

Right of way and compensation

The danish way

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Acquisition of rights on private property

Before establishing electrical power lines it is necessary to acquire legal rights.

- This can take place either through
1. Voluntary negotiations or
 2. Through expropriation

Voluntary negotiations

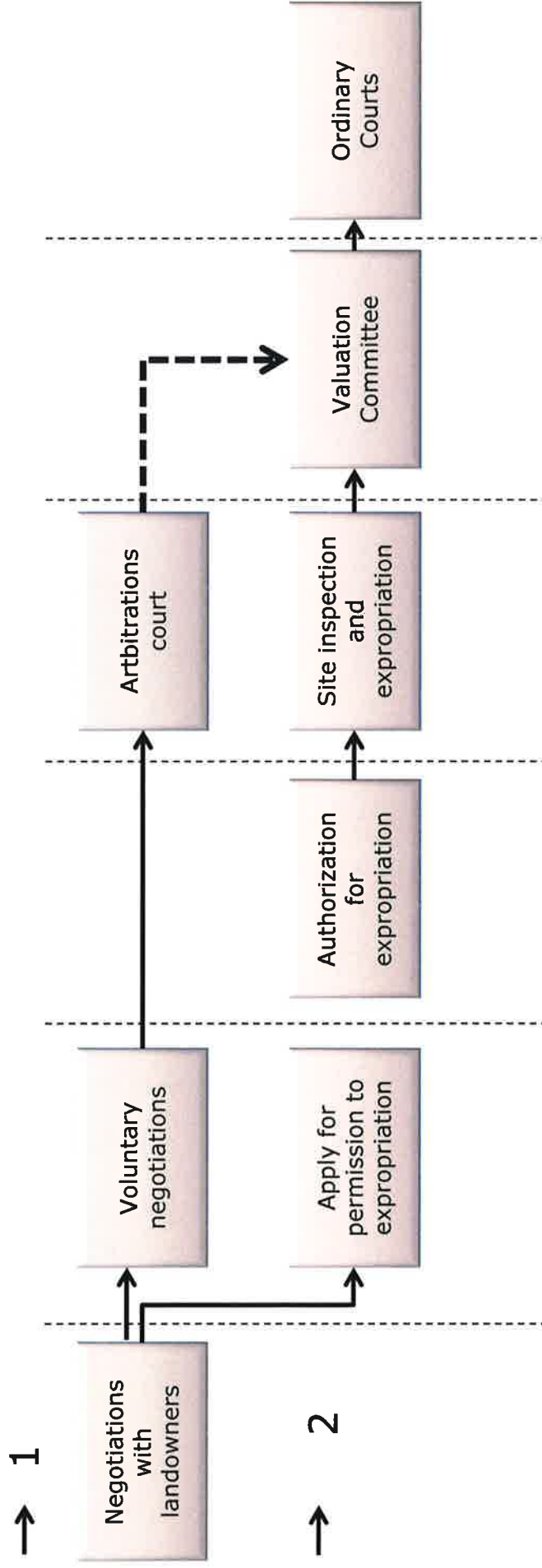
Statutory authority through "Elsikkerhedslovens § 28"

Expropriation

Statutory authority through "Elsikkerhedslovens § 27"



Process for acquisition of rights – electrical power lines



ENDK	ENDK	Arbitrationscourt	Valuation Committee	Courts system
	Danish Safety Technology Authority	The National Compulsory Purchase Board		
	Ministry of transportation			

Basics: The rights of private property in Denmark

The Danish Constitution

§73

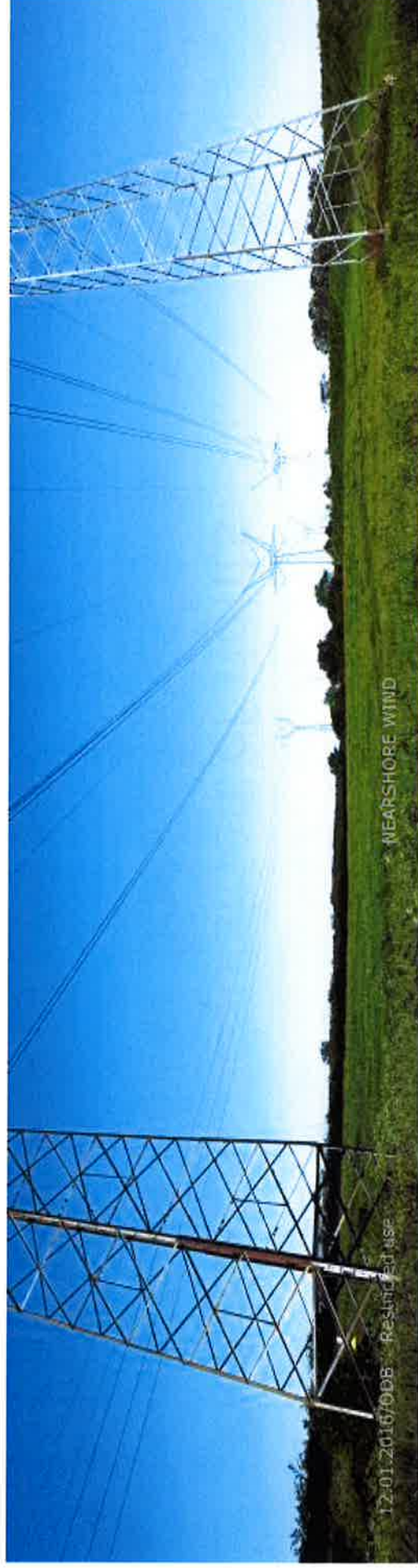
No. 1

The right of property shall be inviolable.
No person shall be ordered to surrender his property **except when required in the public interest.**

It shall be done only as provided by statute and **against full compensation.**

Expropriation

Statutory authority through "Elsikkerhedsloven §27 " - That means after permission in each case from The Danish Safety Technology Authority



Different kinds of rights acquisition

- A property totally (a new station)
- Part of a property (a new station)
- Acquisition of other rights, for instance the right to establish an maintain an electrical power cable or overhead line on a property
- Or a right to use a private road to get to the cableline
- Temporary rights on a property, for instance working areas during construction phase.

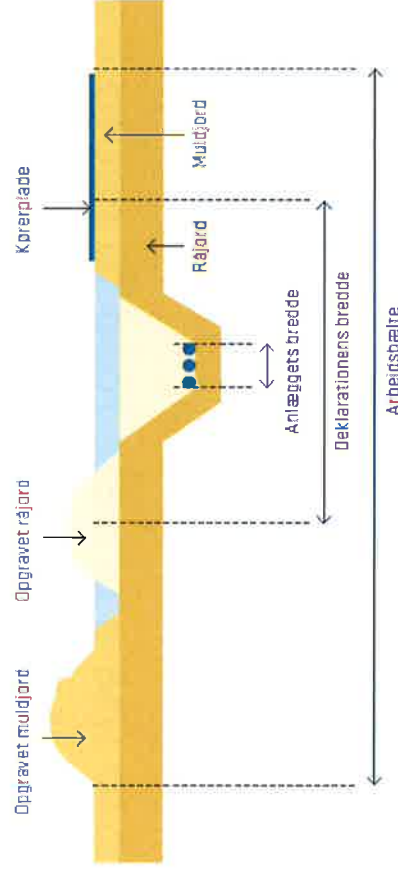


Example: Power Cables 150 kV

3.1 ERSTATNING FOR JORDKABEL- OG FIBERANLÆG

Anlæggets bredde	Erstatning pr. løbende m	Grundbeløb pr. ejendom
20 cm og mindre	14,79 kr.	4.314 kr. (maksimalt 100 m jordkabelanlæg og/eller 100 m fiberanlæg)
Over 20 cm og til og med 50 cm	19,72 kr.	4.314 kr.
Over 50 cm og til og med 100 cm	27,02 kr.	4.314 kr.
Over 100 cm	34,92 kr.	4.314 kr.

FIGUR A: FORKLARINGSKITSE TIL RETTIGHEDSERHVERVELSE



Process of negotiations with landowners

150 kV power line on a private property:

Information meeting in the local area – 10-20 km line

- After finishing the EIA process we often arrange a local meeting, directly inviting landowners and close neighbours.
- Introducing our line-suggestion, introducing field works, process of negotiations and compensation principles. Introducing negotiators.

2 (or more) individual land-owner meetings

- Meeting 1: Listen, acquire information, test suggestions and attitudes.
- Meeting 1,5... New maps, testing if we agree...
- Meeting 2: Final centerline, compensation, agreement – or concluding: We can not agree. Back in the process.

MAKE THE LANDOWNER A PARTNER !! INSTEAD OF AN OPPONENT

In the 1. meeting we present our proposal for the power line.
We are very much aware, that we dont know every thing about the property.

We acknowledge and we emphasize the landowners detailed knowledge of his property.

We listen to arguments concerning:

- * Building plans if we pass the farms production buildings.
- * Major drains.
- * Wet areas – which is not unusual in this country !!
- * Special soil conditions etc.

In the 2. meeting we present the final centerline and present compensation

Compensation to Landowners

150 kV power line on a private property:

Permanent rights on a property

- Compensation for permanently respecting power cable, prohibition against building, excavating and planting trees etc. in a zone app. 2x3,5 m around the cable

Temporary rights on a property, for instance working areas during construction phase:

- Compensation harvest
- Compensation structural damages of soil
- Compensation any disadvantages (fencing, extra fieldwork etc.)

Compensation to Landowners - Power Cables 150kV

Permanent rights on a property – agricultural land

- app. 10.000\$/km

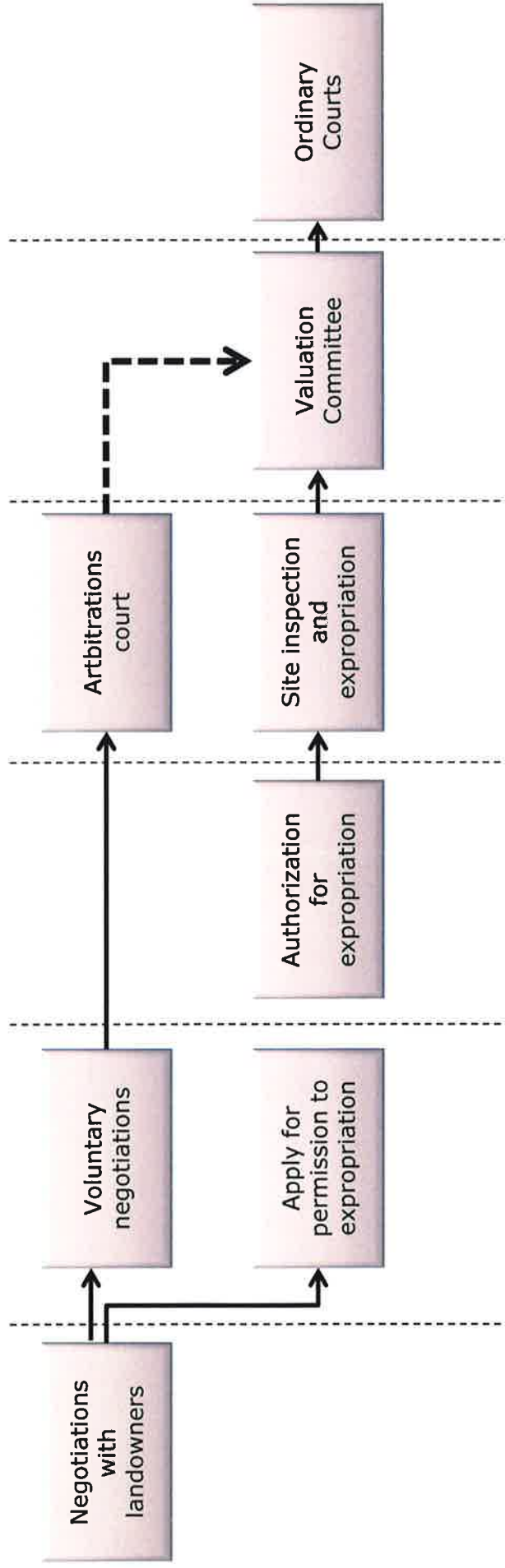


Temporary rights on a property in agricultural land, for instance working areas during construction phase:

- app. 8-10.000\$/km



Process for acquisition of rights – electrical power cables



< Duration: app. 6-8 months >

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Acquisition of rights on private property

Danish experiences:

Power cables and overhead lines

> 100 kV

1. Voluntary negotiations 95-100%
2. Through expropriation 0-5%

