

CHAPTER 8

ESB Power Lines

This Chapter has been agreed with the ESB and complies with the IFA/ESB agreement of 7th September 1992. It gives guidelines on how to deal with ESB lines in forestry and allows for each case to be examined on an individual basis. Landowners reserve the right to negotiate their own deal with the ESB.

8.1 Unplanted Corridors

Where ESB power lines traverse a site proposed for planting, corridors of the dimensions indicated in Table 4 below should be left unplanted. Corridor areas do not qualify for Forest Service grant assistance but maybe used to satisfy the 15 % biodiversity requirement.

Table 4. Corridor widths under ESB lines

Power line type	Corridor width (centred)
Low voltage (230/400V)	none (clearance from branches and tree tops only)
10 kV and 38 kV	20 m
110 kV	61 m
220 kV	68 m
400 kV	74 m
Note : All trees must be outside their falling distances from line support structures.	

The area suitable for afforestation which is left unplanted because of ESB power lines should be indicated and certified on the species map. Areas not falling under the corridor but because of the corridor cannot reach the minimum width or area for afforestation should also be recorded.

In the corridors mentioned above trees may be grown to a height of no more than 3 metres above the ground. Trees exceeding 3 metres within this corridor must be cut or lopped by the landowner. However a corridor of 4 metres must be left totally clear for ESB maintenance access.

Where corridors have been created due to the presence of a 110 kV, 220 kV or 400 kV transmission line, the ESB shall provide adequate fencing for the corridor area, where practicable. Where lesser corridors are necessitated by the presence of 38 kV, 20 kV, 10 kV or low voltage distribution lines the ESB shall not be required to fence the corridor area except where an existing fence has been demolished to provide for the corridor or where the corridor covers an area of land which includes a boundary between the lands of adjoining farmers.

8.2 Claiming Compensation

Applications for compensation from the ESB for loss of forest premium can be made for areas suitable for afforestation but left unplanted as a result of the presence of an ESB line. These applications for compensation must be made before planting, to enable the ESB to exercise its option, if it so desires, of diverting the overhead line. Where grant-aided afforestation has to be removed to allow for the installation of power lines grants and premiums already paid will be recovered from the landowner by the Forest Service. Compensation may be claimed from the ESB

in respect of these amounts repaid to the Forest Service.

To claim compensation the ESB will require the following:

1. Completed application form (Application for Compensation for loss of Tree Planting Rights, Appendix 15).
2. Proof of grant approval letter and Ordnance Survey map.
3. Proof of Forest Premium loss (available on request from the Forest Service).
4. Agreement to grant an easement on the lands in question.

All claims for compensation should be processed initially through the local ESB office or ESB Regional office (i.e. Cork, Dublin, Dundalk, Limerick, Sligo and Waterford). No compensation will be paid until after the site has been planted.

8.3 Compensation levels

8.3.1 75% of land value

Where a landowner has recently purchased land for the purpose of afforestation, and where the ESB has notified the landowner that part of the land may not be planted due to the presence or the planned presence of an electricity line the ESB shall in the first instance agree to pay the landowner an amount equivalent to 75% of the purchase price of the affected area where the price of the affected area is deemed to be pro rata to that of the remainder. The amount is payable on foot of an easement, following bona-fide intent to proceed and receipt of notification of afforestation grant approval.

Where the landowner proposes to plant an area which has not been recently purchased a sum equivalent to 75% of the value of the land shall be paid by the ESB. The value of the land is that which would have prevailed had the land been recently purchased.

8.3.2 Compensation for loss of premium

In addition to this, premium based compensation is also payable by the ESB to the landowner. Methods of calculation are based on a standard annuity table, see appendix 25, taking into account Premium rate, number of years and Interest rate. Payment is capitalised as a once off payment.