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Member of Parliament for North West Norfolk

HOUSE OF COMMONS
LONDON SW1A 0AA

October 2026

RE: The Droves Solar Farm (EN0110013) - Deadline 5 Submission

As MP for North West Norfolk, I submit this representation regarding the DCO application for The Droves Solar Farm (EN0110013). It responds to the Examining Authority's (ExA) Schedule of Proposed Changes to the draft DCO published on 29 September 2026 [1] and raises related inquiries concerning land ownership following compulsory acquisition and the financial mechanisms required to secure long-term site restoration liabilities.

I strongly welcome the ExA's proposed modifications to Article 2 of the draft DCO (Interpretation) [1]. By agreeing with the Borough Council of King's Lynn and West Norfolk to explicitly exclude full-scale removal, reconstruction, or replacement from the definition of routine maintenance, the ExA provides helpful legal clarity. This modification distinguishes ongoing operational maintenance from redevelopment, confirming that any future wholesale replacement would require a fresh application for development consent and reinforces the focus on the end-of-life arrangements when the 60-year operational period concludes.

I also welcome the ExA's Third Written Questions Q2.0.1 and Q2.0.2 [2]. RAF Marham is a vital national defence asset operating F-35 aircraft, where flight safety must be fully safeguarded. However, the Applicant's proposed physical mitigation which includes installing earth bunds or fencing up to 4.5 metres high across radar corridors introduces substantial visual and landscape impacts that have not been evaluated within the Environmental Statement (ES). As such, I strongly support the ExA in asking the Applicant to provide evidence demonstrating, prior to any decision, that the effects of these physical mitigations have been fully assessed for all relevant topics within the ES. Wherever radar safety cannot be demonstrated, restrictions on solar arrays should be secured within the draft DCO, and I therefore also endorse the ExA's request for clarity on how this would be achieved.

Ownership Following Compulsory Acquisition

The application provides for eventual site decommissioning [3], but the legal position potentially becomes contradictory where compulsory acquisition of freehold land is sought. [4] Where a landowner retains underlying freehold title under a voluntary lease arrangement, ownersh remains separate from the project and the land automatically reverts to the owner at the end of that term.[5]

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1. *ExA Schedule of Proposed Changes to the draft DCO* (Revision 04), 29 September 2026, Article 2, page 1.
2. *Examining Authority's Third Written Questions* (ExQ3), published 29 September 2026, Questions Q2.0.1 and Q2.0.2, pages 6-7.
3. *Outline Decommissioning Strategy*, Document Reference: APP/7.10.2, Section 2.1.
4. *Statement of Reasons*, Document Reference: APP/4.1 and *draft DCO Class 1* Compulsory Acquisition provisions, Paragraph 12.1.12, page 42
5. *Outline Decommissioning Strategy*, Document Reference: APP/7.10.2, Section 2.1, Paragraphs 2.1.2 and 2.1.4.

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However, where private freehold title is compulsorily acquired, the original landowner retains no ongoing legal interest, with title remaining permanently vested in the project company or a successive owner. In these circumstances, describing the land as being "returned to the landowner" post-decommissioning [5] lacks clarity. I therefore ask the ExA to require the Applicant to clarify the extent of land subject to compulsory freehold acquisition, identify who will hold legal title once generation ceases, and explain how this ownership structure aligns with the ultimate legal duty to restore the site.

Financial Security for Decommissioning Liabilities

This in turn exposes a weakness in the application framework. Establishing site clearance as a binding legal requirement is only meaningful if there is sufficient financial capacity to discharge the corresponding decommissioning obligation. [6] To date, the Applicant has provided no evidence of any dedicated financial security mechanism, such as a decommissioning bond, escrow account, sinking fund or parent company guarantee, to underwrite ultimate liability.

Over a 40 to 60 year operational life, energy infrastructure Special Purpose Vehicles may be sold, refinanced, restructured or enter insolvency, creating a risk decommissioning obligations become detached from the financial capacity of the entity ultimately responsible for meeting them. Statutory DCO enforcement powers may compel a solvent undertaker to act, but they cannot secure restoration capital from an entity that lacks sufficient assets when those liabilities fall due. The Applicant should be invited to explain what planning or policy basis justifies omitting a specific, legally binding financial security mechanism from the draft DCO, and who would bear the cost of site clearance if the undertaker or successor entity were unable to meet its obligations.

Cumulative Impact of Further Infrastructure Proposals

I also note recent proposals for the Longmarsh Green Energy project in West Norfolk, including up to 1.3GW of solar generation alongside a major data centre. This adds to the growing concentration of large-scale energy schemes including High Grove and East Pye. Even at this late stage of the inquiry, I recommend the ExA considers this when assessing cumulative impacts, including implications for land use, grid connections, associated infrastructure at Walpole and pressure on surrounding communities.

Conclusion

In conclusion, the application leaves material questions unresolved over ownership following compulsory acquisition, financial provision available to meet decommissioning and restoration liabilities, and the cumulative impact of emerging energy proposals. These issues go directly to whether the present framework provides sufficient certainty over who will restore the land and how that obligation will be funded. I therefore ask the Examining Authority to test and resolve these matters before submitting its final report and recommendation to the Secretary of State.

Yours sincerely,

[redacted]

James Wild MP

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6. *Draft Development Consent Order (dDCO)*, Document Reference APP/3.1.4, Schedule 2, Requirement 20 (Decommissioning), page 5