 class:

- You must have an A2 Certificate of Competency, Flyer ID and Operator ID, and must fly within the Near People (A2) rules.
- You can fly in residential, recreational, commercial or industrial areas.
- You must not intentionally fly over people who are not involved in what you're doing. This applies to all drones or model aircraft flying in this category.
- If your drone or model aircraft has a UK2 or C2 class mark, you must fly no closer than 30m to people who are not involved in what you're doing. If you fly in low-speed mode, you can reduce this distance to 5m from people.
- If your drone or model aircraft does not have a UK2 or C2 class mark, you must increase this distance and must fly no closer than 50m to people who are not involved in what you're doing.

To fly a drone over 100g and with a camera, you must have both Flyer ID and Operator ID.

Drones above 2kg and below 25kg / within the UK, UK3 or UK4 (European class C2, C3 or C4) must not be flown within residential, recreational, commercial or industrial areas.

City of Edinburgh Council Land Owner Stance – Drone Usage

In general terms, and in line with CAA advice, The City of Edinburgh Council (CEC) should be contacted as a landowner with regard to access to Council land or property from which to launch or land a drone. The operator is responsible for the proper use of the airspace itself, and it is the responsibility of the operator to ensure compliance with the CAA regulations, the law, and terms of insurance.

Under the new regulations, there are some UAS that fall within the Open Category which can be operated from public land or public rights of way without requiring permission. However, please note the Park Enforcement & Bylaws below. If permission is required for take-off and landing sites, the Council should be presented with the operator's up-to-date documentation. If the paperwork is correct and current, no additional responsibilities or legal liabilities will be incurred by the Council.

Park Enforcement & Bylaws

The Management Rules for Public Parks and Greenspace can be seen here:

<https://www.edinburgh.gov.uk/downloads/file/22552/management-rules-for-parks-and-greenspaces>

Item 4 of those rules advises that "The following acts are prohibited unless the Council's written permission has been obtained first:

...4.13 Engaging in any commercial activity whatsoever (including, without limitation, dog walking services, photography, filming and fitness training services)"

Further, item 8 advises that "The following acts are prohibited:

8.2 Operating any motorised or mechanically propelled toy or model vehicle, aircraft or boat so as to disturb wildlife, endanger or give annoyance to other people or if asked by a Council Official not to do so.

If person/persons are found to be using an unauthorised drone or model aircraft on or from CEC land without permission, they will be requested to stop immediately. If the user refuses to stop, Police Scotland will be called to attend to cease activity and remove the user from CEC land.

Transport

Roads

Requests to control any part of the roads network of the City of Edinburgh should be made via the appropriate "ROAD OCCUPATION PERMIT"

<https://www.edinburgh.gov.uk/downloads/download/13190/road-occupation-permits>

Trams / Rail

Requests to fly from or near any part of the tram network should be made through the through the "AUTHORITY TO WORK PERMIT" outlined in the Code of Practice.

<https://edinburghtrams.com/uploads/general/AtWform.pdf>

Similar requests for filming on or near railways and rail property should be made to the relevant part of the Rail Authority.

Application Process

Any person whose drone category requires them to seek permission to launch or land their UAS from Council owned or managed land/property should contact the appropriate Council team as below.

Drone use for commercial filming should first contact the Council's film office Film Edinburgh with a minimum of a week's notice. Drone use for other purposes (e.g. surveys, engineering) should contact the relevant department directly.

Film Edinburgh – film@edinburgh.gov.uk

Apply here: <https://www.filmedinburgh.org/Filming/Permits>

Parks & Greenspaces - parks@edinburgh.gov.uk

Apply here: <https://www.edinburgh.gov.uk/events-venues/event-planning-public-spaces>

Roads Permits - roadpermits@edinburgh.gov.uk

Apply here: <https://www.edinburgh.gov.uk/downloads/download/13190/road-occupation-permits>

Applications should be made well in advance and should detail:

- Nature of the proposed activity (e.g. filming, event, structural survey etc)
- Operator details including Operator ID and Flyer ID
- Take-off and landing site(s), minimum distance from persons not directly under the operator's control, whether the drone will fly above any people including pedestrians, roads and buildings. Use [what.three.words](https://www.what.three.words/) where possible.
- Category and weight of UAS and CAA paperwork.
- Public Liability Insurance and appropriate UAS insurance.
- Risk Assessment and Method Statement which must be specific to the operation in question and include the maximum height, flight plan and control measures. Please take into consideration uninvolved people, animals/wildlife and weather conditions.

Depending on the assessment of the above further documentation is likely, these commonly include:

- **A Traffic Order or Traffic Notice as well as A Traffic Management Plan:** required if the flight is close to or includes a highway. A fee will be applicable to obtain this additional permission.
- **Stewarding Plan:** description and maps of what control measures will be in place and where stewards will be located whilst the UAS in use.