

**SOLAR ENERGY PROJECTS**  
**AN OVER-VIEW OF THE LEGAL ASPECTS**

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## **Exclusivity Agreement**

**Cease all discussions with third parties**

**Provide reasonable assistance**

**Initial surveys carried out**

**Confidentiality**



## **Heads of Terms**

**Outlines headline commercial terms**

**Term of Option and Lease**

**Monies payable under both**

**Responsibilities**

**Access**

**Insurance**

**Funder Agreements**

**Confidentiality**

**Not legally binding**

# **Option Agreement**

**Identifies Site**

**Developer's requirements: Planning Permission, Finance, Grid Connection, Power Purchase Agreement, Solar Panel Procurement Agreement, ReFIT**

**1 to 5 years**

**Right to extend**

**Planning process – consultation**

**Test and surveys**

**Restrictions on land use**

**Right to call for Lease**



## **Lease**

**Site formally mapped.**

**Rights of way for access/servicing**

**Continued use by Landowner**

**Non interference/restrictions**

**Rent – index linked or turn over rent**

**Insurance**

**Maintenance and repair obligations**

**Option to extend**

# **Solar Farm Maintenance Agreement**

**Up keep – grass and weed control**

**Monitoring for vandalism**

**Up keep of access routes**

**Movement of livestock**



## **Other Legal Considerations**

**Neighbouring Landowners**

**Existing Leases/Licences**

**Bank consent**

**Other alternatives – conditional and unconditional contracts.**

**Good working relationships**