

AAM4Gov – January 2024 – Output one

Unvalidated by steering group

Local government statutory duties which can be supported by drone operations or which AAM industry stakeholders will need to take into account when launching AAM operations in local authority jurisdictions

The following two tables outline the local government statutory duties which can be supported by drone operations or which AAM industry stakeholders will need to take into account when launching AAM operations in local authority jurisdictions.

Drone operators can support councils meet their mandatory obligations in several ways – reducing costs, lowering environmental footprints and, in first responder operations, saving lives. Table one outlines of these activities - including bridge inspections, air quality assessments and wildlife habitat protection. Table two outlines local authority statutory duties which advanced air mobility companies will need to be aware of when planning the launch of operations, including requirements for integrated transport planning.

The tables give reference to the responsible government department and appropriate legislation for each of these activities.

Source <https://www.data.gov.uk/dataset/01171494-e40b-463f-9967-56d158412321/statutory-duties-placed-on-local-government>

Table one: Local government statutory duties which can be supported by drone operations

Department	Unique ref Number	Theme	Legislation	Year	Title of duty	Statutory guidance and/or non statutory guidance for this duty?	Associated regulations (eg secondary legislation) for this duty	Function - What is it intended to achieved?
Department for Communities and Local Government	DCLG_043	Housing	Housing Act 2004 Section 3	2004	Keep the housing conditions in their area under review with a view to identifying any action that may need to be taken under various specified pieces of legislation.	None	No	Requires the Local authority to know about the condition of all housing stock in its area
Department for Communities and Local Government	DCLG_144	Local Planning Authorities (LPAs)	Planning (Listed Buildings and Conservation Areas) Act 1990 Section 69	1990	Determine from time to time, which parts of its area should be conservation areas.	Planning Policy Statement 5 Planning for the Historic Environment; PPS Practice Guide (English Heritage)	No	To identify those areas of historical and architectural interest that should benefit from the protections in the 1990 Act
Department for Communities and Local Government	DCLG_196	Fire and Rescue Authorities	Fire and Rescue Services (Emergencies) (England) Order 2007 (SI 2007/735), made under S9 FRSA 2004.	2004	Make provision for chemical, biological, radiological or nuclear emergency and urban search and rescue.	FRS Circular 13/2007, available at http://www.communities.gov.uk/publications/fire/frscircularfire	As stated under "legislation" column. Also relevant is The Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005	The aim of the Emergencies Order is to improve national resilience to disruptive incidents such as terrorist attacks and serious accidents by giving Fire and Rescue Authorities in England mandatory functions in connection with CBRN and USAR emergencies. This underpins the New Dimension programme.

Department for Transport	Roads	DFT_137	Road Traffic Reduction Act 1997 Section 2	1997	To prepare, when directed by the Secretary of State, a report assessing levels of local road traffic and forecasting growth in those levels			
Department for Transport	Bridges	DFT_015	Transport Act 1968 Section 118	1968	To maintain bridges over railways and inland waterways in a safe condition	Ensures highways bridges over other transport modes are maintained.		
Department for Environment, Food and Rural Affairs	Marine	DEFRA_174	Regulations 5 and 6 of the Offshore Marine Conservation (Natural Habitats &c) Regulations 2007 and Regulations 7 and 9 of the Conservation of Habitats and Species Regulations 2010	2007	General duty to carry out functions in the inshore and offshore marine area relevant to marine conservation.	Duty on competent authorities to secure compliance with the requirements of the Habitats and Wild Birds Directives i.e. Protection of European Marine Sites from deterioration.		

Department for Environment, Food and Rural Affairs	Planning	DEFRA_121	Planning Policy Statement 9	2005	LA's have planning control duties set out in Planning Policy Statement 9 (PPS9) where they should adhere to key principles to ensure that the potential impacts of planning decisions on biodiversity, geological conservation and protected habitats and species are fully considered.	Protection of the wildlife and countryside of the United Kingdom.		
Department for Environment, Food and Rural Affairs	Environmental Protection	DEFRA_102	Environmental Protection Act 1990, Section 78,	1990	To undertake inspections for the purposes of identifying contaminated land and for determining what should be designated as a special site	To prevent the pollution from emissions to air, land or water.		
Department for Environment, Food and Rural Affairs	Environmental Protection	DEFRA_095	Air Quality Standards Regulations 2010	2010	Prescriptive requirements for the monitoring and reporting of air quality.	Directive 96/62/EC sets a framework for how the UK must monitor and report ambient levels of air pollutants.		

Department for Environment, Food and Rural Affairs	Environmental Protection	DEFRA_096	Air Quality (England) Regulations 2000	2000	Part of implementation of air quality assessment – monitoring, emissions modelling and action planning (Air Quality grant awards to support).	Sets out air quality objectives with substances listed in a table.		
Department for Environment, Food and Rural Affairs	Environmental Protection	DEFRA_097	Air Quality Standards Regulations 2010	2010	Part of implementation of air quality assessment – monitoring, emissions modelling and action planning (Air Quality grant awards to support).	This establishes the UK's average exposure indicator and national exposure reduction target for PM2.5, those relating to UK-wide measures to attain the national exposure reduction target and ensure that the average exposure indicator for 2015 does not exceed 20 µ/m3, and those relating to transboundary air pollution.		

<p>Department for Environment, Food and Rural Affairs</p>	<p>Environmental Protection</p>	<p>DEFRA_093</p>	<p>Environment Act 1995, Part 4,</p>	<p>1995</p>	<p>Carry out regular reviews and assessments of air quality in their area against the objectives in the Air Quality Regulations 2000. Where a Local Authority considers that one or more of the air quality objectives is not likely to be met by the relevant deadline, it must declare an Air Quality Management Area covering the area where the problem is expected. The Local Authority must then take action by implementing measures in working towards achieving the air quality objectives.</p>	<p>To prevent the pollution from emissions to air, land or water.</p>		
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<p>Department for Environment, Food and Rural Affairs</p>	<p>Waste</p>	<p>DEFRA_080</p>	<p>Clean Neighbourhoods and Enforcement Act 2005, section 47 Local Authority Waste Collection Disposal</p>	<p>2005</p>	<p>Obligated to enforce against the unauthorised transport or deposit of waste and clear illegally deposited waste from public land.</p>	<p>The Act provides local authorities, parish and community councils and the Environment Agency with more effective powers and tools to tackle poor environmental quality and anti-social behaviour. In particular the Act includes sections on nuisance and abandoned vehicles, litter, graffiti, waste, noise and dogs.</p>		
<p>Department for Environment, Food and Rural Affairs</p>	<p>Biodiversity</p>	<p>DEFRA_009</p>	<p>Conservation of Habitats and Species Regulations 2010, Regulation 61 - 62</p>	<p>2010</p>	<p>Natura 2000 sites – statutory duty to assess fully the implications of development proposals for protected sites. Sites of Special Scientific Interest (SSSIs) – LAs required to “take reasonable steps” to further the conservation and enhancement of special features. Through ownership, most LAs are also directly responsible for the management of a number of SSSIs.</p>	<p>A broad duty that embraces a number of ways in which the directive might be relevant to the functions of local authorities and in relation to the requirements to protect certain species, the nature of this duty has been explored and clarified under Judicial Review proceedings. (It aims to protect some 220 habitats and approximately 1000 species listed in the Habitat Directive's Annexes).</p>		

Local government statutory duties which AAM industry stakeholders will need to take into account when launching AAM operations in local authority jurisdictions

Department	Unique ref Number	Theme	Legislation	Year	Title of duty	Statutory guidance and/or non statutory guidance for this duty?	Associated regulations (eg secondary legislation) for this duty	Function - What is it intended to achieved?
Department for Transport	Integrated Transport Authority	DFT_221	Local Transport Act 2008 Section 82	2008	To prepare and publish a scheme relating to the power to make an order to improve the exercise of statutory functions or the effectiveness and efficiency of transport in the area	If an existing or prospective Integrated Transport Authority wants to amend or set up new arrangements (governance, functions, etc.) it must set out it's plans in a formal "scheme".		

Department for Transport	Integrated Transport Authority	DFT_222	Local Transport Act 2008 Section 83	2008	To review integrated transport arrangements where so directed by the Secretary of State	To improve integrated transport arrangements within an area, specifically where the Secretary of State believes a relevant Local Authority or Authorities are failing to do so in the first instance.		
Department for Transport	Integrated Transport Authority	DFT_223	Local Transport Act 2008 Section 96	2008	To have regard to any guidance issued by the Secretary of State relating to integrated transport functions	To have the ability to make guidance (on the relevant sections) and for it to be observed by Local Authorities.		
Department for Transport	Environmental	DFT_185	Transport Act 2000 Section 108	2000	To prepare a local transport plan (LTP). Duty, in developing a LTP and carrying out functions, to take into account Government policies and have regard to any guidance issued by the Secretary of State relating to climate change and the protection or improvement of the environment	Ensures Local Authorities have regard to national policies and any guidance issued by the Secretary of State.		

Department for Transport	Environmental	DFT_186	Transport Act 2000 Section 109	2000	To consult when preparing local transport plan (LTP) and to keep it under review	Gives community buy in to local transport plans and helps transparency.		
Department for Transport	Aviation	DFT_124	Airports Act 1986 Section 17	1986	To exercise control over the constitution and activities of public airport companies	Requires that there is appropriate commercial experience amongst the Directors of the Public Airport Company; constrains activities of the Public Airport Company to those the Council has powers to engage in; provides for Public Airport Companies to be managed by private sector companies.		
Department for Transport	Public Transport	DFT_115	Transport Act 1985 Section 63(7)	1985	In exercising their power to promote availability of public passenger transport services to have regard to a combination of economy, efficiency and effectiveness	LA's must take economy, efficiency and effectiveness into account when promoting public passenger transport services		

Department for Transport	Integrated Transport Authority	DFT_011	Transport Act 1968 Section 9A(3A)	1968	Integrated Transport Authority To seek and have regard to the advice of the Passenger Transport Executive in determining which services it would be appropriate for the Executive to secure	For the Integrated Transport Authority to have regard to the Passenger Transport Executive's advice.		
Department for Transport	Disabled Passengers	DFT_013	Transport Act 1968 Section 9A(7)	1968	Integrated Transport Authority duty, in performing its functions, to have regard to the needs of elderly or disabled persons	To ensure that public transport provision in Integrated Transport Authority areas recognises the needs of elderly and disabled people.		