



Legal Process for Electric Vehicle Charge Point Connections

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WPD's approach to the legal process for EV charge point connections

We recognise that the legal process relating to the acquisition of land and rights over land is key to the timely delivery of new connections for our customers. Our established track record is to challenge the conventions of traditional legal processes. WPD provides solutions which both align with our customers' delivery timescales and our statutory obligations to operate an efficient, economic and coordinated network. Further, recognising our critical role in delivery of the large-scale deployment of electric vehicle charger points (EVCPs), we have optimised our legal processes to simplify and minimise delays.

Our proposals for a lawyer-light approach to the legal processes relating to new connections for EVCPs can be summarised as follows.

- **Deep Relationships**

We aspire to build deep working relationships with our charge point operator customers (CPOs). Deep relationships result in efficient outcomes which reflect an excellent understanding of each other's challenges. Through our relationships we can empower our CPO customers with an understanding of our exact requirements for our own legal process so that rights for WPD apparatus are secured from the outset. Deep relationships also provide a suitable forum for collaboration and the sharing of ideas about how our own processes or policies can be improved.

- **Early Engagement in Projects**

Through early engagement in CPO projects, we can advise on technical solutions and the optimal legal process options which flow from those solutions. This ensures that our CPO customers' projects are designed from the outset with collaboration on our requirements in mind.

- **Sole-Use Substations and Connection Agreements**

We have developed new connection designs which facilitate alternative legal requirements for sites where the connection is solely for electric vehicle charge points (EVCP).

Sole-Use substations for EVCP connections are suitable for connection agreements as the basis of tenure for WPD's apparatus. This can eliminate the need for formal legal rights and therefore the conventional legal process. In other words, sole use substations and connection agreements result in a lawyer-light solution to the legal process.



- **Collaborative Partnership Protocol**

Supported by our legal advisors, Geldards, for connections which are requiring of formal legal rights, we have challenged the conventions of traditional legal processes through the implementation of our *Collaborative Partnership Protocol*.

The Protocol targets our ambition for legal completion within 50 days of Geldards receiving instructions. It promotes the formation of a collaborative relationship between Geldards and our customers' lawyers to maintain focus on delivery for their mutual customer.

Through the Protocol, Geldards will:

- Establish and measure a timescale for completion within 50 days. Geldards measure their own and our customer's lawyers performance against a series of KPI milestones.
- On day 20 issue a report to enable our customers, their lawyers, Geldards and us to assess the status of the transaction and its likelihood of completing within the 50 day target (using a red/amber/green rating).
- Provide on-line access to their case management system to provide our customers, their lawyers and any nominated

independent connection providers with transaction-level tracking of each case.

- Front-load their land ownership due diligence by identifying any issues at the outset and promoting early and priority engagement by utilising ready reference checklists to highlight outstanding matters throughout the course of the transaction.
- Embrace electronic signatures and other document closure innovations in order to expedite completions, including document signing touch points.
- Deploy solutions to prevent delays in land registration from negatively impacting delivery timescales.

Finally, we recognise that in some circumstances, EVCP connections could be at risk of delays or additional costs due to third party landowner problems. Sometimes these problems can be significant or even insurmountable without the payment of a significant ransom premium. We regard third party landowner problems as a potential barrier to the wide-scale deployment of electricity network developments for decarbonisation projects generally across our network. As a means of addressing this potential barrier we instigated and are leading an initiative through the Energy Networks

Association for engagement with Government on the modernisation of our industry's statutory powers. Modernised statutory powers will enable us to meet both our customers' and Government's expectations for timely and cost-effective EVCP connections.

At the end of this guide, in Appendix 1 is a summary / process map of our EVCP legal process strategy with supporting notes.

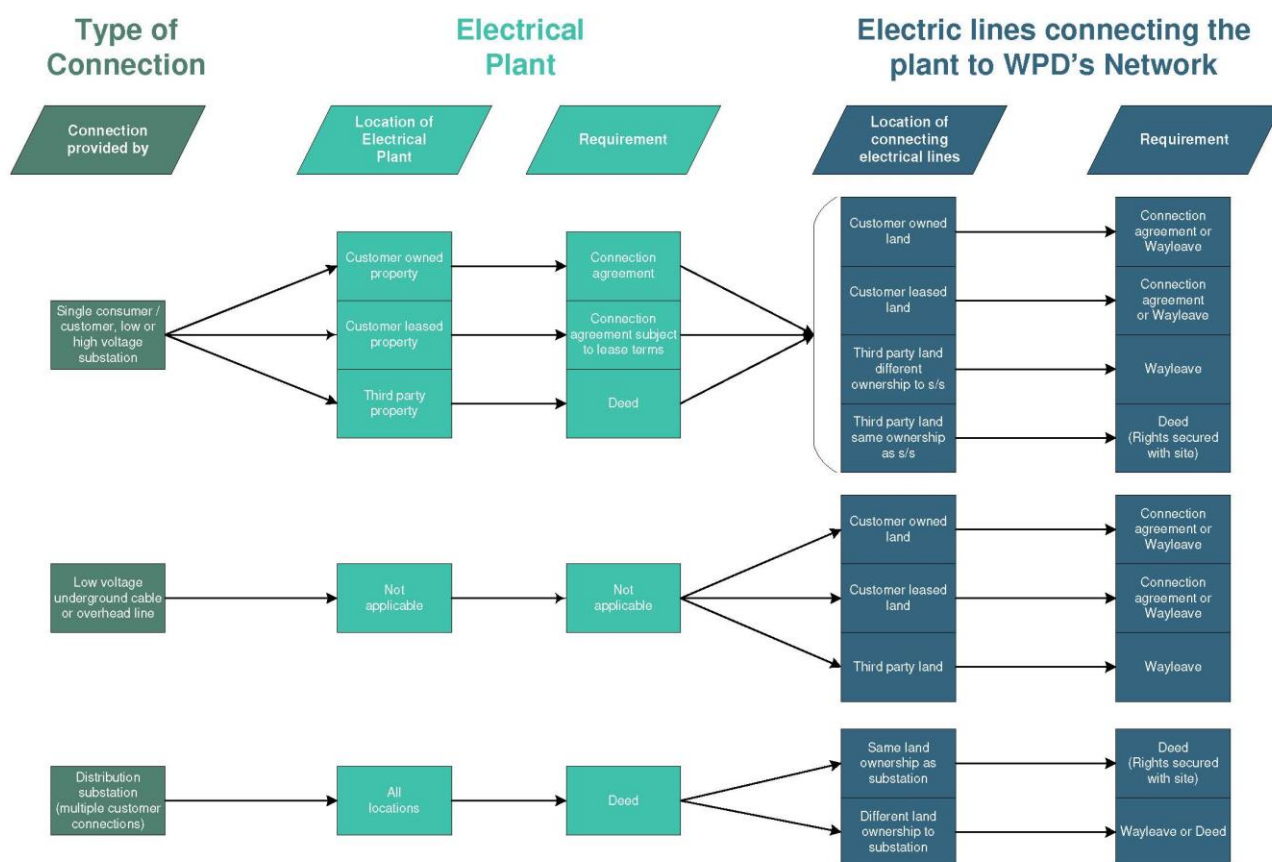
A link to our website where more information can found about our legal process and our Collaborative Partnership Protocol is

<https://www.westernpower.co.uk/legal-process>

We are encouraging charge point operators to engage in supporting us through discussion to identify further opportunities for refinement of our approach to the legal process for EVCP connections.

Please contact our local Estate/Wayleave Specialist or our Estates Team (wpdestateteam@westernpower.co.uk) for further discussion about our legal process for EV charge point connections.

Appendix 1



Supporting Notes

The extent and nature of a charge point operator's on-site footprint will determine if the Connection Agreement can be regarded as a lawyer-light solution to the legal rights needed for our connection assets. Our customer must ensure that they satisfy the terms of the Connection Agreement in these instances.

Any WPD assets which are located outside our customer's boundary will have to be regarded as located on third party property; the Connection Agreement will be unsuitable for these assets and so formal rights will be needed.

When ground-mounted electrical plant relating to a charge point connection is located on third party property, it (together with any associated lines) must be secured with a deed. When electric lines are the only WPD asset on third party property we will accept the use of a wayleave.

We need the legal rights over third party property to be in place before we start any connections works on that property. Similarly if it we're not responsible for doing the connection installation we will need

appropriate legal rights to be in place before we adopt the asset.

Additionally, if the assets or works require any statutory consents, these must be properly secured before works are commenced or assets adopted. It's important to note that we have a legal duty to mitigate our impact on the environment and so compliance with all relevant legislation is paramount in that respect.

Sometimes other bodies (for example utilities) impose proximity-based activity restrictions to protect their own networks. In such situations if their consent is required it will have to be secured before we undertake any works or adopt assets

Finally our operations are governed by statute. Any terms and conditions associated with any documentation that provides us with consent/authority to place and maintain our assets on third party property will need to be such that they enable us to deliver on our statutory obligations.

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