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Legal and Contractual Role

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Section 1. Introduction

TECs are looking for someone to join our team of professionals from a range of business and community sectors.

We have a mix of people, some giving their time for free and others contracted by TECs to deliver specific services. We believe that Community Energy (CE) is an excellent vehicle for our efforts and personal energy to mitigate against the affect of Climate Change, benefit our local economy and community.

TECs is one of a number of CE co-operatives in the South West (SW), we are planning to install some 150kWp rooftop PV in 2016 with a first 50kWp installation already completed and a successful community share offer achieved. TECs is also evaluating other renewable technologies and more extensive PV projects longer term.

There are several organisations active in the Community Energy sector in the SW, offering opportunities for local business to provide a range of services. TECs recognises that it cannot rely on its volunteers to carry out its business operations longer term. Our operations budget therefore allows for such services to be outsourced once we have established our revenue stream, expected to start in 2nd half of 2016.

Section 2. The Benefits to you and your firm

You will be involved in a worthwhile community venture. You can offer your expertise to benefit your local community. Your chance to give something back in your local area.

Involvement in CE could be good for your professional development and would certainly look good on your cv.

Interesting challenge to work with people from different sectors with different mindsets and experience. An opportunity to broaden your horizons.

And of course the potential spin-offs for you and your organisation in terms of possible contracts from TECs and other CE groups, at the very least it would increase your profile locally.

Section 3. Scope of Support

TECs has already established several legal and contractual documents, templates and processes. We have been using these for our first project and hope to continue to develop them for the next 2-3 projects in 2016 and around 3-5 in 2017.

The role requires expertise in the areas listed below, your role would primarily be to provide advice and guidance, but could extend to greater levels of involvement and cover other related areas of the business as it develops.

By joining the team as a member of the Support Forum or as a co-opted Director, you will be working with other volunteers and the Board. You would be reporting on progress to the TECs Board.

TECs is focusing on rooftop solar PV as its preferred renewable technology. A good understanding of this and other renewable technologies such as biomass heat as well as energy saving technologies such as lighting and insulation, will be useful, but not essential.

Section 4. The Legal and Contractual Areas

There are 3 areas of responsibility covering project, business and regulatory. These will require you to have:

- self motivation and flexibility, ability to deliver on commitments;
- ability to be a cooperative team player;
- experience in developing, assessing and negotiating contractual and legal documents;
- appropriate knowledge or access to regulatory aspects of Community Benefit Societies would be beneficial, but not essential.

You would be expected to work independently and flexibly, but have access to all the processes and prior experience TECs has already documented.

You will also be given the flexibility to define the role as you gain experience and, if appropriate, extend this to other areas of the business.

4.1 Project Based Contracts

This is likely to include some or all of the following:

- Stakeholder Memorandum of Understanding – Between Stakeholders/Site Owner and TECs regarding the aim of TECs and each party's responsibilities.
- Exclusivity Contract – Between Stakeholders/Site owner and TECs to ensure preliminary work carried out at the expense of TECs is protected.
- Roof/Space Lease– between building/site owner or long-term lessee and TECs.
- Power Purchase Agreements (PPA) – Declaring rates and associated terms for the sale of energy.
- Service Provider Contracts and warranties – Between TECs and external service providers as appropriate. In particular to include installation, operations and maintenance for the sites identified.
- Shared ownership/revenue contracts - between TECs and a third party developer if this is the outcome of the Initial Assessment.

4.2 Business Related

TECs will require legal and contractual guidance on the following business wide activities:

- Insurance cover requirements and options.
- Share Offer documentation.

4.3 Regulatory

As a Community Benefit Society registered with the FCA, TECs will require legal and contractual guidance on its business activities to ensure it is not in breach of related rules and legislation.

Section 5. Hours & Pay

TECs has set aside funds to pay for this service, but recognises that at this stage the role may be a mix of paid/voluntary work. The terms for this are negotiable.

We have established a comprehensive set of templates and processes to cover the majority of the areas covered by this role. The work will therefore be one of ongoing legal & commercial advice on a project and business wide basis.

Additional professional legal advice may be required in some contractual negotiations. This can either be provided by the person delivering this role, or an external service provider. In either case, appropriate qualifications and payment will be negotiated separately.

The number of hours needed and an hourly rate will be agreed in advance for both informal and formal legal/commercial advice. Because of the different circumstances for each of our projects, only an indicative range of time needed to carry out the different roles can be given.

Based on our experience to date, a 'typical' ~50kWp rooftop solar PV project would require:

- Initial Assessment with Stakeholder per project > 2-5 hrs over a 1 week period
- Contractual discussion/agreement with Stakeholder per project > 5-20 hrs over a 3-4 week period
- Business related advice > 5-10 hrs annually and/or per share offer
- Regulatory advice > 2-5 hrs annually