

Stephen Fox

Resident of North Clifton

Interested Party Reference number: [REDACTED]

To The Examining Authority

One Earth Solar Farm (Scheme Ref: EN010159)

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN

Date: 20 October 2025

Subject: FORMAL DEMAND FOR TERMINATION WARNING (EN010159) — APPLICANT'S  
TERMINAL [REDACTED] AND REFUSAL TO COMPLETE STATUTORY AUDIT

Interested Party Reference: [REDACTED]

Dear Sirs,

This submission responds directly and definitively to the Applicant's Response (sections 5.7.2–5.7.10)<sup>1</sup>. I contend that the Applicant's response is legally untenable, fundamentally [REDACTED], and confirms the Applicant's [REDACTED] the statutory audit process<sup>2</sup>.

The Applicant has not answered the substance of the allegations; it has confirmed them<sup>3</sup>. This response represents a [REDACTED] that forces the ExA's options to a single conclusion: termination<sup>4</sup>.

## 1. The Applicant's Legal Misdirection: The Collapse of the Audit Trail<sup>5</sup>

| Applicant's Defence  | Legal Critique  | Why the Defence Is Terminally Flawed   |
|--|---|--|
| S. 5.7.2: Adequacy is Irrelevant to the SoS                    | Fundamental Misstatement of Law (PA 2008 S. 104): The Applicant is fundamentally wrong. The Secretary of State (SoS) must have particular regard to consultation adequacy in the final decision (S. 104 PA 2008. The Applicant's attempt to use the S. 55 acceptance as a shield for uncurable post-acceptance [REDACTED] must be rejected. | The Applicant is attempting to manufacture a legal shield to limit the scope of the Examination and [REDACTED] the project's true legal risk from the final decision-maker.  |
| S. 5.7.9/5.7.10: Documents Not Statutory; Already 'Considered' | Evasion of S. 49 Evidential Audit: The Applicant is deliberately confusing its self-serving response with the source evidence (Survey/Script/minutes/emails) needed to prove S. 49 compliance (Duty to Have Regard) The ExA cannot audit  | The Applicant's refusal to supply the material evidence proves that the CR remains unverifiable and legally unreliable, failing the S. 55(3)(d) "satisfactory standard" test |

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|--|--|--|
|  | the Applicant's interpretation of the CR without the source documents. |  |
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## 2. Proof of Systemic [REDACTED]: Selective Compliance<sup>12</sup>

The Applicant's choice to defend its conduct by pointing to minor, curable administrative actions (S. 5.7.5, S. 5.7.8) while simultaneously withholding the material evidence of community opposition is a [REDACTED] of [REDACTED] <sup>13</sup>:

The Applicant's recent attempts to rectify minor administrative communication failures only serve to highlight their [REDACTED] refusal to address the major, incurable failure of withholding the core evidential documents<sup>14</sup>. By choosing to fix trivial communication errors (e.g., publishing updated deadlines, ensuring multiple community access locations) while continuing the [REDACTED] of the mental health survey and critical script/minutes and email, the Applicant demonstrates a selective approach to compliance, confirming a sustained lack of [REDACTED] <sup>15</sup>.

This selective compliance proves the Applicant is administratively capable of fixing minor issues but chooses not to cure the fatal flaw because the content of the [REDACTED] documents is detrimental to the scheme's viability<sup>16</sup>.

Further evidence of the applicant's [REDACTED] is provided in South Clifton Parish Council's Deadline 4 submission.

## 3. Mandatory Action: The Application Must Now Be Terminated

The Applicant's terminal [REDACTED] has exhausted all administrative options. The application is now fundamentally flawed and legally indefensible<sup>18</sup>.

### A. Issue Final Rule 17 Direction and Termination Warning

The ExA must immediately issue a Final Rule 17 Direction, formally compelling the Applicant to submit the Dr Fletcher mental health survey, the critical meeting script, and minutes and missing email within a final, short, non-negotiable timeframe of 7 days <sup>19</sup>.

This Direction must be accompanied by an explicit, formal warning:

The Applicant is hereby notified that its continued [REDACTED] in withholding material evidence is deemed a terminal failure to cooperate with the statutory manager<sup>20</sup>. Failure to comply fully with this Final Rule 17 Direction by the specified deadline will result in the immediate conclusion that the application is terminally flawed and that the Examining Authority will recommend the immediate termination of the Examination<sup>21</sup>.

### B. Conclusion on Terminal Failure

I assert that the Applicant's choice to refuse an auditable record is tantamount to administrative self-termination<sup>22</sup>. The only lawful outcome for an application that [REDACTED] the verification of its core compliance documents is termination<sup>23</sup>.

Yours faithfully,

Stephen Fox BA MSc

## Footnotes

1. Applicant's Response EN010159/APP/9.31 as referenced in sections 5.7.2–5.7.10.
2. Based on the Applicant's stated position in their recent submission.
3. The Applicant's lack of substantive response to allegations.
4. Procedural [REDACTED] leading to termination recommendation.
5. Describes the Applicant's approach to statutory audit requirements.
6. Planning Act 2008 Section 104: Secretary of State's duty to consider adequacy of consultation.
7. Concerns about post-acceptance [REDACTED] and the shielding effect claimed by the Applicant.
8. Legal risks [REDACTED] from decision-makers due to flawed defence.
9. Planning Act 2008 Section 49: Duty to have regard to consultation responses.
10. Necessity of source documentation for audit verification.
11. Failure to meet satisfactory standard under Section 55(3)(d) of the Planning Act 2008.
12. Applicant's selective approach indicating possible [REDACTED].
13. Contradiction between minor fixes and major evidential withholding.
14. Administrative communication failures versus major evidence issues.
15. Demonstration of selective compliance by the Applicant.
16. Implication that withheld evidence harms the scheme's prospects.
17. Administrative exhaustion due to terminal [REDACTED]
18. Application deemed legally indefensible by procedural standards.
19. Necessity for a final, non-negotiable deadline to be issued.
20. Statutory manager's authority and the Applicant's failure to cooperate.
21. Consequences of non-compliance with the Final Rule 17 Direction.
22. Refusal to provide auditable records as administrative self-termination.
23. Termination as the lawful outcome for [REDACTED] compliance verification.