

Comments on the Applicant's response to SEPE's written representations REP2-045.

The Applicant's Funding Statement [PDA-009] was prepared pursuant to Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed forms and Procedure) Regulations 2009 (the "APFP Regulations") and the Department for Communities and Local Government (now known as the Ministry of Housing, Communities and Local Government) guidance:

In section 4.12 point 4 of the applicant's response to SEPE's written representations expressing concerns on the applicant's funding statement noted as deficiency 7A.

The applicants comment that

'This section notes that if the Secretary of State grants development consent for the Scheme, then, as is common in privately funded infrastructure projects, Brockwell Energy would seek further funding with the support of its legal and financial advisors. Brockwell Energy would consult with a variety of financial institutions and its investors to enable the construction, operation and decommissioning of the proposed development. It also notes that while a final decision has not yet been taken on the type of finance that will be used, this approach is tried and tested in the market and Brockwell Energy has no concerns that it would be unable to obtain finance for the construction, operation and decommissioning of the proposed development'.

On the contrary it is clear from reviewing the latest accounts for BSSL Cambsbed 1 Limited and the other companies above it within the group structure of parent company Lantern Holdco Limited that there is insufficient financial strength to enable BSSL Cambsbed 1 Limited to fund the construction, operation, maintenance and ultimately to decommission and restore the scheme land back to food producing farmland without very substantial long term external funding.

Whilst Lantern Holdco Limited's shareholders may have substantial financial resources that is academic as without legally binding guarantees they have no legal or financial obligations beyond their equity interests in that group of companies. Adequate funding or the likelihood of it should be demonstrated before granting a DCO is considered and not left as a post DCO requirement.

The applicant's response to the written representations made by SEPE in deficiency 7A does nothing to mitigate concerns regarding the likelihood of them funding of this scheme.

A material concern for a potential long-term funder is that there is no longer term certainty of tax or billpayer support for UK large scale ground mounted PV Solar continuing beyond the next general election. This risk combined with serious concerns over UK food security resulting from developing these large-scale ground mounted PV Solar schemes on BMV Farmland coupled with the inefficiency of UK solar with a capacity factor of 8-12 % could render these schemes no longer viable. With this background the likelihood of obtaining external funding for this scheme is severely reduced.

Comments on the applicant's latest Archaeology Trial trench reports REP2 015-018 and Outline Archaeology Mitigation Strategy REP2 034 updated at deadline 2.

After reviewing the applicant's updated reports and outline mitigation strategy in relation to heritage and archaeology I remain very concerned that the risks around this area and the level of harm in particular being understated when assessed as part of the planning balance.

A key example of understating harm that the EPE scheme could cause is in assessing the interrelationship of the Romano-British features on and near to site C, including the scheduled monuments of the Roman small town and the nearby Roman Villa and Bathhouse at Rushey Farm, with the major Roman South to North arterial road Ermine Street. There is a risk that intrusive work on sites B, C and D could damage important evidence of this interrelationship. Gaining a full understanding of the interrelationship with these Romano- British features and the non-designated heritage asset Ermine Street, a Roman road with national significance for understanding the Roman occupation of Britain. Therefore, this must be rated of high importance and any risk of damaging archaeology, evidencing that interrelationship should represent substantial harm. An example of a possible roadway linkage being Asset 691 on Site C. There are still a number of areas within the draft Order limits which remain either totally unassessed or under assessed. This includes the cable corridors. In an area of such rich archaeological importance this work should be completed before a recommendation is made by the Inspector of whether to grant a DCO. This analysis should be subject to full public and peer group scrutiny rather than being postponed to be finalised only after a decision on whether to grant a DCO has been made. The Archaeological Mitigation Strategy is to be left to be concluded after further intrusive post DCO investigations and agreed following subsequent consultation with the Local Authorities and Historic England which is unsatisfactory. Historic England flagged this concern in their assessment of the impact of the scheme stating 'We recognise that some of this work might be undertaken post-consent but before commencement of the development. In our view this represents a project risk.'