

Onshore wind 3: Challenges and opportunities

All Energy 2017

Aviation Mitigation: The "Airscape" in a Post-RO World



Liz McRobb, Partner Shepherd + Wedderburn LLP 11 May 2017

The Civil Aviation Challenge

Safe operation of air traffic services is a given...





Statutory Consultees and final decision makers on objections





Airports

(En-Route) PLC

...wind turbines can have an adverse impact.



Service provider/adviser to airports, NERL and the wind industry.

"Keen supporter of clean energy generation."

But NATS have high degree of control around:

- Technical assessments
- Contract terms offered
- Costs

Changing needs of the onshore wind community



Route to market and financing are difficult

Major cost savings being sought

Radar mitigation costs are a high priority

Numerous developers unable to commit to expensive mitigation contracts

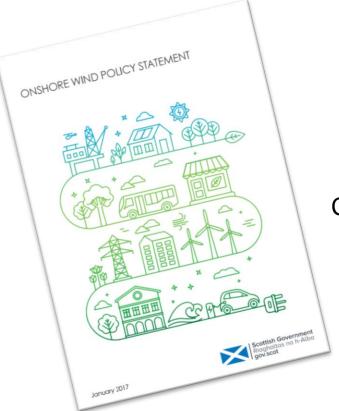
A Mexican stand-off?

Changing landscape in the aviation industry

- NATS contracted as ATC provider at fewer airports than over past years.
- NATS has a team that understand the issues do not want that to dissipate whilst projects seek a route to market.
- New infrastructure being installed that is wind farm tolerant across the Scottish central belt.
- NERL radar replacement programme during 2020s.
- Time for a refresh of NATS/aviation stakeholder strategy towards onshore wind?
- Time for developers to re think their strategy towards NATS/aviation stakeholders?

Working to remove barriers to deployment The Scottish Government





"Work...to support a more proportionate and affordable approach to [mitigation]..."

"The need to reduce the financial burden of mitigating impacts on radar has become paramount"

Confirms "a renewed commitment to working with airports, radar operators and the wind industry in order to drive a more strategic approach"

Data from new Terma radars "to be used in a strategic way...which helps reduce" reliance on expensive in-fill radar data.

Working to remove barriers to deployment RenewableUK Aviation Working Group



Aim to **eliminate** aviation as a development constraint.

Keep aviation objections, requirements for aviation and costs of aviation mitigation reasonable.

Work towards aviation stakeholders assuming responsibility for windfarm tolerant surveillance.

Seek **expeditious processes** for reaching radar mitigation agreements and lifting of objections.

The time is right...



The hot topics **Process**

Getting a technical assessment and ability to challenge/question the outputs

Small projects neighbouring large, mitigated sites

Improving timescales to negotiate any changes to standard NATS contracts

Type of mitigation offered for specific projects and why

Creating space for sensible technical interaction or pragmatic discussion

Better outcomes

The hot topics Content

New infrastructure being installed and Underlying costs of solutions offered, infill feeds are already provided - is do they justify the charges? there scope to revisit charges? Level of credit support requested is not sustainable in a post-RO world Content of better solutions nor is it necessary Lack of control over price escalation in future Blade removal/decommissioning Temporary shutdown Uncapped liabilities of windfarm clauses clauses and protocols

The way forward

Time for a pragmatic and honest discussion?

Benefits to aviation stakeholders in efficiency and a better framework for working with wind sector.

Failure to grasp this particular nettle could mean reduced revenue for NATS and more developments blocked.

Doesn't this sound like a win/win?





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