

CAA Targeted Engagement or Consultation Assessment – Temporary Airspace Changes

Title of airspace change proposal	TDA BVLOS Orkney Islands
Change sponsor	Windracers
Project reference	ACP 2022 - 049
Case study commencement date	22.04.24
Case study report as at	07.05.24 - Updated 29.05.24
<p>Instructions</p> <p>In providing a response for each question, please ensure that the 'status' column is completed using the following options:</p> <ul style="list-style-type: none"> • YES • NO • PARTIALLY • N/A <p>To aid the SARG Lead it may be useful that each question is also highlighted accordingly to illustrate what is:</p> <p>resolved YES not resolved PARTIALLY not compliant NO</p>	

Targeted Engagement (or Consultation) Assessment		
1	Has the change sponsor identified the right audience(s) and provided a rationale for selecting them?	Yes
	<p><u>Preliminary engagement</u></p> <p>The change sponsor conducted some engagement activities prior to commencing formal engagement for this proposal. This involved talking with local interested parties including councils, the NHS and Royal Mail and circulating a survey, the results of which assisted in the choice of relevant airfields and route geometry. In addition, planning and coordination meetings were conducted involving the major airports considered as part of the Sustainable Aviation Test Environment (SATE) 2 in Scotland Consortium project. These discussions helped with identification of stakeholders for the formal engagement phase, and feedback on routes, places to avoid and prior operations helped to shape the sponsor's proposal.</p>	

Formal engagement

As well as identifying the stakeholder audience from prior engagement activities in the area, the change sponsor put together their stakeholder list through recommendation by the CAA (for example, National Air Traffic Management Advisory Committee (NATMAC) list) and through key operational collaborators. They identified the following stakeholder groups:

- Aerodromes used for launch and recovery of the Unmanned Aerial System (UAS) and Air Traffic Service Units (ATSUs) providing traffic services for the operations.
- Local airspace operators based in the vicinity of the launch and recovery aerodromes.
- Frequent airspace users spanning a wider area.
- National bodies and authorities and members of the National Air Traffic Management Advisory Committee (NATMAC).
- Other stakeholders that included environmental stakeholders and local tourism.

Within these stakeholder groups, the change sponsor engaged with the following aviation stakeholders, as required by the CAP 1616 process namely:

- Airspace Users including Bristow Helicopters, CHC, NHV, Babcock Mission Critical Services, Airtask Group, GA Orkney, GA Tingwall and Unmanned Aerial Vehicle (UAV) Operators
- ANSPs including Kirkwall Air Traffic Control (ATC)
- Airports/Aerodromes including Wick Airport, Kirkwall Airport, Sumburgh Airport, Fair Isle Airport, Lamb Holm Airfield Orkney, Easter Airfield and North Scotland Airfield (Barra, Benbecula, Campbeltown, Inverness, Islay and Tiree) plus Saxavord Spaceport and Shetland Space Centre
- All NATMAC members including National Air Traffic Service (NATS), NATS (Aberdeen) and the Ministry of Defence (MoD) via Defence Airspace and Air Traffic Management (DAATM).

Although not required to by the process, the change sponsor also engaged with:

- Community representatives including Orkney Island Council and Shetland Island Council,
- Others including NLB Northern Lighthouse Board and Scottish Natural Heritage.

The sponsor did not liaise with CAA Flight Operations on stakeholder identification. The sponsor has provided their stakeholder list (Appendix B to Summary of Stakeholder Engagement V7.0).

2	Has the change sponsor explained the engagement (or consultation) methodology / approach used?	Yes
<p>The sponsor did not initially provide this information. In response to a CAA request for it, they produced a separate 2-page engagement methodology document and incorporated information on methodology within the engagement summary report.</p> <p>The sponsor decided to combine and run engagement simultaneously for this ACP with ACP-2022-051 TDA Shetland Islands. Rationale provided was that there were similar stakeholders across both ACPs, and they did not want to overload stakeholders with multiple email chains about different ACPs. The sponsor states they did not want to confuse stakeholders so clearly set out the differences between the two ACPs. A review of the engagement material shows that the sponsor did make the differences between the two ACPs clear.</p> <p>Engagement was predominantly conducted via email, but this was supplemented by meetings with key stakeholders as and when required, for example with Kirkwall ATC, Westray Airfield, Shetland Space Centre, and Orkney Island Council. Discussions took place with Kirkwall ATC and Orkney Island Council on 18 March 2024 regarding updates made to the Concept of Operations (ConOps) and reassessment of Haz-ID (Stakeholder Engagement Meetings Summary provided at Appendix C to Summary of Stakeholder Engagement V7.0) with the ConOps and Haz-ID updated to reflect the removal of Kirkwall Airport from this proposal.</p> <p><u>1st and 2nd engagement rounds December 2022 and February 2023</u></p> <p>The sponsor recognised at the beginning of the project that plans would evolve from the feedback received and so they initially decided to run two rounds of engagement to keep all stakeholders updated with any changes to the proposal. During engagement new stakeholders were made known to the sponsor. The sponsor assessed whether the new contact required an immediate update and if not, they were included in the second round of engagement. This assessment was based on whether the stakeholder would have an impact on the design and planning of the proposal or whether they required an awareness of the project.</p> <p><u>Third engagement round May 2023</u></p> <p>On receipt of feedback from the CAA, the sponsor made changes to their plans for this ACP and conducted a third round of engagement which commenced on 15 May 2023. The changes comprised an extension of the TDA into Kirkwall ATZ from Eday Airport, a change to the timetable for operations namely that the TDA would run from 3 July to 25 August 2023 and provision of clarity on planned loiter points. The sponsor has provided a copy of their third-round engagement letter in support (Appendix E to Summary of Stakeholder Engagement V7.0). The letter clearly outlined these changes for stakeholders to consider and feedback was sought by email by 29 May 2023.</p> <p><u>Engagement update June 2023</u></p>		

	<p>On 19 June 2023, the sponsor circulated an update for stakeholders informing them of a change to the timetable for operations namely that the TDA would be active between 11 September to 17 November 2023. Stakeholders were invited to respond to the email if they anticipated any impacts because of the revised timeline.</p> <p><u>Engagement update August 2023</u></p> <p>The sponsor circulated a further update for stakeholders informing them that subject to approval the TDA was now planned to be active from 16 November to 22 December 2023. As with the previous update, stakeholders were invited to contact the sponsor if they expected to be impacted by this revision.</p> <p><u>Fourth engagement round February 2024</u></p> <p>The sponsor engaged with stakeholders informing them that Kirkwall Airport had been removed from the list of operating locations and as a result that TDA A had been removed from the design, Eday Airport had been named the new Hub location and the TDA was expected to operate between 13 May 2023 and 2 August 2024. Feedback was invited by 21 March 2024.</p>	
3	<p>What materials have been used by the change sponsor during the targeted engagement (or consultation)?</p>	
	<p>The materials comprised a 5-page letter sent for <u>initial engagement in December 2022</u> and updated for the second round of engagement addressing this ACP and ACP 2022 – 051 TDA Shetlands. Materials included explanation on the following:</p> <ul style="list-style-type: none"> • The background to Windracers as a technology company working to improve middle mile logistics and humanitarian aid operations with the use of specifically designed UAS. • BVLOS operations conducted by Windracers since 2019. • The SATE and SATE 2 projects in Scotland and the aim of the consortium to achieve low carbon aviation together with the BVLOS long term ambition. • The aim of this ACP being to establish a TDA to enable the delivery of middle mile logistics and mail transport using Uncrewed Aircraft Systems (UAS) across the Orkneys. • Design criteria compiled for this ACP based on feedback from previous operations and presentation of TDA segments following routes previously flown from Kirkwall to Eday and North Ronaldsay with an extension for this ACP to Papa Westray. • Operation schedule with activation period from 29 May 2023 for 12 weeks. • TDA width of 1.73NM with illustrations (no vertical limit shared during first round) plus information on deconfliction (ADS-B in/out and a Mode S transponder) and failsafe mechanisms along with dual redundant systems. 	

<ul style="list-style-type: none"> • Request for feedback by email. <p>In the <u>second round of engagement issued February 2023</u>, the change sponsor listed, although they didn't provide any accompanying narrative/explanation, the changes made to the proposal since the initial engagement period:</p> <ul style="list-style-type: none"> • The proposed height would be SFC to 2,500 ft (no specification in the material re Above Mean Sea Level/Above Ground Level (AMSL/AGL) but this has been addressed in the Final Design Proposal V 1.6 as AMSL). • TDAs encompass the airspace over airfields with no active Aerodrome Traffic Zone (ATZ). • Updated illustrations showed extension of the TDA to Westray so that the TDA complex connected 5 aerodromes across the Orkney Islands via three TDA segments A, B and C. • An altered activation period (5 June 2023 to 11 August 2023) for 10 weeks. • Information on provision of pre-defined holding locations (4 loiter points) for the UAS to be directed to at the request of ATC due to an emergency or to allow manned aircraft to land. <p>The sponsor also provided a detailed operation schedule outlining the routes for TDA Segments A, B and C and flight timings.</p> <p>For the <u>third round of engagement issued May 2023</u>, the sponsor updated their original engagement materials clearly incorporating information on the changes made since the previous round of engagement, namely an extension of the TDA into Kirkwall ATZ from Eday Airport, a change to the timetable for operations (3 July 2023 to 25 August 2023) and provision of clarity on planned loiter points.</p> <p>For the <u>engagement update email issued 19 June 2023</u>, the sponsor simply notified stakeholders of the planned change in the operating timetable, stating that the TDA would now be active between 11 September 2023 and 17 November 2023. On receipt of the email NATS requested sight of the engagement material and the sponsor referred them to the previous documentation for ease of reference.</p> <p>For the <u>engagement update issued 21 August 2023</u>, the sponsor informed their stakeholders of one change, namely a revised activation timeline of 16 November 2023 to 22 December 2023. Details of the proposed TDA and intended operations details were attached.</p> <p>In the <u>fourth round of engagement issued 23 February 2024</u>, the sponsor circulated updated engagement materials explaining that:</p>	
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	<ul style="list-style-type: none"> • Kirkwall Airport had been removed from the list of operating locations which had resulted in the removal of TDA A from the design. The removal was based on feedback from aviation stakeholders. • Eday Airport was now the new Hub location. A revised chart illustrating the start of the TDA from Eday was provided. • The TDA would be active from 13 May 2024 to 2 August 2024. <p>Following receipt of the sponsor’s 2024 stage 4 CAP 1616 re-submission, the CAA advised the sponsor that they would be unable to agree to a regulatory decision period which aligned to the sponsor’s proposed timeline and asked the sponsor to provide alternative operating dates. The sponsor provided revised operating dates for between 3 June 2023 and 30 August 2023. In doing so they recognised that stakeholders would need to be engaged regarding the revised dates.</p>	
4	<p>Does the Engagement Summary Report clearly detail the period of engagement? Please include the start/end date and duration of engagement period along with a summary of the change sponsors rationale for pursuing a shorter/longer engagement (where applicable).</p>	Yes
	<p>The change sponsor conducted two initial rounds of formal engagement. The Engagement Summary Report does not clearly detail the period of engagement, but all periods of engagement undertaken have been established and confirmed by the evidence provided.</p> <p><u>First round of formal engagement:</u> Start date – 7 December 2022 (some stakeholders were emailed initially on 8 December 2022) End date – 23 January 2023 Duration – 6 weeks and 6 days</p> <p><u>Second round of formal engagement:</u> Start date – 13 February 2023 (although a letter to a separate stakeholder group as part of “wider engagement” was issued 17 February 2023) End date – 27 February 2023 Duration – 2 weeks (for those issued with the letter on the 13 February 2023).</p> <p>In response to a CAA request for information, rationale for overall timeline chosen for engagement was added to the submission, namely that the timeline was based on prior operations and processes with the CAA and the time chosen gave the maximum amount of time to engage with stakeholders.</p> <p>For the second round of engagement, stakeholders were asked to respond by 27 February 2023. Engagement beyond this date, up to the stated</p>	

	<p>end date of 3 March for engagement, was minimal and included a call to Nature Scotland. The sponsor engaged with Kirkwall ATC, post-submission of their document set to the CAA, in response to CAA feedback regarding the southerly edge of TDA – A.</p> <p><u>Third round of engagement</u> The sponsor conducted a third round of engagement to update stakeholders on three changes to their plans and then issued an engagement update to reflect solely a change in planned operational dates for the TDA: Start date – 15 May 2023 End date – 29 May 2023 Duration – 2 weeks</p> <p><u>Engagement update for stakeholders by email June 2023</u> Circulation date – 19 June 2023 End date – No end date provided but stakeholders were invited to reach out to the sponsor by email if they anticipated any impacts because of the revised activation timeline. Duration – N/A</p> <p><u>Engagement update for stakeholders by email August 2023</u> Circulation date – 21 August 2023 End date – No end date provided. Stakeholders were invited to get in contact with the sponsor if they expected to be impacted by the sponsor’s revised timeline. Duration – N/A.</p> <p><u>Fourth round of engagement February 2024</u> Circulation date: 23 February 2024 End date: 21 March 2024 Duration: 4 weeks</p>	
5	Was the period of engagement (or consultation) appropriate?	Yes

	<p>Although the sponsor stated in their original submission that the engagement period was 12 weeks, the raw data shows that 9 weeks was provided for email responses via formal targeted engagement and that this was supplemented by meetings conducted with key stakeholders regarding the proposal and operational details. The email evidence shows that the sponsor responded promptly to enquiries and feedback from stakeholders.</p> <p>With the addition of a third round of engagement of 2 weeks duration in May 2023 plus an engagement update issued in June 2023, the sponsor by this time had conducted formal engagement over a period of 11 weeks and allowed a further opportunity for stakeholders to notify them of any impacts that might result from the latest revision to the activation timetable.</p> <p>The sponsor provided a further opportunity in August 2023 for stakeholders to inform them of any impacts that might result from a revised TDA timetable running from November to December 2023. The sponsor then provided a further 4 weeks from February 2024 for stakeholders to respond to revisions made to the proposal.</p> <p>The time allowed overall for stakeholders to respond to this proposal was reasonable, sufficient, and proportionate.</p>	
6	<p>Has the change sponsor accurately summarised what stakeholders have said and identified all the issues raised during the engagement in the stakeholder engagement summary document?</p>	Yes
	<p><u>1st and 2nd engagement rounds, December 2022 and February 2023</u></p> <p>The sponsor did not provide a summary of feedback and their response to it in their first Summary of Stakeholder Engagement report (V.1.0). Having been asked to address this, the sponsor added some explanation regarding changes made after the first and then the second round of engagement based on the feedback received (Summary of Stakeholder Engagement report V2.0). Raw data evidence was not initially provided, but at the request of the CAA, was submitted in the form of screenshots of engagement emails together with the meeting minutes requested. A lack of detail from the sponsor explaining decisions made in relation to feedback received led to a need for the CAA to seek additional clarification from the sponsor on some items. The sponsor addressed all clarification items by email and via updated Summary of Stakeholder Engagement report (V.2.1). The sponsor submitted Summary of Stakeholder Engagement report (V.3.0) to reflect the extension of the southerly edge of TDA – A after discussions with CAA Airspace Regulator (Technical) and provided email evidence to demonstrate that Kirkwall ATC had no concerns regarding the extension.</p> <p><u>3rd round of engagement May 2023 and engagement update June 2023</u></p> <p>The sponsor updated and submitted Summary of Stakeholder Engagement report (Versions 4.0 and 5.0) after conducting their third round of engagement in May 2023 and issuing their engagement update in June 2023. The sponsor added raw data email evidence for the May/June 2023 engagement activities within their submission and updated their feedback summary table. Minimal feedback was received from stakeholders in the May/June 2023 engagement activities that included some information on stakeholders’ planned operations and/or confirmation of no change to their previous response/no or minimal impact on their operations expected.</p> <p><u>Engagement update August 2023</u></p>	

	<p>The sponsor updated the summary feedback table within their Summary of Stakeholder Engagement Report (V.6.0) and added email evidence in support of the engagement update to stakeholders sent on 21 August 2023. This shows that they received 2 replies: an acknowledgement from DAATM and a response from NatureScot. The latter explained that they are developing guidance to assist Uncrewed Aircraft Vehicles/Uncrewed Aircraft Systems (UAV/UAS) operators in ensuring that appropriate protocols are in place to mitigate the risk of causing disturbance to relevant species in the marine environment. Nature Scot requested 20 days to respond to the sponsor with their feedback. The sponsor responded positively with regards to receiving the guidance when available and explained that due to imminent submission of their final proposal to the CAA if Nature Scot had feedback which would impact their operations, they would relay it to the CAA and adjust their operations accordingly. No follow-up emails were submitted at that time.</p> <p><u>4th round of engagement February 2024</u></p> <p>The sponsor updated their summary feedback table and provided email evidence at Appendix F, Summary of Stakeholder Engagement V7.0, in support of the 2024 engagement activity. They received responses from 11 stakeholders. The sponsor also circulated an updated ConOps on 12 March 2024 to airspace stakeholders. The sponsor met with Kirkwall ATC and Orkney Island Council to discuss the ConOps on 18 March 2024.</p>	
7	<p>Does the stakeholder engagement summary document detail the change sponsor’s response to the identified issues?</p>	Yes
	<p>During the first three rounds of engagement and engagement updates, the sponsor responded to the following issues:</p> <p><u>Vertical limits of the TDA</u></p> <p>During the first round of engagement, stakeholders including NHV and DAATM noted that no information on the vertical extent of the TDA had been supplied and requested it.</p> <p>Sponsor’s response: Vertical extent would be decided based on feedback but in previous TDA operations the vertical limit had been SFT – 1,500 ft.</p> <p>CAA Note: For the second round of engagement the sponsor provided stakeholders with a vertical limit of SFC – 2,500 ft. No explanation was provided within the engagement material, nor was it initially provided within the sponsor’s document set as to why this height has been chosen. The CAA asked for clarification on this. The sponsor has stated that the geometry of the proposed TDA was decided through stakeholder engagement and Operational Safety Case (OSC) constraints. The width and height were determined as the minimum required in line with the OSC. This was further reinforced through engagement on separation deconfliction. Concern was expressed by Loganair regarding airspace incursion on low pressure days and so it was confirmed with the stakeholder that the height of the TDA including the safety buffer were relevant and appropriate for the planned operations. No stakeholders took issue with the vertical extent of the TDA during the second round of engagement.</p> <p><u>TDA to encompass the airspace over the airfields.</u></p>	

The meetings summary log (Appendix C to Summary of Stakeholder Engagement) shows that Kirkwall ATC sought clarity regarding the Kirkwall ATZ.

Sponsor's response: The TDA segments will encompass the airspace over the airfields with no active ATZ.

Operations schedule

Requests were made, for example from Kirkwall ATC for provision of a flight schedule. Northern Lighthouse Board provided dates of planned activities within the operational window, specifically passenger flights scheduled to Stroma Lighthouse and requested involvement of their helicopter operator PDG Helicopters. The latter provided no objection to the ACP if provision was in place for short-notice access to the airspace if required by operational tasking.

Sponsor's response: Inclusion of a schedule for Orkneys operations in the material for the second engagement round. Windracers cannot grant access to the TDAs while active. Emergency access will be co-ordinated through Kirkwall ATC. Contact can also be made directly with Windracers to deconflict via contact details provided by NOTAM. NOTAM will be issued well in advance of TDA activation times.

Addition of Westray airfield to the TDA network for Phase 1 Orkney operations

The sponsor stated in their CAA submission that it was suggested that Westray would in future be a more useful airfield for residents and stakeholders.

CAA Note: The raw data/meetings log does not show the addition of Westray being raised by stakeholder/s. The sponsor was asked to clarify who had suggested that Westray airfield be added to the TDA network. The sponsor's response was that informal engagement was carried out where residents and stakeholders suggested this would be a useful addition to the network and that the addition was promulgated through formal stakeholder engagement and no negative feedback was received. A review of the engagement evidence shows that no adverse comments were made by stakeholders regarding the addition of Westray.

Impact on GA and other airspace users when the UAS is flying to an island.

Tingwall General Aviators Group asked what would happen to other traffic when the UAS was flying to an island.

Sponsor's response: Route and timings will be published via NOTAM at least 24 hours in advance and for each day of activation. The sponsor will be in direct contact with Kirkwall ATC so they will have an exact departure time. Only relevant TDAs will be activated to minimise disruption to other airspace users.

Failure return routes

Kirkwall ATC sought clarification on the UAS' behaviour for example in the event of a C2 link failure.

Sponsor's response: The aircraft will now return to the "spoke" airfields, not back to the Kirkwall ATZ, in the event of a communications systems C2 loss of link.

Hazard ID Report

The sponsor conducted Hazard ID workshops with relevant stakeholders and a Hazard ID Report has been revised during this ACP's progress. V 1.3 dated 21 March 2024 has been submitted following the removal of Kirkwall Airport from the design.

Update 29.05.24: The sponsor has now submitted V1.4 Hazard ID Report dated 24 May 2024 to the CAA which includes an updated list of Hazard mitigations (Appendix C).

Deconfliction, access for Search and Rescue (SAR) aircraft and request for a Danger Area Crossing Service (DACS)

Babcock (Scotland Charity Air Ambulance (SCAA)) stated that they needed a robust means of deconflicting the sponsor's operations with the need to conduct Air Ambulance Operations in the area and asked if a DACS would be provided. Their aircraft do not have ADS-B in or out but are fitted with TAS which can detect transponding traffic.

Bristow (Sumburgh SAR) stated that they operate SAR helicopters in the proposed areas, typically in the height band SFC – 3,000 ft and asked that priority be given to permit unrestricted activity by SAR aircraft without delay.

Sponsor's response: The deconfliction measures in place will be as follows. The UAS are fitted with both ADS-B and Mode S transponders so should be visible on TAS, we will be in direct contact with Kirkwall ATC who will be providing a Danger Area Activity Information Service (DAAIS), if access is required to the TDA the aircraft can be commanded to loiter either in a pre-operations decided loiter point or the aircraft can be commanded in real time and the contact details for the ground control operator will be communicated via NOTAM. Information on the TDA and UAS activity will also be available on Kirkwall Information Automatic Terminal Information Service (ATIS).

CAA Note: NATS provided a response covering this ACP and ACP 2022 – 051. NATS (Prestwick) stated that a DAAIS would be available via the Moray Low Sector. NATS (Aberdeen) stated that no request had been received so far for a DACS however subject to engagement with Windracers and Kirkwall ATC, NATS Aberdeen may be able to provide a DACS subject to engagement and workload. Considering Babcock (SCAA) had raised DACS provision, there was initially no explanation from the sponsor as to whether they had pursued potential for a DACS. The sponsor was asked to provide clarification as to which part of the NATS response they consider relates to which ACP and whether they pursued potential for a DACS. The sponsor has responded that they have implemented a DACS for previous operations and it was found to be a burden on the ATC involved and the project as a whole. They state that the level of service has been made clear to SCAA and they are content along with other mitigations implemented. Therefore, the sponsor is not pursuing provision of a DACS.

The sponsor provided evidence to show that they engaged with NATS in May 2023 on the potential for provision of a DACS. No reply was received from NATS Aberdeen. Kirkwall ATC advised that a DACS would not be available but that a DAAIS would be available through Kirkwall ATC.

CAA Note: In September 2023, the sponsor stated that Kirkwall ATC had been contacted to confirm they are able to give the service required to carry out these operations and that it was agreed that this service would not be a standard DAAIS. The updated ConOps V 4.2, dated 20 March 2024, states that a Special Use Airspace Activity Information Service (SUA AIS) will be available from Kirkwall Tower/Approach for remaining TDAs B and C.

Feedback received during 4th engagement round conducted in 2024.

The MoD via DAATM stated that there was no foreseen negative impact to MoD airspace users. NATS NERL (including Aberdeen offshore) stated that an Impact Assessment had concluded no impact as a result of the changes to the proposal. CHC Helicopters commented that they expected no issues from an operational perspective as long as the activity was publicised by NOTAM. A GA pilot from Lamb Holm Airfield expressed concern at the proposal and potential impact on his ability to pursue flying over the summer months. The sponsor provided more information on the proposal and provided reassurance regarding notification of activities by NOTAM and provision of an Activity Information Service.

Deconfliction with published schedules

Loganair commented on deconfliction with published schedules and asked if any adjustment was required to either the sponsor's or Loganair's timetable so that the sponsor's flights would not take-off or land within +/- 15 minutes of Loganair's operation. HIAL also pointed out a potential conflict in the intended flight schedule with Loganair flights.

Sponsor's response: We had originally deconflicted with the winter timetable. We will update the schedule to deconflict with the summer timetable. We will not schedule take off/landing within 15 minutes of Loganair operations. Publication by NOTAM will occur at least 24 hours in advance of flights.

Impact on Special Protection Areas (SPAs) main bird breeding season

NatureScot raised concerns regarding the changing of the operational timetable with flights now proposed to occur during the sensitive main breeding season for various bird species, which are protected features of the SPAs. The sponsor expressed an understanding of the issue and pointed out certain proposals including logging any interactions with sea birds using the Nature Scot Drone feedback form. While the stakeholder appreciated this approach, they asked if the course of the flight within TDAs B and C could be modified as current flight paths were likely to overlap with the Calf of Eday SPA and Site of Special Scientific Interest (SSSI) and the Papa Westray (North Hill and Holm) SPA and SSSI. NatureScot stated that should the proposal proceed to being authorised; a Habitat Regulations Appraisal (HRA) would need to be carried out by the CAA. With the sponsor trialling new technology, it was not known whether the birds would react in a similar or different way to the novel

operation. Flying in close proximity could pose a risk of disturbance and potentially have a likely significant effect on the qualifying species but shifting the flight paths by up to a maximum of c.2 miles could reduce potential impact. Based on understanding of disturbance distances for bird species, Nature Scot also proposed buffer zones of 500m for Calf of Eday and Papa Westray (North Hill and Holm) SPAs and potentially 750m for Mill Lock SSSI. If not possible to divert flight paths to avoid flying directly over the SPA Island and the buffer, the stakeholder advised that a survey be carried out during initial flights to capture information on the response of the SPA species.

Potential impact on East Sanday Coast SPA, West Westray Spa, North Orkney SPA as well as Mill Lock SSSI and Doomy and Whitemaw SSSI was also considered. With take-off and landing activity planned for Eday Airport, being in close proximity to Doomy Whitemaw SSSI and Mill Lock SSSI, NatureScot suggested that flights should depart and arrive at the south-west end of the runway to ensure that a minimum of 500m is maintained between the boundaries of these two SSSIs and the proposed operation at Eday Airport.

Sponsor's response: Our routes should not come within 500 m of the North Hill and Holm SPA. The closest we would fly is 650m. For both the Calf of Eday SPA and the Mill Lock SSSI we will increase our height over those areas to 1,500 ft. We would expect a volume of <50 dB if operating at that height. This would be for a very short period of time as aircraft would not loiter above those areas. Original loiter point A close to the Calf of Eday has been moved to loiter points B and C to minimise impact. Regarding the survey, Windracers will liaise further with NatureScot on how best to carry this out and to confirm with them that the right data is being collected and any results being interpreted correctly. It is suggested that not only will a camera be used on board the aircraft but that in addition a noise impact assessment will be conducted.

The sponsor has submitted an updated Summary of Stakeholder Engagement V7.1 (07.05.24) in which they provide more recent correspondence with NatureScot regarding the survey. The latter advise that conducting a land-based vantage point survey would be the recommendation for the Windracers operation. NatureScot have provided the sponsor with guidance on how to complete the survey and also referred them to legislation regarding disturbance being caused to nesting birds for the sponsor's awareness. The sponsor has stated within their summary of feedback (para 2.7) that they will conduct the survey to understand the impact of the TDA and associated operations on seabirds. They will use an on-board camera to capture video footage to monitor any change to seabird activity.

Letters of Agreement (LoAs)

- In an email response to Sumburgh Airport (dated 19 December 2022) the sponsor referred to outputting LoAs to confirm details of the TDA and scheduling. The sponsor was asked to clarify the situation regarding a possible LoA with Sumburgh Airport. They updated the CAA stating that Sumburgh Airport have confirmed that this ACP will not impact their operations.
- A LoA with HIAL and Orkney Island Council has been refined during this ACP's progress. V 2.1 is dated 6 May 2024 and is not signed by the parties. Update 29.05.24: The sponsor has submitted the latest version of this LoA, V 2.2 dated 24 May 2024. The LoA is unsigned.

	<p>Concept of Operations (ConOps)</p> <p>A ConOps has been produced to identify a set of procedures which may assist in facilitating the flights to be conducted via this ACP. The sponsor has stated that agreements will be strictly adhered to. A ConOps has been refined during this ACP's progress. ConOps V 4.2 now reflects the fact that Eday will be the hub location and procedures specific to Kirkwall have been removed. ConOps has been submitted with Kirkwall ATC, Loganair and Orkney Island. The most recent version is ConOps V4.3 dated 6 May 2024 and is not signed.</p> <p>Update 29.05.24: The sponsor has submitted to the CAA ConOps V 4.4 dated 24 May 2024 which has been revised in line with the associated Letter of Agreement.</p>	
8	<p>Is the change sponsor's response to the issues raised appropriate/adequate?</p>	<p>Partially</p>
	<p>The TDA complex now comprises two areas, TDAs B and C. The TDA will be activated by NOTAM at least 24 hours in advance of operations. Only those areas required for a flight will be activated to minimise impact to other airspace users.</p> <p>Concept of Operations V4.2 provides for availability of a Special Use Airspace Activity Information Service (SUA AIS) from Kirkwall Tower/Approach for TDAs B and C. The provision of SUA AIS is in accordance with CAA Special Use Airspace policy. A signed LoA with HIAL and Orkney Island Council has been submitted addressing communication, activation, arrangements for deconfliction and emergency service access, and operational procedures including actions to be taken in the event of a C2 loss of link.</p> <p>Since submitting their Stage 4 CAP 1616 final airspace change proposal to the CAA, the sponsor, at the CAA's request, has revised their operating period. They now plan to activate the TDA, if approved, from 3 June 2023 to 30 August 2023. In doing so, they recognise that they would need to engage with stakeholders to update them of the revised operating period.</p> <p>Further to the correspondence between NatureScot and the sponsor regarding likely significant impact on SPA bird species, the sponsor has proposed mitigations in response although these do not exactly align with what NatureScot had proposed. The sponsor will conduct the survey recommended by NatureScot to capture information on impact on the seabirds. Please refer to CAA Environmental Assessment for recommended conditions.</p>	
9	<p>Has the change sponsor set out how they will collate, monitor, and report to the CAA on the level and content of the complaints?</p>	<p>Yes</p>
	<p>The change sponsor has provided an email address for stakeholders to send any feedback or complaints during the operation of the TDA. They will report to the CAA regarding all queries received and state that action will be taken to reduce the impact on other stakeholders. This will include meetings (checkpoints) with key stakeholders to assess whether any operational aspects need to be revised. This CAP 1616 requirement is confirmed by way of a condition at Q.12 below.</p>	
10	<p>Is the proposal likely to affect traffic operating below 7000ft over an inhabited area? If yes, has the change sponsor provided the brief impact analysis to explain the likely impacts and explained how they will inform relevant community stakeholders?</p>	<p>Yes</p>

	<p>The level of traffic re-distribution below 7,000 ft has been assessed by the sponsor as minimal.</p> <p>The sponsor will inform communities that may be affected by the intended operations using:</p> <ul style="list-style-type: none"> • social media (LinkedIn, Instagram, X and Facebook) • SATE Media (news outlets, BBC Radio Orkney and Orkney Island Council website) • community Notice Boards, both online and at 9 community centres located across the Orkneys. These have been listed at Appendix H to Summary of Stakeholder Engagement V7.0. <p>The sponsor’s planned activities to inform communities appear to be reasonable and proportionate given the impact analysis outcome.</p>	
11	<p>Taking the above considerations into account, does the SME recommend that this proposal has met the engagement (or consultation) requirements of the Temporary Airspace Change process?</p>	Yes
	<p>The sponsor has achieved meaningful two-way engagement. While much of the feedback received was in the form of stakeholders seeking clarification regarding aspects of the proposal and its operation, the sponsor has taken into account feedback received in the final proposal and operational arrangements with agreed and updated LoAs and ConOps submitted to the CAA. The sponsor has met the engagement requirements of the process.</p>	
12	<p>Are there any Condition(s) which the change sponsor must fulfil before activation (if approved)? If yes, please list them.</p>	Yes
	<p><u>Recommended Condition 1</u></p> <p>The sponsor must finalise all Letters of Agreement. A copy of the final versions must be provided to the CAA along with evidence of the agreement of all parties (either through signatures on the document or alternative information that confirms acceptance by all parties).</p> <p><u>Recommended Condition 2</u></p> <p>The sponsor should inform the stakeholders of the decision (when published), likely impacts and what will happen next. This notification should include the revised operating period of 3 June 2023 to 30 August 2023.</p> <p><u>Recommended Condition 3</u></p> <p>The sponsor is required to collate, monitor, and report to the CAA on stakeholder feedback received during the period of the TDA. The CAA would welcome confirmation on the level and contents of any stakeholder feedback received on a two-weekly basis throughout the duration of the TDA.)</p>	

Targeted Engagement (or Consultation) Assessment sign-off			
	Name	Signature	Date
Assessment completed by Airspace Regulator (Engagement and Consultation)	██████████	████████████████████	8 May 2024 Updated 29 May 2024
Principal Airspace Regulator comment / Decision	Name	Signature	Date
Operational assessment conclusions approved by Principal Airspace Regulator	██████████	████████████████████	30/05/2024