

Written Representation on DCO application for Springwell Solar Farm

- 1 I note that (from annex B of the Rule 6 letter) “the ExA will not spend time examining representations that challenge policy set out in NPSs, or the validity of NPSs themselves”. This has legal implications, for both the Inspectorate and the Applicant, some of which I outline (briefly) in the first part of my representation. Please be aware that, should the matter come before them, **the courts can be expected to assume that both the Inspectorate and the Applicant will have read my representation, and can therefore be deemed to have had fair notice of the legal implications outlined.**
- 2 In the second part of my representation, I draw the ExA’s attention to the possibility that the commercial viability of the development may collapse long before its anticipated payback time has elapsed, with the possibility of the Applicant (or its successor) becoming insolvent. Approval should therefore be conditional on sufficient funds being secured, in advance, to cover the cost of any necessary remedial work.

Malcolm Ramsay

3rd June 2025