

Why a PfCO (Permission for Commercial Operations) might not be enough for your drone project.

The issue of OSCs (Operating Safety Cases) has been rearing its head lately. As our market has developed, the number of independent drone ‘surveyors’ has ballooned, and with it, confusion relating to the exact regulations for commercial drone flight – especially in built-up or congested areas.

If you commission regular aerial work, or if you’re an asset or facilities manager who might commission drone photography or surveys on an ad-hoc basis, you must make sure your operator has the right permissions in place for work in congested areas.

If you don’t, you could end up in hot water with the police, the CAA, or with your own insurers. Why? Because if your operator is not suitably qualified or does not have the correct permissions in place, then in the eyes of the law, you are as much at fault as the pilot, and could be prosecuted.

When it comes to a lack of proper permissions, one of the first alarm bells could be a quote that looks amazing value for money. We know how tough it is when you’re scrutinising your bottom line and how tempting it is to go for the lowest bid, but that incredible looking quote could be an indicator that your operator hasn’t got an Operating Safety Case in place for the work. (It could be that they’re genuinely excellent value-for-money of course, but use it as your first trigger to do a little digging). We’ll come on to why this is the case a little later in this article.

OSCs come into play for work in congested or built-up areas, towns and cities; so, what do you need to know if your building or asset is in an urban or busy area and what action should you take?

- **Most drone flights are usually restricted to areas that are at least 50m away from people, vehicles or structures (that are not under the control of the operator). If the asset to be surveyed or photographed is within 50m of people, vehicles or structures, then your operator must have an OSC.**

Note that regardless of the legal regulations, images taken from 50m or more away from your asset or building could be deficient. This is because the camera is unlikely to capture sufficient

image detail to help you make remediation decisions - so to get closer, your operator will need an OSC.

Sky Revolutions is one of a small number of operators that can operate drones in built-up areas. We work closely with pilots and industry experts like Perran Bonner of UANET (one of only a few pilots in the UK to hold a 10m OSC) and industry bodies like ARPAS, NATS and the CAA to make sure we operate legally and safely on all commercial projects.

- **Your asset doesn't have to be in a city. Any area substantially used for residential, industrial, commercial or recreational purposes is deemed a 'congested area' by the CAA.**

On its own, the CAA's standard permission does not give the right to fly unhindered in congested areas, and your operator will require specific permission from the land owner or authority in charge of the land they use for take-off and landing. Check they have these specific permissions first.

- **Allowing an operator to go ahead with aerial work that doesn't meet these regulations could also put you in breach of Article 241 of the Air Navigation Order. This piece of legislation says that your drone flight will not recklessly or negligently endanger any person. Even if your operator has an OSC, you should check what operating cordons they are planning to ensure you will not be in breach of the law.**

The Police can and will become involved in dealing with incidents of drone misuse where it contravenes safety legislation – especially since a Memorandum of Understanding was put in place between them and the CAA.

- **For aerial work in congested areas, consider the timing of the flight and ask your operator for a timetable. To further mitigate risk, these types of flights should always be carried out in quiet periods (early on a Sunday morning for example).**
- **Don't assume your operator manages the safety risk or that the production of a risk assessment negates your responsibility. You must inform your operator of any hazards at the site – if you don't, you'll be liable for any safety incidents.**

It is your responsibility to check that all these permissions are in place, that pilots are correctly trained, and that your operator has the correct insurance cover.

If there was an accident on site, a lack of permissions would invalidate your operator's insurance. This could mean that as the commissioning organisation, you become liable and your own insurance would need to cover any claims or loss. The HSE and the police could also become involved.

It's worth checking the type of drone your operator is proposing to use. Look for commercial-spec drones with multiple redundancy or fail-safes.

Drone failure incidents are rare, but do happen and cheaper drones are unlikely to have adequate fail-safes which will raise the risks identified above. Our Falcon 8 drones are listed within our OSC pilot's specific Safety Case for example due to their redundancy features (they will stay in the air after losing three motors).

Obtaining an OSC is not an overnight activity. There is a long consultation process (sometimes up to 12 months) and there is a significant cost attached to obtaining a full Operating Safety Case. There are very few companies in the UK that have OSCs for work in very congested areas. Many projects can safely and legally go ahead without an OSC, but if you're not sure, or if your drone operator's pitch for work in a congested area looks too good to be true, it's worth doing a bit of research first.

A drone survey will always deliver great quality data and in a fraction of the time and cost of a manual survey. We can all benefit from this and play a part in shaping a mature, comprehensive and professional marketplace.

So check the proximity of your asset or building in relation to main roads, vehicles, other structures or people before commissioning aerial drone work. If it looks as though a drone couldn't deliver data keeping 50m clear of any of them, then your project will need to be carried out under an Operating Safety Case.

Pause before commissioning and don't rely on a PfCO alone. Assess your approach, and ask yourself if poor data and a lack of operator permissions are worth the risk.

Ends.

Notes for Editors

Sky Revolutions Ltd.

Sky Revolutions is one of the UK's most authoritative voices in aerial imaging, surveying, and aerial surveying. The company offers exceptional quality multi-sector time lapse, aerial imaging, and surveying services to private and public sector institutions, Europe-wide.

Sky Revolutions is a dedicated team of professionals with more than 20 years' experience in construction surveying. Valued for their specialist surveying skills, Sky Revolutions offers effective advice and data interpretation as well as filming, mapping and CAD services.

Sky Revolutions is known for leading the way with aerial imaging and remains the only organisation using 100' masts to provide a free standing, at-height image solution for large construction sites. Highly qualified and accredited, its UAS (Unmanned Aircraft Systems) expertise helps customers access complex and often hazardous environments, see and record the condition of assets from a birds' eye view, and make informed assessments quickly, safely and cost-effectively. The company uses some of the most sophisticated drones in the market to capture ultra-high definition images at a fraction of the cost of traditional aircraft surveys and with fewer risks than platform or scaffold use.

Sky Revolutions was one of the first UK organisations to realise the benefits of drones in surveying. Drones or UAVs (Unmanned Aerial Vehicles) offer significant advantages in surveying and high-level inspection.

To find out more, or to request original files, film, or image samples, or to request an interview or comment, please contact:

Kate Treen, Marketing Manager

01778 560929

k.treen@skyrevolutions.co.uk