

Say No To Sunnica Action Group Ltd



14 September 2022

Dear Sirs,

Application by Sunnica Ltd for an Order Granting Development Consent for Sunnica Energy Farm

Submission for Deadline C

Introduction

1. The Say No to Sunnica Action Group Limited (SNTS) is an interested party (ID No 20031080) in the DCO examination.
2. This submission follows SNTS's submission dated 13 July 2022 for the first Preliminary Meeting. That document has document number **PDA-039** in this examination and can be accessed here. SNTS repeats paragraphs 14-28 as relevant to this submission. SNTS does not propose to set out the detail of these submissions here again, although it will refer to a summary of them.
3. In this document SNTS provides comments as requested by the Examining Authority (ExA) in respect of those matters arising at the Preliminary Meeting.

Draft Timetable

4. SNTS repeats its comments in respect of the Issue Specific Hearings in paras 22-27 of **PDA-039**. In respect of the current draft, it makes a number of comments.
5. In respect of point 11 of the draft timetable, it is noted that these hearings occur before the submission of Written Representations. SNTS is of the view that, save for discussions in respect of the text of the DCO, positioning hearings before Written Representations will minimise any benefit to be derived from those hearings. It will mean that submissions are made before evidence has been submitted by Interested Parties, and will encourage participants to make lengthy and detailed submissions which will subsequently appear in a written form.
6. It is desirable that the hearings be used to supplement the Written Representations, not the reverse. In addition, as only the Applicant will have evidence submitted (as part of the DCO application itself), Interested Parties will be put to a disadvantage in that they will lack equality of arms in the documents and evidence submitted to the

Examining Authority. SNTS are of the view that these hearings should occur after the submission of Written Representations or, alternatively, the topics of the hearings should be carefully chosen to avoid discussion of substantive issues upon which Interested Parties will wish to make submissions and provide evidence in the Written Representations.

7. In respect of points 11, 15, and 22 of the draft timetable, SNTS notes that a total of 11 days total are set aside to hold hearings. SNTS understands that these dates are to be used for Issue Specific Hearings, Open Floor Hearings, Compulsory Acquisition Hearings, and Accompanied Site Inspections. Considering the length of the list of the Initial Assessment of Principal Issues, and the number of Interested Parties involved in this examination (indicated by the considerable number of Relevant Representations), SNTS is of the view that completing the necessary hearings in 11 days is ambitious.
8. In respect of Issue Specific Hearings, SNTS has commented on the hearings it thinks should go ahead at paras 22-27 of **PDA-039**. In summary, SNTS expects that such hearings will be needed at least on: (1) Heritage and Landscape; (2) Ecology, Biodiversity, and Environmental Impact; (3) Batteries and the Battery Energy Storage System; (4) the Horseracing Industry; (5) Agriculture and Agricultural Land Classification; (6) Carbon Neutrality and Justification for the Scheme; and, (7) the text of the DCO. SNTS does not confine itself to these topics, but advances these to indicate the considerable number of topics that need to be considered. This is before the inclusion of Compulsory Acquisition Hearings, Accompanied Site Inspections, and any Open Floor Hearings.
9. Thus, SNTS is of the view that the time available in the draft timetable for hearings should be increased. Further, it is of the view that this time should be made available in the second half of the examination, so that the cases of all parties involved are mature. SNTS would tentatively suggest a further week of hearings in December 2022 or January 2023.

Arrangements for Future Examination Hearings

10. SNTS maintains its position at paras 14-16 of **PDA-039**. Those submissions are not repeated here. However, SNTS adds two further points.
11. First, SNTS understands that the first Preliminary Meeting suffered some technical difficulties with the online stream. A number of people from the local community had difficulty connecting to the online stream both initially, and while the hearing was ongoing. Community participation is crucial for this examination, and SNTS asks that the ExA ensure that persons attending remotely are able to access the stream at all

times. In addition, a method of quick communication with the Planning Inspectorate Case Team should be provided to remote attenders while hearings are occurring so that the team can be informed urgently of any widespread difficulties with the online stream.

12. Second, SNTS maintains the view that a minimum of 21 days' notice should be given of hearings to Interested Parties. This should include notice of the topic and draft itinerary of the meeting. This is because SNTS (and other Interested Parties) have external advisers and experts who, depending on the topic of a hearing, will be needed to attend the hearing.

Other Matters

13. SNTS notes that a request to comment on the initial assessment of principal issues has not been made by the ExA (likely as the matter was addressed at the first Preliminary Meeting). SNTS maintains its position as set out at paras 17-21 of PDA-039, and its oral submissions at the first Preliminary Meeting. Yours sincerely

Yours sincerely

C Judkins (Director and Chair)

Electronically signed.