

**From:** [REDACTED] (UK)  
**To:** [Mona Offshore Wind Project](#)  
**Cc:** [REDACTED] (UK)  
**Subject:** Application by Mona Offshore Wind Limited ("the Applicant") for an Order granting Development Consent for the proposed Mona Offshore Wind Farm ("the Proposed Development") (PINS ref. EN010137)  
**Date:** 23 June 2025 18:31:47  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[image003.jpg](#)  
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[BAE Systems - dDCO Requirement - Warton PSR \(Mona\) 23.06.25.pdf](#)  
[BAE Systems - dDCO Requirements - Walney and Warton ATS \(Mona\) 23.06.25.pdf](#)

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**BAE SYSTEMS PROPRIETARY**

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Dear Sir or Madam,

We write further to our response to the Secretary of State's consultation letter dated 29 May 2025 in order to provide an update in respect of BAE Systems' position concerning Requirement 23 and the need for a Requirement/s in respect of air traffic services ("ATS") at Walney and Warton Aerodromes.

We turn to the above-mentioned matters below but would like to address a handful of preliminary points before doing so.

Preliminary Points

Firstly, BAE Systems is cognisant of the need for aerodrome operators to work collaboratively with energy infrastructure developers, this being essential for net zero. Accordingly, we are keen to maintain an open and productive dialogue with the Applicant and for there to be ongoing engagement between the parties which is both meaningful and positive.

It is accepted that there is an urgent need for new energy developments and that there is a balance to be struck between that need and the operational requirements of Walney and Warton Aerodromes. As previously stated, both Aerodromes are considered '*critical national infrastructure*', providing essential services to support national security. As such, the delivery of new energy developments, including the Mona Offshore Wind Farm ("OWF"), cannot be permitted to compromise the ability of the Aerodromes to perform their primary functions, or to deliver, on an uninterrupted basis, national sovereign defence capabilities, safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations, and each Aerodrome's respective flying requirements and national defence programmes. This must inform the aforementioned balancing exercise.

Secondly, the wording of the Requirements included in the draft Development Consent Orders ("dDCO/s") for the Morgan and Morecambe OWF projects – both in respect of ATS and the Primary Surveillance Radar at Warton Aerodrome ("PSR") – is the product of

extensive and detailed discussions with the applicants for those projects. We are of the firm view that the operational requirements of Walney and Warton Aerodromes will be safeguarded by the retention and imposition of this wording, therefore preserving BAE Systems' ability to delivery critical capability of the UK and its allies. Furthermore, inclusion of the Requirements in the dDCOs for the Morgan and Morecambe OWF projects serves to demonstrate that the Applicant considers them to meet the requisite policy tests of a 'requirement' (as contained in the National Planning Policy Framework) – a view with which BAE Systems concurs. Accordingly, we are advocating for the inclusion of equivalent Requirements in the dDCO for the Mona OWF project.

The Secretary of State will recall that in our response to his consultation letter dated 29 May 2025, we pointed out the potential for the final mitigation solutions required to be implemented in respect of ATS at Walney and Warton Aerodromes and the PSR to be common across the Mona, Morgan and Morecambe OWF projects. Therefore, ensuring consistency with regard to the Requirements which are included in each dDCO is of critical importance.

Finally, The Secretary of State will be aware that the promoters of the Mona and Morgan OWFs are one and the same and that the project team is shared. In practice, from BAE Systems' and an engagement perspective, the 'Applicant' for the Mona and Morgan OWF DCO applications is the same. For this reason and those referenced above, we see no credible basis on which the Applicant can object to Requirements equivalent to those included in the dDCOs for the Morgan and Morecambe OWF projects being adopted in this instance and included in the dDCO for the Mona OWF project.

We turn now to provide an update in respect of Requirement 23 and the need for ATS Requirement/s in respect of Walney and Warton Aerodromes.

#### Requirement 23 / the PSR Requirement

Following the meeting with the Applicant on 13 June 2025, we have given further consideration to Requirement 23.

We have reviewed in detail Table 1.1 of the Applicant's response to the Secretary of State's consultation letter dated 12 May 2025 and the Applicant's proposed revisions to BAE Systems' preferred PSR Requirement wording. In the main, we consider that this wording should be retained as it has been previously agreed by the Applicant as part of the discussions held in respect of the Requirements included in the dDCO for the Morgan OWF. However, we are prepared to accept those revisions which account for the fact that it will be the '*operator*' (at the sole cost of the '*undertaker*') who will implement the approved radar mitigation scheme. This is a matter of fact which, upon reading the PSR Requirement, should be clear.

Regarding the Applicant's proposed revisions which we have rejected, our comments are as follows:

1. Sub-paragraph (2)(d): BAE Systems’ preferred wording has been retained without the Applicant’s additional wording in order to allow for a radar/infrastructure upgrade (if appropriate and required) during the lifetime of the OWF (which the undertaker would be required to fund the cost of) (in line with paragraph 5.5.45 of the Overarching National Policy Statement for Energy (EN-1)).

2. Sub-paragraph (5):

- a. **Introductory sentence (reference to costs being ‘reasonable’)**: the Applicant’s attempt to qualify the undertaker’s commitment to be responsible for the costs of the radar mitigation scheme are firmly rejected. This introduces imprecision into the Requirement wording and unnecessary risk with regard to delivery of the approved radar mitigation scheme – the costs of which will be what they are. Accordingly, a commitment in absolute terms to pay the costs of the said scheme is what is required from the undertaker and must be secured in the dDCO.
- b. **Sub-paragraph 5(a)**: the Applicant’s proposed revision is not required. The necessary clarity is already incorporated into the Requirement wording via the definition of “*radar mitigation scheme*” (which itself is incorporated within the definition of “*approved radar mitigation scheme*”).
- c. **Sub-paragraph 5(b)**: BAE Systems’ preferred wording has been retained. We contend that the wording which the Applicant is proposing be deleted is a point of emphasis and is non-controversial.

An updated version of BAE Systems’ preferred PSR Requirement wording is enclosed with these submissions. For ease of reference, any revisions which have been made (together with explanatory footnotes) are shown as track changes.

Turning to sub-paragraph (6) containing a turbine shutdown provision, we remain of the view that its inclusion, and the establishment of the principle of cessation of the OWF in the event of a failure of the approved radar mitigation scheme, is both reasonable and justified from a technical perspective. The Applicant’s commentary in respect of the use of secondary surveillance radar (“SSR”) and reliance upon an existing Transponder Mandatory Zone (“TMZ(s)”) is noted (see paragraphs 1.8.3.3 and 1.8.3.4 of the Applicant’s response to the Secretary of State’s consultation letter dated 12 May 2025). However, these measures do not offer sufficient protection or constitute a robust safeguarding solution (which, we note, is acknowledged in paragraph 5.5.25 of EN-1).

The CAA Publication CAP 493: Manual of Air Traffic Services Part 1 (MATS Part 1) (11<sup>th</sup> Edition, December 2023, Section 1 Chapter 3 10B) does not set out the principle that SSR only operations can be utilised in the event of PSR failure but rather defines the specific circumstances under which SSR only operations may be utilised. The wording relating to PSR failure (contained at Section 1 Chapter 3 10B.1 (3)) is “*immediately after PSR failure for the minimum time necessary to establish procedural separation. Once established, services normally provided using radar may be resumed when the PSR is serviceable.*” The

purpose of this statement is to allow for a safely managed **cessation** of radar operations and to utilise procedural control methods instead (i.e. those based on timings, levels and position reports).

In its response to the Secretary of State consultation letter dated 12 May 2025, the Applicant refers to another wind farm project in the vicinity of Glasgow airport. However, the nature of operations and the airspace in which the aircraft operate is entirely different, so this example is not relevant. In discussion, the Applicant suggested that a temporary approval of SSR only operations *could* be agreed with the CAA in the event of a failure of the mitigation solution. The likelihood of this being achieved is unknown and would rely on CAA approval from the relevant Safety and Regulation Group Inspector at the time. In any case, were such an approval to be granted, it would limit the level of service and safety that BAE Systems is able to provide to our aircraft undertaking test flying and commercial transport operations, and those other non-BAE Systems aircraft, including members of the general aviation community, to whom BAE Systems provide a service. This would represent an unacceptable erosion in the safety margins of BAE Systems' flying operations and the services BAE Systems provides. This same reduction in service and the issues associated with it occur when operating over TMZs, so these would not be a "suitable fallback" as suggested by the Applicant.

BAE Systems Flight Operations will always put safety ahead of other considerations and as such, failure of the approved radar mitigation scheme would likely result in a temporary cessation of test and development flying activity. Due to the nature of radar operations, and the unknown timescales and arrangements with respect to restoration of the said scheme, there is an as yet unquantified risk to the continued test and development of the UK Sovereign Air Defence capability that BAE Systems provides.

Notwithstanding the above, we have taken account of the Applicant's concerns regarding the need for immediate shutdown at BAE Systems' instigation. Should the approved radar mitigation scheme fail, sub-paragraph (6) now requires the cessation of operations to be undertaken in accordance with a shutdown protocol, the terms of which shall be included in the radar mitigation scheme which is to be approved under sub-paragraph (1) (which scheme, in turn, shall form part of the post-consent mitigation agreement/commercial arrangements which BAE Systems and the Applicant are still to negotiate and enter into). A further amendment has been made to sub-paragraph (6) to make clear that it is the operator who will undertake the necessary repairs and corrective measures required to reinstate and recommence/implement the approved radar mitigation scheme (such works to be at the undertaker's sole cost).

We understand that the Applicant considers it more appropriate to discuss turbine shutdown and cessation of the OWF as part of negotiations in respect of the post-consent mitigation agreement/commercial arrangements. The revisions made to sub-paragraph (6) are intended to give effect to this – the Secretary of State will note that the amended wording establishes the principle of turbine shutdown in the event of mitigation failure, but leaves the detail (in the form of a shutdown protocol) for future negotiation and agreement between the parties as part of the approval process for the radar mitigation scheme.

As stated above, an updated version of BAE Systems' preferred PSR Requirement wording (which is endorsed by DIO, representing the Ministry of Defence) is enclosed with these submissions. In order to ensure consistency across all projects, we will be taking the necessary steps to ensure that the PSR Requirements for the Morgan and Morecambe OWFs are also updated.

#### ATS Requirement/s in respect of Walney and Warton Aerodromes

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The need for ATS Requirements in respect of Walney and Warton Aerodromes has come to light late in the day.

The assessments commissioned by the Applicant in respect of Instrument Flight Procedures and radio communication systems (copies of which were delivered to BAE Systems in May 2025) indicate that the Mona OWF project will adversely impact ATS at the Aerodromes in both respects. The reports confirming the assessment findings are complex and are in the process of being considered from an operational perspective. It will be possible to engage further with the Applicant in respect of the specific mitigation solutions required to address the impacts identified once BAE Systems operational review has been concluded.

In the meantime, the principle of mitigation is required to be secured via the inclusion of Requirements in the dDCO. We understand that the Applicant is agreeable to this and considers it a pragmatic solution which will provide the safeguards necessary to address BAE Systems' concerns. This is a position with which we concur.

We note the Requirements agreed in respect of air traffic services at Liverpool John Lennon Airport (Requirement 24) and Isle of Man Airport (Requirement 26). However, for the reasons stated in the 'Preliminary Points' section of these submissions, we request that equivalent (considered to be policy-compliant) Requirements to those included in the dDCOs for the Morgan and Morecambe OWF projects are adopted in this instance and imposed should the Secretary of State grant development consent for the Mona OWF project.

ATS Requirement wording for Walney and Warton Aerodromes is enclosed with these submissions. A handful of revisions – shown as track changes – have been made to the Requirement wording included in the dDCOs for the Morgan and Morecambe OWF projects. In line with the updates made to the PSR Requirement, these revisions account for the fact that it will be the operator (at the sole cost of the undertaker) who will implement the relevant approved ATS mitigation scheme.

In order to ensure consistency across all projects, we will be taking the necessary steps to ensure that the ATS Requirements for the Morgan and Morecambe OWFs are also updated.

Should clarification of any of the points raised in this email be required, please do not

hesitate to let us know.

Kind Regards,

[Redacted]

AM(MF)/AM(Aerodrome/Head of Flying,

Flight Operations

Integrated Test and Evaluation Centre of Excellence

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## BAE SYSTEMS – dDCO REQUIREMENT WORDING: WARTON AERODROME PSR<sup>1</sup>

- (1) No part of any wind turbine generator shall be erected as part of the authorised development until a radar mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the Ministry of Defence and the operator.
- (2) For the purposes of this requirement–
  - (a) **“approved radar mitigation scheme”** means the radar mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1);
  - (b) **“Ministry of Defence”** means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, St George’s House, DIO Head Office, DMS, Whittington, Lichfield, Staffordshire WS14 9PY or any successor body;
  - (c) **“operator”** means BAE Systems (Operations) Limited (incorporated in England and Wales with company number 01996687, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey GU16 7EX) or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services at Warton Aerodrome or any organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome;
  - (d) **“PSR”** means the primary surveillance radar at Warton Aerodrome or any upgrade thereto or replacement thereof;<sup>2</sup>
  - (e) **“PSR air traffic control operations”** means the air traffic control operations, including both civil and military aircraft operations, of the Ministry of Defence or the operator (or both) which are reliant upon the PSR; and
  - (f) **“radar mitigation scheme”** means a scheme designed to prevent or remove any adverse impacts arising from the authorised development upon the operation of the PSR or the PSR air traffic control operations.
- (3) No wind turbine generator erected as part of the authorised development shall be permitted to rotate its rotor blades about its horizontal axis other than for the purpose of testing the proposed mitigation solution identified in the approved radar mitigation scheme until the Secretary of State, following consultation with the Ministry of Defence and the operator, has confirmed in writing that he/she is satisfied that:
  - (a) the proposed mitigation solution has been subject to technical and operational assessment and, in particular, has undergone ‘in-situ’ testing in line with the requirements of (and for the time period(s) specified in) the approved radar mitigation scheme;

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<sup>1</sup> BAE Systems has had regard to Table 1.1 of the Applicant’s response to the Secretary of State’s letter dated 12 May 2025 (at pages 20, 21 and 22). The amendments which the Applicant has proposed to account for the fact that it will be the operator who will be responsible for implementing the radar mitigation scheme (but at the sole cost of the undertaker) have been accepted – this is a matter of fact which BAE Systems accepts needs to be made clear within the Requirement. However, other departures from the Requirement wording which has already been agreed and included within the Morgan and Morecambe draft Development Consent Orders (“dDCO/s”) are rejected. The Applicant is also the promoter of the Morgan Offshore Wind Farm (“OWF”) and has previously confirmed this wording to be acceptable.

<sup>2</sup> BAE Systems’ preferred wording has been retained without the Applicant’s additional wording in order to allow for a radar/infrastructure upgrade (if appropriate and required) during the lifetime of the OWF (which the undertaker would be required to fund the cost of) (in line with paragraph 5.5.45 of Overarching National Policy Statement for Energy (EN-1)).

- (b) the performance criteria required to be met by the proposed mitigation solution, as specified in the approved radar mitigation scheme, have been met; and
- (c) the approved radar mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (5)(a)).<sup>3</sup>
- (4) The approved radar mitigation scheme must remain in place and be complied with for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both).
- (5) The undertaker shall be solely responsible for costs of~~at its sole cost~~<sup>4</sup>
- (a) implement<sup>ing</sup> the approved radar mitigation scheme<sup>5</sup> prior to any wind turbine generator erected as part of the authorised development being permitted to rotate its rotor blades about its horizontal axis;
- (b) thereafter maintain<sup>ing</sup>, repair<sup>ing</sup> and replace<sup>ing</sup>,<sup>6</sup> including without limitation resolving any failure (howsoever caused)<sup>7</sup> of, the approved radar mitigation scheme for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both); and
- (c) in the event of any amendment being made to the authorised development which gives rise to new or different adverse impacts to those identified by the environmental statement on the operation of the PSR or the PSR air traffic control operations, work<sup>ing</sup> with the Ministry of Defence and the operator in good faith to ~~agree implement and to thereafter maintain~~ any additional mitigation measures<sup>8</sup> required to prevent or remove such adverse impacts for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both), together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.<sup>9</sup>
- (6) In the event of any failure (howsoever caused) of the approved radar mitigation scheme whilst any of the wind turbine generators erected as part of the authorised development are operational, the undertaker shall, upon being notified by the operator of the aforesaid failure, ~~immediately~~ cease to operate the authorised development in accordance with a shutdown protocol, the terms of which

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<sup>3</sup> The Applicant's point has been accepted and the Requirement wording amended to make clear that the radar mitigation scheme will be implemented by the operator at the undertaker's sole cost in accordance with sub-paragraph (5)(a).

<sup>4</sup> The Applicant's point has been accepted in part. The Requirement wording has been amended to make clear that the radar mitigation scheme will be implemented by the operator at the undertaker's sole cost. However, see FN1 – the Applicant's attempt to qualify the undertaker's commitment to be responsible for the costs of the radar mitigation scheme are firmly rejected. This introduces imprecision into the Requirement wording and unnecessary risk with regard to delivery of the approved radar mitigation scheme – the costs of which will be what they are. Accordingly, a commitment in absolute terms to pay the costs of the said scheme is what is required from the undertaker and must be secured in the dDCO. The principle of this has already been agreed by the Applicant and included in the dDCO for the Morgan OWF.

<sup>5</sup> The Applicant's proposed wording/inclusion for clarity is not required; the necessary clarity is already incorporated into the Requirement wording via the definition of "radar mitigation scheme" (which itself is incorporated within the definition of "approved radar mitigation scheme").

<sup>6</sup> The Applicant's proposed amendments have been accepted.

<sup>7</sup> BAE Systems' preferred wording has been retained; this is a point of emphasis which is non-controversial and which has previously been agreed and included within the Morgan and Morecambe dDCOs.

<sup>8</sup> The Applicant's proposed amendments have been accepted.

<sup>9</sup> The additional wording (which is in line with the Applicant's proposed amendment) has been included for precision and clarity.



shall be included in the approved radar mitigation scheme~~pending resolution of such failure~~. No wind turbine generator erected as part of the authorised development shall be permitted to recommence rotating its rotor blades about its horizontal axis until the undertaker has provided the necessary funding to enable the operator to~~, at its sole cost,~~ undertake the repairs and corrective measures required to reinstate the approved radar mitigation scheme (the “corrected radar mitigation scheme”) and the corrected radar mitigation scheme has been implemented.<sup>10</sup>

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<sup>10</sup> Turbine shutdown wording has been retained – see the technical justification provided in BAE Systems’ submissions to the Secretary of State. However, BAE Systems’ original wording has been amended to take account of the Applicant’s concerns regarding the need for immediate shutdown at BAE Systems’ instigation. Should the approved radar mitigation scheme fail, sub-paragraph (6) now requires the cessation of operations to be undertaken in accordance with a shutdown protocol, the terms of which shall be included in the radar mitigation scheme which is to be approved under sub-paragraph (1) (which scheme, in turn, shall form part of the post-consent mitigation agreement/commercial arrangements which BAE Systems and the Applicant are still to negotiate and enter into). A further amendment has been made to the turbine shutdown wording to make clear that it is the operator who will undertake the necessary repairs and corrective measures required to reinstate and recommence/implement the approved radar mitigation scheme (such works to be at the undertaker’s sole cost).

**BAE SYSTEMS – dDCO REQUIREMENT WORDING : OPERATION OF WALNEY  
AERODROME**

**(AIR TRAFFIC SERVICES)**

- (1) No part of any wind turbine generator or any offshore substation platform shall be erected as part of the authorised development until–
- (a) an ATS mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the CAA and the operator; and
  - (b) the Secretary of State, following consultation with the CAA and the operator, has confirmed in writing that he/she is satisfied that the approved ATS mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (4)(a)).
- (2) For the purposes of this requirement–
- (a) **“approved ATS mitigation scheme”** means the ATS mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1)(a).
  - (b) **“ATS mitigation scheme”** means a scheme which is designed to prevent or remove any adverse impacts arising from the authorised development on the operation of Walney Aerodrome, including but not limited to:
    - (i) the Aerodrome’s ability to provide and deliver, on an uninterrupted basis–
      - (1) national sovereign defence capabilities;
      - (2) safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations; and
      - (3) any other operational requirements which are identified by the operator; and
    - (ii) the Aerodrome’s IFP, MSA and VHF communication systems;
  - (c) **“CAA”** means the Civil Aviation Authority constituted by the Civil Aviation Act 1982;
  - (d) **“IFP”** means instrument flight procedures;
  - (e) **“MSA”** means minimum sector altitude;
  - (f) **“operator”** means BAE Systems Marine Limited (incorporated in England and Wales with company number 00229770, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey GU16 7EX) or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services at Walney Aerodrome or any organisation employed by BAE Systems Marine Limited to provide an air traffic service at Walney Aerodrome; and
  - (g) **“VHF”** means very high frequency.
- (3) The approved ATS mitigation scheme must remain in place and be complied with for the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20).
- (4) The undertaker shall be solely responsible for the costs of, ~~at its sole cost~~

- (a) implement<sup>ing</sup> the approved ATS mitigation scheme prior to the erection of any part of any wind turbine generator or any offshore substation platform forming part of the authorised development;
- (b) thereafter maintain<sup>ing</sup>, repair<sup>ing</sup> and replac<sup>ing</sup>e, including without limitation resolving any failure (howsoever caused) of, the approved ATS mitigation scheme throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20); and
- (c) in the event of any amendment being made to the authorised development which gives rise to adverse impacts on the operation of Walney Aerodrome which are new or different to those identified by the environmental statement, work<sup>ing</sup> with the CAA and the operator in good faith to ~~agree~~<sup>implement and thereafter maintain</sup> any additional mitigation measures required to prevent or remove such adverse impacts throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20), together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.

**BAE SYSTEMS: dDCO REQUIREMENT WORDING: OPERATION OF WARTON  
AERODROME**

**(AIR TRAFFIC SERVICES)**

- (1) No part of any wind turbine generator or any offshore substation platform shall be erected as part of the authorised development until—
  - (a) an ATS mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the CAA and the operator; and
  - (b) the Secretary of State, following consultation with the CAA and the operator, has confirmed in writing that he/she is satisfied that the approved ATS mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (4)(a)).
- (2) For the purposes of this requirement—
  - (a) **“approved ATS mitigation scheme”** means the ATS mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1)(a);
  - (b) **“ATS mitigation scheme”** means a scheme which is designed to prevent or remove any adverse impacts arising from the authorised development on the operation of Warton Aerodrome, including but not limited to:
    - (i) the Aerodrome’s ability to provide and deliver, on an uninterrupted basis—
      - (1) national sovereign defence capabilities;
      - (2) safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations; and
      - (3) any other operational requirements which are identified by the operator; and
    - (ii) the Aerodrome’s IFP, MSA, DF, VHF and UHF communication systems;
  - (c) **“CAA”** means the Civil Aviation Authority constituted by the Civil Aviation Act 1982;
  - (d) **“DF”** means direction finding;
  - (e) **“IFP”** means instrument flight procedures;
  - (f) **“MSA”** means minimum sector altitude;
  - (g) **“operator”** means BAE Systems (Operations) Limited (incorporated in England and Wales with company number 01996687, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey GU16 7EX) or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services at Warton Aerodrome or any organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome;
  - (h) **“UHF”** means ultra high frequency; and
  - (i) **“VHF”** means very high frequency.
- (3) The approved ATS mitigation scheme must remain in place and be complied with for the lifetime of the authorised development (including any period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20).

- (4) The undertaker shall be solely responsible for the costs of, ~~at its sole cost~~
- (a) implementing the approved ATS mitigation scheme prior to the erection of any part of any wind turbine generator or any offshore substation platform forming part of the authorised development;
  - (b) thereafter maintaining, repairing and replacinge, including without limitation resolving any failure (howsoever caused) of, the approved ATS mitigation scheme throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20); and
  - (c) in the event of any amendment being made to the authorised development which gives rise to adverse impacts on the operation of Warton Aerodrome which are new or different to those identified by the environmental statement, working with the CAA and the operator in good faith to ~~agree~~implement and thereafter maintain any additional mitigation measures required to prevent or remove such adverse impacts throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20).  
together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.