



SHEPHERD+ WEDDERBURN

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**

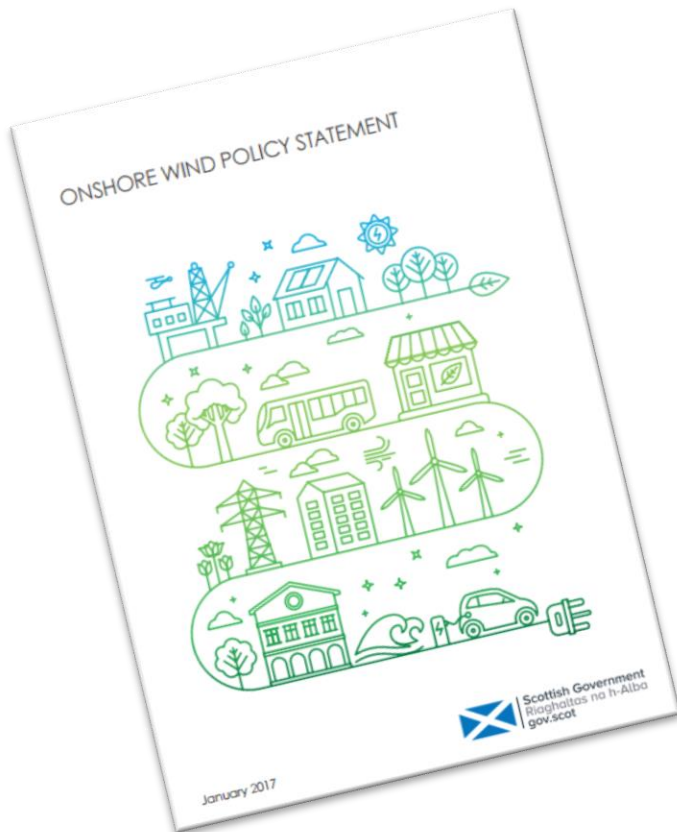
A Mexican stand-off?

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.

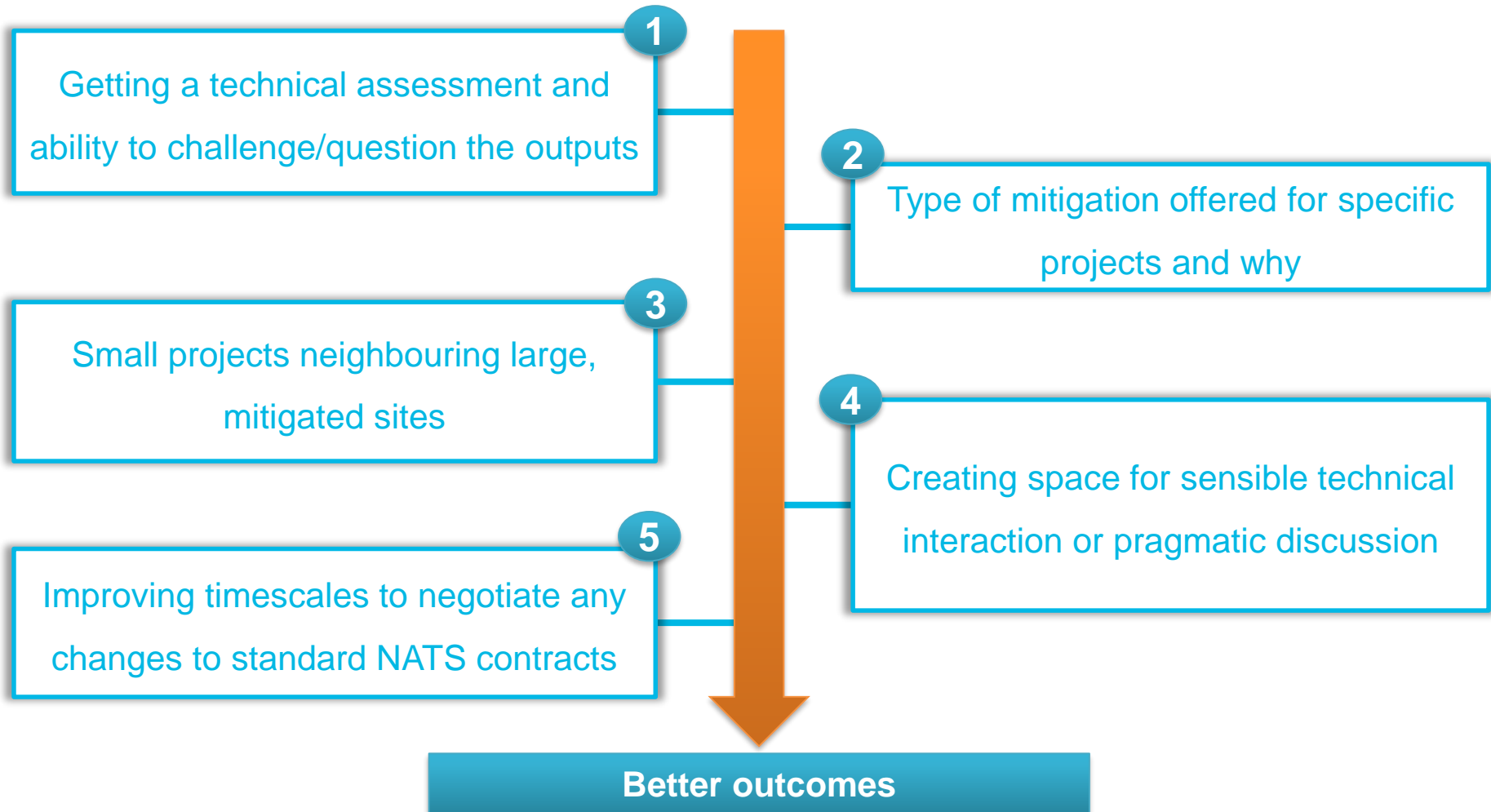
Seek **expeditious processes** for reaching radar mitigation agreements and lifting of objections.

The time is right...



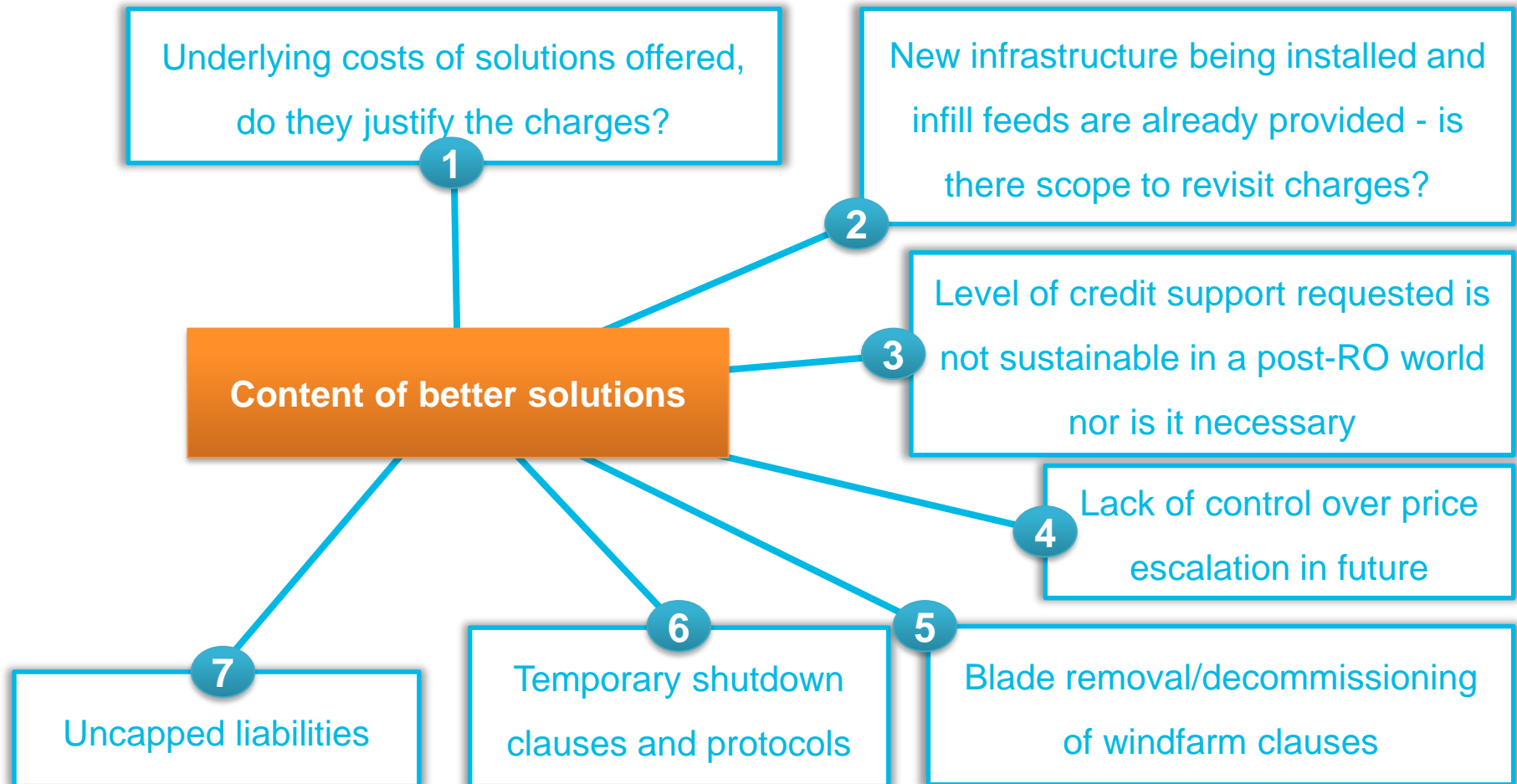
The hot topics

Process



The hot topics

Content



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?



SHEPHERD+ WEDDERBURN



Liz McRobb

E: Liz.McRobb@shepwedd.com

T: 0141 566 8502

M: 07798 646887

www.shepwedd.co.uk

Edinburgh

1 Exchange Crescent
Conference Square
Edinburgh EH3 8UL

T +44(0)131 228 9900

F +44(0)131 228 1222

Glasgow

191 West George Street
Glasgow
G2 2LB

T +44(0)141 566 9900

F +44(0)141 565 1222

London

Condor House
10 St. Paul's Churchyard
London EC4M 8AL

T +44(0)20 7429 4900

F +44(0)20 7329 5939

Aberdeen

1 Berry Street
Aberdeen
AB25 1HF

T +44(0)1224 343 555

F +44(0)1224 343 555