

“Clients trust us to help them achieve their business goals and depend on us to deal with their most important legal concerns. At Davidson Chalmers Stewart we never take this trust for granted. We always aim to learn about our clients’ businesses; we communicate openly and frequently; we respond quickly and appropriately and we are always available.”

Andrew Chalmers, Managing Partner

For an initial free half hour consultation or to discuss any aspect of your legal requirements please contact a member of our specialist team



Andy Drane, Partner
andy.drane@dcslegal.com
M: 07733 116 177



Henrietta Talbot, Director
henrietta.macpherson@dcslegal.com
T: 07399 226 032



Craig Stirling, Corporate Partner
craig.stirling@dcslegal.com
M: 07717 682 285



Louise Jones, Director
louise.jones@dcslegal.com
T: 0131 625 9191

WHAT OTHERS SAY

“The team has done an excellent job...they are pragmatic, provide a good level of communication and are fairly priced.”

“Andy Drane is well respected for his rural business practice, including diversification, partnership disputes, renewable energy schemes and land development matters.”

“Good at meeting complex issues with clarity and smooth performance.”

“Andy Drane is regularly sought out by landowning individuals and businesses to handle both property transactions and disputes. His expertise in renewable energy in the context of land diversification is particularly renowned.”

Chambers Guide to the UK Legal Profession

“Friendly and helpful. Really on the ball and quick.”

Legal 500

Davidson Chalmers Stewart LLP

12 Hope Street, Edinburgh EH2 4DB
163 Bath Street Glasgow G2 4SQ

dcslegal.com



Lawyers. For Business.



The Specialist Lawyers for Business in Renewable Energy



When you’re operating in a sector as competitive and rapidly evolving as renewable energy you need lawyers who can deliver swift transactions, innovative solutions and prompt resolutions to complex disputes.

Since our first renewable energy project in 1998, our team of specialists has advised on numerous schemes across Scotland, providing expert advice to landowners, developers, investors and local communities.

With proven expertise covering small and large wind, hydro-power, solar photovoltaic, innovative biomass developments and anaerobic digestion our depth of knowledge allows us to deliver practical and commercial advice, specific to our clients' needs.

Our team can also call on lawyers from across the firm with specialist expertise in other key areas, such as corporate, planning and environmental law.



LAND & PROPERTY RIGHTS

Control of the land is fundamental to any successful renewable energy project. This includes securing not just the land where the infrastructure will be installed but also rights of access to the site and rights to export the power, gas and/or heat to the national grid. Hydro-electric projects also require rights to use the watercourse. Rights to protect the energy source may be needed (e.g. wind protection zones, water catchment protection, rights to light) and Feedstock Supply Agreements are also required for AD and biomass projects.

Whether you are a landowner, a developer, an investor, a funder or indeed a purchaser of a project, we guide you through the process of identifying the rights required and putting robust contracts in place.

Increasingly we are advising clients on issues arising from repowering, lease extensions, planning permission renewal and the next generation of renewable energy projects including battery storage schemes and grid balancing.



CORPORATE STRUCTURES & JOINT VENTURES

It is critically important that you choose the correct structure for your project. This includes considering when and what your exit from the project may be. We will work with you, your accountants and your other advisers to understand your key project drivers and desired outcomes. We will advise you on the most efficient and effective legal structure to adopt and ensure that suitable safeguards are put in place to protect your interests.

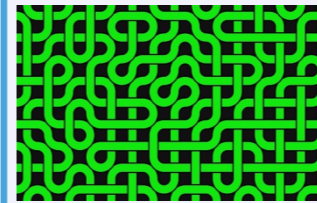
Typical structures involve the use of limited companies, limited liability partnerships, joint venture companies and, in the case of community projects, Community Benefit Companies.



COMMUNITY PROJECTS

Empowering local communities to become energy generators can provide real benefit to a community and its viability. Community bodies are often driven by volunteers who give freely of their time and expertise to benefit others. However, bringing a community project to fruition requires an understanding not just of renewable energy development issues but also of community engagement and the dynamics which can be involved in community projects.

We are experienced in the creation of corporate bodies using the legislation specifically designed for community projects such as Community Benefit Companies. We have worked with community bodies across the country on a variety of projects including those who have managed to deliver successful renewable energy projects.



STATUTORY CONSENTING

All renewable energy projects require to comply with the relevant statutory framework. This will include obtaining Planning Permission for the project which in turn will require impact assessments on a range of public and environmental issues. Hydro-electric projects will require to be consented under the Controlled Activities Regulations (CAR). For biogas projects issues of waste management may also arise depending on the feedstock being used.

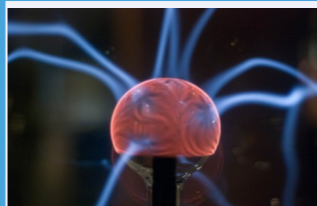
Our specialist planning and environmental lawyers have extensive experience of guiding people through the maze of regulations to obtain all of the necessary consents which may be needed for a project. We can also assist in challenging the refusal of consents or the imposition of inappropriate or onerous conditions by the regulatory authorities.



SUPPLY & CONSTRUCTION CONTRACTS

In creating a renewable energy project it is essential that robust supply contracts are entered into with technology suppliers. The same applies to those designing the project and those constructing it. This involves ensuring the design consultants appointed at the outset are given detailed professional appointments, that they have sufficient professional indemnity insurance to indemnify in the event of negligent advice and that they owe appropriate duties of care to future funders, purchasers and other interested parties. The same is true of your contractors.

Failure to deal with this at the outset can later prove costly and may in extreme circumstances impact the entire viability of your project. We will advise you on procurement routes, construction and supply contracts, appointments and collateral warranties. We will also act for you in the event of any claims which may arise. We also advise on Operation and Maintenance Contracts and insurance and bonding contracts in relation to project risk and decommissioning.



GRID CONNECTIONS, POWER PURCHASE AGREEMENTS & SUBSIDIES

As well as generating power, gas or heat it is essential that you are able to export it from the generation facility either to the National Grid or to the person who will use it. We assist with negotiating grid connection agreements and private wire agreements. We also assist with negotiating power, gas and heat purchase agreements.



FUNDING, FORWARD SALE & INVESTMENT

Most renewable energy projects will require external funding. This can be from any combination of debt, mezzanine, equity or grant funding. Whatever the structure, we advise landowners, developers, funders and investors in connection with the funding arrangements for renewable energy projects to ensure that our clients' interests are fully protected. We also advise those who may be selling or buying renewable energy projects whether pre or post-construction.