

ANGUS COUNCIL

Policy and Resources Executive Sub-Committee – 15 July 2019

**Seagreen Alpha Wind Energy Limited - Firth of Forth Offshore Wind Farm Phase 1
(Onshore Infrastructure Works) Compulsory Purchase Order 2019**

REPORT BY DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

To advise members of the compulsory purchase order submitted by Seagreen Alpha Wind Energy Limited, as detailed below, and, to seek approval to submit an objection on behalf of Angus Council to the compulsory purchase order, an action necessary in order to protect Angus Council's position should the council and Seagreen fail to reach agreement over the cable route and related matters.

1. RECOMMENDATION(S)

It is recommended that the Sub-Committee:

- (i) Note the detail of the compulsory purchase order submitted by Seagreen Alpha Wind Energy Limited as outlined in this report and relative appendix.
- (ii) Delegate authority to the Director of Legal and Democratic Services to submit an objection to the CPO on behalf of Angus Council in order to protect the council's position, and;
- (iii) Note that a further report will be provided to Council on 5 September 2019.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

ECONOMY

- An inclusive and sustainable economy.

PEOPLE

- Improved physical, mental and emotional health and well-being.

PLACE

- An enhanced, protected and enjoyed natural and built environment.

3. BACKGROUND

Seagreen Alpha Wind Energy Limited ("Seagreen") has been granted a licence for an off-shore wind farm and propose to connect the electricity generated into the national grid through an electricity substation at Tealing. Seagreen intend to bring their connecting cable ashore at Carnoustie and lead it through part of the golf links there. Earlier discussions with Seagreen on their proposals in relation to the golf links ended with no agreement. Seagreen has now made a compulsory purchase order ("cpo") to acquire the land and rights over land to lead their cable along their preferred route. The proposed cable route affects a number of council interests, and its full impact is being assessed. At this stage it is identified that the greatest impact on council property is at Carnoustie Golf Links where Seagreen seek to have

the cable route installed under part of the golf links. The plan annexed as appendix one shows all the land at the golf links which is affected to some extent. The plan is a work in progress to better inform the full extent of the impact. Seagreen are looking to bring their electricity cable ashore at the southern end of the golf links, lead the cable westwards under the golf holes along the southern boundary, and to the west of the golf course turn north-westwards to take the cable up to and across the public road west of Barry Links Station. In addition to the rights to lay the cable itself, Seagreen seek access rights from the public road down the east side of the golf links, and a compound site to the west of the golf links. There will be ongoing rights and access required for maintenance and repair purposes. Whilst as a council we recognise the benefits of this endeavour, it is in our interests at this stage to submit an objection in order for officers to fully engage with the detail of the implications now and in the future.

4. CURRENT POSITION

The council can object to the cpo, but it must do so by 17 July or the opportunity is lost. If an objection is lodged, officers will continue to assess the impact of the cpo. A follow up report will be made to the full council on 5 September 2019. The objection can be withdrawn at any time. If an objection is not lodged by 17 July, the council will be deemed to have accepted Seagreen's proposals so far as it affects their interests. To conclude, whilst we as a Council want opportunities for clean energy and for potential economic growth it is important that is not at any cost. Officers will consider further the risks, benefits and options which we will include in the report to Council in September.

Carnoustie Golf Links Management Committee have also been served with the cpo by virtue of their interest in managing the golf links. They have the same opportunity to object as the council.

The cpo is a public document and is on display in Carnoustie Library and Dundee Central Library. It is open for any person to make an objection by 17 July.

5. PROPOSALS

It is proposed that an objection to the cpo is submitted on behalf of Angus Council by the deadline of 17 July 2019.

6. FINANCIAL IMPLICATIONS

Significant staff resource particularly within Legal and Estates is required to support the Council in relation to the cpo. If the compulsory purchase proceeds, then the council is entitled to claim compensation for its loss.

NOTE: Background papers relevant for this report, (as detailed by Section 50D of the Local Government (Scotland) Act 1973), comprise documents served on Angus Council by Seagreen referred to as CPO - Service pack - Interest 9 - Angus Council

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Appendix 1 - plan

