

# Offshore Wind Energy Deployment in the European Union



Concerted action Offshore wind energy Deployment (COD)

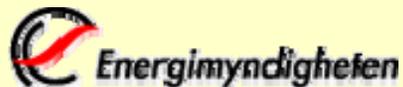
## Legal Issues OWE

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(SenterNovem)

Copenhagen Offshore Wind 2005,  
26-28 October 2005, Copenhagen



AEA Technology plc



## Concerted action Offshore wind energy Deployment

- **Progress offshore wind energy in the EU**
- **Approach: collect, analyse & exchange information**
- **COD partners cover > 90% offshore wind energy potential in the EU**

Belgium – Denmark – Germany – Ireland – Netherlands  
Poland – Sweden – United Kingdom

## Scope of Work COD

- **Legal and Administrative Issues**
- **Grid Integration** (Achim Woyte, 3E)
- **Environmental Issues** (Elke Bruns, Berlin University of Technology)

## **Legal Issues      Content**

- 1. Managing and processing applications**
- 2. Harmonization regulatory frameworks**
- 3. Streamlining procedures**
- 4. Pre-selection suitable areas**

# 1. Managing and Processing Applications

## Tender or First Come First Served (1)

	<b>Tender or First Come First Served?</b>	<b>Exclusive rights?</b>	<b>Number of new applications</b>	<b>Realisation of OWE</b>
United Kingdom	Tender	Yes	11 (round 2)	124 MW
Denmark	Tender	Yes	2 new tenders	400 MW
Belgium	Tender	Yes	9	
Netherlands	FCFS	Yes	57	108 MW
Ireland	FCFS	No	3 expected	25 MW
Sweden	FCFS	No	2	23 MW
Germany	FCFS	No	33	
Poland	Under construction	No	0	

## Tender or First Come First Served (2)

Characteristics	Tender	FCFS
Number applicants	<	>
Number applicants in procedure	<	>
Selection applicants	Early	Late
Ranking criteria	1. Quality applicant 2. Quality application	1. Speed delivery application 2. Quality application 3. Quality applicant
Project information	Early	Late

## 1. Managing and Processing Applications

- **Observations**

barrier amount of information required ⇔ exclusive rights

- **Conclusion**

all consent regimes work

- **Recommendation for authorities**

clear spec's (detailed info on what and when)

balance between amount of information and obtaining exclusive rights

## 2+3 Harmonization and Streamlining Frameworks and Procedures

- **Observation**  
existing consent regimes not a bottleneck for development
- **Conclusions**
  - no MS's drivers for harmonization
  - harmonization not necessary to trigger development
  - one-stop-shop: United Kingdom, the Netherlands, Denmark, Ireland
- **Recommendations:**
  - MS's: transnational strategy for future cross border windfarms
  - MS's: exchange experience for improvements
  - EC: define what streamlining procedures means

## 4. Pre-selection suitable areas

- **Conclusions:**

- pre-selected areas: United Kingdom, Denmark, Belgium, Sweden, Germany (in procedure)
- based on SEA: United Kingdom, Germany

- **Recommendation:**

- SEA on transnational or international level

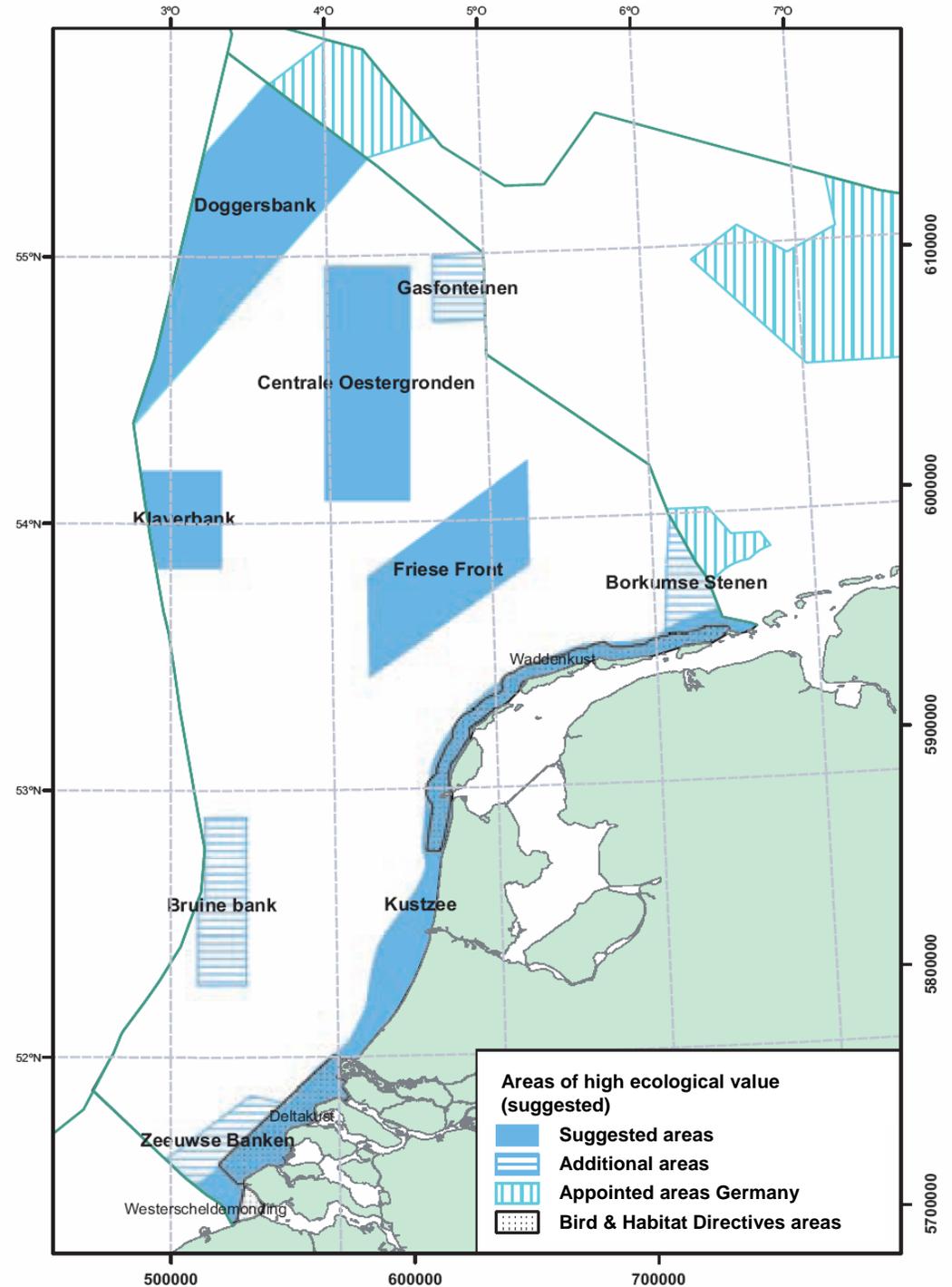
### Exclusive Economic Zones:

- Germany
- the Netherlands

### Adjacent areas of high ecological value

Source: RIKZ, April 2005  
RIKZ/2005.008  
ISBN 90-369-3415-X

maandag 31 oktober 2005



## **Conclusions COD's Ministerial Group / Advisory Board:**

- **More experience needed to get best practices**
- **MS's legal frameworks sufficient,  
(no need for harmonization)**
- **Encourage co-ordination between Member States**

# Concerted action for Offshore wind energy Deployment COD

Belgium - Denmark - Germany - Ireland - Netherlands - Poland - Sweden - United Kingdom

[www.offshorewindenergy.org](http://www.offshorewindenergy.org) → COD



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