



***The British Model Flying Association***

## **THE FLYING SITE GUIDE**

**FINDING, BUYING, RENTING A FLYING SITE.  
OBTAINING PLANNING PERMISSION.  
COMPLYING WITH THE CODE OF PRACTICE ON NOISE FROM  
MODEL AIRCRAFT 1982.  
FLYING SITE SAFETY CONSIDERATIONS.**



# THE FLYING SITE GUIDE

## FINDING, BUYING, RENTING A FLYING SITE OBTAINING PLANNING PERMISSION COMPLYING WITH THE CODE OF PRACTICE ON NOISE FROM MODEL AIRCRAFT 1982 FLYING SITE SAFETY CONSIDERATIONS

Issue 4 Amended April 2012

From time to time model flying clubs are faced with the task of finding a flying site, in the case of a newly formed club because they have never had one or for an established club because the owner of their flying site has other uses for the land. This paper has been written to assist clubs to find a flying site.

The flying site is the heart of any club. If a club loses its flying site it will not survive unless a new one is quickly found.

There are three recognisable but overlapping phases in flying site purchase. If you want to find a site to rent then only the first two phases apply.

- 1 Finding a suitable site.
- 2 Obtaining planning permission.
- 3 Purchasing the site.

### FINDING A FLYING SITE

Farmers are the main landowners. The armed forces also have large land holdings. Worked out quarries and completed land fill sites may be available. Local authorities (LAs) hold land but the pressures on their holdings are high and they aren't a good source of flying sites. Having said that some county councils and LAs own farms and they may be prepared to introduce you to their tenant farmers.

#### Local Authority Land

Local authorities control parks, public open spaces and playing fields. Many model flying clubs, especially those in the larger conurbations, use land controlled by LAs. In many cases this works well, but there are so many potential users of LA controlled land that it may not be possible for those of you wanting a new flying site to be allocated something suitable. If you are offered a flying site by a LA it will not always comply with the requirements of the Code of Practice on Noise from Model Aircraft 1982 (the Code) with regard to separation distances. We will be dealing with the Code in detail later in this document.

The BMFA deal with more problems from model flying clubs using LA controlled land than any other group. This is not to say that a flying site controlled by a LA will be troublesome, lots of clubs use public open spaces without difficulty. In other cases council policy regarding the use of public open spaces precludes model flying.

If you are using public open spaces a campaign by neighbours alleging noise and/or danger to the public on a model flying site can get flying curtailed or stopped altogether. This happened to a club that were unable to put forward a convincing argument to prevent flying being severely restricted, even though they were certain that lies had been told about their conduct with the intention of getting them moved.

The best way to find a council owned flying site is to approach the local Leisure Services Department and ask what they have available that you can use. It would be a good idea to suggest that you pay for a licence to use their land. Explain that you carry £25m third party insurance with a policy specially designed for aeromodellers and that cover automatically extends to the LA as site owners.

Offering a flying demonstration could be helpful.

Ideally you want sole use of the land, but in many cases what is offered to you will be part of a playing field or other public open space and you may be told that the granting of sole use is not possible. This is a considerable drawback as you will find that other flyers, who are not your club members, will use the land. As a consequence of this the LA will blame you for all noisy aircraft or examples of bad flying as your club is identifiable. You will find there is little that you can do to control the unattached flyers unless you can persuade them to join your club.

You may be lucky and be provided with just what you want. Often, however, you will find that the land you are offered has to be shared with football and other organised activities and you can only use it when they are not doing so. Some clubs and model flyers are prepared to put up very limited flying days and hours in return for the convenience of using a site close to home. Cost also appears to be a consideration here as LAs usually charge much less than other landowners.

Some LAs control land which has been a landfill site or has been reclaimed after industrial use. There may be opportunities here.

An example of the sort of thing that can happen is the case of a flying site in the Northwest which a club has used for many many years. The LA used European grant money to implement a tree planting scheme without consulting the club. The trees are encroaching on the flying area and as they grow flying is becoming more and more difficult. Only very skilled model pilots are now able to fly and the site is impossible for a beginner to use. Flying there will soon be totally out of the question. When the club protest, as they do regularly, the council express regret but are not prepared to cut the trees back OR to provide another flying site within the Borough. They state there is no suitable land available.

### **Farm Land**

Farmers are looking for ideas for diversifying. Many find the presence of a model flying club on their land is very attractive. They don't have to spend much money to prepare a takeoff patch and the land right up to the edge of the mown patch can continue to be used for agriculture. The financial return from the small amount of land used by the club (usually less than 2 acres) is greater, on a pro rata basis, than from practically any other farming activity you can think of, and the disruption to normal farming processes is minimal.

Look for a field which has few trees round the boundary and with a reasonably open area round it.

You will overfly something like 50 acres. This does not have to be in the same ownership as the land containing your mown patch. The rights to the use of airspace over land do not belong to the owner of the land. Aviation would be impossible if this was the case.

Objectors often allege that model aircraft frighten horses, cattle and sheep. Nothing is further from the truth. We have plenty of anecdotal evidence to support this stance.

The first thing to do is to refer to your local Ordnance Survey Landranger map. Look for a large open space with few dwellings or other noise sensitive premises therein. You may find that your open space does not have obvious access roads. In this case you will have to rely on farm roads or tracks so make sure they will allow continued traffic in sustained periods of bad weather.

Ordnance Survey maps are divided into a series of squares. At a scale of 1/50,000 the squares are of 1km side. An ideal flying site would be a circle of 500m radius free of noise sensitive premises (NSPs) which would just fit inside one of these squares. Experience suggests that you will not find a totally ideal flying site. You will usually find that you have NSPs intruding somewhere into the 500m circle.

The Code allows a model flying site to be closer than 500m from noise sensitive premises when a club or landowner controls flying. In this case noise reductions will be required in direct ratio with the reduction of separation distance below 500m. No models should be flown within 200m of NSPs.

There is a lot of land incorporated into Set-Aside Schemes where the farmer is paid to leave it fallow. A farmer might be prepared to allow you to fly on some of his set-aside land. His set-aside payment

will be reduced on a pro rata basis according to the amount of land you decide to use. This payment reduction should only involve the land for a mown patch, a car park and a 1m wide pathway between, and the amount you pay him should be designed to more compensate him for his reduced set-aside payment. The land you overfly will remain in the set aside scheme and he will continue to be paid for that.

The current subsidy available to farmers is called the Single Payment Scheme which replaced all previous farming subsidies including the "Set Aside" scheme. Under this scheme a farmer has to declare the extent of his land holding and his subsidy will be based on that. However a farmer does not have to claim a subsidy for all of it. There is nothing in the scheme which prevents a farmer from allowing a model flying club to use part of his land. Under these circumstances it would be sensible to include an extra amount into any payment you make to your farmer to compensate for loss of subsidy.

### **How do you find your farmer?**

Identify likely farms in your target area, then write, telephone or go and knock on farmer's doors. We can't tell you which method is best and you may have to use them all to get a result. This could be hard work so share the job between club members. You will probably get more no's than yes's, but you only need one yes!

You could approach the local branch office of the National Farmers Union (NFU) and ask if you can advertise in their journal.

You might consider advertising in the local press setting out your basic requirements. While you will have a preferred area you should not mention it in your ad. The moment householders realise that you are targeting their area they will object and might form an action group. A well organised action group will make a land owner's life a misery if the word gets out that he is thinking of renting a piece of land to a model flying club and he would then be unwilling to provide you with a flying site.

A story in the local press explaining that you are looking for a flying site could alert locals to the fact that you are looking for a piece of land somewhere near them and the thought of a pressure group could have a negative effect on a landowner.

When talking to a target farmer explain who you are and what you are proposing. It would be useful to have a written profile of your club and what it is you want to do on his land. Tell him that you have a £25m BMFA third party insurance policy in place and that this extends to cover him, being the landowner, for claims against him caused by model flying. Prepare a presentation document briefly describing your club and setting out your requirements. Describe how you envisage using a flying site. Provide him with a flying demonstration. Emphasise the positive benefits you would bring in terms of a fresh income with very little inconvenience to his operations. Point out that he would be able to farm right up to the edge of your mown patch if he wants to.

A farm is a food factory providing an income for its operator. The farmer is entitled to a fair return, but what is a fair rent?

We have all heard about the farmer who is happy to accept bottle of whisky at Christmas. In contrast many clubs pay well over £1000 per annum, probably with a bottle of whisky for the farmer and chocolates for his wife at Christmas as well. £1000 may appear a lot of money, but for a club with 50 members provision of a flying site at £20 per member isn't exorbitant for the most important facility a club can offer, a place to fly. The true fair rent is what you are prepared to pay (and what the farmer is prepared to accept) and only negotiation can decide that. We have talked to a club with 100 members prepared to pay £5K per year for a flying site.

A point to be considered is the amount of flak a farmer might have to take from his neighbours because of model noise and other nuisance, real or imagined, if he allows your club to fly from his land.

If you don't pay him very much his toleration level will be much less than if you pay him handsomely. His loyalty to you is very likely to be a function of the size of your rent cheque.

It is vital to ensure your farmer remains satisfied. It is a very good idea to institute annual or bi-annual rent increases unasked. If you do this you can often control the amount of a rent rise to a figure you can afford.

Before you agree to rent or buy your new flying site ensure that it complies with the Code of Practice on Noise from Model Aircraft 1982 (the Code).

### **THE CODE OF PRACTICE ON NOISE FROM MODEL AIRCRAFT 1982**

The Code of Practice on Noise from Model Aircraft 1982 (the Code) doesn't have the force of law and creates no offences. We use it as a planning tool and so do local authorities in their dealing with model flying clubs and their members. It will sometimes seem that it is being used against you. It is therefore essential that you do your utmost to understand the Code and to ensure your flying site will comply with its requirements.

The Code is included for your information in the BMFA Member's Handbook, 2010 Edition, on pages 71 to 75.

The clauses of the Code are not as straightforward as they appear. Because of the way many clubs apply the Code a few words on the subject are appropriate.

- 1 The maximum allowable noise energy output should be 82dB(A) measured at 7m from a model held 1m above the ground with noise energy output readings measured at 4 specified points 90 degrees apart. The meter shall be in accordance with BSEN 61672-1:2003 (which superseded BSEN 60651:1994 and BS5969:1980) using the "A" weighted response and set to "slow". The meter should be calibrated before use. The use of cheap meters is common. Any noise figures obtained with such meters should be treated with suspicion unless they have been calibrated before use.
- 2 A model noise energy output of 82dB(A) at 7m is deemed to be acceptable to listeners in noise sensitive premises (NSP) 500m from a model's point of launch (POL).
- 3 The definition of NSP **includes surrounding gardens**.
- 4 The aim of the Code is to make your noise energy output acceptable, not to make your models inaudible.
- 5 A noise energy measurement consists of 2 parts, the noise level in dB(A) and the distance that the noise meter is away from the noise source.
- 6 For flying on uncontrolled sites the POL should be at least 500m from NSP.
- 7 Models should never be flown within 200m of NSP.
- 8 At sites used by clubs the 500m radius can be reduced provided the noise energy output is mitigated to compensate for the reduced separation distance.
- 9 Silent flight models are exempt from the requirements of the Code.
- 10 The scales used for measuring noise are logarithmic in an attempt to mimic the way our ears hear sound. The most striking effect of using logarithmic scales is that each 3dB(A) change of numbers up or down records a doubling or halving of noise energy output. For example 79dB(A) records half the noise energy output of 82dB(A).

There are some common misconceptions:

- A The Code was published by the Department of the Environment and NOT the BMFA.
- B The noise energy emitted shall be the maximum value and NOT the average of the 4 noise readings. For example a model reading 87dB(a), 81dB(A), 80dB(A) and 80DB(A) fails the test because the maximum noise energy output is 87dB(A) even though the average of the 4 readings is 82dB(A).
- C With NSP say 300m from your point of launch (POL) you will get complaints if you operate your aircraft at 82dB(A) measured at 7m although your models meet the Code's maximum permissible noise output. Your model will appear louder to a listener in his house 300m from your POL than the same model will to a man in his house 500m away. Even if you never fly within 200m of the man who lives 300m from your POL your model will be too noisy for him and is therefore unacceptable to him.

**The Code is designed to make the noise of model aircraft acceptable to a listener in noise sensitive premises (NSP), usually houses, 500m away from a club's point of launch (POL). For your models to be acceptable to this person the output of your model must not exceed 82dB(A) when measured by a noise meter of a type defined in the Code held 7m from the model.**

The Code allows a POL to be closer than 500m from NSP. It also specifies that at no time shall models be flown within 200m of NSP.

**For model aircraft noise from a POL say 300m from NSP to be acceptable then the noise energy output has to be reduced.**

It is therefore implicit, while not being specified in the Code, that if your POL is closer than 500m from NSP then the noise output from your models must be reduced, otherwise the listener in NSP say 300m from your POL will hear a louder noise than the person 500m away. Nobody could blame the 300m listener if he complained about the noise of your aircraft as he is just as entitled to the same acceptable noise energy output level as the man at 500m.

If you find a flying site with NSPs closer to your proposed POL than 500m you will need to know what your maximum noise energy output should be. A useful rule of thumb is that your model noise energy output should reduce by 1dB(A) for each 25m your POL is closer to a NSP than 500m. (e.g. for NSP at 450m from your POL the maximum noise energy output should be 80dB(A)).

### **Silent Flight**

When defining **Model Aircraft** the Code states in Paragraph 4.1(b) that *There are many types of model aircraft, and several of these are either silent or powered by rubber or electric motors, noise from which is insignificant. This Code is not concerned with them ...* It is therefore sensible when making a planning application for models powered by I/C engines to ask that silent flight models should be allowed to fly for 7 days a week without restriction.

### **RENT OR BUY**

To a large degree this choice will be made for you by the availability of suitable land in the area in which you wish to fly. If you are keen to buy you may find something at a price you wish to pay. It might turn out that although you want to buy all you can find is a site to rent. Of course if you want to rent it might work the other way too!

### **OPERATING WITHIN THE TOWN & COUNTRY PLANNING ACTS**

The first question is always *where do we start?* The answer is **with the BMFA.**

Hard experience over many years has shown that the sooner the BMFA is involved the more chance there is of a successful outcome. This is not to say that a club acting alone cannot be successful, nor should it imply that in every case that the BMFA is involved in is won. On balance, however, your club has a far better chance of getting it right if your contact with the BMFA is made as early as possible.

### **Permitted Development**

If you only fly or intend to fly from your site for 28 days in a calendar year (Jan 1<sup>st</sup> to Dec 31<sup>st</sup>) then you do not need to apply for planning permission. You have a deemed planning permission known as Permitted Development (PD). In theory if you had a large number of fields to fly from you would be able to do all the flying you want under the umbrella of PD. However each field must be in separate planning unit. You cannot use the PD rules by changing from one flying field to another on one farm!

### **Planning Permission**

If you fly for 29 or more days per calendar year then to comply with the Town and Country Planning Act you **MUST** apply for planning permission, usually for a Change of Use.

Possibly some of you will have been using a flying site for some considerable time and, for whatever reason, have not yet applied for planning permission. If you find yourselves in this position should you immediately apply for permission or do you wait a little longer until some pressing reason makes an application imperative in order that you will be able to continue to fly from your flying site? If you are reading this then you are already aware that permission is required if you are to continue to fly.

If you have been using your flying field without the benefit of planning permission for 10 years or more then you are eligible for a *Certificate of Lawful Use or Lawfulness (CLU)*. We will deal with this subject in more detail later on.

### **Buy First or Obtain Planning Permission First?**

Having found the ideal piece of land if you want to buy it you are faced with an agonising choice. Do you buy without planning permission in order to secure the land and hope that you get permission OR do you apply for planning permission before you buy and hope that the land isn't sold to someone else while you wait for your permission to come through?

Asking a solicitor or other responsible person for advice will almost certainly get you the reply that you should obtain planning permission first. A professional adviser will not want to be held responsible should you buy, find planning permission is refused and then lose money when you sell on. The decision to buy or not to buy is YOURS and YOURS ALONE.

A vendor might wait while your planning application is processed before you buy but this is unlikely as he would know that if permission were refused you would be unlikely to proceed with the purchase.

If you buy and find that permission isn't granted then you have to be prepared for a possible financial loss. However since there is a finite amount of land in the UK with many calls upon it you may well sell on and cover your costs or you might even make a profit on the deal.

As an example a model flying club was faced with this choice some years ago. They wanted to buy a 5 acre flying site from a farmer who was selling up. The cautious majority of club members opted for planning permission first. After some months the farmer got fed up with waiting for permission to be obtained and sold the land to somebody else. As soon as the sale was completed planning permission was granted! It took 6 months for the planners to make their decision.

### **How long does it take to Process a Planning Application?**

In theory the LA ought to give a decision in 8 weeks. If they don't you have the right to appeal to the Planning Inspectorate for non-determination. However it is quite common for an application from a model flying club to take 6 months or even longer. My advice is not to appeal. If you do it will certainly cause further delay as work on your application is likely to stop while your appeal is heard!

### **Making a Planning Application**

In theory this is a straightforward exercise. However many find it has unseen pitfalls.

Not all planning officers like the idea of a model flying club operating in their area. Some are downright obstructive and will say at the outset that they do not want you in their district. On the other hand you might meet the occasional planning officer who will say that he is a jack of all trades, knows little about model flying and is prepared to take advice from the BMFA. Most planning officers are somewhere in the middle.

The BMFA have been assisting model flying clubs with planning matters for very many years. While we are PROBABLY THE EXPERTS when it comes to planning applications FOR MODEL FLYING CLUBS we do not know it all. With planning matters nobody does. There is always a new twist. However we probably know more about this subject than you do.

Do NOT try to get planning permission on your own. Our advice and assistance is free so why not let us help you? Our help will not necessarily guarantee success, nobody can do that, but we do know what to do next when the refusal comes through.

The worst case scenario for us is when a club appeals to us for help after their planning application has been refused. In some cases the case is irretrievably damaged and we cannot help. However in most cases we are able to advise on the way forward and are often able to help a club to gain its wanted planning permission.



When you make a planning application do not expect too much from the system. It WILL get you permission for a mown take off strip, a car park and a pathway between the two. It probably WON'T get you permission for a tarmac runway and a clubhouse on site.

If you do want a clubhouse, tarmac runways and other permanent structures these should be the subject of a separate planning application made AFTER you have obtained a permanent planning permission. For a multi-part planning application to succeed ALL parts have to be approved. Refusal of one part usually means refusal for everything.

It is general planning policy not to allow buildings or permanent structures to be erected in open countryside unless an agricultural need is shown. In this context a tarmac runway would be considered a permanent structure. You can forget all about lavatories on site too.

If you want a clubhouse, or just storage shed for your mowers and other essential items for maintaining your flying site, you should choose a field which already has a barn in it. If it is to be for your sole use then planning permission will be required for the change of use of the building from whatever it was before to storage of equipment or a clubhouse.

If you apply to turn the building into a clubhouse then you will almost certainly be expected to install lavatories. Your WC cubicle(s) will have to include provision for disabled club members, even if you don't actually have any.

DO NOT apply for permission to provide hot food FOR SALE or you will need to obtain permission for an A3 use and very high catering standards will be expected including provision for storage of frozen food.

When making your planning application make it clear on your application form that you want **unrestricted flying for Silent Type models** in accordance with para 4.1(b) of the Code which defines Model Aircraft (see paragraph **Silent Flight** on page 5).

### **Noisy Sport**

Since government classes model flying as a noisy sport the planning department will notify your nearest neighbours. Once news of your application gets about you will be amazed at the numbers of letters of objection against the proposal to use your flying site. Some people will write in from very long distances away from your site.

If you fly while your application is being processed you give the complainants ammunition about model noise to use against you, whether your models comply with the Code or not. However if you leave the site unflown there will still be complaints about your noisy models!

### **Trial Periods**

A probable outcome to your planning application is the granting of a trial period to allow time for the LA to be able to assess the impact of your club on its surroundings. Objectors from local housing might have objected to the noise of your models and the LA will want to see how many objections there are to your flying during the trial period.

Do NOT state in your planning application that you will not accept a trial period. In one case this led to a refused planning appeal as the club involved specifically ruled out a trial period! In most cases where there is doubt about the effect your club will have on your neighbours refusal to take part in a trial period will get your application turned down.

If you indicate to the planning officer that you are prepared to accept a trial period you are far more likely to get a temporary permission even though you really want a permanent one. Permanent permissions for model flying usually have to be earned.

If a trial period is granted and you want to purchase the land the permission applies to you have to decide whether or not to proceed with the purchase.

With a trial period of a year or even 2 you might have to stop flying if your second application is refused. However the trial period can be stretched out by making a second, fee free, planning application within 12 months of the date of the refusal of your second planning application. If a refusal

is the result you can then stretch the time out again by appealing to the Planning Inspectorate, continuing to fly while you exhaust the process. In this situation the decision to proceed with the land purchase is a difficult one.

During the life of the temporary permission you should do your utmost to show yourselves to be the best of neighbours to give yourselves the best chance of obtaining full permission when you make your second planning application. The basis of good neighbourliness is strict compliance with the Code.

### **Second Trial Period**

Once your trial period is over and you make a new planning application for permanent permission you may find that the LA want to impose a second trial period. This is against clear government guidance and if a second trial period is the decision of the planning committee then you have good grounds for appeal.

### **Certificates of Lawful Use or Lawfulness (CLU)**

As indicated earlier, if you have been using your flying site for more than 10 years then you are eligible for a CLU. There are 5 other reasons for eligibility but they will not apply to you as model flyers.

If you can show use over the 10 year period then your application cannot be refused. However the LA is not obliged to grant a CLU for more than the least amount of use you can show for the 10 year period.

Your club does not have to have flown the site for the whole 10 year period so long as somebody has. The somebody can be more than one person, in fact it is of most use when a large group of individuals has used the flying site.

Documentary evidence is the best indicator of the use, but it is not necessary if you have at least a couple of people who are able to swear affidavits about their knowledge of the use.

Proof of the availability of the land for use at all times is the thing to aim for. The proof does not have to be *beyond all reasonable doubt* as applies in a court of law. *Proof on the balance of probability* is good enough to allow a CLU to be issued.

Planning Authorities do not like CLUs as they have little control over the applications so long as the site can be shown to be used for model flying. Objections from neighbours count for nothing as long as the 10 year minimum use can be shown.

We said earlier that the applications cannot be refused but we have seen more than one CLU refusal. In these cases a new, fee free, application is made and usually a Certificate is the result. Our theory is that refusals are made in the hope that the applicant will give up.

Applications for CLUs have to be determined in the same 8 week time scale that applies to planning applications. However they rarely are. The record from application to issue of the CLU to date is over 2 years!

Do not apply for a CLU on your own. That is not to say that you couldn't obtain one on your own provided the LA was co-operative. However they rarely are. We have sufficient experience with these applications to know how they are to be approached and we are not easily put off.

The most important thing to remember with CLU applications IS TO KEEP FLYING while the application is determined.

### **Conditions for Planning Permissions**

You may find that the conditions imposed for your trial period are so stringent as to make a fair assessment of model flying on the site impossible. In this case you have little option but to appeal.

### **PLANNING APPEALS**

If your planning application is refused you have the right to appeal to the Planning Inspectorate provided you do within 6 months of the date of refusal. However before you take on the time

consuming work of preparing an Appeal you should consider whether or not to make a second planning application.

### **Second Planning Applications**

You can if you wish make a second *fee free* planning application within 12 months of the date of your planning refusal. It will be cheaper to do this than to prepare an Appeal and it will be determined more quickly than an Appeal. However it is no good just sending in the application forms again UNLESS you take note of the reasons for your refusal and address them.

If your second application is refused you could then either make a third planning application and pay the application fee OR you could go to Appeal. The reasons for the second refusal will dictate which route you take.

### **Appealing to the Planning Inspectorate**

There are three methods of Appeal. They are, in order of cost, the Written Method, the Hearing and the Public Inquiry.

#### **The Written Method**

As its name suggests this form of Appeal is conducted by written submissions to the Planning Inspectorate and there is no face to face confrontation. This is the quickest and cheapest route to take. You and the LA will make written submissions to the Planning Inspectorate. Your neighbours will also be notified and will have the chance to make their own submissions. The Inspector will make a site visit and representatives from the club and the LA will be able to attend this to answer questions only. The Inspector will not hear further submissions during the site visit.

#### **The Hearing**

This is more expensive for both sides. There will be a one or more day hearing at a local venue. Both sides will make written submissions as before. The Planning Inspector will conduct the proceedings and the Appellant, the LA and objectors are all able to state their cases and be questioned by the Inspector.

It is possible for the Appellant and/or the LA to be represented by solicitors or even a barrister. If at all possible this is to be avoided on grounds of cost and time.

A Hearing is usually more like a fireside chat than an adversarial process. The Inspector will have read the submissions made by each side and will concentrate on the areas he needs to be clarified. The proceedings are not at all like the cases you see on television.

It is quite likely that the Inspector will make his site visit on the day of the Hearing. He will be accompanied by one representative from each side who are there for the sole purpose of answering the Inspector's questions.

Costs can be awarded but this is unusual.

#### **The Public Inquiry**

This is a much grander affair and is usually only used for really large projects such as new roads and bypasses. We don't advise a model flying club to take any part in this process.

### **Tight Time Scales**

The Planning Inspectorate now sets tight time scales which have to be adhered to. Note these and ensure that you notify anyone who you want to make a submission in support of your appeal of the final date for submissions.

### **INVOLVING THE LOCAL PRESS**

DON'T EVEN THINK ABOUT IT!!! You can't win however good you think your case is. The Press has its own agenda and that is to sell newspapers. Even if you give them a prepared statement or write an article for publication the sub-editor will present the story in the most lurid way possible. If a story does

appear in the local paper about your club do NOT reply to it or the story will run and run. If you do not reply the story will die from lack of interest. You just can't win.

### **BUYING YOUR FLYING SITE – FINANCING IT**

Let us look at the scenario where you have found a piece of land, the owner wants to sell it to you, you want to buy it and you have obtained planning permission. How are you to pay for it? Possible options are:

- 1a **PAY CASH.** Many clubs have been saving over a number of years to be able to buy a flying site, and some might have enough to pay for a site outright.
- 1b Members might agree to **A LEVY** to finance the purchase. This sounds expensive, but if you have 50 members a £10 levy raises £500, and a £100 levy raises £5,000. If you bought a 5 acre field (quite large enough as you ought to be able to overfly neighbouring land) you would be looking at a purchase price of between £10,000 and £20,000. Between 50 members a levy of between £200 and £400 would enable a purchase to be made. The sums quoted above ARE within the reach of the average club member who would happily pay £400 or more for a model kit, engine and finishing materials.
- 2 Obtain a **MORTGAGE.** For larger land areas and larger amounts of money a mortgage is the appropriate vehicle. HSBC, has helped at least one club that we know of. The club obtained a mortgage for £22,500 over 15 years provided they raised a £7,500 deposit. Sixty members pledged this amount at an EGM and the club now own their flying site. Implicit with the pledging of the deposit was the agreement of the members that annual subscriptions had to be high enough to pay off the mortgage. A LIMITED COMPANY should be formed to buy the flying site and to oversee its operations. You will need advice from a solicitor on how to proceed.

### **RISK ASSESSMENTS AND FLYING SAFETY**

Clubs who fly on sites owned by local authorities may find that they are asked to provide Risk Assessments (RA), especially if the general public have access to the flying site. We provide RA forms which you can use as they are (or use them as a basis for your own forms). These contain guidance on how to proceed. If you find the process difficult and the LA is pressing you we could possibly carry out a RA on your behalf.

Safe flying on a club site means being aware of the dangers that are inherent in our sport. It is incumbent on a club committee to ensure that the dangers and risks are controlled. It would be good practice to carry out your own RA. Guidance on good practice is contained in the BMFA Member's Handbook. As a minimum you should provide a No Fly Zone (NFZ) inside which no flying is allowed at any height. Your pits and car park and a pathway between the two should be included in the NFZ

## **ENDPOINT**

The acquisition of a flying site requires dedication and hard work from the club committee in particular and club members as well. Co-operation in obtaining a flying field is a uniting experience for any club.

The hard work aspect cannot be overemphasised. If you don't have people ready to put in the necessary work and pay the required sums of money then you should forget about buying your own flying site.

Finally, remember that the BMFA is ready and able to help you with your planning problems. It costs you nothing. Allow us to assist you.

April 2007

Roger Bellingham

BMFA Flying Site Adviser

Amended April 2012

Andy Symons

BMFA Club Support Officer