

## Compulsary Purchase Order (CPO) Process

### Engaging with people affected and designing the scheme

The authority considers how to achieve its aims, how to engage with the people affected, how much land it needs and whether there are alternatives to compulsory purchase. It chooses its preferred site, considers the suitability of alternative sites (if any), the resource implications of the scheme, any barriers to completing the scheme, the blighting effects of its proposals and how it could mitigate them. It might select a third party partner to work with.



### Preparatory work and investigating ownership

The authority identifies everyone with an interest in the land that it needs to acquire. It may request information from occupiers, search the property registers and visit the site. It might open early negotiations with owners about compensation.



### Justifying and deciding to use compulsory purchase

The authority assesses the public benefit in its scheme, weighs this against the impact of the people affected and considers any reasonable alternatives to compulsory purchase. If there is a sufficiently strong case in the public interest, the authority resolves to use compulsory purchase.



### Making the compulsory purchase order

The authority prepares and signs the compulsory purchase order. It may also prepare its statement of reasons.



### Advertising the order and serving notices

The authority advertises the making of the order in a local newspaper for two successive weeks and serves notice of the making of the order on the people affected.



### Sending the order to Scottish Ministers

The authority sends the order, the authority's statement of reasons and supporting documents to Ministers for consideration.

## Seagreen Progress

Seagreen is committed to agreeing the land terms for a series of property transactions in order to secure the rights they require. Seagreen have been in discussions with landowners and occupiers about the project for a number of years with the aim of entering into voluntary land agreements.

Seagreen undertook a process of land referencing using Registers of Scotland information and information gleaned through discussions with landowners and occupiers in order to confirm landownership.

Justification for promoting a compulsory purchase application is set out in the Statement of Reasons which can be found on the project website. The primary aim remains unchanged; to reach a negotiated agreement on voluntary terms with all parties.

While voluntary agreement discussions progress with landowners in parallel, the Seagreen compulsory purchase order was made and promoted on 10 June 2019.

Seagreen advertised the promotion of their CPO in the Courier and other newspapers and deposited copies for viewing at Carnoustie Library and Dundee Central Library.

The order was sent to Scottish Ministers on 18 July 2019

### The objection period

Anyone who wishes to object to the order has at least 21 days, from the date the authority first advertised the order, to make representations to Scottish Ministers.

The objection period closed on 17 July 2019. Seagreen will seek to resolve objections from landowners wherever possible through negotiation.

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### Objections received by Scottish Ministers

Ministers copy all objections to the authority and ask the authority for its comments on the objections.

### No Objections

Seagreen have until 9 August 2019 to respond to the objections received.

### If necessary, arranging and holding an inquiry

Where objections from statutory objectors are maintained an inquiry will be held before an independent reporter.

Any unresolved objections will form the basis of the Inquiry.

### Sending the Reporter's report to Scottish Ministers

The Reporter writes a report with recommendations and sends this to Ministers.

### Scottish Ministers' decision

Ministers decide to confirm the order (with or without modifications) or refuse to confirm the order. Ministers issue their decision to the authority and all objectors, (if there was an inquiry or hearing).

### Publishing notice of the confirmation (if Ministers confirm the order)

The authority publishes notice of the confirmation in a local newspaper and serves notice of the confirmation.

### Ministers do not confirm the order

If Ministers refuse to confirm the order the process ends and the order goes no further.

### Challenging the validity of the order

There is a six week period from the date that the authority publishes notice of the confirmation in which validity of the order can be challenged in the Court of Session. If the challenge is successful, the court may quash the order in whole or part.

### Taking possession and paying compensation

The authority takes possession and legal title to the property. The authority reaches agreement with the people affected about the level of compensation due and pays compensation. If there is a dispute, either party can refer it to the Lands Tribunal for Scotland.