

SCHEDULE 1, Annex 1

Form of PRMS

ERECTION OF SIXTY (60) 262 METRE HEIGHT WIND TURBINES & ANCILLARY INFRASTRUCTURE AT MORAY WEST WIND FARM

PRIMARY RADAR MITIGATION SCHEME FOR THE ADVERSE IMPACTS TO THE PRIMARY SURVEILLANCE RADAR AT ALLANSHILL AND ASSOCIATED AIR TRAFFIC OPERATIONS OF NATS (EN ROUTE) PLC ("NATS") (CONDITION 23)

NATS UNIQUE CRM NUMBER 6279

INTRODUCTION

1. A section 36 consent and marine licence (together, the "Planning Permission") was granted on 14 June 2019 by Scottish Ministers ("Planning Authority").
2. The Planning Permission included the following conditions:
 1. No part of any turbine shall be erected above sea level until a Primary Radar Mitigation Scheme has been submitted to and approved in writing by the Scottish Ministers following consultation with the Operator.
 2. No blades shall be fitted to any turbine until the technical mitigation measures set out in the approved Primary Radar Mitigation Scheme have been implemented in accordance with its terms and the development shall thereafter be operated fully in accordance with such approved Primary Radar Mitigation Scheme.

For the purpose of conditions 1 and 2 above;

"Operator" means NATS (En Route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hants P015 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act).

"Primary Radar Mitigation Scheme" or "Scheme" means a detailed scheme agreed with the Operator which sets out the measures to be taken to avoid at all times the impact of the development on the surveillance infrastructure and air traffic management operations of the Operator at Allanshill.

3. NATS is the provider of en route Air Navigation Services for United Kingdom Airspace. NATS is regulated by the Civil Aviation Authority and has a duty under licence to provide safe and efficient air traffic management operations. The developer accepts that without appropriate technical mitigation measures, the development will cause an unacceptable impact on the primary radar of NATS located at Allanshill and associated air traffic control operations.

4. The developer has been in discussions with NATS regarding potential mitigation for the adverse aviation impacts of the development. This document is the Primary Radar Mitigation Scheme for the purposes of the above conditions in respect of the Planning Permission.

MITIGATION SCHEME REQUIREMENTS

5. No blades shall be fitted to any turbine until the relevant Planning Authority (following consultation with NATS) has provided written confirmation that the later of the following has occurred:
 - 5.1 the technical mitigation measures described at Annex 1 ("**Mitigation Measures**") to this document have been fully installed and integrated into NATS' infrastructure and validated by NATS;
 - 5.2 arrangements have been entered into with NATS for the on-going maintenance, management, renewal update and decommissioning of the Mitigation Measures throughout 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.
6. Following the discharge of each of the requirements at paragraph 5 and at least four (4) weeks prior to the first blades being fitted to any turbine, the developer shall provide the Planning Authority (and copied to NATS - contact details below) with a schedule of intended dates for blades to be fitted to each turbine and for each turbine to be first operated. If any of the dates will be materially different from those set out in the submitted schedule, then notice of the revised date(s) shall as soon as reasonably practicable be provided to the Planning Authority in writing by the developer (copied to NATS).
7. The turbines shall not be sited outside of the three dimensional design zone set out at Annex 2 without the prior consent of the Planning Authority (following consultation with NATS).
8. The developer shall not operate any of the turbines in any period unless it has procured through arrangements with NATS that the Mitigation Measures are provided, maintained, managed, renewed, updated and decommissioned as necessary for the life of the operation of the development (or any part thereof) at the developer's expense unless the Planning Authority confirms in writing following consultation with NATS that such Mitigation Measures are no longer required.
9. The turbines shall not be operated by any person other than Moray Offshore Windfarm (West) Limited (Company Number 10515140) of Condor House, 5-10 St.Paul's Churchyard, London EC4M 8AL or a Permitted Party unless the Planning Authority has confirmed in writing that it is satisfied that such person has entered into direct arrangements with NATS for the long term provision, maintenance, management, renewal, update and decommissioning of the Mitigation Measures (save where the Planning Authority has confirmed in writing following consultation with NATS that such arrangements are no longer required). A Permitted Party means any party engaged by the developer to provide works and/or services in relation to the construction and/or operation and maintenance of any turbines comprised in the

development, provided that the developer retains the right at all times to determine when the turbines are operational.

10. In the event that mitigation is no longer required and in any event when all of the turbines have permanently ceased operation and been removed from the site, the Developer shall arrange for the decommissioning of the Mitigation Measures at its expense.

NATS contact details:

NATS (En Route) plc Safeguarding Department

NATS Corporate & Technical Centre

4000 Parkway

Whiteley

Fareham

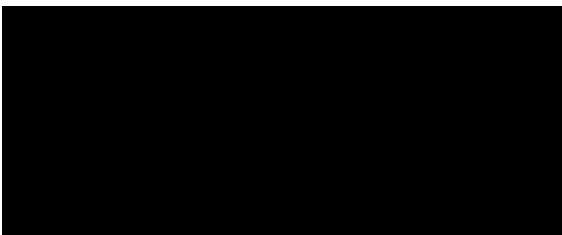
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PO15 7FL

E-mail: nersafeguarding@nats.co.uk

natswindfarms@nats.co.uk

SIGNED FOR AND ON BEHALF OF MORAY WEST OFFSHORE WINDFARM (WEST) LIMITED:



NAME: Pete Geddes

TITLE: EPCI Director

DATE: 17 March 2023

PRMS ANNEX 1

Mitigation Measures

The implementation, maintenance, management, renewal and update of a mitigation solution for the impacts of the development on the primary radar of NATS at Alanshill and associated air traffic management operations through the creation of a plot suppression zone, along with the creation of a Transponder Mandatory Zone in the airspace surrounding and within the boundaries of the Moray West Offshore Wind Farm, integrated into the infrastructure of NATS in relation to the airspace affected by the development, as may be amended or upgraded where reasonably required.

