
STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 5

Operations

CHAPTER 4

Other aerial activities

Mooring, tethering, towing, use of cables, etc.

92.—(1) This article applies to or in relation to—

- (a) balloons except unmanned free balloons;
- (b) gliders;
- (c) kites;
- (d) parascending parachutes; and
- (e) airships,

within the United Kingdom (which are referred to in this article as “relevant aircraft”).

(2) A relevant aircraft which is launched, moored, tethered or towed must not be operated—

- (a) in such a manner as to—
 - (i) represent a hazard to other airspace users; or
 - (ii) without the permission of the CAA, result in any part of the relevant aircraft whilst it is being launched or towed, or its tether, mooring or towing equipment, extending more than 60 metres above ground level;
- (b) within controlled airspace or airspace notified for the purpose of this article;
- (c) within the aerodrome traffic zone of a notified aerodrome during the notified operating hours of that aerodrome except—
 - (i) during the day and in Visual Meteorological Conditions; and
 - (ii) with the permission of the person in charge of the aerodrome, the appropriate air traffic control unit or the CAA.

(3) A relevant aircraft which is flown, launched, moored, tethered or towed must be operated in accordance with any guidance issued from time to time by the CAA relating to such operation.

(4) An airship—

- (a) must not be moored within 2km of a congested area unless—
 - (i) it is moored on a notified aerodrome; or
 - (ii) it has the permission of the CAA;

- (b) must not be moored within the aerodrome traffic zone of a notified aerodrome unless it has the permission of the person in charge of the aerodrome or the air traffic control unit;
 - (c) when moored in the open must be securely moored and must not be left unattended.
- (5) A balloon—
- (a) in captive flight must be securely moored and must not be left unattended unless it is fitted with a device which ensures its automatic deflation if it breaks free of its moorings;
 - (b) in captive or tethered flight must not be flown within 60 metres of any vessel, vehicle or structure except with the permission of the person in charge of any such vessel, vehicle or structure.

Release of small balloons

- 93.**—(1) A person must not cause or permit—
- (a) a group of small balloons of more than 1,000 in number to be simultaneously released at a single site wholly or partly within the aerodrome traffic zone of a notified aerodrome during the notified operating hours of that aerodrome unless that person has given to the CAA at least 28 days previous notice in writing of the release;
 - (b) a group of small balloons of more than 2,000 but not more than 10,000 in number to be simultaneously released at a single site—
 - (i) within airspace notified for the purposes of this sub-paragraph; or
 - (ii) within the aerodrome traffic zone of a notified aerodrome during the notified operating hours of that aerodrome,except with the permission of the CAA; and
 - (c) a group of small balloons greater than 10,000 in number to be simultaneously released at a single site except with the permission of the CAA.

(2) In this article, “simultaneously released at a single site” means the release of a specified number of balloons during a period of not more than 15 minutes from within an area not more than 1km square.

Small unmanned aircraft

94.—(1) A person must not cause or permit any article or animal (whether or not attached to a parachute) to be dropped from a small unmanned aircraft so as to endanger persons or property.

(2) The person in charge of a small unmanned aircraft may only fly the aircraft if reasonably satisfied that the flight can safely be made.

(3) The person in charge of a small unmanned aircraft must maintain direct, unaided visual contact with the aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels and structures for the purpose of avoiding collisions.

(4) The person in charge of a small unmanned aircraft which has a mass of more than 7kg excluding its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight, must not fly the aircraft—

- (a) in Class A, C, D or E airspace unless the permission of the appropriate air traffic control unit has been obtained;
- (b) within an aerodrome traffic zone during the notified hours of watch of the air traffic control unit (if any) at that aerodrome unless the permission of any such air traffic control unit has been obtained; or

(c) at a height of more than 400 feet above the surface unless it is flying in airspace described in sub-paragraph (a) or (b) and in accordance with the requirements for that airspace.

(5) The person in charge of a small unmanned aircraft must not fly the aircraft for the purposes of commercial operations except in accordance with a permission granted by the CAA.

Small unmanned surveillance aircraft

95.—(1) The person in charge of a small unmanned surveillance aircraft must not fly the aircraft in any of the circumstances described in paragraph (2) except in accordance with a permission issued by the CAA.

(2) The circumstances referred to in paragraph (1) are—

- (a) over or within 150 metres of any congested area;
- (b) over or within 150 metres of an organised open-air assembly of more than 1,000 persons;
- (c) within 50 metres of any vessel, vehicle or structure which is not under the control of the person in charge of the aircraft; or
- (d) subject to paragraphs (3) and (4), within 50 metres of any person.

(3) Subject to paragraph (4), during take-off or landing, a small unmanned surveillance aircraft must not be flown within 30 metres of any person.

(4) Paragraphs (2)(d) and (3) do not apply to the person in charge of the small unmanned surveillance aircraft or a person under the control of the person in charge of the aircraft.

(5) In this article, “a small unmanned surveillance aircraft” means a small unmanned aircraft which is equipped to undertake any form of surveillance or data acquisition.

Rockets

96.—(1) Subject to paragraph (2), this article applies to—

- (a) small rockets of which the total impulse of the motor or combination of motors exceeds 160 Newton-seconds; and
- (b) large rockets.

(2) This article does not apply to—

- (a) an activity to which the Outer Space Act 1986(1) applies; or
- (b) a military rocket.

(3) No person may launch a small rocket unless the conditions in paragraph (4), and any of the conditions in paragraphs (5), (6) and (7) which are applicable, are satisfied.

(4) The first condition is that the person launching the rocket is satisfied on reasonable grounds that—

- (a) the flight can be safely made; and
- (b) the airspace within which the flight will take place is, and will throughout the flight remain, clear of any obstructions including any aircraft in flight.

(5) The second condition is that the person launching the rocket on a flight within controlled airspace has obtained the permission of the appropriate air traffic control unit for aircraft flying in that airspace.

(6) The third condition is that the person launching the rocket on a flight within an aerodrome traffic zone of an aerodrome during its notified operating hours—

(1) 1986 c.38.

- (a) has obtained the permission of the air traffic control unit at the aerodrome; or
 - (b) if there is no air traffic control unit, has obtained from the aerodrome flight information service unit at that aerodrome information to enable the flight within the zone to be conducted safely; or
 - (c) if there is no air traffic control unit and no aerodrome flight information service unit, has obtained information from the air/ground communications service unit at that aerodrome to enable the flight to be conducted safely;
- (7) A flight for commercial operation purposes must be carried out under and in accordance with a permission granted by the CAA to the person launching the rocket.
- (8) A flight by a large rocket must be carried out under and in accordance with a permission granted by the CAA to the person launching the rocket.