



# Clash Gour Wind Farm ACP-2021-046

## Consultation Strategy

## Document Details

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# 1 Consultation Strategy Overview

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## 1.1 Introduction

This strategy forms part of the document set required to meet the requirements of the Civil Aviation Authority (CAA) Civil Aviation Publication (CAP) 1616 airspace change process and aims to satisfy the Stage 3 Consult Gateway, Step 3A Consultation Strategy.

The CAA accepted the Change Sponsors' (Clash Gour Holdings Limited (CGH)) submission at the Stage 2 'DEVELOP AND ASSESS' Gateway on 14<sup>th</sup> October 2022 and redacted versions of all submission documentation can be found on the Portal:

[Airspace change proposal public view \(caa.co.uk\)](https://www.caa.co.uk/Airspace-change-proposal-public-view)

The CAA confirmed the level for the airspace change as Level 1.

The aim of this document is to demonstrate to the CAA a comprehensive consultation strategy that satisfies the requirement for detailed consultation as part of Stage 3 of the CAP 1616 airspace change process. This consultation strategy forms part of a wider submission that will be submitted to the CAA in time for the Stage 3 'CONSULT' Gateway that is planned for 24<sup>th</sup> February 2023.

CAP 1616 provides 'best practice consultation principles'<sup>1</sup> a foundation format for this document. It will include the following:

- Summary of engagement activity undertaken to date. This section will summarise all engagement that has been conducted throughout Stage 1 and 2.
- Audience. This will outline the stakeholders already identified based on their impact (either positive or negative) or perceived interest in the proposal.
- Approach. This will detail the methods the Sponsor will use to inform stakeholders and provide a timeline of consultation activities. It will also outline how the Sponsor will contingency plan for unexpected events.
- Materials. This will detail what products will be created to enable stakeholders to provide informed responses. Specifically, it will outline the varied materials that are to be developed to make the information as assessable as possible to a range of audiences.
- Length. This section will propose the start and end of the consultation period.

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<sup>1</sup> CAA CAP 1616 Airspace Change 4<sup>th</sup> Edition March 2021 INTERACTIVE.pdf Page 182

## 1.2 Consultation Strategy Objectives

The objectives of this consultation will be primarily guided by the Gunning Principles<sup>2</sup> and this philosophy will be followed appropriately by the Change Sponsor. The fundamental principles of effective consultation which will underpin the development of this consultation strategy are:

1. Material must be as accessible as possible for all types of stakeholder. This includes several types of material as well as different methods of delivery and dissemination (physical or virtual).
2. Information is presented in a jargon-free way and is accessible to both aviation professionals and the general public alike.
3. Consultation is long enough to ensure that all stakeholders have had a chance to respond. This is particularly pertinent for organisations who may meet irregularly and will not be able to respond quickly.

These principles will ensure that consultation is thorough, reaches the correct audience and employs the correct methods of consultation to generate valuable contributions that will aid in the development of the proposal.

In summary, the consultation strategy objectives are to:

- Prepare consultation document(s), suitable for stakeholders to understand, interpret and comment upon.
- Prepare the consultation questionnaire to encourage stakeholders to provide their opinion.
- Consult with those aviation and non-aviation stakeholders that have been identified and participated in Stage 1 and 2 stakeholder engagement.
- Consult with the harder to reach community, who have not previously been contacted directly. This may include specific contact with Community Councils<sup>3</sup> and other Community Groups, including Trusts and Community and Resident Associations, to help spread awareness of the consultation.
- Accept consultation responses from any individual or organisation.
- Run an 8-week consultation (subject to extensions if appropriate).
- Provide 2 public drop-in sessions, open to anyone
- Provide 2 online consultation sessions for the targeted stakeholders from Stage 1 and 2.
- Contact the targeted stakeholders from Stage 1 and 2 by email if they have not responded after 2 weeks to remind them of the deadline for consultation.
- Provide a link and information on the Clash Gour project specific page on the Force9 Energy website to Citizen Space. This will be updated with reminders of the deadline for the consultation.
- Provide consultation documents on the CAA portal and Citizen Space.
- Provide a Frequently Asked Questions (FAQ) document, published on Citizen Space and the airspace change portal as necessary.

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<sup>2</sup> <https://www.local.gov.uk/sites/default/files/documents/The%20Gunning%20Principles.pdf>

<sup>3</sup> Community councils are the most local tier of statutory representation in Scotland. They bridge the gap between local authorities and communities, and help to make public bodies aware of the opinions and needs of the communities they represent. They are the equivalent of Parish Councils in England.

- Review and categorisation of consultation responses for CAA review.

### 1.3 ACP Objective

Force9 Energy (Force9), jointly with EDF Energy Renewables Limited (EDFER) is developing the Clash Gour Wind Farm (Clash Gour) in the name of its wholly owned subsidiary Clash Gour Holdings (CGH). This Airspace Change Proposal (ACP) is sponsored by CGH, who will be referred to in this document as the Change Sponsor.

CGH intend to develop an onshore wind farm in the Moray Council area which will be capable of providing power to approximately 200,000 houses. This ACP does not discuss or consult upon the principle of the development itself. That has been established through an application to Scottish Ministers under the Electricity Act 1989 and the application was consented by Scottish Ministers on 21<sup>st</sup> October 2022.

Two conditions are attached to the grant of consent which require to be discharged before turbines can be erected and operated on site. Each condition requires the development and agreement of an Air Traffic Control Radar Mitigation Scheme (ATCRMS) each in respect of both RAF Lossiemouth and Inverness Airport. This ACP is established as part of the response to that requirement and deals solely with proposed airspace solutions as mitigation to any effect that the wind farm may have on the Air Traffic Control (ATC) capability of the two units.

## 2 Engagement Activity Undertaken to Date

### 2.1 Introduction

A range of targeted engagement activities have been conducted in accordance with the process set out in CAP 1616. Specifically, stakeholders have been involved in the development of the Design Principles and their subsequent validation and development of Design Options that address the Statement of Need.

The engagement conducted during Stages 1 and 2 was at the stakeholder representative level in accordance with CAP 1616.

### 2.2 Previous Stakeholder Engagement

ACP Stage	Engagement Activity Summary
1A	A <a href="#">Statement of Need</a> (SoN) was submitted to the CAA and uploaded to the Airspace Change Portal. The SoN articulates the desire by Clash Gour Holdings to engage with relevant aviation stakeholders to identify and understand an impact the wind farm installation will have on aviation radar systems or operations.
	The minutes of the <a href="#">Assessment Meeting</a> between the sponsor and the CAA were uploaded to the Airspace Change Portal. The assessment meeting is to allow the sponsor and CAA to discuss the SoN and consider whether the proposal falls within the CAP 1616 formal airspace change process.
1B	<p>Stage 1B saw the sponsor propose and engage on a set of <a href="#">Design Principles</a> (DPs). The purpose of the DPs is to agree a criteria that airspace design options must be judged against. The draft DPs were sent to the stakeholders and feedback was sought.</p> <p>Due to the geographical location of the wind farms and the fact that the planning consultation falls outside the scope of this engagement, 6 responses were received. As a result of the feedback two DPs were altered in a list of priorities and changed accordingly.</p>
2A	<p>Stage 2A saw the development and assessment of 7 options that could mitigate the wind farm installation in line with the SoN and the DPs. Engagement was sought on the initial options in the <a href="#">Design Options</a> document, which was sent to stakeholders for comment. Feedback from the stakeholders was collated and contained within the <a href="#">Stakeholder Engagement</a> documentation.</p> <p>A total of 14 responses were received.</p>

	<p>Within the Stage 2A, all options developed were qualitatively assessed in the <a href="#">Design Principles Evaluation</a> which was uploaded to the Airspace Change Portal before Stage 2B commenced.</p>
<b>2B</b>	<p>Within Stage 2B, the sponsor compiled a document that formed part of the <a href="#">Initial Options Appraisal</a> (IOA). This also included an <a href="#">Initial Options Appraisal Appendix</a>. The assessment of the different options was set against a Do Nothing situation, and both the negative and positive differences were outlined.</p>

## 3 Consultation Stakeholders – The Audience

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### 3.1 The Aim

The ambition of the Change Sponsor is to understand whether an airspace change solution can be created which is acceptable to consultees and allows the project to be built and operate while technical mitigation solutions are investigated and procured. To achieve this the consultation aims to engage with a diverse audience. A list of stakeholders was identified at Stages 1 and 2 of the ACP process and the sponsor intends to conduct consultation with this set of stakeholders. In addition, to the stakeholders previously engaged, the Change Sponsor will contact Community Councils and other Community Groups, including Trusts and Community and Resident Associations, within the development area of influence.

### 3.2 The Area

Whilst the area which is likely to be affected by the installation of the wind farm is fixed, Clash Gour initially contacted both local aerodromes and aviation organisations. To ensure a comprehensive list of stakeholders were identified and given chance to make comment, the CAA-provided National Air Traffic Management Advisory Committee (NATMAC) list.

It should be noted that individual aviation operations in the Highlands of Scotland are limited, therefore stakeholder identification focussed on the local organisations that have the potential to be affected by the development of the wind farm.

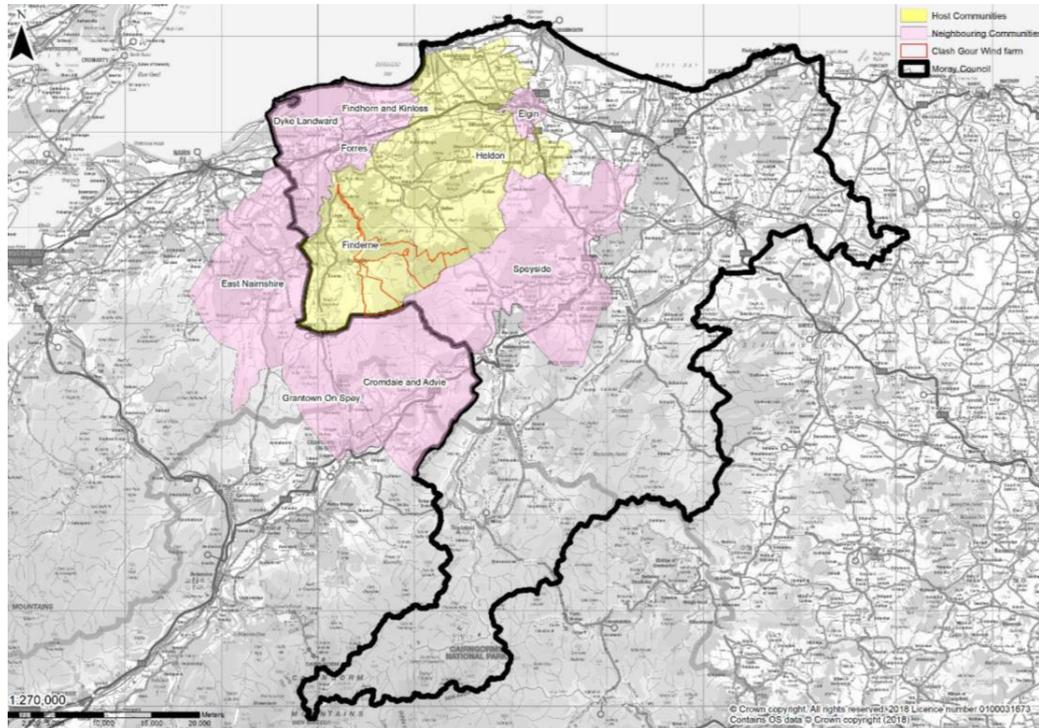


Figure 1 – Development Area of Interest

A full list of all identified stakeholders is provided in Appendix 2: List of Stakeholders, however, responses will be welcomed from any geographical location.

### 3.3 The Audience - Non-Aviation Stakeholders

#### 3.3.1 National/Regional and Local Authorities

All the key regional and local authorities who were engaged with during Stage 1 and Stage 2 will be targeted and asked to respond to the consultation. As this project includes the construction of electricity generating stations that have capacity over 50 megawatts, then the Scottish Government, and the Scottish Government Energy Consents Unit were also included in the consultation. These have been listed in Table 3 in Appendix A2.

#### 3.3.2 Local Communities

The Change Sponsor intends to consult local communities through appropriate representative bodies, such as Community Councils and other Community Groups, including Trusts and Community and Resident Associations. We will also send a letter to all residents and businesses within 10 kilometres of the site to inform them that the consultation has been launched, where to find details of the proposal and how to respond, and giving details of the public drop-in sessions. However, this consultation will be open to everyone and any individual or organisation may submit a response to the consultation. The images contained in the Consultation Document along with the environmental assessments and associated metrics, will allow

individuals to assess what impact the proposed changes are likely to have on them. These have been listed in Table 4 and Table 5 in Appendix A2.

### 3.4 The Audience - Aviation Stakeholders

For aviation stakeholders the proposed changes will have a minor impact associated with the introduction of new airspace and a possible minor change in fuel burn/operating costs for aviators. Stakeholders will be able to assess the impact from the images and analysis contained in the Consultation Document.

The aviation stakeholders being directly contacted are those who operate in, or around the airspace in the vicinity of the proposed wind farm site, national aviation bodies and statutory consultees.

All aviation stakeholders have previously been engaged with at Stages 1 and 2. These have been summarised below and are listed in Appendix A2.

#### 3.4.1 Local General Aviation

The Change Sponsor will engage with airspace users classed as General Aviation (GA) that have been identified as operating in proximity of the proposed changes. These will include GA clubs and local airfields which have been listed in Table 6 in Appendix A2. GA operators are likely to be interested in any changes to the airspace and access to airspace.

#### 3.4.2 National Organisations

The Change Sponsor will engage with the National Air Traffic Management Advisory Committee (NATMAC) and request that information is forwarded to their members for onward transmission to their respective organisations. Members of the NATMAC have been listed in Table 7 in Appendix A2.

#### 3.4.3 Ministry of Defence (MOD)

As a mandatory stakeholder in all airspace changes, Clash Gour will consult with the MOD directly through RAF Lossiemouth and their ATM organisation.

#### 3.4.4 Adjacent Airports/Air Navigation Service Providers

Clash Gour will continue to work closely with the local Air Navigation Service Providers (ANSPs) of RAF Lossiemouth, Inverness Airport and NATS Ltd. This group is a key stakeholder and have previously been engaged. These have been listed in Table 8 in Appendix A2. They will be interested in understanding any impact to their operational procedures which can be assessed from the Consultation Document.

### 3.5 The Audience – The Hard to Reach

CAP1616 states that the consultation strategy must cover those “who may be affected, positively or negatively, by the change and what their information needs are (including consideration of any seldom-heard audiences)”. It is important to identify and understand those sections of the community who may have difficulty engaging with the consultation and who might find some of the proposed activities

challenging. If any individuals request further information or explanation, the Change Sponsor will liaise with these stakeholders on a case-by-case basis as far as this is possible.

This airspace change proposal is seeking to understand and identify any impact that the introduction of an airspace solution will have on stakeholders. As such, all the relevant aviation stakeholders have been identified in Stages 1 and 2 and will continue to be engaged in Stage 3. The proposed options already highlighted earlier are unlikely to have any discernible impact to people on the ground due to the limited population density within the proposed construction boundary. The Change Sponsor will make contact with representative Community Councils and other Community Groups, including Trusts and Community and Resident Associations, to help spread awareness of the consultation and to ensure the harder to reach communities, who have not previously been contacted directly, are able to participate. We will also send a letter to all residents and businesses within 10 kilometres of the site to inform them that the consultation has been launched, where to find details of the proposal and how to respond, and giving details of the public drop-in sessions.

During the planning process for the development of the wind farm, a Community Liaison Group (CLG) was established to provide meaningful two-way communication between the local community representatives and CGH. Whilst it is not anticipated that the CLG will need to be re-established as part of the ACP process, the Change Sponsor will re-engage with those individuals that formed the CLG to ensure they have the opportunity and are able to pass on the information relating to the ACP to the communities that they represent. If requested a CLG meeting can be convened to convey the proposals to the community representatives.

## 4 Consultation Approach

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### 4.1 Approach: How will we consult?

The consultation will be hosted on the CAA Consultation Hub 'Citizen Space', a public online consultation platform for sharing information about Airspace Change Proposals. This portal holds relevant information for interested parties and stakeholders, including the Consultation Document which outlines the detail of the proposed changes and potential impacts.

The portal also contains a link to the online response questionnaire, which will capture participants' responses and will be active for the duration of the Consultation.

All consultation material will be available online and in English. The Change Sponsor believes all of our previously targeted stakeholders have internet access and that the proposed public drop-in sessions will allow for any face-to-face engagement with stakeholders that are new to this ACP who can then be sign posted to Citizen Space. Consultation material will be made available for stakeholders to view at the public drop-in sessions.

All Consultation material together with this document and the Full Options Appraisal document that are required for Step 3A will also be available to view via the CAA Airspace Change Portal. Responses to the consultation CANNOT be submitted through this portal; however, a link to the consultation portal will be provided on the airspace change portal. A link to the consultation will also be provided on the Force9 Energy website on the project specific page.

We will supply a paper copy of the Consultation Document on the following conditions:

- Request to be sent in writing to the postal address at least fourteen days before the consultation closes.
- One copy of the Consultation Document will be posted in return.

We cannot accept responsibility for errors in the postal service where requests do not reach us, or where our return post does not reach the recipient.

We will consider any further requests from individuals who cannot access the consultation materials in the conventional way on a case-by-case basis and be prepared to provide the information in an alternate format.

### 4.2 Consultation Document

The Consultation Document(s) will be available on the CAA Citizen Space consultation hub. All documents related to this airspace change will be available on the CAA Airspace Change portal. The Consultation Document(s) will outline the expected benefits of the proposal and the Change Sponsor's assessment of the likely impact. In addition there will be a consultation questionnaire and the option to

submit additional comments. Information on the responder will also be collected, including the organisation they represent (if any) and their contact details.

#### **4.2.1 Proposed Consultation Document**

The Consultation Document will provide clear information on the proposed change and the options that are being considered. This will seek to provide those consulted with sufficient information to be able to form a reasonable understanding of the situation. The consultation material will be written in clear and accessible language and will include a non-technical explanation of the procedures for non-specialists, as far as this is possible.

This will, so far as is reasonably practicable, give stakeholders sufficient information in plain English to allow them to reach their own conclusion with regard to the proposal. If any individuals request further information or explanation, the Change Sponsor will liaise with these stakeholders on a case-by-case basis as far as this is possible.

The Consultation Document will explain what the consultation is about, including an overview of today's environment. It will describe the proposal, including the baseline situation, the options considered and its perceived benefits and impacts. It will conclude with a description of how stakeholders can participate. Data used in the Consultation Document will be the most up-to-date and credible data available, which will be clearly referenced.

The scale of this airspace change proposal is considered by the Change Sponsor to be small relative to other ACPs that are currently being progressed. There is minimal population in the vicinity of the proposal and together with the nature of light aircraft operations in the area, the environmental impacts are expected to be limited. Therefore, the Change Sponsor has concluded that, due to the unique circumstances of this ACP where very limited information is available as this development does not relate to an airport, it is not appropriate to collect the standard noise metrics and conduct a full environmental assessment. Therefore the Full Options Appraisal that has been conducted and its results are included in the Consultation Document and are based upon a qualitative assessment, backed up by the quantitative data of the traffic survey conducted at Stage 2.

#### **4.3 Notification of Consultees**

Stakeholders listed in Appendix A2 will be contacted via email when the consultation is launched. They will be able to view and download the consultation documentation from the CAA Consultation Hub Citizen Space. This is also where they should submit a response to the consultation. Any individual or organisation may submit a response, but only the organisations discussed in this document will be directly contacted by the sponsor. The sponsor will maintain full records of consultation activity with all stakeholders (irrespective of their origin) throughout the process. Should they require assistance, the Change Sponsor will also assist stakeholders in gaining access to the airspace change documentation and submitting their response.

To ensure the wider public are aware of the consultation and how they can respond, correspondence will be sent to all Community Councils within the proposed area. There will also be a section added to the Clash Gour project specific page on the

Force9 Energy website. If required, a CLG meeting can be convened to convey the proposals to the community representatives.

#### 4.4 Advertising and Publicity

To ensure the wider public are aware of the consultation and how they can respond, the Change Sponsor will provide information about the consultation and direct stakeholders to the CAA Citizen Space portal. CGH/Force9 will use its existing database of media outlets and online media, which will be reviewed to ensure it includes all media covering the area likely to be affected by the proposed changes. Force9 will also utilise its own website to advertise the consultation and provide links to both the airspace change portal and Citizen Space; notices posted on the website will remain available throughout the consultation period and will be followed with a notice stating that consultation has closed. Targeted stakeholders, such as the Community Councils, will be requested to disseminate details of the consultation across their communities to ensure stakeholders, especially the hard to reach, have the opportunity to participate.

We will advertise the consultation and associated public drop-in sessions in the local press.

Existing stakeholders will be emailed to remind consultees of the consultation deadline. This will take place approximately 4 weeks prior to the close of the consultation. The Change Sponsor will use the Clash Gour project specific page on the Force9 Energy website to remind consultees of the consultation deadline at the midpoint of the consultation.

#### 4.5 Stakeholder events

##### 4.5.1 Virtual Drop-In Sessions for Targeted Stakeholders

The Change Sponsor will host 2 virtual drop-in sessions for stakeholders that were previously engaged with at Stage 1 and 2. As these stakeholders have been involved in this ACPs journey through previous virtual meetings it is envisaged that this arrangement will be taken up willingly. However, these stakeholders would be equally welcome at the public drop-in session should they wish to attend in person. The dates and times for the virtual sessions will be arranged to allow for maximum attendance. Details of the virtual drop-in sessions will be advertised ahead of the consultation launch to allow sufficient time for stakeholders to arrange participation.

##### 4.5.2 Public Drop-In Sessions

The Change Sponsor will host 2 public drop-in session to answer any questions that affected members of the public may have. The venue will be easily accessible, and at times and dates aimed at allowing maximum attendance from members of the public. The drop-in sessions details will be included in the consultation materials as will details of the online portal and other promotional material described above. Details of the drop-in sessions will be advertised ahead of the consultation launch to allow sufficient time for stakeholders to arrange participation. Hard copies of the

Consultation Document and the consultation questionnaire will be made available for stakeholders to view at these sessions.

#### **4.5.3 Additional Meetings**

The Change Sponsor will consider any request for additional meetings on a case-by-case basis but believes that the sessions mentioned above should be the mechanism by which any individual will be able to enhance their knowledge, should they wish, and reply to the consultation.

#### **4.5.4 Frequently Asked Questions**

Responses will be regularly checked by as they are uploaded onto the portal. If, as the consultation is undertaken, a variety of different stakeholders request the same information that was not foreseen and is not included in the documentation, the Change Sponsor will develop 'frequently asked questions' (FAQ) material for publication on Citizen Space.

#### **4.5.5 Consultation Responses**

The consultation documentation and publicity will show that responses should be submitted online through the CAA Consultation Hub Citizen Space. In addition, postal responses will be accepted, with details of where to send postal responses included in the consultation documentation. Consultation questionnaire sheets will be made available at the drop-in sessions for written responses. Postal and written responses will be uploaded to Citizen Space by the change sponsor.

During the consultation, verbal or e-mail responses will not be accepted. Any stakeholders providing verbal feedback to the Change Sponsor will be encouraged to utilise the CAA Citizen Space portal so as to capture their feedback as a formal response.

#### **4.5.6 Reminders**

The mid-point of the consultation will be 4-weeks after the launch. The Change Sponsor will send follow-up emails just before the mid-point to the targeted stakeholders from Stage 1 and 2 reminding them of the closing date. During the consultation, Force9 will use its own website to advertise the consultation at the mid-point.

#### **4.5.7 Response acknowledgement and processing**

Consultation responses, through the CAA Consultation Hub Citizen Space, will be acknowledged by sending a return completion message to the user, using the e-mail address provided.

Responses will be categorised in accordance with CAP 1616 Appendix C and posted on the CAA portal if appropriate. If responses contain any commercially sensitive data, this will be redacted.

In the unlikely event that an unexpected, challenging response is received, the Change Sponsor will endeavour to commit additional resources to resolve the challenge where possible.

At the end of the consultation period, the Change Sponsor will collate and review the responses received, formally considering any comments or issues raised that might influence the final submission. The Change Sponsor will set out any design changes between the initial consultation and final submission, following the recommended ‘we asked, you said, we did’ format.

#### 4.6 Consultation Period

The Change Sponsor proposes a shorter than standard 8-week consultation period on the introduction of a Transponder Mandatory Zone (TMZ). This is due to the previously undertaken extensive consultation; the minimal response from aviation stakeholders thus far; the aim of completing the ACP to inform an investment decision in the wind farm and the desire to maximise any opportunity to scale the process. This period is considered sufficient to allow Community Councils in the area the time needed to consider the proposals and meet and discuss them before providing a response (if desired). This shall allow all aviation and non-aviation stakeholders their opportunity to contribute to the project and provides sufficient time for local community groups to digest, cogitate and enjoy in the debate. Further details for the scaling of the consultation period can be found in Appendix A1.

The consultation will run for an 8-week period. Subject to passing the Stage 3 CONSULT Gateway, the consultation will commence on 29<sup>th</sup> March 2023 and close on 31<sup>st</sup> May 2023. The consultation period could be extended for a further 2-week period to allow for any unexpected events and challenges. If this consultation period falls during the Easter public holiday period, the Change Sponsor will extend the duration of the consultation by one week.

If approval is granted, the sponsor will launch the consultation in accordance with the timeline stated above. However, the sponsor equally commits to ensuring that any requirements, observations, or feedback from the CAA resulting from the CONSULT Gateway will be addressed before consultation begins. This may result in the consultation dates being re-assessed.

The table below is a provisional consultation programme. At the time of writing it is not possible to commit completely to this, but it is included as an indicative scenario of events.

Activity	Location	Provisional Date
Stage 3 CONSULT Gateway		24 <sup>th</sup> February 2023
Consultation Launch	CAA Citizen Space	29 <sup>th</sup> March 2023
1 <sup>st</sup> Public Drop-In Session	Forres Town Hall, Forres	19 <sup>th</sup> April 2023
1 <sup>st</sup> Virtual Targeted Stakeholder Drop-In	Virtual	20 <sup>th</sup> April 2023
2 <sup>nd</sup> Virtual Targeted Stakeholder Drop-In	Virtual	25 <sup>th</sup> April 2023
Stakeholder Reminders	e-mail/social media	26 <sup>th</sup> April 2023

Activity	Location	Provisional Date
2 <sup>nd</sup> Public Drop-In Session	Elgin Town Hall, Elgin	27 <sup>th</sup> April 2023
Consultation Finishes		31 <sup>st</sup> May 2023

Table 1 – Provisional Consultation Programme

#### 4.7 Reversion Statement

The consultation document will include a reversion statement.

The Do Nothing option would not provide mitigation against radar clutter. Should the proposal be approved and implemented, it would not be possible to revert to the pre-implementation state without affecting ATC operations unless a technical mitigation solution has been tested and implemented. The proposed changes would be considered permanent until a technical mitigation scheme is developed and implemented to the satisfaction of both RAF Lossiemouth and Inverness Airport. Any reversal in the decision to implement a solution, other than a technical solution being implemented, would result in the wind farm becoming non-operational.

In the unlikely event that there are unexpected issues caused by this proposal, then short notice changes could be made via a Notice to Aviation (NOTAM). For a permanent reversion, the changes would have to be reversed by incorporating this into an appropriate future AIRAC date to align with NATS’ engineering updates; of which there are only four a year.

The Change Sponsor considers the proposed Option 7(E) to be the minimum option and Option 7(F) to be the preferred option as the inclusion of the 2 nm buffer enhances safety.

#### 4.8 Review and categorisation of responses

4.8.1 Following the closure of the Stage 3 consultation, the Change Sponsor will collate, review, and categorise the consultation responses. Responses will be categorised into those which present information that may lead to a change in the design and those that could not.

The categorisation of these responses will be delivered by the CAA and published on the CAA Portal.

#### 4.9 Next steps in the CAP 1616 process (Stage 4: Update & Submit)

Following the review of the responses the Change Sponsor will consider the need to update the design of the airspace change in the light of the information received during the consultation. If major modifications are required, then it may be appropriate to re-consult with stakeholders.

If the Change Sponsor decides that re-consultation is not required, then they will prepare the final documentation for the submission to the CAA. The consultation

response document and the Final Options Appraisal will be submitted to the CAA and published on the CAA Portal.

The full Airspace Change Proposal submission must follow the format identified in CAP1616, once finalised this document will be submitted to the CAA. We currently expect this to be in August 2023.

The Change Sponsor considers this consultation strategy to be reasonable and proportionate. Subject to achieving consultation approval from the CAA, the sponsor will finalise all the consultation materials, and launch the consultation in accordance with the approach set out in this document.

# A1 Scaling of Stage 3

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## A1.1 Introduction

This short document is written for the CAA following a meeting held on Wednesday 7<sup>th</sup> December 2022 between the ACP sponsor (Clash Gour Holdings Ltd/Force9), their consultants (Osprey CSL) and the CAA which discussed the forthcoming requirements of the CAP 1616 Stage 3 for ACP-2021-046.

The CAA accept that not all elements of CAP 1616 are required for all ACP's. One of the outcomes of the meeting was to determine the requirements of the important consultation stage of the process. This ACP is unique in that it is the first onshore airspace request for a wind farm development. Clash Gour wind farm will consist of 48 wind turbines with a maximum blade tip height of 180 metres above ground level with the potential to generate up to 225MW of renewable electricity. It will be located in the Moray Council Area, approximately 13 Nautical Miles (nm) southwest of Royal Air Force Lossiemouth and 15 nm southeast of Inverness Airport. Both of these stakeholders have raised the potential, that the establishment of the wind farm, could interfere with their provision of Air Traffic Control radar services. Accordingly, the sponsor has initiated this ACP as one method (amongst others) of mitigation.

Having successfully passed the Stage 2 gateway, the sponsor is now in a position to commence the Stage 3 work. The key project date, which drives and informs the route to mitigation of effects on ATC service in the area, is the decision to fund and build the wind farm expected in Q1 of 2024. An ACP decision is required prior to this date in order to de-risk that decision. Therefore, any opportunity to scale the process, where appropriate, should be considered.

## A1.2 Aim of the ACP

Importantly, this ACP does not discuss or consult upon the principle of the development itself. That has been established through an application to Scottish Ministers under the Electricity Act 1989. Scottish Ministers held a Public Inquiry to consider the principle of the development of the wind farm and consented it under the Electricity Act, with deemed planning consent, in October 2022, subject to conditions. Two conditions are attached to the grant of consent which require to be discharged before turbines can be erected and operated on site. Each condition requires the development and agreement of an Air Traffic Control Radar Mitigation Scheme (ATCRMS) each in respect of both RAF Lossiemouth and Inverness Airport. This ACP is established in response to that requirement and deals solely with proposed airspace solutions as mitigation to any effect the wind farm may have on the Air Traffic Control capability of the two units. Other routes to mitigation including radar technical solutions, that sit out with this ACP are also being considered as part of the wider ATCRMS. Any consultation around the proposed ACP will set this context and will ensure a narrow focus on the implications of potential airspace change in the area as part of the ATCRMS and will not conflate the broader

aspects of the principle of the Clash Gour wind farm development, which has already been established.

The Initial Options Appraisal concluded that two options would be taken forward into the Full Options Appraisal. Both of those options are Transponder Mandatory Zones (TMZ), of varying dimensions, and shall be fully consulted upon.

### A1.3 Consultation undertaken thus far

Hitherto, there has been an enormous amount of consultation on behalf of this project as required by Scottish Ministers through the Electricity and Planning Acts. The Change Sponsor, in order to inform their application for the build of the wind farm has consulted extensively with local and national stakeholders in the surrounding area, some of whom were specifically aviation focussed (including the MoD, Inverness Airport and Glider clubs). The 275-page pre application consultation (PAC) report produced to support the application for the wind farm can be found [here](#).

Furthermore, during the earlier engagement phases of this ACP, the sponsor has engaged with a broad cross section of aviation and non-aviation stakeholders. The level and amount of response was understandably low given the location of the proposed airspace change and the low impact it is likely to have upon airspace users. In addition, the footfall at the hosted events numbered two (2). Notwithstanding, the requirements of a full consultation as a Level 1 ACP, the sponsor considers that an appropriate scaling of consultation be considered.

### A1.4 Scaled consultation proposal

As a Level 1 ACP, the Change Sponsor expects to undertake consultation with Community Councils in the vicinity of the proposed wind farm (in addition to the consultees contacted during Stages 1 and 2). A Community Council is a voluntary organisation set up by statute by the Local Authority and run by local residents to act on behalf of its area. As the most local tier of elected representation, Community Councils play an important role in local democracy. There are 2 host Community Councils for the proposed wind farm development and 8 Community Councils which border those areas. These areas are considered most relevant to the ACP proposal associated with the development. The areas are illustrated in Figure 2 below.

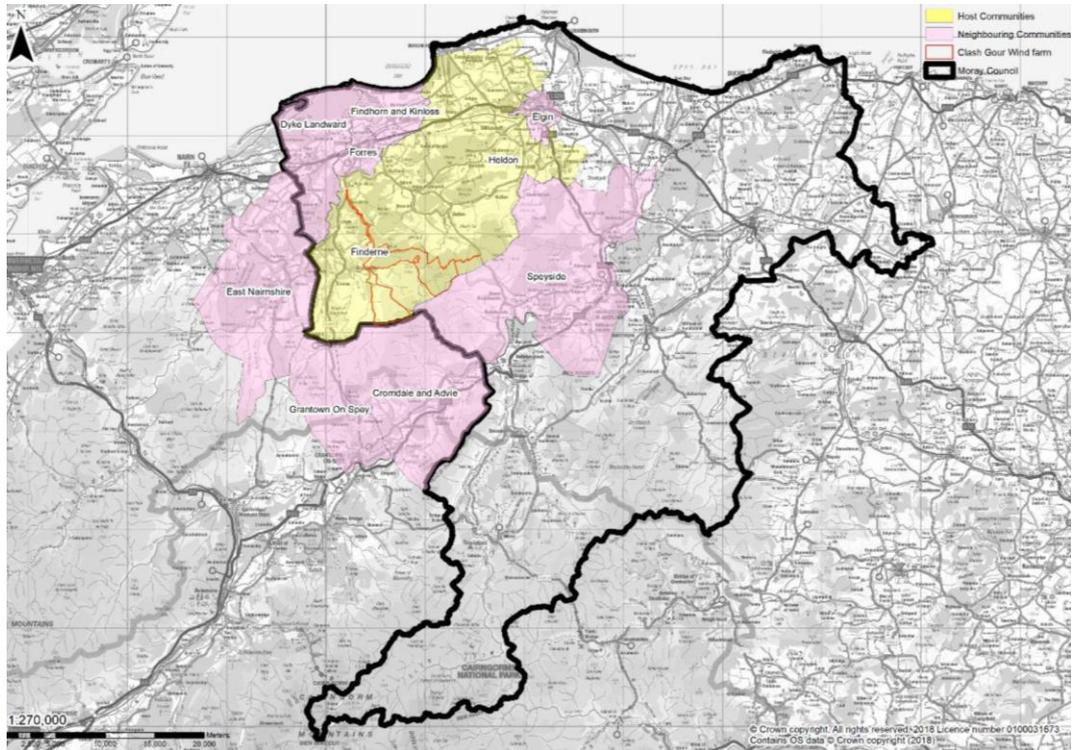


Figure 2 – Development Area of Interest

The Community Councils have regular open meetings where issues of importance to the Communities can be discussed. We expect to issue consultation information about the proposed ACP to the Community Councils and they will require an opportunity to discuss the proposals and take a decision on whether to provide representation on it or not. Such decisions tend to be taken at Community Council meetings which are scheduled in advance. Table 1 below shows the dates when the Community Councils illustrated in Figure 1 will host meetings during the period when we expect to be undertaking consultation on the ACP proposal.

	Jan-23	Feb-23	Mar-23	Apr-23
Finnerie CC	23rd		6th	17th
Speyside CC	25th	22nd	29th	26th
Heldon CC	24th		7th	18th
Grantown and Vicinity CC	17th		14th	
East Nairnshire CC (not constituted)				
Cromdale and Advie CC (data pending)				
Forres CC	19th	16th	16th	20th
Elgin	10th	14th	14th	11th
Dyke Landward	11th	8th	8th	12th
Findhorn and Kinloss	26th	23rd	30th	27th

Table 2 – Scheduled Community Council Meeting Dates

Most Community Councils have at least 1 meeting per month.

#### A1.5 Conclusion

Due to the previously undertaken extensive consultation; the minimal response from aviation stakeholders thus far; the aim of completing the ACP to inform an investment decision in the wind farm and the desire to maximise any opportunity to scale the process, the sponsor wishes to proceed with an 8-week consultation period. This period is considered sufficient to allow Community Councils in the area the time needed to consider the proposals and meet and discuss them before providing a response (if desired). This shall allow all aviation and non-aviation stakeholders their opportunity to contribute to the project and provides sufficient time for local community groups to digest, cogitate and enjoin in the debate.

## A2 List of Stakeholders

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### A2.1 Introduction

The following tables represents the key stakeholder organisations and individuals identified by the Change Sponsor as potentially being affected by the proposal. The Change Sponsor engaged with all of these stakeholders during Stages 1 and 2 of the CAP 1616 process. In addition, the Change Sponsor will contact Community Councils and other Community Groups, including Trusts and Community and Resident Associations, within the development area of influence. We will also send a letter to all residents and businesses within 10 kilometres of the site to with details of the consultation.

Figure 3 below provides the individual range of influence for the local authorities/Cairngorm National Park Authority. The Scottish Government Energy Consents Unit (ECU) were also contacted with details of the ACP. In Scotland, certain applications in relation to energy infrastructure are made to the Scottish Ministers for determination, these include applications for consent for the construction, extension and operation of electricity generating stations with capacity in excess of 50 megawatts. Cairngorms National Park Authority requested that it was not included in further consultation following Stage 1 of the ACP process.

Individual aviation operations in the Highlands of Scotland are limited therefore, stakeholder identification focussed on those local organisations that have the potential to be affected by the development of the wind farm. The following list provides the stakeholder organisation distance from the development boundary:

- Aboyne Airfield located 38 nm to the southeast of the development boundary.
- Inch Airfield located 31 nm to the east.
- RAF Lossiemouth (13 nm) to the northeast, Inverness Airport (14 nm) to the northwest.
- Feshiebridge Airfield 24 nm to the southwest.
- Local helicopter operators based at Aberdeen Airport (56 nm), Police Scotland Helicopter Support based in Glasgow (77 nm) and the Scottish Charity Air Ambulance at Perth Airport (44 nm) were also engaged.

Strathaven Airfield (108 nm) and Gama Aviation based at Aberdeen were also contacted.

National organisations were contacted via the CAA-provided NATMAC list.

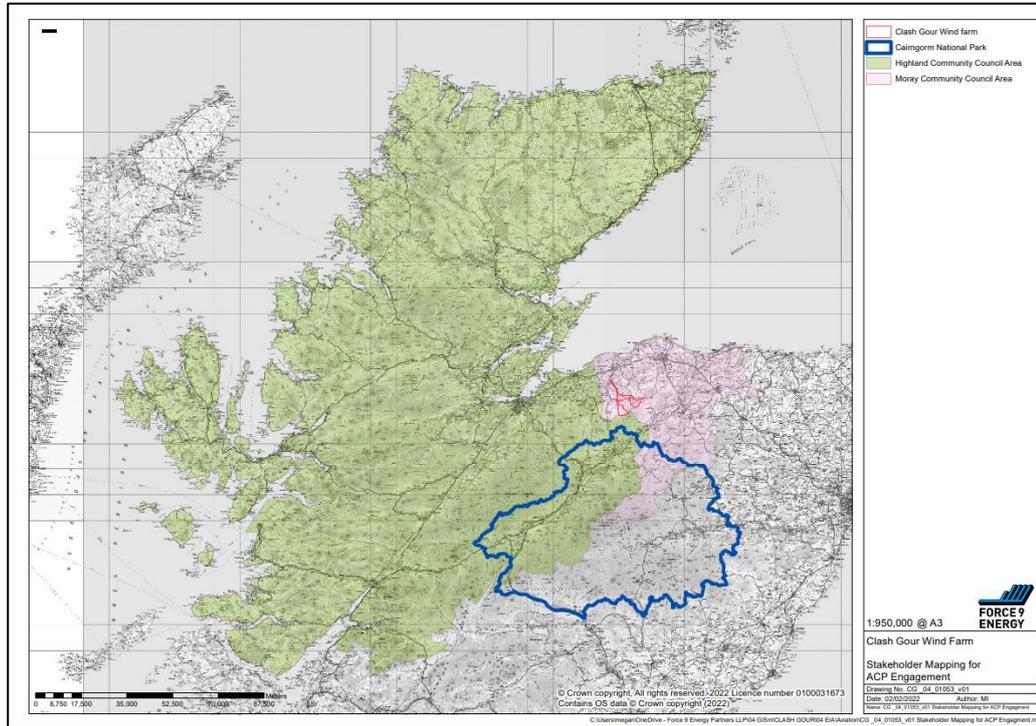


Figure 3 – Stakeholder Mapping for ACP Engagement

## A2.2 Non-Aviation Stakeholders

### A2.2.1 Government and Local Authorities

Government and Local Authorities	
The Scottish Government (via the Energy Consents Unit)	Highland Council
Moray Council	

Table 3 – Government and Local Authorities

### A2.2.2 Community Councils

Community Councils	
Cromdale and Advie	Dyke Landward
East Nairnshire	Elgin
Finderne	Findhorn and Kinloss
Forres	Grantown on Spey
Heldon	Speyside

Table 4 – Community Councils

### A2.2.3 Community Groups

Community Groups	
Forres Area Community Trust	Moray Local Action Group
Buchan Development Partnership	Third Sector Interface Moray
Transition Town Forres	Moray Waste Busters
Fochabers Village Association	Dava Residents Association
Archiestown Village Council	Knockando Community Trust

Table 5 – Community Groups

## A2.3 Aviation Stakeholders

### A2.3.1 Local Aerodrome and Aviation Organisations

Local Aerodrome and Aviation Organisations	
Inverness Airport	RAF Lossiemouth
Cairngorm Gliding Club Feshiebridge	Gama Aviation
Highland Aviation Inverness	PDG Helicopters
Highland Gliding Club Easterton Airfield	Moray Flying Club RAF Lossiemouth
Police Scotland (Babcock)	Scottish Charity Air Ambulance (Babcock)
Grampian Microlight and Flying Club (Insch Airfield)	Deeside Gliding Club (Aboyne Airfield)
Strathaven Airfield	

Table 6 – Local Aerodrome and Aviation Organisations

### A2.3.2 National Aviation Organisations

National Aviation Organisations	
Airlines UK	Airspace 4All
Airport Operators Association (AOA)	Airfield Operators Group (AOG)
Aircraft Owners and Pilots Association (AOPA)	Airspace Change Organising Group (ACOG)
Association of Remotely Piloted Aircraft Systems UK (ARPAS-UK)	Aviation Environment Federation (AEF)
British Airways (BA)	BAe Systems

National Aviation Organisations	
British Airline Pilots Association (BALPA)	British Balloon and Airship Club
British Business and General Aviation Association (BBGA)	British Gliding Association (BGA)
British Helicopter Association (BHA)	British Hang Gliding and Paragliding Association (BHPA)
British Microlight Aircraft Association (BMAA)	British Model Flying Association (BMFA)
British Skydiving	Drone Major
General Aviation Alliance (GAA)	Guild of Air Traffic Control Officers (GATCO)
Honourable Company of Air Pilots (HCAP)	Helicopter Club of Great Britain (HCGB)
Heavy Airlines	Iprosurv
Isle of Man CAA	Light Aircraft Association (LAA)
Low Fare Airlines	Military Aviation Authority (MAA)
Ministry of Defence - Defence Airspace and Air Traffic Management (MoD DAATM)	NATS
Navy Command HQ	PPL/IR (Europe)
UK Airprox Board (UKAB)	UK Flight Safety Committee (UKFSC)
United States Visiting Forces (USVF), HQ United States Country Rep-UK (HQ USCR-UK)	

Table 7 – NATMAC members

### A2.3.3 Air Navigation Service Providers

Air Navigation Service Providers	
Inverness Airport	RAF Lossiemouth
NATS	

Table 8 – Air Navigation Service Providers