

**MINUTES OF CLASH GOUR WIND FARM ACP ASSESSMENT MEETING HELD ON MS TEAMS ON  
28 SEPTEMBER 2021**

28 September 2021

Distribution list as below:

<b>Present</b>	<b>Appointment</b>	<b>Representing</b>
██████████	Account Manager/ Airspace Regulator (Technical)	CAA
██████████	Airspace Regulator (Technical)	CAA
██████████	Airspace Regulator (Environment)	CAA
██████████	Airspace Regulator (Engagement & Consultation)	CAA
██████████	Airspace Regulator (Economist)	CAA
██████████	Principal Inspector ATM	CAA
██████████	Principal Airspace Regulator	CAA
██████████	Force 9 Managing Director	Force 9 Energy
██████████	Force 9 Head of Planning and Development	Force 9 Energy
██████████	Consultant – EDF Renewables	EDFR
██████████	Senior Consultant	Osprey CSL
██████████	Principal Consultant	Osprey CSL
██████████	Airports & Airspace Team Leader	Osprey CSL

**CAA Assessment Meeting Opening Statement**

CAA noted that the Statement of Need, Agenda and Assessment Meeting Presentation were received in advance of the Assessment Meeting and confirmed that the documents must be published by the sponsor, together with minutes of the meeting, on the Airspace Change portal page. CAA explained the purpose of the meeting and confirmed that the meeting was an Assessment Meeting and not a Gateway. The CAA reinforced that the sponsor was required to provide a broad description of their proposed approach to meeting the CAA’s CAP 1616 requirements, but the CAA was not deciding whether the proposed approach met the detailed requirements of the CAA’s process at this stage. The purpose of the Assessment Meeting (set out in detail in CAP 1616) was broadly:

- for the Sponsor to present and discuss their Statement of Need,
- to enable the CAA to consider whether the proposal concerned falls within the scope of the formal airspace change process,
- to enable the CAA to consider the appropriate provisional Level to assign to the change proposal.

Additionally, the sponsor was required to provide information on how it intended to proceed to fulfil the requirements of the airspace change process and to provide information on timescales. Lastly, the sponsor was required to provide information on how it intended to meet the engagement requirements of the various stages of the airspace change process.

	<b>ACTION</b>
<p><b>Item 1 – Introduction</b></p> <p>████ welcomed all attendees and read the CAA introductory statement above. Following individual introductions, █████ invited Osprey and Force 9 Energy to present the background slide pack. █████ explained Force 9 Energy’s intent to conduct an airspace change proposal in relation to the development of the Clash Gour windfarm.</p>	
<p><b>Item 2 – Statement of Need (discussion and review)</b></p> <p>████ presented the Statement of Need (slide 4 of the presentation) that had been submitted to the CAA prior to the Stage 1A Assessment Meeting by Coleman Aviation Ltd on behalf of Clash Gour Holdings Ltd. The Statement of Need explains the current situation, the issue and potential action. The strategic importance of this onshore wind farm development and the associated economic and environmental benefits of this windfarm to Scotland were explained along with the impact on aviation stakeholders along with</p>	

<p>potential mitigations. ■ requested clarification that whilst Coleman Aviation would continue to provide services to Force 9 Energy would Osprey be the point of contact for all ACP related work. Osprey confirmed that this was the case. ■ also confirmed that due to a change to the Financial Investment Decision (FID) date in the SoN, the sponsor should present an updated version of the Statement of Need to reflect changes since it's submission.</p> <p>■ presented contextual background (see slides) for Force 9 Energy and EDF Renewables on behalf of the Clash Gour wind farm development. ■ provided information on:</p> <p><b>Project Overview</b> which included, as an example, the number of houses (193,000) that could be powered by the expected energy produced by the windfarm.</p> <p><b>Regional Context</b> including the geography of the proposed windfarm and the surrounding operational, consented and proposed windfarms.</p> <p><b>Environmental Benefits</b> which described the state of the land and the benefits brought about to improve it plus the carbon displacement and likely payback period which will see the windfarm in carbon 'credit' for over 27 years.</p> <p><b>Economic Benefits</b> which explained the financial and employment advantages to the Scottish economy and detailed the Community Shared Ownership opportunity.</p> <p><b>Aviation Work to Date</b> including the MoD's initial objection to the windfarm owing to the likely impact the development's wind turbine generators (WTGs) would have upon the RAF Lossiemouth Primary Surveillance Radar (PSR). That objection had been withdrawn on the evidence of a technical solution being available to mitigate the impact of the wind farm on the radar, subject to an agreed planning condition which will control how that solution is specified, secured, tested and operated. The investment decision point for the windfarm is predicated on reaching a satisfactory solution for the radar impact. ■ explained (slide 9) which of the WTGs can be seen by which Air Traffic Services (ATS) radar (Inverness Airport or RAF Lossiemouth).</p> <p>■ left the meeting at this point.</p> <p>■ asked about the technical solution for the radar. ■ explained that a Phase 1 study will take place for the MoD which shall establish the preferred enduring radar solution which the Sponsor will be committed to providing and the MoD will adopt and operate. ■ and ■ discussed the implications on finding a technical solution to allow funding to be granted for the project. This was a two-stage process, having a "temporary" solution to mitigate the problem in the short term, and to allow construction and testing of the windfarm to find a long-term solution. ■ and ■ proposed that a TMZ may be, albeit not limited to, a possible temporary solution.</p> <p>■ asked if the airspace solution (such as a TMZ which was suggested by ■ earlier in the mtg) would cover solely Clash Gour or would it cover other windfarms? ■ answered that there could also be a regional solution (which could involve other windfarms) but that will depend on the engagement and consultation process. There is a likely to be a regional solution for the enduring radar mitigation solution. ■ followed on by asking how long any airspace solution would endure? ■ answered that the airspace solution would be required to allow the identified and preferred enduring solution to be tested, verified and adopted by the MoD, or until another solution is available and accepted by the MoD.</p>	<p><b>Sponsor</b></p>
<p><b>Item 3 – Issues or opportunities arising from proposed change</b></p> <p>■ explained slide 10 to the meeting. He stated that, as one of the methods of mitigation, the airspace shall be required in lieu of a permanent technical radar solution. He explained that there would be no affect upon airspace users below 7000ft and that as there were no published routes in the vicinity of the proposed windfarm and likely airspace</p>	

<p>solution, none would be adversely affected. ■■■ and ■■■ countered that they felt that the consultation should define whether, or not, aircraft will be affected.</p> <p>■■■ explained how access to the airspace is envisaged and who might become the controlling authority.</p> <p>■■■ raised the aspiration for this ACP to conduct targeted engagement with identified NATMAC and local aviation stakeholders. ■■■ suggested that, given the sponsor planned to ascertain through stakeholder engagement whether a regional solution can be established and in the event this ACP was considered as a Level 1 ACP (see item 5 for further clarification), the Sponsor should consider engaging with non-aviation stakeholders at a representative level (Para 121 of CAP 1616). ■■■ asked for clarification, to which ■■■ replied that engagement need not take place at individual level (which is expected at later stages of the process) but should take place at organisational level.</p>	
<p><b>Item 4 – Options to exploit opportunities or address issues identified</b></p> <p>■■■ provided the sponsor with an explanation of the Options Appraisal aspects of the CAP 1616 process. She emphasized that the Comprehensive List of options needs to address the Statement of Need and the Design Principles (DPs). She pointed out that Table E2 in CAP 1616 should be followed.</p> <p>■■■ gave guidance on engagement and consultation requirements of CAP 1616. She explained what should be conducted at Stages 1 and 2 in terms of stakeholder engagement and further explained the need for local community representatives to be involved in a Level 1 ACP. She pointed out that Appendix D sets out more detail and guidance for Design Principles development and engagement and lists the expected outputs. ■■■ advised that following development of the DPs, the purpose of engagement at Stage 2 is to ensure that stakeholders are satisfied that the options align with the DPs. ■■■ advised that it is during Stage 3 Consult, the sponsor broadens their audience. She added that extent of sponsor’s consultation and supporting materials/activities will depend greatly on the scale and impacts of this ACP. Should the sponsor believe that a fair, transparent and effective consultation can be achieved within a period of time that is less than the recognised 12-week standard and wish to conduct a shorter consultation, they must present their rationale in the Consultation Strategy for the CAA’s assessment at the Consult Gateway. ■■■ advised that Appendix C provides further information on consultation principles and expectations.</p> <p>■■■ stated that he will need to look at the proposed location on an airspace map to see how it might affect other airspace users.</p> <p>■■■ stated that when considering the potential environmental effects of the proposal, the Sponsor should refer to the environmental assessment requirements listed in CAP 1616 Appendix B, CAP 1616a and CAP 2091. It was noted that the Sponsor should refer to Para B26 of CAP1616 should they feel it disproportionate to conduct a particular environmental assessment. In addition, if the Sponsor concludes there to be no impact for any environmental assessment, the rationale explaining this should be fully described within the submissions.</p> <p>■■■ asked about the building schedule for the windfarm. ■■■ provided the current build and operational dates and explained how they would enable power to be provided to the Scottish grid by October 2025 (although commissioning of turbines might start from April 2025).</p> <p>■■■ offered the sponsor advice when determining which solutions to consider. He stated that they should not constrain themselves to a TMZ solution, especially when developing the DPs, and that they should consider other airspace solutions too.</p> <p>■■■ sought clarification over the Level (see Item 5, below), ■■■ explained alternative solutions such as controlled airspace or RMZ could be used over a TMZ and that due to</p>	

<p>other solutions being viable at this stage that it would be appropriate to scale this ACP as a Level 1, until it was confirmed at Stage 2 (see item 5 for further clarification).</p>	
<p><b>Item 5 – Provisional indication of the scale level and process requirements</b></p> <p>█ confirmed that the proposed airspace change fell within the requirements of CAP 1616 and at this stage was provisionally considered to be a CAP 1616 Level 1 ACP due to the potential for the airspace solution to alter traffic patterns below 7000ft over an inhabited area. He explained that the CAA felt that it would be wiser to consider Level 1 rather than Level 2 as this would then avoid having to re-do any aspects of the process should the Level need to be raised as a result of the findings as the proposal progresses through the process.</p> <p>He confirmed that given suitable evidence against the criteria in CAP 1616 the proposal could be considered Level 2 and that the category would be confirmed at the end of Stage 2b, following the Develop and Assess Gateway.</p>	
<p><b>Item 6 – Provisional process timescales</b></p> <p>█ provided the provisional timescales that reflect the sponsor’s ambition for the process, are aligned to the guidance provided in CAP 1616, and reflect the FID of 29 Dec 2022.</p> <p>The indicative dates are as follows:</p> <ul style="list-style-type: none"> <li>• 28 Sep 2021 - Assessment Meeting</li> <li>• 17 Dec 2021 - Define Gateway</li> <li>• 25 Mar 2022 - Develop and Assess Gateway</li> <li>• 27 May 2022 - Consult Gateway</li> <li>• 22 Jul 2022 - ACP Submission</li> <li>• 2 Dec 2022 – Decide Gateway</li> <li>• 17 Apr 2025 - Target AIRAC</li> </ul> <p>The meeting discussed the proposed timescales and debated, in particular, the Consult Gateway date. The sponsor re-iterated the need for a decision by the FID. █ advised the sponsor that a shorter consultation could not be approved until the Consult Gateway and cautioned against assuming approval of a foreshortened timescale. █ helpfully suggested that time could be maximised earlier in the process and that the sponsor could give consideration to combining gateways (although there is risk in doing so). He also stated that there should not be any further reduction to the Decide period (already requested to be reduced from 35 to 17 weeks). █ suggested that, when engaging, a more focussed approach might help with the ambitious timeline.</p> <p>█ agreed to re-visit the provisional timescales and revert to the CAA for a decision prior to publication on the airspace change portal once agreed by the CAA.</p>	<p><b>Sponsor</b> <b>CAA</b></p>
<p><b>Item 7 – Next steps</b></p> <p>█ reiterated that redacted minutes of the Assessment Meeting would need to be published on the airspace change portal within two weeks of the meeting. He requested that the minutes be forwarded to the CAA within one week so that they could be verified prior to returning to the Sponsor for redaction and uploading.</p>	<p><b>Osprey</b></p>
<p><b>Item 8 – Any other business</b></p> <p>█ asked the attendees if there was any other business, which there was not. The meeting ended.</p>	

**ACTIONS ARISING FROM CLASH GOUR ACP ASSESSMENT MEETING**

<b>Subject</b>	<b>Name</b>	<b>Action</b>	<b>Deadline</b>
Minutes	Osprey	Complete minutes, obtain agreement and upload to the airspace change portal.	12 Oct 2021
Statement of Need v2	Osprey	Submit a Statement of Need version 2 with updated consultant details and Financial Investment Decision data.	31 Oct 2021
Timeline	Osprey	Provide the CAA with an updated gateway timeline in light of their decision to provisionally indicate this ACP as Level 1.	31 Oct 2021

  
ACP Sponsor