

	Executive 29th November 2017	Agenda Item No. 7
Title	Hours of Flying for Model Planes on St Mary's Lands, Warwick	
For further information about this report please contact	Chris Elliott Chris.elliott@warwickdc.gov.uk 01926 456003	
Wards of the District directly affected	Saltisford, Warwick	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Report to the Executive in 2003 and in 2005.	
Background Papers	Presentation to St Mary's Lands Working Party 25 th October 2017 Masterplan – August 2017	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	No (If No state why below)
It does not relate to one of the protected characteristics under the Equalities Act	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	07.11.17	Chris Elliott
Head of Service	07.11.17	Robert Hoof, Marianne Rolfe
CMT	07.11.17	Chris Elliott, Bill Hunt, Andrew Jones
Section 151 Officer	07.11.17	Mike Snow
Monitoring Officer	07.11.17	Andrew Jones
Finance	07.11.17	Mike Snow
Portfolio Holder(s)	13.11.17	Cllr Noel Butler
Consultation & Community Engagement		
<p>The issue of the extent of flying hours allowed was raised and discussed at the most recent meeting of the St Mary's Lands Working Party. Working Party members were asked to forward any comments to assist with the preparation of this report and it has extended to include some residents of the recently revived LADRA – a residents group.</p>		
Final Decision?	No	
Suggested next steps (if not final decision please set out below)		
<p>A further report is brought back following the completion of the assessment work and the public consultation.</p>		

1. Summary

- 1.1 This report seeks to consider a request for changes to the present restrictions on the hours of operating model flying craft on St Mary's Lands, Warwick back to the hours of operation previously allowed which would allow more flying time, these being to allow flying from 10 am to 9pm/Dusk (whichever is sooner) on Monday to Fridays and from 11am to 9pm/Dusk (which is the sooner) on Weekends and Bank Holidays, for silent planes only. Currently the operating hours are on Monday to Friday from 10am to 7pm and on Weekends and Bank Holidays from 11am to 4pm.
- 1.2 It is proposed that an assessment of potential ecological, noise and health and safety impacts be undertaken and if that assessment shows no significant issues then a formal public consultation would also be undertaken. The results of that work to be brought back in a report to the Executive for a final decision.

2. Recommendation

- 2.1 That the Executive agrees to ecological, noise, and health and safety impact assessments be undertaken on the proposal to restore the operating hours of the model aircraft as set out in recommendation 2.2 of this report.
- 2.2 That once the information derived from recommendation 2.1 is received and provided it generates no significant issues then a public consultation be undertaken on the request to restore the hours of operation for silent flying model aircraft as follows: 10 am to 9pm/Dusk (whichever is sooner) on Monday to Fridays and from 11am to 9pm/Dusk (whichever is sooner) on Weekends and Bank Holidays.
- 2.3 That the results of the public consultation and the assessments referred to in the recommendations 2.1 and 2.2 be reported back to the Executive for a final decision.

3. Reasons for the Recommendation

- 3.1 St Mary's Lands is a large public open space on the western side of Warwick lying between the edge of town and the country side leading to the A46. It is an area that falls wholly within the town's Conservation Area; houses a Grade II Listed Building with also the listed Hill Close Gardens immediately adjoining; and, is partly a Local Nature Reserve (see Plan 1 and 2).
- 3.2 St Mary's Lands is also home to a variety of uses and activities many of which are historic in nature; e.g. racecourse; golf course; football; local community use (Corps of Drums); walking, running, dog walking, etc. In addition, the area has for 90 years been used as an area in which people can use to fly model aircraft. This makes it one of the oldest venues, if not the oldest, in the country for flying of model aircraft.
- 3.3 The improvement of St Mary's Lands area is one of the Council's key projects, the Council having agreed in August 2017 to a Master Plan for the area as well as a delivery plan which is now being implemented. The Working Party that brings together the organisations involved with the area is now focusing on the implementation of the Master Plan and has extended its membership to a few other groups including the local association of model aircraft flyers. At its most recent meeting that group made a presentation and sought support for a re-

introduction of the more extensive hours of operation that used to operate prior to the last consideration of this issue by the Council in 2004.

- 3.4 The main issue previously was the impact of noise on nearby residents and trying to manage the risk of aircraft falling and hitting people or property. The local group outlined that 99.9% of model aircraft now flown are battery driven rather than petrol as was previously the case and therefore are very quiet so that noise nuisance is no longer an issue. The Councils' records bear this out – there have been no noise nuisance complaints registered for at least 4 years. Similarly, there have been no recorded incidents of any crashes affecting people or property in recent times.
- 3.5 Appendix 1 illustrates slides that set out the request from the group to restore the hours for silent model aircraft to 10am to 9pm/Dusk (whichever is sooner) on Monday to Fridays and from 11am to 9pm/Dusk (whichever is sooner) on Weekends and Bank Holidays. Currently the operating hours are on Monday to Friday from 10am to 7pm and on Weekends and Bank Holidays from 11am to 4pm. The Working Party was generally supportive of the request, but further comments were sought from the members and contacts of the Working Party. Contact was made with the recently revived LADRA. Many comments from residents and responses to them from the model flyers were received to aid the preparation of this report and these are set out at Appendix 2.
- 3.6 In summary the issues raised so far have been:
1. Potential of noise nuisance to nearby residents
 2. Potential of health and safety issues for other users of the area
 3. Clarification of the location of the landing strip and flying area allowed
 4. Impact on the local ecology bearing in mind the flying area overlaps a Local Nature Reserve
 5. Policing of any restrictions
- 3.7 There is little recorded evidence of the first two issues now being problems. However, prohibiting petrol driven aircraft completely and preventing drones being used would further mitigate these issues. Nonetheless it would be prudent to have a formal assessment undertaken.
- 3.8 Point 3 above can be assisted by the works proposed as part of the delivery of the Master Plan – see Appendix 3.
- 3.9 In respect of point 4 it is proposed that an ecological impact assessment be undertaken.
- 3.10 Regarding point 5, policing of the existing restrictions relies on the model plane flyers themselves and others in the area being aware of any breaches. The same situation would apply in any revised scenario.
- 3.11 It is suggested that an assessment of the potential noise, health and safety and ecological impacts be undertaken. Once that information has been collected and it demonstrates no significant issues then a formal public consultation be carried out, the results of which would then be reported back to the Executive via the Working Party for a decision on whether to proceed. This will take a few months to complete.
- 3.12 This approach would allow all the issues to be properly examined and considered and this is important given the potential risks that may arise.

4. Policy Framework

4.1 Fit for the Future (FFF)

4.1.1 The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things it contains several Key projects of which St Mary's Land is one.

4.1.2 The FFF Strategy now has 3 pillars – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of the proposal in this report.

People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
Intended outcomes: Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	Intended outcomes: Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	Intended outcomes: Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels
Impacts of Proposal		
<i>None</i>	<i>The proposal may have an impact on the ecology of the area, but this will be assessed. Equally it could contribute toward improving accessibility to people whose hobby is flying model aircraft.</i>	<i>None</i>
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
<i>None</i>	<i>It may help extend an amenity to local people.</i>	<i>None.</i>

4.2 Supporting Strategies

The recently adopted St Mary's Lands Master Plan is relevant to this issue. Provision is made for the activity within the masterplan; the issue here is the hours of operation. The Master Plan makes no comment either way but does seek to keep the area "green" and to protect its natural habitats.

4.3 **Impact Assessments** – Not relevant.

5. Budgetary Framework

5.1 The model flying activity does not directly generate any revenue for the Council and the cost of mowing the landing strip is contained within the budget provision for grounds maintenance. The additional demarcation and information boards form part of the works funded to help improve St Mary's Lands.

5.2 The health and safety assessment proposed can be undertaken internally, and in the case of the noise and the ecological survey, the work will be funded by the St Mary's Lands budget. Otherwise there is no budgetary implication of this proposal.

6. Risks

6.1 The assessments proposed would help evaluate the level of risk to other users of the area and from that to the Council if it was held liable for not having effectively managed that risk, in the event an incident occurred.

7. Alternative Option(s) considered

7.1 The Council could decide not to agree to any change but there does now appear to be some evidence that a change in technology could mean that longer hours may be acceptable. However, that will not be known for certain until all the assessments are undertaken, and the public consultation results known.