

## West Sussex County Council

### Proposed Executive Decision for **23 February 2022** call-in deadline 5 p.m. on **4 March 2022**

The following proposed key decision has been endorsed by an officer and will come into effect at the end of the call-in period unless the call-in procedure is activated.

<b>Decision Title &amp; Ref No:</b>	Award of Demand Side Response Management contract at the Halewick Lane Battery Storage site and Westhampnett Solar and Battery Farm OKD49 21-22
<b>Officer responsible for decision</b>	Steve Read, Director of Environment and Public Protection
<b>Electoral Divisions</b>	Chichester North; Sompting & North Lancing
<b>Key Decision</b>	Yes
<b>Purpose</b>	<p>The appointed Demand Side Response (DSR) Management operator acts on behalf of the County Council to manage and create revenue from the County Council's battery assets by engaging in the DSR markets with the National Grid, selling energy to create revenue and support grid stability.</p> <p>The current contract expires on 31 March 2022.</p>
<b>Decision</b>	<p>The Director of Environment and Public Protection has approved award of a contract for the provision of Demand Side Response services to E-On UK Heat Ltd (E-On), for the County Council's current assets at Westhampnett and the planned battery storage at Halewick Lane. The contract is for an initial period of 3 years, with the option of extending by a further period of up to 2 years. The total value of the contract is £517,546.</p> <p><b>21 July 2022 – update</b></p> <p>Due to an acceptable set of terms and conditions for both parties not being reached, advice from Legal &amp; Procurement colleagues is that <b>this contract award is rescinded</b> on the basis that the County Council is unable to amend the Terms and Conditions released at tender stage to meet the requirements of the Demand Side Response supplier chosen, without significant risk of challenge from other bidders.</p> <p>Since March 2022, the County Council has sought and approved a variation to the end date of the current Demand Side Response contract. This is in order to ensure access to the markets for the battery storage site at Westhampnett as a source of revenue to the County Council whilst the contract was reviewed by the suppliers' legal representatives. The County Council will now seek a further variation to this contract to allow a new procurement exercise to take place.</p>

	A Forward Plan notice will be published for the provision of Demand Side Response services for the County Council's current assets at Westhampnett and the planned battery storage at Halewick Lane once a suitable route to market has been identified.
<b>Interest and nature of interest declared</b>	None
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<b>Background papers</b>	See report for details