Bo Ivanovic
[redacted]

Rt Hon Secretary of State for Energy Security and Net Zero
Department for Energy Security and Net Zero
1 Victoria Street
London SW1H 0ET

15th January 2026

Dear Secretary of State,

I write to you directly concerning the Botley West Solar Farm NSIP. This letter is copied to the DESNZ Correspondence Unit for the record.

I do so following receipt of a further departmental response dated 12 January 2026, which regrettably confirms rather than alleviates my concern that meaningful ministerial accountability and transparency are being deliberately avoided in respect of a project of exceptional scale, impact, and precedent.

This is not a reiteration of points previously raised with officials. It is an appeal to ministerial responsibility.

1. Ministerial Accountability Cannot Be Delegated Away

The controversial Botley West is not a routine infrastructure proposal. By land take, permanence, and policy consequence it is comparable to projects such as Heathrow expansion, yet it is located overwhelmingly within long-established Green Belt and productive agricultural land and proposes industrialisation for at least forty years.

For a project of this magnitude, it is neither reasonable nor credible for substantive scrutiny to be confined to correspondence-unit replies invoking process while insulating the Secretary of State from direct engagement. The repeated assertion that ministerial comment would be "inappropriate" is not a constitutional safeguard. It is an administrative choice.

The Secretary of State is not merely a passive recipient of an Examining Authority report. You are the ultimate decision-maker and custodian of policy coherence, legality, and public confidence. These responsibilities cannot be delegated away through procedural formality.

2. Administrative Scrutiny Is Not Quasi-Judicial Prejudgment

The Department continues to conflate two distinct concepts:

i. merits adjudication, which must await the Examination report; and



ii. administrative and jurisdictional scrutiny, which must occur before a lawful decision can be taken.

Concerns regarding the lawfulness of NSIP designation, the artificial aggregation of non-contiguous parcels to meet statutory thresholds, and the classification of a forty-year industrial installation as "temporary" are antecedent legal questions. Addressing them does not fetter discretion. Refusing to address them risks exercising discretion unlawfully. The suggestion that even acknowledging such questions would compromise impartiality is a category error.

3. Deflection to the Inspectorate Is Neither Neutral Nor Innocent

The Department's insistence that substantive issues belong exclusively to the Examining Authority is particularly troubling given that:

i. the Examination phase is complete or effectively exhausted;
ii. the Inspectorate will not now revisit jurisdictional or structural issues; and
iii. the Inspectorate did little to challenge the developer's assumptions, aggregation strategy, or the aggressively managed so-called consultation process.

Deflecting responsibility to a body that has finished its role and will take no further action is not procedural propriety. It is institutional deflection.

More troubling still, this approach conveniently ensures that no ministerial legal or policy position is committed to writing—leaving nothing capable of informed, timely challenge while preserving the option of attributing any later failure to the Inspectorate.

4. Withholding Legal and Policy Positions Creates a Dangerous Precedent

The continued refusal to provide clear policy reasoning or (project-specific) legal opinions does not create neutrality. It creates opacity. The practical effect is to permit a project of enormous consequence to proceed while avoiding:

i. articulated legal analysis;
ii. transparent policy justification; and
iii. written ministerial documents that could be examined, tested, or challenged by Parliament, affected communities, or the courts in an educated and timely manner.

At this stage, it is difficult to avoid the conclusion that this withholding of clarity is intentional rather than incidental.

5. Precedent and Public Confidence

If allowed to stand, this approach establishes a deeply negative precedent:

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i. that unprecedented Green Belt conversion may proceed without explicit policy justification;
ii. that NSIP thresholds may be engineered without scrutiny;
iii. that material (potentially multi-billion-pound) private windfalls may arise without transparent public-interest analysis; and
iv. that ministerial accountability may be dissolved into correspondence citing "process".

This is not solely a Botley West issue. It is a matter of governance.

Conclusion

I find it profoundly disappointing that, for a project of this scale and permanence, ministerial engagement has been replaced by procedural deflection, and that transparency appears to be treated as a liability rather than an obligation.

I therefore ask you, personally, to clarify:

i. whether you accept that jurisdictional and policy scrutiny may lawfully occur without prejudging the merits;
ii. whether you are content for no written ministerial legal or policy position to exist prior to decision; and
iii. whether this approach is intended to become the norm for future large-scale Green Belt NSIPs.

Absent such clarity, the impression will remain that this project's approval is treated as a foregone conclusion, with accountability being systematically and intentionally diluted to facilitate that outcome.

Yours sincerely,

Bo Ivanovic [redacted]

cc: DESNZ Correspondence Unit