

Witness Reference Number SWFL7.3

Electricity Act 1989 (Sections 36, and Schedule 8)  
Town and Country Planning Act 1990 (Section 90)  
The Electricity Generating Stations and Overhead Lines (Inquiries Procedure)  
(England and Wales) Rules 2007

Public Inquiry to consider Section 36 Electricity Act 1989 Application by  
Steadings Wind Farm Ltd for consent and deemed planning permission to  
construct and operate a wind farm at Kirkwhelpington, Northumberland  
(Known as Steadings)

REBUTTAL PROOF OF EVIDENCE

AVIATION

ROBERT MICHAEL TROTT BA (Hons)

MARTAIR LTD on behalf of Steadings Wind Farm Ltd

BERR Reference: GDBC/001/00278C

Tynedale Council Reference: 20060540

Northumberland Council Reference: 06/00023/CPC

## 1. INTRODUCTION

- 1.1 I have read all the Proofs of Evidence submitted by the Ministry of Defence (MOD), National Air Traffic Services En-Route Ltd (NERL), and Newcastle International Airport (NIA) and wish to make the following comments.
- 1.2 My silence on any point made in any proof, or the fact that I have not addressed it in this rebuttal, should not be taken as my agreement on the point.
- 1.3 I refer to the author of the Proof of Evidence, followed by the paragraph reference numbers used in the original document.
- 1.4 I have also read the Rebuttal Proofs of my colleagues, Mr Spaven and Mr James. I agree with their comments where they overlap with my own area of expertise, and I will not repeat their conclusions except where necessary for understanding when adding further relevant detail.
- 1.5 Where comments are applicable to more than one Proof I have not repeated them for each objector.

## 2. MOD

### 2.1 Sqn Ldr Deane

#### Para 6.

2.1.1 As regards routine transit of Newcastle airspace, if aircrews wish to use this option it would only require them to obtain a clearance to enter the NIA CTR (unless the RAF operational procedures prevent them from doing so and this would appear contradictory to the introduction of various safety measures following previous Airprox incidents). It is perhaps an overstating matters to say that the airspace is complex, even though Spadeadam is relatively close to NIA and Otterburn.

#### Para 9

2.1.2 Lack of familiarity with the area by foreign aircrew should not impinge upon radar operations at Spadeadam, I bear in mind the modern navigation and electronics available. I consider the statement 'catastrophic consequences' as somewhat emotive and fail to see the relevance any such perception has on RIS/FIS and how clutter can lead to such a situation when all operations are conducted under Visual Flight Rules.

#### Para 25.

2.1.3 I believe this point to be incorrect for a number of reasons. The majority of modern radar displays have the ability to 'global label rotate' as well as the ability to change the distance of the Track Data Block (TDB) from the target, so as to place the label in an uncluttered area and thus eliminate any problem. There is no explanation as to how any perceived lack of clarity could specifically lead to loss of separation, as any required data can also be derived from flight progress strips and/or direct radiotelephone contact between ATC and the aircrew. In the context of characters in the TDB, even in the case of numerals during any vertical separation using the Mode C return under VFR and a FIS, this SSR derived data would not be relevant as 'control' is not applicable.

### 3. NATS

#### 3.1 Mr McLean

##### Para 3.1.9

3.1.1 The rationale stated brings the concern down to a capacity problem rather than a safety one, and thus is seemingly a conflict of business rather than an ATC problem from clutter.

##### Para 3.2.8

3.1.2 The documentary evidence suggested does not support the contention advanced. Under RIS, traffic avoidance is the responsibility of the pilot, and vectoring round wind farm clutter is not necessary. Any potential for traffic outside CAS to be vectored round clutter only arises when providing a RAS and then only additionally when an assessment has been made by the controller that the returns could be an aircraft.

##### Paras 3.2.9 & 4.1.13

3.1.3 The whisker plot provided in the evidence shows that avoidance (if necessary) of the area is achievable, as well as showing the clutter being unlikely to be of concern for loss of identity. Similarly, moving TDB's around the screen is likely to resolve the concerns on legibility.

##### Para 3.2.11

3.1.4 The Whisker Plot provided does not state over what period of time this has been taken, but shows approximately 25 flights routing either in or under the airway, along with six crossing it. By contrast, looking at the Newcastle area, there would seem to be a considerable number of movements, and it therefore suggests that L602 and UL602 are not busy airways.

##### Para 3.2.15

3.1.5 The whole of the UK ATC system is predicated on the need to hold at a specified level immediately prior to arrival, should there be more demand at the destination airfield than runway capacity available.

Para 3.2.16/17

3.1.6 Even in the worst case scenario a validated controller will be aware of the following:-

- a) The magnetic track of the airway from experience and knowledge required to obtain the licence validation
- b) The forecast (or actual) wind velocity from pre operational briefing
- c) The close approximation of the heading an aircraft needs to fly to maintain the track required
- d) It is 'best practice' for controllers to pass details of this heading when handing over to an oncoming controller

and it is a simple task to assign an appropriate instruction to start the process even if clutter is present.

Para 3.2.18

3.1.7 This is an unlikely scenario for L602 over Steadings. Most experienced and competent controllers would use an RTF transmission 'Fly heading XXX degrees' or perhaps 'turn left/right 15 degrees report your new heading' to achieve what Mr McLean takes a number of transmissions to do. To say that such a standard ATC technique might need the implementation of Flow Control or create any delay as a stand alone problem, is not to my mind correct to exaggerate the point.

Para 3.2.23

3.1.8 As PSR would be present, use of SSR for separation would be limited to the use of Mode C level data. In the event garbling did occur, the ATCO could merely ask the pilot for a level report to ascertain any required information.

Para 3.2.24

3.1.9 Even assuming a problem with the legibility of the data in the TDB data is available on the flight progress strips or other data display of the controller. Additionally, as stated earlier, it is standard practice to move the label around so as to maintain legibility.

Para 4.3.4

3.1.10 The Whisker Plots appear to refute this.

Para 4.4.4

3.1.11 If there was only one aircraft involved at any time, then there would unlikely to be any need for vectoring. If there are two (or more) then vectoring may arise irrespective of whether or not any clutter is present.

3.1.12 The ScACC display system allows character size (for some elements) to be altered and the TDB to be altered in distance from the target location as well as orientation from the target on the controllers screen.

3.2 Dr Isaac

Para 3.4.4

3.2.1 The main source of data, as taught at the NATS ATC College, is the flight progress strip with radar reinforcing this as well as an update tactically.

Para 6.6.2

3.2.2 The assertion is unlikely to be of any practical concern as the availability of flight strip data would provide the requirement. Additionally, as already explained, the TDB can be rotated and/or moved away from the target so as to ensure legibility.

Para 6.7

3.2.3 What is known as the 'Twinkle effect', is very different the blinking symbols used in Emergency SSR labels or Short Term Conflict Alert.

Para 6.7.1

3.2.4 An intruding aircraft is not the same as unknown aircraft.

3.3 Mr Strong

Para 5.8

3.1.1 The statement ignores the ability of the ATCO to move the TDB away from clutter as well as orientate it to the cardinal compass points at will.

## 4. NIAL

### 4.1 Mr Rodgers

#### Para 4.2.27

- 4.1.1 This might include traffic routing to such places as Belfast that route 'direct' rather than via TALLA – as explained in the Proof of Evidence of Mr Spaven. Irrespective of these figures, the numbers are extremely small.