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██████████
Development Manager for Vanguard West, East and Boreas
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By email: vanguarddco@rwe.com

Dear ██████████,

Norfolk Vanguard Offshore Wind Farm Order 2022 (“the Norfolk Vanguard Order”)

Application under paragraph 35, Part 3 of Schedule 17 to the Norfolk Vanguard Order to use the Marine Recovery Fund as an Adaptive Management Measure in substitution for the area of marine debris removal which has not been achieved under the Norfolk Vanguard Order

1. Introduction

- 1.1 I refer to the Application (“the application”) which was made by the Norfolk Vanguard and Boreas Offshore Wind Farms (“the Applicant”) on 09 January 2026. The application requested approval to use the Marine Recovery Fund as an adaptive management measure in substitution for the area of marine debris removal which has not been achieved under the Norfolk Vanguard Order and to fulfil the requirements of the Benthic Implementation and Monitoring Plan (“BIMP”).
- 1.2 The Secretary of State granted development consent under the Planning Act 2008 for the Norfolk Boreas Offshore Wind Farm on 10 December 2021 and for the Norfolk Vanguard Offshore Wind Farm on 11 February 2022. Under Schedule 19 of the Norfolk Boreas Offshore Wind Farm Order 2021 (“the Norfolk Boreas Order”) and Schedule 17 of the Norfolk Vanguard Order, the Applicant was required to provide a BIMP to aid the delivery of benthic measures to compensate for Adverse Effects on Site Integrity (“AEoI”) of the Haisborough, Hammond and Winterton SAC (“HHW SAC”) arising as a result of cable installation and protection.
- 1.3 On 16 July 2024, the Secretary of State approved a BIMP detailing the measures required under both the Norfolk Vanguard Order and Norfolk Boreas Order. This included marine debris removal and education initiatives, in addition to using the MRF as an adaptive management measure if needed. On 26 March 2025, the Secretary of State approved the 2024 Benthic Compensation Progress Report, in which it was confirmed that 1.31 hectares (“ha”) of compensation had been delivered through marine debris removal (in accordance with the BIMP).

- 1.4 On 18 December 2025, The Secretary of State approved the Applicant's request for a non-material change to the Norfolk Vanguard Order. The approved changes included the addition of new paragraphs 35-40 of Part 3 of Schedule 17 to ensure the compensation provisions align with the already approved BIMP and to enable the option of using the MRF as an adaptive management measure for benthic compensation.
- 1.5 Paragraphs 35, 36, and 37(a) Part 3 of Schedule 17 to the Norfolk Vanguard Order state that:
- “35. In the event that the required area of marine debris is not removed (whether wholly or in part) the undertaker may apply to the Secretary of State to make a Marine Recovery Fund Payment as an adaptive management measure in substitution for the area of marine debris removal which has not been achieved.*
- 36. The application under paragraph 35 will set out—*
- (a) the proportion of the overall area of marine debris removal required where the impact on the HHW SAC is shared with the Norfolk Boreas offshore wind farm by virtue of the shared cable corridor; and*
- (b) the amount of material removed under the BIMP as reported in the most recent document submitted pursuant to paragraph 32 (subject to any reductions already taken into account for any contribution under the Norfolk Boreas Offshore Wind Farm).*
- 37. Following receipt of any application pursuant to paragraph 35, the Secretary of State must be satisfied—*
- (a) that the application to use the Marine Recovery Fund as an adaptive management measure is acceptable in principle including (if relevant) the exact proportion of the original compensation for which a Marine Recovery Fund Payment can be accepted in substitution”*
- 1.6 On 09 January 2026, the Applicant submitted the application to the Secretary of State for consideration under Paragraphs 35, 36 and 37(a) above. This application comprised of the Benthic Compensation Adaptive Management Strategy (“the Adaptive Management Strategy”) which outlines the approach to discharge the outstanding benthic compensation under both the Norfolk Boreas Order and Norfolk Vanguard Order through a combination of adaptive management and marine debris removal. This is outlined further below.

2. Representations

- 2.1 As part of the Secretary of State's consultation on the BIMP and Benthic Compensation Progress Report documents, the principle of using the MRF as an adaptive management measure was agreed to by consultees, including Natural England and the Marine Management Organisation. The Secretary of State considers this consultation appropriate to inform his decision on the application.

3. The Adaptive Management Strategy

- 3.1 In Section 3.2 of the Adaptive Management Strategy, the Applicant highlights that the approved BIMP for the Norfolk Vanguard Order and Norfolk Boreas Order together requires 10.7ha of benthic compensation to be delivered, but this figure is split between the Norfolk Vanguard and Norfolk Boreas Orders. The combined total comprises:
- 2.4ha – Norfolk Boreas cable protection;

- 2.4ha – Norfolk Vanguard cable protection;
 - 5.9ha – shared in-combination reef disturbance, which must be fully delivered by the project installing cables first.
- 3.2 The Applicant asserts that as Norfolk Vanguard will begin its seabed preparation first, Norfolk Vanguard is responsible for delivering the 5.9ha of shared in-combination benthic compensation in addition to the 2.4ha for cable protection; creating a total of 8.3ha compensation to be delivered solely by Norfolk Vanguard. Therefore, after accounting for the 1.31ha of debris removal already achieved in 2024, there remains a deficit of 6.99ha of compensation to be delivered by Norfolk Vanguard.
- 3.3 In Section 3.4 of the Adaptive Management Strategy, the Applicant proposes to use the MRF as an adaptive management measure to deliver the remaining 6.99ha of benthic compensation under the Norfolk Vanguard Order.

4. The Secretary of State's consideration of the Application

- 4.1 The Secretary of State notes that the Applicant consulted the Benthic Steering Group (BSG) on the Adaptive Management Strategy and the intention to use the MRF. While the National Federation of Fishermen's Organisations and the Eastern Inshore Fisheries and Conservation Authority expressed broader concerns about the implications of new Marine Protected Area designations for other marine users, the BSG, including Natural England and the Marine Management Organisation, generally supported the Applicant's proposals and agreed with the proposed approach.
- 4.2 The Secretary of State is satisfied that the Adaptive Management Strategy meets the requirements of paragraph 32 and 33, Part 3 of Schedule 17 to the Norfolk Vanguard Order. He is also satisfied that new paragraphs 35 and 36 of the Norfolk Vanguard Order have been complied with. The Application appropriately seeks approval to make a MRF payment as an adaptive management measure to substitute for the unrecovered area of marine debris, setting out both the proportion of debris removal relating to the shared HHW SAC impact with the Norfolk Boreas Offshore Wind Farm and the amount of debris removed to date in line with the approved BIMP.
- 4.3 Therefore, under paragraph 37(a), Part 3 of Schedule 17 to the Norfolk Vanguard Order, the Secretary of State **confirms** that the Adaptive Management Strategy (comprising a proposal to use the MRF as an adaptive management measure) is an acceptable means of delivering the balance of 6.99ha in substitution of the original compensation.
- 4.4 The Secretary of States notes that a formal discharge of the Applicant's obligations under the Norfolk Vanguard Order pursuant to paragraph 39, Part 3 of Schedule 17 of that Order will be required in due course and notes further that the Norfolk Boreas Offshore Wind Farm will still be required to deliver the remaining 2.4 ha under the Norfolk Boreas Order.

Yours sincerely,

Claire Rannard

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