

Cambridgeshire Private Electricity Network (CPEN): Legal Agreements

To: Environment & Green Investment Committee

Meeting Date: 16 March 2023

From: Executive Director Place and Sustainability

Electoral division(s): Soham South & Haddenham, Burwell

Key decision: No

Forward Plan ref: N/A

Outcome: Council enters into and executes all necessary legal agreements and related documents to enable the construction of the Cambridgeshire Private Electricity Network (CPEN) project.

Recommendation: Committee is asked to:

Delegate the decision to issue the necessary notices, enter into and execute all legal agreements as necessary for the Cambridgeshire Private Electricity Network to the Executive Director Place and Sustainability in consultation with the Executive Director of Finance and Resources, and the Chair and Vice Chair of Environment and Green Investment Committee as set out in paragraph 2.1

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Member contacts:

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1. Background

- 1.1 In order to connect North Angle Solar Farm to the distribution network at UKPN's sub-station at Burwell Local, it was agreed that the Council creates a 'private wire connection'. This private wire extends from North Angle Solar Farm, via Burwell Local, to the Swaffham Prior energy centre. The private wire is the mechanism that enables the Council to export its renewable electricity generated by the North Angle Solar Farm to the distribution network and supply clean electricity to Swaffham Prior energy centre.
- 1.2 The business case for the Private Wire was approved by committee on the 7th July 2022 including the land negotiations. The outcome of this report is to delegate the execution of the deed of easements, lease and sub-lease agreements, licenses, and any other agreements to facilitate the construction of the Private Wire Network.

2. Main Issues

- 2.1 The land negotiations for the route of the Private Wire Network are now at the point that the Council will look to issue the necessary notices, enter into and execute a range of agreements including options, leases, subleases and deeds of easements and any other relevant agreements, to secure the route for the construction of the Private Wire Network. A committee delegation to enter and execute these agreements is now required.

3. Alignment with corporate priorities

3.1 Environment and Sustainability

There are no significant implications for this priority as the project has been previously agreed at committee and this is purely to provide necessary permissions to enable legal agreements to progress.

3.2 Health and Care

See wording under 3.1 above.

3.3 Places and Communities

See wording under 3.1 above.

3.4 Children and Young People

See wording under 3.1 above.

3.5 Transport

See wording under 3.1 above.

4. Significant Implications

4.1 Resource Implications

There are no significant implications within this category as costs for entering into these agreements have already been identified and agreed. This paper is just to ensure the necessary permissions have been provided.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications within this category.

4.3 Statutory, Legal and Risk Implications

The purpose of this paper is to ensure the correct permissions have been granted prior to entering into any required legal agreement relating to this project. It is therefore aiming to mitigate any risk in future of challenge to the legality regarding the permissions.

4.4 Equality and Diversity Implications

See wording under 4.1.

4.5 Engagement and Communications Implications

See wording under 4.1.

4.6 Localism and Local Member Involvement

See wording under 4.1.

4.7 Public Health Implications

See wording under 4.1.

4.8 Environment and Climate Change Implications on Priority Areas

4.8.1 Implication 1: Energy efficient, low carbon buildings.

Positive/neutral/negative Status: Neutral

Explanation: This relates to projects that the Council has already agreed to deliver and only seeks to provide the necessary permissions to enter into legal agreements relating to that.

4.8.2 Implication 2: Low carbon transport.

Positive/neutral/negative Status: Neutral

Explanation: This relates to projects that the Council has already agreed to deliver and only seeks to provide the necessary permissions to enter into legal agreements relating to that.

4.8.3 Implication 3: Green spaces, peatland, afforestation, habitats and land management.

Positive/neutral/negative Status: Neutral

Explanation: This relates to projects that the Council has already agreed to deliver and only seeks to provide the necessary permissions to enter into legal agreements relating to that.

4.8.4 Implication 4: Waste Management and Tackling Plastic Pollution.

Positive/neutral/negative Status: Neutral

Explanation: This relates to projects that the Council has already agreed to deliver and only seeks to provide the necessary permissions to enter into legal agreements relating to that.

- 4.8.5 Implication 5: Water use, availability and management:
Positive/neutral/negative Status: Neutral
Explanation: This relates to projects that the Council has already agreed to deliver and only seeks to provide the necessary permissions to enter into legal agreements relating to that.
- 4.8.6 Implication 6: Air Pollution.
Positive/neutral/negative Status: Neutral
Explanation: This relates to projects that the Council has already agreed to deliver and only seeks to provide the necessary permissions to enter into legal agreements relating to that.
- 4.8.7 Implication 7: Resilience of our services and infrastructure, and supporting vulnerable people to cope with climate change.
Positive/neutral/negative Status: Neutral
Explanation: This relates to projects that the Council has already agreed to deliver and only seeks to provide the necessary permissions to enter into legal agreements relating to that.

Have the resource implications been cleared by Finance? Yes
Name of Financial Officer: Sarah Heywood

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the Head of Procurement and Commercial? Yes or No
Name of Officer: Clare Ellis

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or Pathfinder Legal? Yes Name of Legal Officer: Linda Walker

Have the equality and diversity implications been cleared by your EqIA Super User?
Yes Name of Officer: Sheryl French

Have any engagement and communication implications been cleared by Communications?
Yes or No Name of Officer: Kathryn Rogerson

Have any localism and Local Member involvement issues been cleared by your Service Contact? Yes Name of Officer: Sheryl French

Have any Public Health implications been cleared by Public Health?
Yes or No Name of Officer: Iain Green

5. Source documents

- CONFIDENTIAL - Cambridgeshire Private Electricity Network (CPEN) – Increased Capital Costs – 7th July 2022 Environment & Green Investment Committee

5.1 Source documents

5.2 Location

Confidential minutes from 7th July 2022 E&GI committee – available on request (from Alexandra.mueller@cambridgeshire.gov.uk)