

**2019 No. 1320**

**CIVIL AVIATION**

**The Air Navigation (Restriction of Flying) (Birkhall) (Restricted Zone EG R705) Regulations 2019**

*Made* - - - - *7th October 2019*

*Coming into force* - - *1st December 2019*

The Secretary of State has decided that it is necessary in the public interest to restrict flying in the vicinity of Birkhall, Royal Deeside, Aberdeenshire, having regard to the security considerations associated with this location by reason of it being the residence of members of the Royal Family.

The Secretary of State makes the following Regulations in exercise of the powers conferred by article 239 of the Air Navigation Order 2016(a).

**Citation and commencement**

1. These Regulations may be cited as the Air Navigation (Restriction of Flying) (Birkhall) (Restricted Zone EG R705) Regulations 2019 and come into force on 1st December 2019.

**Restricted airspace**

2.—(1) Subject to paragraph (2), no aircraft is to fly below 3,500 feet above mean sea level within the area bounded by a circle having a radius of 1 nautical mile whose centre is at 570144N 0030427W.

(2) Regulation 2(1) does not apply to any aircraft—

- (a) operated by or on behalf of—
  - (i) Police Scotland,
  - (ii) the Scottish Ambulance Service,
  - (iii) the Maritime and Coastguard Agency for the purposes of a Search and Rescue operation, or
  - (iv) The Queen’s Helicopter Flight,
- (b) flying with the permission of the Police Scotland Royalty and VIP Planning North Unit or the Metropolitan Police, Royalty and Specialist Protection, or
- (c) either—
  - (i) operated by a member of the Royal Family, or
  - (ii) landing in the grounds of Birkhall at the invitation of the person in charge of the household there, provided that the Police Scotland Royalty and VIP Planning North

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(a) S.I. 2016/765 to which there are amendments not relevant to these Regulations.

Unit or the Metropolitan Police, Royalty and Specialist Protection has been informed in advance of such intended flight or landing.

Signed by authority of the Secretary of State for Transport

*David J Best*  
Grade 7

7th October 2019

Department for Transport

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations impose restrictions on flying in the vicinity of Birkhall, Royal Deeside, Aberdeenshire, in view of the need for security for the members of the Royal Family staying at, or visiting, Birkhall and at the request of the security services, the Secretary of State considers that it is in the public interest to restrict flying in the vicinity of that location.

In relation to regulation 2, the term ‘aircraft’ includes aircraft as classified by Part 1 of Schedule 4 to the Air Navigation Order 2016. It also includes, by virtue of article 23 of that Order, any small balloon, any kite weighing not more than two kilograms, any small unmanned aircraft and any parachute including a parascending parachute.

In relation to the permissions mentioned in regulations 2(2)(b) and 2(2)(c)(ii), the Police Scotland Royalty and VIP Planning North Unit may be contacted on telephone number 01224 305686 and at [OSDRoyaltyVIPPlanNorth@scotland.pnn.police.uk](mailto:OSDRoyaltyVIPPlanNorth@scotland.pnn.police.uk) and the Metropolitan Police, Royalty and Specialist Protection may be contacted on telephone number 01953 425699.

Full details of the Statutory Instrument will be included in the United Kingdom Aeronautical Information Publication. The restricted zone has been designated as EG R705 for the purpose of inclusion in that publication and in related charts and documents.

The point of contact in the Civil Aviation Authority is Mr R E J Gratton, Safety and Airspace Regulation Group, on telephone number 07917 614249.