



UK Government

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(By e-mail only: [REDACTED])

6 February 2026

Dear Rachael,

**THE EAST ANGLIA THREE OFFSHORE WIND FARM ORDER 2017 (AS AMENDED)
("THE ORDER")**

**REQUEST FOR WRITTEN CONFIRMATION UNDER PARAGRAPH 5 OF THE
PRIMARY SURVEILLANCE RADAR MITIGATION SCHEME, PURSUANT TO
REQUIREMENT 38 (CROMER PRIMARY SURVEILLANCE RADAR) IN PART 3 OF
SCHEDULE 1 TO THE ORDER**

1. On 5 January 2026, the Secretary of State for Energy Security & Net Zero ("the Secretary of State") approved the request by ScottishPower Renewables ("the Applicant"), on behalf of East Anglia THREE Limited ("the Undertaker") for discharge of Requirement 38 in Part 3 of Schedule 1 to the Order. In that decision, it was noted that further written confirmation would be required from the Secretary of State before any part of any turbine could be erected above the transition piece, as required by the Primary Radar Mitigation Scheme and Requirement 38 paragraph (2) of the Order.
2. On 20 January 2026, the Applicant, on behalf of the Undertaker, made a request to the Secretary of State for his written confirmation, as required by Paragraph 5 of the Primary Radar Mitigation Scheme, that the following had occurred ("the Request"):
 - a) The technical mitigation measures described in Annex 1 to the Primary Radar Mitigation Scheme have been fully installed and integrated into NATS' infrastructure and validated by NATS; and
 - b) Arrangements have been entered into with NATS for the on-going maintenance, management, renewal, update and decommissioning of the mitigation measures throughout the life of the wind farm at the developer's expense and until such time as the turbines have been permanently dismantled. Such arrangements shall

effectively bind future operators and owners of the development and include reasonable security for the performance of the developer's obligations.

The Request and Consultation with NATS

3. The Request attached a letter from NATS dated 20 January 2026 and a Mitigation & Services Contract between NATS and the Undertaker. The Applicant's Request, along with these attachments, is attached as **Annex A** of this letter. The letter from NATS stated that the radar mitigation agreed with the Undertaker has been implemented to NATS' satisfaction, and in NATS' view, turbines can be erected, subject to on-going compliance with the Primary Radar Mitigation Scheme.
4. In accordance with Paragraph 5 of the Primary Radar Mitigation Scheme, the Secretary of State issued a consultation letter on 21 January 2026 to NATS inviting any further comments on whether Paragraph 5 had been met. On 22 January 2026, NATS provided a response, confirming that whilst some integration and validation work remains to be completed, this cannot be fully undertaken until after the turbines are erected and turning, and therefore, NATS is content that for the purposes of the Order, the requirements of Paragraph 5 of the Primary Radar Mitigation Scheme have been met. NATS also stated that construction above the transition piece would not detrimentally affect NATS' operation. The Secretary of State's consultation letter and the response from NATS are attached as **Annex B** and **C** of this letter.

Consideration of the Request and Consultation Response by the Secretary of State

5. The Applicant and NATS have provided the following evidence that the required actions set out in Paragraph 5 of the Primary Radar Mitigation Scheme have taken place:
 - In accordance with Paragraph 5.1 which requires the installation of mitigation measures, the Applicant's Request provided that the Transponder Mandatory Zone was implemented, integrated and validated as of 25 December 2025, evidenced by being listed in en-route (ENR) 2.2 (Section 4) and ENR 6.75 of the latest UK electronic Aeronautical Information Publication. NATS also stated that radar blanking has been implemented, integrated and validated, as confirmed by the letter from NATS dated 20 January 2026; and
 - In accordance with Paragraph 5.2 which requires arrangements being entered into with NATS, the Applicant's Request provided the Mitigation & Services Contract between NATS and the Undertaker, which sets out the required throughlife maintenance and operational obligations for the mitigation measures. As stated above, in NATS' consultation response, NATS also stated that it is content that for the purposes of the Order, the requirements of Paragraph 5 of the Primary Radar Mitigation Scheme have been met.
6. Having considered the evidence provided in the Request, and the consultation response from NATS, the Secretary of State is satisfied that the mitigation measures described in Annex 1 to the Primary Radar Mitigation Scheme have been implemented and validated for the purposes of the Scheme and Requirement 38 of the Order, and that arrangements between the Undertaker and NATS are in place to

ensure operation of the mitigation for the required period. The Secretary of State therefore is satisfied that the required actions set out in Paragraph 5 of the Primary Radar Mitigation Scheme have occurred and that therefore, turbines may be erected above the transition piece.

Yours sincerely



John Wheadon
Head of Energy Infrastructure Planning Delivery & Innovation
Department of Energy Security & Net Zero

Annexes

Annex A – Applicant Request email 20 January 2026

Annex B – Secretary of State consultation letter to NATS 21 January 2026

Annex C – Consultation response email from NATS Safeguarding Team 22 January 2026