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# **BPE RENEWABLES MAKING A DIFFERENCE**

# BPE RENEWABLES

As green technology opens up, so has the need for renewable experts both on the technological and legal side of the fence. The renewables team at BPE work hand in hand with a number of 'green energy' technology specialists working with natural resources including wind, solar, biomass, anaerobic digestion and ground source.

From advising on contract terms, negotiating with lawyers and de-risking a project as much as possible, to putting together the financial drivers and bringing deals to the table, BPE stands out as a law firm that makes deals happen.

We know the key players in the industry, we know what funders are looking for and the finance modelling and structures that sit behind finance deals. This knowledge and the ability to support you right the way through a project from start to finish, from buying land to installing technology and selling power to the grid or to a pension fund, is invaluable.

Not many legal firms can say they have a dedicated renewables team or can show the experience we have across this industry. We've built a reputation for saying it as it is and helping de-risk potentially difficult projects.



**TIM**  
**WILLIAMS**  
BPE, Partner

**JON**  
**CLOSE**  
BPE, Partner

Our renewable energy team has been the force behind UK projects culminating in producing:



**Projects in  
the ground**



**Projects in  
the pipeline**

# RENEWABLES TIMELINE

## Identify Site & Connection

BPE can prepare and negotiate the exclusivity agreement and advise on key terms to ensure the deal is bankable and attractive to institutional investors.

## Exclusivity and Heads of Terms

## Option & Lease

BPE can advise and prepare bespoke option & lease agreements tailored to specific renewables technology. We have optioned/leased and financed over 120 MW of projects in the past 12 months.

BPE has advised on numerous sales of development rights, negotiating disposal structure, managing the due diligence process and drafting and negotiating the SPA or APA.

## Planning & Connection Granted

## Lease Granted

BPE has advised on a full range of funding options, from conventional senior debt to VCT, EIS and Crowd Funding.

## Financing for Development

## Site Build Out

BPE acts for a number of EPC Contractors and can advise on all possible procurement routes and professional appointments to ensure projects are delivered and bankable.

## Site Connected

# WHO WE WORK FOR

## **We work with energy technology specialists in:**

Anaerobic Digestion • Biomass • Ground Source • Solar • Wind

### **BIOGEST GMBH – ANAEROBIC DIGESTION PLANTS**



BPE has supported Biogest with the launch of over 12 sites across the United Kingdom installing AD schemes ranging from clusters of 120KW in Scotland to a 24MW in Devon. Procurement routes include IchemE Red Book, MF/1 and bespoke delivery agreements.

We assisted the client with its suite of security bonds, which had to be heavily negotiated with their Austrian bank to be accepted both in Vienna and the UK. This called for creativity and pragmatism in approach.

Another 8 sites of various sizes are planned.

### **SOLAR BUILDING COMPANY**



BPE has supported the Solar Building Company with respect to the structuring and sale of a number of Solar PV Sites across the UK. Mindful at all times about what the ultimate financier would accept we advised on the legal structure of the deal. This included corporate formation, land option agreements, agreements for lease, leases, wayleaves, easements, asset/share sale agreements, together with advice and due diligence processes relating to the same.

Projects instructed on have varied between 5 MW and 20 MW including the largest European roof top installation to date.

### **RENEWABLE DESIGN COMPANY - GROUND SOURCE**



BPE has supported the Renewable Design Company with the roll out of a multi-site development and lease, accredited under RHI, for the supply, installation and operation of a full central heating plus water system for new assisted living accommodation developed by Churchill Retirement Living.

### **ARMSTRONG ENERGY**



BPE has supported Armstrong in structuring the investments into their various funding vehicles for financing the development of renewable projects within primarily, solar and wind sectors. This has included projects from 5 MW through to 12 MW site including the transfer of projects between different investment funds managed by Armstrong.



**TIM  
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### **TIM WILLIAMS PARTNER – COMMERCIAL PROPERTY**

Tim specialises in renewable energy projects, in particular in solar and waste.

His renewable energy experience includes advising on power purchase/energy supply agreements, connection agreements, together with developer options and leases. He has advised landowners, banks, developers, and suppliers in the areas detailed above. Tim provides strategic advice on the structuring of transactions, drafting and negotiating key documents, due diligence and funding issues. He regularly advises on large scale solar projects, advising both developers and funders, and acted on the largest single span solar roof top install in Europe.

Having previously worked for RBS in the city as an investment banker, Tim is able to utilise his financing experience to ensure that projects are bankable and suitable to institutional investors from inception.



**JON  
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### **JON CLOSE PARTNER – CONSTRUCTION & ENGINEERING**

Jon has been involved in process-driven contracts since 2005 when he first advised Fred Olsen Renewables on operational & maintenance contracts for sites in Aberdeenshire, Scotland. Since then he has acted for utility companies, developers and contractors on power generation projects including:

- biomass projects in South Wales;
- piling contracts for on-shore wind turbine construction;
- the procurement of anaerobic digestion plants ranging for schemes ranging between a clusters of micro-digesters at 140KW through to larger owner-managed sites of 24MW with VCT funding considerations; and
- large roof-top, commercial solar PV installations.

Jon approaches instructions from a very practical viewpoint working alongside engineers, QS teams and project managers, as well as colleagues in other BPE departments and lawyers advising other parties to drive the operational side and help realise the value of a client's commercial deal. He regularly works with ICE/ICC, NEC3, FIDIC, IChemE, MF/1 and JCT procurement routes as well as other bespoke delivery agreements both within the UK and internationally.



**DALE  
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BPE, Partner

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### **DALE WILLIAMS PARTNER – CORPORATE**

Dale is involved in the renewables team from a corporate angle and has been involved in working on renewables projects in Solar, Anaerobic Digestion and biomass for a number of years. He advises banks, developers, and suppliers on large scale projects, and acted on the largest single span solar roof top install in Europe.

Working closely with his colleagues handling the property, construction and commercial aspects of a renewables project, together with other professional and technical advisors to a client, Dale advises on the areas of:

- initial structuring of the corporate vehicle (SPV) through which a renewables project is to be developed and operated;
- ensuring the project within the SPV will be suitable for securitisation;
- funder investment, in respect to VCT, EIS (where applicable) Crowd Funding and more traditional funding options;
- preparing the SPV for sale ensuring necessary contracts, permissions and rights are in place to enable a smooth disposal either before or after build out of a project;
- managing the due diligence process for the acquirer or disposer of a renewables project;
- negotiation and agreement of the corporate agreement for the ultimate disposal / acquisition of the SPV;

Dale provides strategic advice and appreciates that understanding the client's primary business objectives and maintaining strong client relationships are the key to giving salient, focused and clear advice to achieve successful outcomes.



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Whether you're an SME, large corporate or a private individual, BPE is here to help.  
We won't talk a load of jargon, we just talk sense, business sense.

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