

# ENERGY & UTILITIES

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Onshore Wind



## Our expertise in the onshore wind sector

Onshore wind may not have been grabbing the headlines in recent years (in the business papers at least), but it is still a fast moving and vibrant sector; just take a look around you. Those involved in the sector have become more and more diverse given the huge reliance on land and the location of any potential windfarm. Recent developments in the sector have seen growing concern that the National Planning Policy Framework effectively provided an automatic green light for wind farms on account of the stated need for renewable energy projects. That has been countered more recently with the proposed introduction of measures to increase community engagement and benefits in the context of certain new wind-farm developments.

### Dedicated Energy Practice

Our dedicated Energy & Utilities team is made up of a large multi-discipline group of experienced professionals located across all Addleshaw Goddard offices with a proven track record of working with a blend of utilities regulators, Government, large energy companies and a myriad of developers and funders who are active in the sector.

Our work with the Regulators and Government on the development and interpretation of regulation ensures we understand the regulatory background. We are used to advising on the legal challenges faced by public bodies making decisions and exercising discretion against the background of complex and often ambiguous legislation. In addition, we understand the commercial challenges faced by those operating in the energy sphere, and have the know-how to deliver expert and pragmatic advice.

**We understand the industry from all angles which we see as key to providing you the support that you need.**

The practice comprises of a core team of partners dedicated to Energy and Utilities work, who have a deep insight of the industry and the people working in it. This team is closely supported by lawyers from across our full service disciplines who are used to applying their knowledge against the background of the energy and utilities sector

### Onshore Wind

We act for clients at all stages in the life cycle of a wind farm, from inception (including planning and viability) through project development and financing to the windfarm becoming operational and exporting to grid.

This includes advising on planning applications and related planning agreements, as well as planning inquiries, negotiating options and leases, preparation of certificates of title for the benefit of funders together with negotiating the funder's security packages – legal charges, direct agreements, warranties etc, sale and purchase of and due diligence exercises on consented schemes, radar issues, negotiating grid connection agreements, turbine supply agreements, balance of plant agreements and power purchase agreements, and advising in respect of joint venture agreements between the shareholders of SPVs established for windfarm projects.

### Recent experience

- ▶ Advising **Peel** on windfarm projects at Scout Moor, Port of Liverpool, Broughton Lodge, Cumbria and Bilsthorpe Scout Moor was the largest onshore windfarm in the UK (bank financed) in 2007
- ▶ Acting for **Co-operative Group** in connection with the development of windfarms funded by project finance both on its own land and separately on third party land pursuant to options and leases
- ▶ Acting for **Co-op Bank** on its funding of the development and operation of wind farms in Cumbria (Barrow in Furness, Spalding and Airdrie) and Scotland
- ▶ Advising **John Laing** on the acquisition of several SPVs with consented windfarms and subsequent advice during the project development, financing and construction phase
- ▶ Acting for **Sainsbury's** and **Ecotricity** on a matrix of arrangements between them for the leasing, development, operation and maintenance of wind turbines at several Sainsbury's depot sites throughout the country. The power off-take arrangements were for a revolving 30-year period. We provided Sainsbury's with the relevant expertise in both real estate and power off-take to ensure that the different parts of the deal were drawn together into a seamless package of advice

- ▶ Advising **GDF Suez** with due diligence exercises and other advice on the potential purchase of several significant windfarm opportunities
- ▶ Acting for **Yorkshire Water** in connection with the negotiation of option agreements and leases with developers of potential windfarm sites on Yorkshire Water's property
- ▶ Advising **United Utilities Green Energy Ltd** on joint ventures established for the development of onshore and offshore windfarms
- ▶ Acting for **Smartest Energy** on the negotiation of a framework contract for Smartest Energy with a large scale (over 100 MW in aggregate) windfarm generator to purchase energy from any windfarm built under the framework and a subsequent PPA for a separate 90MW windfarm
- ▶ Acting for **RESense Limited** (a joint venture between ADAS and CO2Sense) with repeat instructions for entering into land option agreements for 500kW turbines
- ▶ Acting for **Caddick Renewables** with repeat instructions for entering into land option agreements for 500kW turbines
- ▶ Acting for various landlords in connection with the negotiation and grant of options and leases for windfarms with developers

## Contact

Contact one of the team for more information about how we can help your business



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Aberdeen, Doha, Dubai, Edinburgh, Glasgow, Hong Kong, Leeds, London, Manchester, Muscat, Singapore and Tokyo\*

\*a formal alliance with Hashidate Law Office

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