

Mr & Mrs Barlow

Following the meeting held last week, and the questions raised by us, we seek clarification (without prejudice to our ongoing objection to this project) that the Draft Development Consent Order :

1. Provides the residents and community protection in the event of an event occurring that causes damage (including potential replacement of solar arrays and other associated infrastructure) which would result in an increase in disturbance and impacts over and above routine maintenance during the operational phase e.g. increased traffic and noise etc that could go unchecked and without adequate permitting/pre-authorisation by the LPA. e.g. The Porth Wen Solar Farm.
2. The developer is proposing that any emergency works require notification within 72 hours of their commencement, given this is a notification and does not prohibit the developer from commencing the works, should this not be a shorter timeframe e.g. 24 hours which is more aligned to LPA and EPR regulations (some of which require immediate notifications for serious incidents).
3. That the 40-year (temporary) period from the date at which the first array is commissioned is set in stone and cannot be varied by any mechanism, nor can the requirements of the decommissioning plan be varied such that all the land is returned to agricultural use. E.g. construction roads are removed and cables not left in situ. We have seen real examples in the area where conditions that were thought to be in place were varied (both time and reinstatement requirements) have been varied by agreement once the initial permission has been given.
4. Insurance / Assurance that adequate and tangible decommissioning security is in place, and not just at the commencement of the project development. It is well evidenced that large scale projects change hands on a regular basis either due to sale or group re-structures. Incoming parties must also be subject to the same level of scrutiny as the outgoing parties, or both parties must 'remain on the hook' for the decommissioning liability. The liability should never fall back on the taxpayer. The draft DCO contains security provisions, but not for a publicly held/accessible decommissioning bond - government acknowledges that the operator should bear the risk. There are still unknowns relating to solar, most specifically relating to BESS and a landowner may be desirous of not returning the land to its original use in the future.