

POLICY TOWARDS LANDOWNERS FOR OVERHEAD LINES

1. Whenever agreement cannot be reached between a landowner or occupier and the Board's staff as to the route of the line or to the position of the masts, the Board will give all parties an opportunity of being heard and may consent, with or without conditions, or withhold its consent, to the placing of the line in the manner and position proposed in the Notice.
2.
 - (i) The Board will take every care during the erection and subsequent work on the line and will make good or pay for any loss or damage to property or crops which may be done in the course of the work.
 - (ii) A representative of the Board will call prior to commencement of erection to discuss arrangements such as preferred routes for the transport of materials and equipment, probable date of commencement, duration of the work, movement of stock and any similar matter which the occupier may raise.
3. The Board will, on request, cut up any trees that may be felled into transportable lengths and bring them to the farmyard or other adjacent storage place.
4. The Board will dispose of rubbish, surplus clay and all debris from tree and hedge cutting.
5. The Board will be responsible for any injury to or loss of livestock arising from any action which can be directly attributed to its employees or from the presence of the line.
6. The Board will make an annual payment as fixed from time to time by the Board for interference by lattice steel masts and double wood poles on arable land.
7.
 - (i) If in future the line interferes with any viable development of land other than cultivation of the soil and the Board is so satisfied the Board will either:-
 - raise or otherwise alter the line to permit the development in full, or
 - pay for the loss caused by interference of the line with the development, or
 - raise or otherwise alter the line to permit partial development and pay for the loss caused by interference of the altered line with the development.
 - (ii) The agreement of the Board to alter the line or make a payment is subject to the co-operation of the landowner with the Board in devising an arrangement of the line and of the development which reduces the overall cost to a minimum. This necessitates an approach to the Board at the earliest stage to ascertain the limits for development of the kind envisaged near the particular part of the line in question and to discuss the possibility of altering the line and probable time required to carry out an alteration. The Board will give every assistance in planning the layout of a development which impinges on the line as it stands or on any feasible alteration to it.
 - (iii) The total cost to the Board of altering the line and/or of payment is limited to that for the arrangement which gives minimum cost. If the landowner prefers a more expensive arrangement he must bear the increase in cost.
 - (iv) Before commencing any alteration the Board will need proof that the proposed development will proceed and it may require security for repayment of the cost of the alteration if the development is not carried out within a reasonable time.
 - (v) The basis of payment will be agreed in advance, but payment will be made only when development has reached an advanced stage.
 - (vi) When a development is totally prevented payment will be made only when there is clear proof to the satisfaction of the Board that a genuine and viable development has in fact been prevented solely by the presence of the line. A line will not be taken as preventing development if it could be carried out on other available land subject to payment for any consequent increase in cost.
 - (vii) Payment for the full loss may not be made if the Board had not been fully consulted in advance or if the land had been purchased at a reduced price because it was encumbered by the line.
 - (viii) A decision to alter the line or make a payment may be subject to obtaining an easement in respect of the land affected.
 - (ix) Any disagreement as to the amount of payment will be referred to arbitration.
8. It should be noted that the Board must ensure that there is no risk of injury to anyone from a proposed development either directly because of its proximity to the wires or by weakening the line. The Board will give its decision expeditiously as to whether or not there is such danger, on receipt of full particulars of any proposal. Anyone who intends to erect a building or structure within 25 yards on either side of any transmission wire is statutorily bound under penalty to give at least two months notice in writing to the Board and to state all relevant particulars of such building/structure.
9. The Board and the Irish Farmers Association have an agreed Code of Practice for survey, construction and maintenance of overhead lines in relation to the rights of landowners. The above Policy is incorporated in this Code of Practice - copies available in local E.S.B. or I.F.A. Offices.