

## The wind at your back

### Onshore and offshore wind

#### Wind energy in Ireland

Wind energy is currently the largest contributing resource of renewable energy in Ireland. It is both Ireland's largest and cheapest renewable electricity resource. In 2020, wind provided over 36% of Ireland's total electricity demand, the world's highest for onshore wind. Wind energy will play a key role in helping Ireland reach its 2030 EU carbon emissions targets and this is reflected in the ambition contained in the current Programme for Government to install 5GW of offshore wind by 2030.

We have unrivalled experience in the wind energy sector in Ireland and Northern Ireland. On the island of Ireland, we have advised on over 800MWs of operational renewable energy projects both north and south of the border. Our clients include domestic developers, multi-national utilities, international power companies, infrastructure, private equity funds and banks.

#### How can we help?

We are experienced in all technologies, including onshore and offshore wind, biomass and waste to energy, solar PV and thermal, biofuels, marine and CDM projects. We are the only law firm operating in Ireland with a capability to offer seamless Irish, Northern Irish and English law advice from our offices in Dublin, Belfast and across Britain.

Our full service offering means that we can provide comprehensive whole project lifecycle experience in clean energy projects with recognised experts across all skill bases from real estate and planning and environmental, through to supply chain, grid, PPA structures and debt and equity finance. We work with our clients to help them avoid disputes; but if disputes do arise, we have the skills and strategic knowledge to resolve them successfully.

#### We have advised:

- **Codling Wind Park Limited** in relation to the proposed development of a 2.1GW offshore wind project in Ireland



- **Shell** on the entry into its partnership with Simply Blue Energy, which will develop a floating wind farm in the Celtic Sea
- **SMR International Windparks** on the development and financing of a series of three wind farms in 2020
- **Temporis Capital** on their joint venture with Highfield Energy to develop onshore wind farms in Ireland
- **Temporis Capital** on their acquisition of the Tullabrack wind farm
- **China General Nuclear** on the introduction of I-SEM and the changes required to protect their investment in the 14-strong wind farm portfolio acquired from Gaelectric (seven in Northern Ireland and seven in Ireland)
- **Natural Forces** on its Irish joint venture with a number of individuals to develop onshore wind farms in Ireland
- **SMR International** on the sale of a wind farm business by way of asset transfer to Union Invest, owners of Carrowleagh wind farm
- **Pensions Infrastructure Platform** on the portfolio refinancing of five onshore wind farms
- **AIB** and its Northern Irish subsidiary **First Trust Bank** on the construction finance and project finance of a number of wind farms in Northern Ireland and Ireland
- **Three Trees Wind Project** and Enros Wind Limited on two separate High Court cases arising from disputes with two adjoining landowners while progressing the development of a wind farm at Three Trees, Donegal

## Our expertise in wind energy

**Planning** – Our planning team has extensive onshore wind energy experience and advises on all aspects of the planning process. Our team had advised on environmental impact assessment reviews, project and appeal process management, complex site issues such as noise, ecology and aviation. Our team has also brought successful judicial review proceedings in the planning and regulatory environment.

**Construction** – Our construction team has unparalleled onshore experience advising major utilities and independents on turbine procurement and operational and maintenance issues. We have advised on the procurement of turbines from all the leading turbine manufacturers.

**Regulatory** – Our regulatory team frequently advises on grid and other regulatory issues affecting the onshore sector covering all aspects of supply and grid connection. We have also advised clients in the relation to the section 34 dispute resolution process. Our team also has extensive experience in advising on power purchase agreements in the Irish market.

**Corporate** – Our corporate team has significant experience of advising on all aspects of joint ventures, co-development agreements, deferred consideration structures and tax-based schemes including BES and EII. Our integrated team has a wealth of experience and provides developers a full service whatever the size of the project.

**Dispute resolution** – Our dispute resolution team has extensive experience in handling complex disputes within the renewable energy sector. Our team has advised on a wide range of issues including shareholder and land access disputes. Through our intimate knowledge of the industry's contract forms (FIDIC, MF1 and bespoke contracts) and our practical approach, we offer significant value to clients on these types of disputes. Our specialists also have strong expertise in arbitration, litigation and alternative dispute resolution procedures.

**Policy** – Our team is actively involved in policy and sits on various industry groups focused on onshore and offshore wind including the Wind Energy Ireland (WEI) association, Northern Ireland Renewable Industry Group and the British Irish Chamber of Commerce.

## What our clients say

A respondent notes that the lawyers' strength lies in their *"client focus and ability to work collectively with the client's wider team to find solutions."*

**Chambers Europe 2021**

An interviewee finds the team members to be *"very knowledgeable in the area of renewable energy."*

**Chambers Europe 2021**

Clients report that Mark Varian is *"very knowledgeable about the renewable energy market in Ireland, and his advice is practical and business-oriented."*

**Chambers Europe 2021**

Sources describe Mark Varian as an *"experienced, commercial and committed"* partner who has *"an excellent knowledge of the energy industry."*

**Chambers Europe 2020**

*"They are very knowledgeable in the renewable energy sector. They are also very commercial in terms of negotiations with the counterparty's lawyers, and their responses are very quick."*

**Chambers Europe 2020**

*"They are pragmatic in their approach."*

**Chambers Europe 2020**

## Legal updates

We offer briefings and alerts on the latest issues facing the energy sector. If you would like to receive these alerts, please sign up to our energy mailing list [here](#).

## What happens next?

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