



KEMP TOWN
ENCLOSURES

KTE AGM January 2022

Rule change to cover the use of drones in the Enclosures

The AGM of January 2022 adopted a new rule relating to the use of drones in the Enclosures.

The use of personal drones by residents or their guests, is not permitted, in the gardens.

This is not only a safety issue, but also a privacy issue, as all drones carry cameras, even the smallest “toy” under 250g category, which also are capable of carrying a high resolution camera/video. In the event that there were to be an accident with a drone, or privacy incident, the board’s vicarious liability could come into play, as the likelihood is that the personally operated drone is not insured and the person is also not insured for Public Liability, so the claim would no doubt come back to the board and our Public Liability Insurance for the gardens, as the drone is being operated in the gardens and we have the wherewithal to pay the legal liability damages.

Any permission for commercial operation of drones in the gardens be subject to the following checklist:

- Commercial Drone Operator to carry a minimum of £5,000,000 Limit of Indemnity Insurance for commercial drone activity and be evidenced
- The Insurance policy to include KTE (or the party who have commissioned the drone operation) as an Additional Insured or to have an Indemnity to Principles extension (this is not an unusual ask and extends their policy to indemnify the person/entity that they are contracting with)
- Open drone Category with Operator Registration of drone and completed Remote Pilot Competency Requirements
- Drone MTOW at maximum 5kgs
- Drone to be operated in visual line of sight
- Operated at 400ft (120m) maximum height of flight
- Risk assessment on a “flight by flight” basis to be undertaken, before each flight
- Category A3 flight – Fly “far from people” (no uninvolved persons present [50m], 150m away from residential, commercial, industrial or recreational areas)