

# REDDESTONE WIND FARM ACTION GROUP

## LANDHOLDER GUIDE No. 1

### Understanding Neighbour Agreements

### Helping Landholders Make Informed Decisions

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#### Why Should I Read This?

If you own property near a proposed wind farm, you may be approached by a developer and offered what is known as a **Neighbour Agreement**.

For many people, this is the first time they have ever been asked to sign a legal agreement connected with a major infrastructure project.

This guide explains, in simple terms:

- What a Neighbour Agreement is.
- Why it may be offered.
- Why every agreement is different.
- Why independent advice is important before signing.

This guide is intended to help you ask the right questions before making any decision.

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#### What is a Neighbour Agreement?

A Neighbour Agreement is a legal agreement between a wind farm developer and a neighbouring property owner.

Unlike a Host Agreement, it generally applies to properties that **do not have wind turbines located on them**, but are close to the proposed development.

Neighbour Agreements are private contracts and are usually confidential.

There is **no standard agreement**.

Every agreement may be different depending on the project, the location of your property and the matters being negotiated.

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#### Why Might I Be Offered One?

Developers may approach neighbouring landholders for a variety of reasons.

A Neighbour Agreement may be offered to:

- recognise that your property is close to the proposed project;
- document agreed arrangements between you and the developer;
- provide financial consideration or other agreed benefits;
- record rights and responsibilities of both parties.

Not every neighbouring property will necessarily be offered an agreement.

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### **Every Agreement is Different**

One of the biggest mistakes people can make is assuming that every Neighbour Agreement is the same.

They are not.

Your agreement may be quite different from one offered to another landholder.

That is why it is important to understand **your** agreement rather than relying on what someone else has been offered.

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### **Before You Sign Anything**

A Neighbour Agreement is a legal document.

Before signing, take the time to understand:

- What are you agreeing to?
- How long does the agreement last?
- Does it affect future owners of your property?
- Are there confidentiality provisions?
- Can the agreement be changed or terminated?
- Have all your questions been answered?

Never feel pressured into making an immediate decision.

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### **Independent Advice is Important**

Before signing any legal agreement, consider obtaining:

- ✓ Independent legal advice.
- ✓ Independent financial advice.

✓ Taxation advice if required.

Professional advisers should act in **your interests**, helping you understand the agreement and its potential implications.

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## Questions to Ask the Developer

You may wish to ask:

- Why has my property been selected?
- Why is this agreement being offered?
- What is the purpose of the agreement?
- Can I take the agreement away for legal advice?
- Will the developer contribute towards my legal costs?
- What happens if I decide not to sign?
- Does the agreement affect future owners of my property?
- Who can I contact if I have further questions?

Write down the answers and keep copies of all correspondence.

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## Key Points to Remember

- ✓ Every Neighbour Agreement is different.
  - ✓ Read every clause carefully.
  - ✓ Take your time.
  - ✓ Ask questions.
  - ✓ Obtain independent legal and financial advice.
  - ✓ Make the decision that is right for you and your family.
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## Coming Next

### Landholder Guide No. 2

#### What Does a Neighbour Agreement Mean for Your Property?

In our next guide we will explain some of the matters that may be included in a Neighbour Agreement and discuss the questions landholders should consider before signing.

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## **Disclaimer**

This guide has been prepared by the Reddestone Wind Farm Action Group as a general educational resource.

It is not legal, financial or taxation advice. Every agreement is different and landholders should obtain independent professional advice before signing any legal document.