



CAA Decision Log

Airspace Change Proposal Title	Clash Gour Wind Farm
Airspace Change Proposal Reference	ACP-2021-046
Change Sponsor	Clash Gour Holdings Ltd
AIS Submission Target Date	TBC
CAA Decision Target Date	01 April 2025
Executive Summary	
Clash Gour Holdings Limited (Clash Gour) has planning permission to develop an onshore wind farm, known as Clash Gour Wind Farm, located approximately 14 Nautical Miles (NM) southwest of Elgin and 13NM southeast of Nairn. The proposed site will contain up to 48 wind turbine generators (WTGs), up to a maximum height of 180m above ground level (to maximum blade tip height). The issue of WTGs causing clutter on Primary Surveillance Radar (PSR) displays is well understood and Inverness Aerodrome and Royal Air Force (RAF) Lossiemouth initially objected to the proposal based on the impact it would have on the Inverness and RAF Lossiemouth PSRs. As a result, the project is subject to a planning consent condition, which is detailed in Table 1 Page 6 of the Stage 4 Formal Submission. This condition directs that no WTGs may be erected until a PSR mitigation strategy is agreed and that prior to erection of the WTGs the agreed mitigation strategy has been implemented and in operation. In this CAP1616 Permanent Level 1 ACP, Clash Gour propose the application of Radar Range Azimuth Gating (RAG), more commonly known as radar blanking, to the Inverness and RAF Lossiemouth PSRs covering the area affected by the WTGs. This will prevent the display of potentially erroneous radar returns, or clutter, caused by the WTGs. In addition, a Transponder Mandatory Zone (TMZ) is proposed for implementation in the blanked area from Surface (SFC) to Flight Level (FL) 195, which will allow aircraft equipped with a transponder to remain visible to Air traffic Control (ATC) using Secondary Surveillance Radar (SSR) returns and non-transponder equipped aircraft to transit the area with prior clearance from the Controlling Authority. During the CAP1616 airspace change process, the airspace design evolved from the original design options presented by the sponsor in response to stakeholder feedback received during engagement and formal consultation. Following formal submission of the ACP documentation for CAA decision, additional engagement has taken place in order to progress Letters of Agreement (LoAs) and the establish a Controlling Authority for the proposed TMZ.	

The CAA determined that the proposal was in scope of the CAP1616 ACP process, with specific CAA decision making responsibility for any changes proposed within the boundary of the airspace, and stated the provisional level of airspace change attributable to the proposal as Level 1. Minutes of the Assessment Meeting, together with a copy of the slide presentation that was used in the meeting, were published to the Airspace Change Portal. At the Stage 2 'Develop and Assess' Gateway Assessment, the CAA determined that the change sponsors application was a Level 1 ACP.

The recommendation to the CAA Decision Maker is that the proposed TMZ is **approved for implementation providing the conditions at para C2 are fully met**. This includes the sponsor providing completed copies of the LoAs that are currently in draft form; the sponsor confirms the target AIRAC and provides an up-to-date draft AIP amendment; the approval of the Safety Case by CAA ATM.

The design of the proposed TMZ is described and illustrated in the Step 4b document 'Airspace Design Update' published to the Airspace Change Portal on 13 May 2024.

Implementation of the proposed TMZ will be notified through a single AIRAC cycle (proposed to be AIRAC 01/2026) which will become effective on 22 January 2026 (AIS Sponsor submission cut-off 24 October 2025).

Note: AIRAC date TBC due to delays.

The CAA's Post-Implementation Review (PIR) of the changes approved by the CAA in this decision will commence at least one year after the implementation date. It is a condition of the CAA's approval that the change sponsor captures and collates data throughout the year following implementation of the airspace change, which will be used to inform the PIR.

PART A – Airspace Change Process – GATEWAYS		
A.1	Airspace Change Portal	
A.1.1	Airspace change proposal public view (caa.co.uk)	
A.2	CAA SharePoint site	
A.2.1	Clash Gour Wind Farm - Project - All Documents (sharepoint.com)	
A.3	Stage 1 DEFINE Gateway	28/01/2022
A.3.1	20220110-ACP-2021-046 Clash Gour Stage 1 Gateway Recommendation - FINAL.docx	
A.4	Stage 2 DEVELOP AND ASSESS Gateway	14/10/2022

A.4.1	20220930-ACP-2021-046 Clash Gour Stage 2 Gateway Recommendation Oct GW.docx	
A.5	Stage 3 CONSULT Gateway	06/03/2023
A.5.1	20230208 Clash Gour (ACP-2021-046) Stage 3 Gateway Recommendation.docx	
A.6	Chronology	
A.6.1	29 June 2021: Change Sponsor submits DAP1916 Statement of Need v1 setting out the issues and opportunities. 28 September 2021: Assessment Meeting held between CAA and change sponsor/aviation consultant. 28 January 2022: Stage 1 'Define' Gateway passed at the first attempt. 14 October 2022: Stage 2 'Develop & Assess' extraordinary Gateway passed at the third attempt. 6 March 2023: Stage 3 'Consult' Gateway passed at the first attempt. 29 March 2023: Formal consultation commenced. 31 May 2023: Formal consultation concluded. 15 responses received via Airspace Change consultation hub. 13 May 2024: Formal ACP Submission submitted to CAA. 14 July 2023: Step 3D Categorisation complete. 10 May 2024: DfT Secretary of State Call-in feedback window opened. 10 June 2024: DfT Secretary of State Call-in feedback window shut. Nil requests made. 02 July 2024: Change Sponsor submits Addendum to the ACP-2021-046 Stage 4 Submission. 22 August 2025: CAA Decision made by Head AAA. TBC 2026: AIS sponsor submission cut-off date. TBC 2026: TBC depending on build schedule.	
A.7	Are there any additional process requirements of the Civil Aviation Authority (Air Navigation) Directions 2023 (the "Air Navigation Directions") and/or the Air Navigation Guidance 2017 which apply to this airspace change, and have they been complied with?	No
A.7.1	No.	

PART B – Airspace Change Process – STAGE 5			
B.1	Was a Public Evidence Session required for this proposal?		No
B.1.1	Despite this ACP being eligible for a Public Evidence Session, there was not sufficient interest to justify holding one.		
B.2	Were any requests made for this decision to be called-in by the Secretary of State?		No
B.2.1	Secretary of State Call-in feedback window opened on 01 August 2023. Window closed on 29 August 2023. Nil requests made.		
B.3	Does the Secretary of State call-in criteria apply to this proposal?		Yes
B.3.1	Secretary of State Call-in feedback window opened on 01 August 2023. Window closed on 29 August 2023. Nil requests made.		
B.4	Has the Secretary of State decided to call-in this proposal? NOTE: if 'Yes' the content of this log concerns the recommendations linked to the 'minded-to' decision that has been presented to the Secretary of State.		No
B.4.1	<i>Insert narrative and hyperlinks to any relevant documentation as required.</i>		
B.5	Subject Matter Expert (SME) Regulatory Assessments NOTE: this captures RAG status only – full details contained within each of assessment (hyperlinks inserted below)		
<u>ATM Safety</u>		PENDING – will need review before implementation (see Conditions)	<u>Environmental</u>
<u>Economic Assessment & Statement</u>		COMPLETE	Instrument Flight Procedure
<u>Engagement / Consultation</u>		COMPLETE	<u>Operational</u>
B.5.1	<i>Is there any other information outside of the regulatory assessments above which should be brought to the attention of the decision maker (e.g. outstanding Letters of Agreement)?</i>		

B.6	Other Relevant Documents (title and hyperlinks to be inserted)	
	20241125-Clash Gour ATCOB draft order V3.docx	
B.7	Has the relevant legal and policy framework to the airspace change process been taken into account, including: • the Air Navigation Directions; • the Airspace Modernisation Strategy; • section 70 of the Transport Act 2000; • the Air Navigation Guidance 2017; and • CAP 1616 and associated publications?	Yes
B.8	CAA consideration of whether the proposal is in accordance with the Airspace Modernisation Strategy (Air Navigation Directions, direction 5(1)). <u>NOTE:</u> the left column captures RAG status only and the right column captures the rationale – full details will be contained within the SME Regulatory Assessments. Reference should be made to the AMS characteristics (CAP 1616f, 6.61). For more information on the AMS strategic objectives, see <i>Airspace Modernisation Strategy 2023-2040 Part 1: Strategic Objectives and Enablers</i> (CAP 1711).	
Safety		The AMS safety strategic objective states that: “Airspace modernisation should maintain and, where possible, improve the UK’s high levels of aviation safety.” The purpose of the proposed TMZ is to ensure the safety of airspace users by mitigating the impacts of WTGs on the PSRs of Inverness and RAF Lossiemouth. The WTGs are displayed as ‘clutter’ on PSRs and require radar blanking of the radar to prevent issues. Therefore, to ensure that aircraft are displayed to Air Traffic Control Operators (ATCOs) through the use of SSR returns. This approach is considered by the CAA to satisfy the AMS strategic objective to, at least, maintain the UK’s high levels of aviation safety.
Integration of diverse airspace users		The AMS integration strategic objective states that: “airspace modernisation should wherever possible satisfy the requirements of operators and owners of all classes of aircraft, including the accommodation of existing users (such as commercial, General Aviation, military, taking into account interests of

	national security) and new or rapidly developing users (such as remotely piloted aircraft systems, advanced air mobility, spacecraft, high-altitude platform systems)." The proposed TMZ is intended to mitigate the impacts of WTGs on the PSRs of Inverness and RAF Lossiemouth as there is a requirement to apply radar blanking to the radar, resulting in a loss of radar returns. Providing an accurate radar picture aids safety and allows ATCOs to provide an effective ATS. The implementation of a TMZ does not allow integration of new users but does allow existing users to access airspace and be visible to others. The classification of the airspace is unchanged and only aircraft that are non-transpondering are impacted by the change. However, as per the SARG Policy for RMZ/TMZ Airspace there is provision provided to allow non-transponder equipped aircraft to access the TMZ with permission from the Controlling Authority. This solution is considered by the CAA to satisfy the AMS strategic objective as there is no other feasible option available. However, it is noted that both Inverness and RAF Lossiemouth are installing new radar equipment that will, once tested and approved, result in the TMZ no longer being required.
Simplification of airspace system	The AMS simplification strategic objective states that: "airspace modernisation should wherever possible, secure the most efficient use of airspace and the expeditious flow of traffic, accommodating new demand and improving system resilience to the benefit of airspace users." The implementation of the proposed airspace structure does not result in a simplification of the airspace system. However, at present, the only suitable airspace mitigation measure to ensure the impacts of the WTGs on PSR is the implementation of a TMZ. The proposed airspace structures are required to mitigate radar blanking impacts in order to maintain safety, which is the overarching priority of airspace regulation. Therefore, the CAA considers the proposed airspace structures to offer the simplest airspace design for the mitigation of radar blanking in the affected airspace consistent with the safe operation of aircraft.
Environmental sustainability	The AMS environmental sustainability strategic objective states that: "environmental sustainability will be an overarching principle applied through all airspace modernisation activities. Airspace modernisation should deliver the Government's key environmental objectives with respect to air navigation as set out in the Air Navigation Guidance." The statement of need for this ACP does not include any environmental factors. However, the design principles applied to the development of design options for this ACP included objectives to minimise the environmental impacts on stakeholders on the ground and minimise impacts on other aviation stakeholders. The final proposed design option that was selected through the options appraisals is also

	likely to produce the best environmental impacts, although these have been assessed to be negligible. Although not in scope of the CAA's assessment, Clash Gour windfarm is planned to generate 570-710 gigawatts (GW) hours of renewable electricity annually, thereby contributing significantly to the Scottish Government targets for net zero and action against climate change. The CAA therefore recommends the approval of this ACP.
B.9	CAA consideration of factors material to our decision whether to approve the change (section 70, Transport Act 2000). <u>NOTE:</u> the left column captures RAG status only and the right column captures a summary of the rationale – full details will be contained within the SME Regulatory Assessments. Reference should be made to the Section 70 characteristics (CAP 1616f, 6.80).
Maintain a high standard of safety in the provision of air traffic services section 70(1)(a)	The CAA's primary duty is to maintain a high standard of safety in the provision of air traffic services and this takes priority over all other duties. In its consideration of this proposal, the CAA is satisfied that the implementation of the proposed TMZ maintains a high standard of safety: • The proposed TMZ does not alter the classification of the airspace. • The proposed radar blanking of the Inverness and RAF Lossiemouth PSRs will introduce effective suppression of all primary radar clutter associated with the WTGs. • The proposed TMZ will ensure that all air traffic operating within the area affected by the radar blanking applied to the Inverness and RAF Lossiemouth PSRs will remain displayed to ATCOs through the use of SSR returns.
Secure the most efficient use of airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic section 70(2)(a)	The CAA is required to secure the most efficient use of the airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic. In its consideration of this proposal, the CAA is satisfied that the implementation of the proposed TMZ will have a minimal impact on the efficient use of this airspace while maintaining the safe operation of this airspace: • The proposed TMZ will not impact or alter the current operation of the vast majority of users of the airspace within the TMZ. • The volume of airspace is the minimum required to mitigate the impact of the WTGs on radars and is the least complex design for the unintended utilisation. • Analysis of operations conducted within the vicinity of the proposed TMZ indicate that less than 8 aircraft a day may be completed by aircraft not appropriately equipped to operate within the

	proposed TMZ. However, not all of those aircraft would need to avoid the TMZ so therefore impact is assessed as low. • The CAA considers the impact to users not equipped to enter the TMZ is proportionate and acceptable in order to maintain the safe operation of the airspace following the construction of the WTGs. • The CAA considers the access arrangements for non-transponder equipped aircraft to be acceptable to allow those aircraft to enter and transit the TMZ with prior permission from the Controlling Authority. However, the airspace does have the potential to increase the need for tactical interventions from ATCOs and increase the number of interactions due to non-transponder equipped aircraft having to contact the Controlling Authority for access to the airspace.
Satisfy requirements of operators and owners of all classes of aircraft section 70(2)(b)	The CAA is required to take account of the requirements of operators and owners of all classes of aircraft. In its consideration of this proposal the CAA accepts that the vast majority of air traffic will be unaffected by the introduction of the proposed TMZ but also recognises that a small element of the aviation community operates aircraft that are not fitted with transponders. However, provision has been made to allow access to non-transponder equipped aircraft to enter and transit the TMZ with prior permission from the Controlling Authority.
Take account of the interests of any other person (other than an operator or owner of an aircraft) in relation to the use of any particular airspace or the use of airspace generally section 70(2)(c)	The CAA has a duty to take account of the interests of any person (other than an owner or operator of an aircraft) in relation to the use of any particular airspace or the use of airspace generally. During the CAP1616 airspace change process, the sponsor has engaged and consulted with a broad range of stakeholders and interested parties. All feedback received in relation to these communication activities has been dealt with and, where appropriate, acted upon by the sponsor. There is no impact on third-party safety risk or requirements of interested parties.
Take into account the Secretary of State's guidance relating to spaceflight activities section 70(2)(ca)	N/A – this ACP is not related to spaceflight activities.
Take into account the Secretary of State's guidance on	The CAA is required to take into account the Air Navigation Guidance 2017. In the Air Navigation Guidance 2017, the Government has set environmental objectives with respect to air navigation.

environmental objectives section 70(2)(d)	These environmental objectives are 'designed to minimise the environmental impact of aviation within the context of supporting a strong and sustainable aviation sector. The objectives are, to: • limit and, where possible, reduce the number of people in the UK significantly affected by adverse impacts from aircraft noise; • ensure that the aviation sector makes a significant and cost-effective contribution towards reducing global emissions; and • minimise local air quality emissions and in particular ensure that the UK complies with its international obligations on air quality. This ACP has been scaled as a Level 1 as it has potential to alter civil aviation traffic patterns below 7,000 ft. over an inhabited area. The sponsor has undertaken a high-level qualitative assessment of all required environmental impacts. This scaled assessment is based upon a robust rationale and supporting evidence which concluded that a low number of non-transponding GA aircraft (approximately 8 per day on average) may be affected by the ACP and would be required to re-route around the boundary of the TMZ. Further, this number is based on an upper estimate and the actual numbers of impacted aircraft may be lower as some may still be able to access the TMZ with ATC permission. The rise in the number of GA aircraft carrying electronic conspicuity devices may reduce the impact of the TMZ in future. Based upon the evidence provided by the sponsor, the environmental impacts resulting from this ACP are considered to be negligible, and therefore, this proposal is not in conflict with the environmental objectives as set out in the Air Navigation Guidance 2017.
Facilitate the integrated operation of air traffic services provided by or on behalf of the armed forces of the Crown and other air traffic services section 70(2)(e)	The CAA is required to facilitate the integrated operation of air traffic services provided by, or on behalf of, the Armed Forces of the Crown and other air traffic services. In this respect, the CAA is satisfied that the implementation of the proposed TMZ will have limited effect on the integrated operation of ATS. RAF Lossiemouth may see an increase in ATCO workload and resource implications for the provision of a radar service to non-transponder equipped aircraft transiting the TMZ location, but this is anticipated to be low.
Take account of the interests of national security section 70(2)(f)	The sponsor has engaged extensively with, and entered into appropriate agreements with, the MOD regarding the interests of national security.

Take account of any international obligations notified to the CAA by the Secretary of State section 70(2)(g)		No such international obligations have been notified to the CAA under section 70(2)(g) of Transport Act 2000.
B.10	Are there any other associated publications relevant to the proposal and, if so, have the requirements of those publications been met? <u>NOTE:</u> associated publications include Airspace Policy Statements listed here .	Yes
B.10.1	The proposed airspace construct is a TMZ over the Clash Gour Wind Farm location to mitigate the impacts on the Inverness and RAF Lossiemouth PSRs. Therefore, the SARG Policy for RMZ/TMZ is applicable. The sponsor has complied with the requirements of the policy statement by completing the required CAP1616 airspace change process requirements. The proposed TMZ and the operational management of the structure conform to the requirements of the policy in that the TMZ is the minimum dimensions practicable to meet the safety requirements identified by the change sponsor, provision is made via the Controlling Authority (RAF Lossiemouth ATC) for aircraft that can't comply with the TMZ requirements can access and those arrangements will be promulgated in the AIP by the Controlling Authority.	
B.11	Conclusions in respect of requirement to ensure that the amount of controlled airspace is the minimum required to maintain a high standard of air safety and, subject to overriding national security or defence requirements, that the needs of all airspace users is reflected on an equitable basis. <u>NOTE:</u> this section only applies if the CAA is classifying or amending the classification of UK airspace.	
B.11.1	Not applicable as the proposed TMZ does not alter the classification of UK airspace and it remains Class G.	

PART C – Stage 5 Recommendation	
C.1	Taking the above information into account, what is your recommendation to the decision-maker for this proposal?
C.1.1	The recommendation to the CAA Decision Maker is that the proposed TMZ is approved for implementation upon satisfactory fulfilment of the requirements of the 3 conditions detailed in para C.2 below. <u>Technical/Operational</u> From a technical regulatory perspective, the change sponsor has met the requirements of the airspace change process. It is accepted that, at present, the only viable option to mitigate the impacts of radar blanking on the Inverness and RAF Lossiemouth PSRs is the establishment of a TMZ. While this option does have an impact on non-transponder equipped aircraft, it is currently the best method to ensure the maintenance of a high level of aviation safety while enabling the development of the Clash Gour WTGs. The sponsor has completed the CAP1616 process requirements and proposed a suitable structure that would mitigate the issues presented and the TMZ is the minimum dimensions required. Access to non-transponder equipped aircraft is provided via the Controlling Authority through the development of an LoA between the sponsor, Inverness and RAF Lossiemouth. The anticipated impact of the TMZ is assessed as low and although implementation may lead to some potential funnelling of aircraft the impact analysis supports this. The sponsor has committed to working with stakeholders to identify a technical solution that would result in the removal of the TMZ and have the least impact on all airspace users. Final production of LoAs to detail operating procedures with ANSPs remain work in progress. Therefore, it is recommended that the proposed TMZ, are approved on completion of the required LoAs and conditions in para C.2. <u>Engagement & Consultation</u> The change sponsor provided a comprehensive list of consulted stakeholders to ensure transparency. They engaged with the same stakeholders from stage 1 through stages 2 and 3, grouping them into 2 groups which were Government and Community Stakeholders, and aviation stakeholders. As well as airspace users, the change sponsor additionally conducted consultations with Community Councils, Community Groups, Trusts, and Community and Resident Associations within the development area, focusing on local organisations that would potentially be affected by the wind farm's development. The consultation run for a 9-week period from 29th March 2023 to 31st May 2023, with a justified rationale for the shortened timeframe provided and accepted by the CAA. At the consultation's launch, the sponsor highlighted that feedback would shape the final design and help understand the impact on stakeholders' activities and operations due to the proposed ACP. However, the consultation materials at stage 3 showed that sponsor had been unprepared for requests from individuals needing alternative access to the materials,

indicating a lack of accessibility and readiness for such requests as stressed on using only conventional methods for responses. Change sponsor later rectified this.

After the consultation period, the change sponsor reviewed and categorized responses based on their potential to influence or not influence the design changes and included issues that were raised beyond their control. This stage confirmed that the sponsor had met stakeholders' requirements and appropriately acknowledged their concerns. One response contained a suggestion that had the potential to impact the final design, however, the sponsor considered it but ultimately discounted it, providing an acceptable rationale for their decision. The analysis of consultation responses and subsequent post consultation correspondence has led to proposed Letters of Agreement which are yet to be progressed and received by the CAA however the change sponsor has demonstrated that meaningful consultation was achieved.

Environment

The sponsor has satisfied all relevant policy requirements. The final proposed design option is anticipated to have a negligible environmental impact (including on noise, GHG emissions, local air quality, tranquillity and biodiversity) as a result of the displacement and consequential re-routing of non-transponder equipped GA aircraft around the TMZ. The CAA agrees with the conclusions presented by the sponsor.

Although not in scope of the CAA's assessment, Clash Gour windfarm is planned to generate 570-710 gigawatts (GW) hours of renewable electricity annually, thereby contributing significantly to the Scottish Government targets for net zero and action against climate change. Therefore, it is recommended that the ACP is approved.

Economic

The sponsor has only identified minor economic effects for the proposed option. There is no attempt to monetise the impact as it would not be proportionate to require such analysis for the negligible economic effects anticipated.

The CAA therefore concludes that the sponsor has satisfied all relevant policy requirements. The CAA also agrees with the conclusions presented by the sponsor and therefore approves the economic assessment provided. More detail can be found in the Final Options Appraisal assessment document.

Air Traffic Management

ATM supports Inverness' assertion that a TMZ is not required. There will be limited impact on Inverness from an ATM perspective, subject to RAF Lossiemouth being the 'Controlling Authority' of the TMZ and noting that RAF Lossiemouth is the designated Lower Airspace Radar Service unit in that area (subject to operating times).

In the long term, universal electronic conspicuity will be required as the pace of windfarm development is such that infill radars will themselves be compromised.

The Safety Case documents presented by the sponsor are draft and will need finalisation before any ATM endorsement can be offered as per condition 3 at para C2 below.

C.2	Are there any Recommendations and/or Conditions for the change sponsor to address prior to implementation (if approved)?	Yes
C.2.1	The planning consent granted to the Clash Gour Wind Farm development requires a PSR mitigation strategy to be agreed prior to construction of WTGs and stipulates that the mitigation is to be implemented and in operation prior to erection of the WTGs. Clash Gour indicate that construction is due to commence in 2026. <u>Recommended Draft Condition 1</u> It is recommended that a condition is placed on the approval of this ACP such that the TMZ is not implemented until all LoAs and SOPs have been completed and approved by the CAA. <u>Recommended Draft Condition 2</u> It is recommended that a condition is placed on the approval of this ACP such that the sponsor must confirm the target AIRAC and provide the up-to-date Draft AIP amendment to the CAA for approval. The TMZ must be implemented and operational before the erection of any WTGs. Additionally, the 4-part Safety Case submitted by the sponsor has multiple areas that require further review and to be confirmed. Therefore following review of that submitted documents by the CAA the following condition is recommended before implementation of the TMZ. <u>Recommended Draft Condition 3</u> It is recommended that a condition is placed on the approval of this ACP such that the sponsor must provide an updated and complete Safety Case to the CAA for approval before implementation. Inverness and RAF Lossiemouth have stated that in the future they will have new radars that are capable of mitigating the impacts of the Clash Gour WTGs. In order for the radar mitigation to be accepted testing must be completed and accepted. Therefore, until that acceptance has been completed the TMZ will need to be in place. However, upon successful acceptance of the radar mitigations the TMZ will no longer be required. <u>Recommended Draft Condition 4</u> It is recommended that a condition is placed on the approval of this ACP such that the sponsor must complete the appropriate process to disestablish the TMZ once a suitable radar mitigation has been accepted by Inverness and RAF Lossiemouth.	
C.3	Are there any specific requirements in terms of the data to be collected by the change sponsor for the Post Implementation Review (if approved)?	Yes

C.3.1	<i>If 'Yes', insert hyperlink and additional narrative as required.</i> Should the proposed TMZ be approved for implementation, arrangements must be made by the Sponsor to ensure that the following data is collected for use during the PIR: • Details on the number of occasions that requests for access to, or transit of, the TMZ by non-transponder equipped aircraft is granted or denied. This must also include the type and altitude of any such aircraft. • Details of occasions a non-transponder equipped aircraft infringes the TMZ. • Details regarding the efficacy of any attempted controller intervention. • A traffic analysis survey for a two-week period falling within the 92-day summer period (16 June – 15 September) post-implementation of the ACP. The analysis survey must be consistent with the methodology used within the ACP submission to allow for an appropriate comparison. Should the proposed TMZ be approved for implementation, arrangements must be made by the Sponsor to ensure that related stakeholder observations (enquiry/complaint data) are collated and presented to the CAA.				
C.4	Are any other consents and approvals needed in order to permit the intended operation (title and hyperlinks to be inserted)?				
C.5	Are there any other comments/observations for the decision maker?				No
C.5.1	The CAA has not directly received any external correspondence in relation to the change sponsor's ACP.				
C.6	Regulator's Signature				
Technical Regulator	[Redacted]		[Redacted]		25 Feb 25

PART D – Draft Regulatory Decision – Comment (for Level 1 Airspace Change Proposal's only)		
D.1	Was a Draft Regulatory Decision published for this proposal?	No
<i>If applicable, insert narrative providing a summary.</i>		
D.2	Was any feedback received in relation to the Draft Regulatory Decision?	N/A
N/A		
D.3	Has the Draft Regulatory Decision been amended in light of feedback received?	N/A
N/A		

PART E – Final Regulatory Decision – Comment/Approval

Manager Airspace Regulation comments and recommendation:

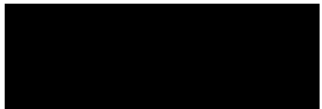
Cognisant that the ATM recommendation above is based upon the impact to Inverness, there remains a potential impact to RAF Lossiemouth which this ACP seeks to address. Taking account of the conditions noted above, alongside the confirmed intent for RAF Lossiemouth to manage the TMZ as the controlling authority in line with the requirements stipulated in SARG Policy 124: Policy for Radio Mandatory Zones and Transponder Mandatory Zones, I recommend approving this ACP. The TMZ itself however should not be activated until it is required, per the conditions above. I would further emphasise the importance of the role of the controlling authority to effectively manage the TMZ to reduce the impact to other airspace user and the importance of condition 4 and recommend that RAF Lossiemouth should keep under review the requirement for the TMZ in the first place and seek to remove this as soon as it is no longer required.

Additional to the conditions at C2, there is potential for other policy and regulatory updates to have an impact on the requirement for the proposed TMZ, which may result in a change to the design or no requirement to implement the airspace solution. Therefore, an additional condition is placed upon the implementation of the TMZ as below:

Condition 5

A condition is placed on the approval of this ACP such that the sponsor must review the most up to date policies and regulations to determine if the TMZ is required and if any reduction to the upper level is needed to the TMZ before implementation.

Note: The upper limit of the approved TMZ is FL195 and any changes to this level as per the condition above (i.e. the upper-level changes to FL100) the sponsor is not required to complete an ACP and the decision contained within this Decision Log remains extant.

Manager Airspace Regulation			07 Aug 25
Head AAA comments and regulatory decision: Approved.			
Head AAA			22 Aug 25