



## Water and Waste

We act for sponsors, lenders, developers, contractors, operators, technology providers, consortia and governments on all aspects of the water and waste industries.

### Water

We are involved in some of the largest, most complex water projects in the world. In addition to project development and finance, we help with water-related mergers and acquisitions, project bids, procurement, sovereign immunity, contracting authority, environmental and other regulatory matters, commercial agreements, intellectual property and dispute resolution.

### Waste

Our waste sector experience spans the spectrum of waste-related agreements - we advise clients on construction and operating agreements, transportation, landfill, fuel supply, recyclate sale and other residue offtake agreements, as well as advising on environmental and planning issues, technological development and regulatory disputes. Projects on which we have advised include fully merchant facilities and others underpinned by long-term local authority contracts.

Working on these projects requires a detailed understanding of not only the relevant regulatory legislation, but also of the technologies used and the risks associated with them. Our experience in these matters allows us to measure, anticipate and manage our clients' risks whatever the scale of the project.

## EXPERIENCE

### Water

- The lenders, Standard Bank and Nedbank, in connection with the MIGA-backed project financing of a reverse osmosis desalination plant in Ghana.
- Northern Ireland Water, supporting the procurement of a number of framework contracts from which NI Water will be able to call off the services and works necessary to enable it to maintain its vital drinking water and sewerage infrastructure. This involved providing procurement advice on the suite of documents as well as advice on structuring the procurements.

### Waste

### KEY CONTACTS

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- Suez Environnement's subsidiary, United Water, in its joint venture with KKR to acquire a 40-year water and wastewater concession from Bayonne, New Jersey. The concession requires more than US\$300 million of capital improvements to the water and wastewater systems which the JV will fund and manage. The DLA Piper team advised on the JV structuring, project contracts and financing aspects of this transaction, one of the first water and wastewater concessions deals completed in the US.
- Shanks in respect of the £750 million Wakefield Waste PFI Project in the UK. This major waste project reached financial close in January 2013 and will process up to 230,000 tonnes of residual waste per annum using mechanical sorting, autoclave and anaerobic digestion technology. Securing financing was a significant challenge but we successfully guided Shanks through a complicated process with funding provided by GIB, Barclays, Bayern LB and SMBC.
- Alauna Renewable Energy Limited, a joint venture between Kelda Water Services Limited and Scottish Water Horizons on the Edinburgh Food Waste Project. The project is based on a long term contract between the City of Edinburgh Council and Alauna Renewable Energy Limited to design, finance, build and operate a state of the art food waste facility using anaerobic digestion technology, which is capable of handling up to 30,000 tonnes of food waste every year.
- The funders to Advising the AmeyCespa consortium as preferred bidder on the North Yorkshire Waste PFI project prior to following the recent restructuring of financing of the project following the withdrawal by Defra of Waste Infrastructure Credits.
- Viridor on its bid for this major project being jointly procured by several local authorities in the Clyde Valley region with North Lanarkshire Council as lead authority. We are advising them on all aspects of this project, which is at the ISOS stage of procurement.
- Leeds City Council on its Residual Waste PFI project for the disposal of municipal waste.

## INSIGHTS

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### Publications

#### Three ESG steps to keep your project bankable in 2021

17 September 2020

Version four of the Equator principles will take effect on 1 October 2020, and it introduces three new requirements to the international environmental and social baseline for project finance.

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#### "Recycling Victoria: A new economy" and the future of waste to energy

9 April 2020

Australia's Victorian Government recently released "Recycling Victoria", a circular economy policy and 10 year action plan. The policy and action plan primarily focuses on reduction of waste and increasing recycling.

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