



## When passing laws to save energy means putting our heads in the sand

With carbon dioxide emissions now higher than ten years ago is legislation really having any impact on the fight against climate change? Or are laws being made to be ignored?

Europe is celebrating the 50th anniversary of the signing of the Treaty of Rome. Twenty-seven countries are now members of the Union. And there is quite a line of countries queuing up to join.

Each has been told that, to qualify, certain improvements to current arrangements will have to be made. Like freedom of expression, liberalised markets, fair courts: you know the kind of criteria. It is in both the interests of those in Brussels and those in the aspirant capitals to progress the applications. And so, as the waspish former European Commissioner Chris Patten puts it, the applicant countries pretend to reform; and the European Commission pretends to believe them.

This willing suspension of disbelief has echoes elsewhere. Even as far as energy efficiency policy. So, the Government announces a policy measure. The measure itself involves altering the behaviour of a particular sector. It is stated that, as a result, 'x' amount of energy and 'y' amount of carbon dioxide emissions will be saved. From then on, it becomes in the vested interests of both sides—government and participating industries—to maintain that the bargain struck has been kept. And that the anticipated savings have indeed occurred. Even when there is little objective proof.

### Impact of Building Regulations

Let's examine two different examples from very different spheres of policy. The Building Regulations is one of the main policy tools which government employs, for new—and increasingly, refurbished—buildings. For the past 22 years, these have included requirements intended to ensure the buildings constructed don't waste too much fuel. Prior to each set of revisions, there are lengthy negotiations between government officials and the property industry. These conclude with significant concessions by government. But they do become the law of the land. And consequently ministers are able to claim that buildings will be ever so much more efficient: the current claim is 40 per cent less wasteful than ten years ago.

In theory, this is splendid news. Gov-



'GUESS HOW MANY OF THE INDUSTRIAL SECTORS PARTICIPATING IN THE CCL DELIVERED THE ENERGY SAVINGS? THAT'S RIGHT, NONE'

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Instead the evidence has emerged from research projects undertaken for the Energy Efficiency Partnership for Homes (of which I have just been re-elected deputy chair). Developers pretend to reform. Government pretended to believe them.

### The CCL's claim to fame

Now turn to the impact of the Climate Change Levy, the 'jewel in the crown' of government climate change policy within the UK. Nobody even pretends that the levy has had any impact on those non-intensive energy using sectors of the economy who have been paying the full 100 per cent rate of the levy, lost as it has been in the small print of fuel bills.

No, the main claim to success has been with the 46 industrial sectors, each of which negotiated agreements with government to undertake agreed levels of energy-saving investments. In exchange for which each year the entire sector paid just 20 per cent of the full Levy rate.

At the end of the first phase, guess how many of the participating industrial sectors were found not to have delivered the energy savings on their side of the bargain? Guess how many were required to fork out the full 100 per cent Levy rate for non-compliance? That's right. None.

And was it possible for independent analysts to examine the details of each "agreement" to ensure they had been complied with? Not really, because the figures were all so mired by individual company commercial confidentiality, as to be too opaque for evaluation.

After ten years with Tony Blair as Prime Minister, the UK's carbon dioxide emissions are higher than they were in 1997. And that even excludes any consideration of aviation figures, believed to have quadrupled during that period. But the Prime Minister repeatedly says that he is convinced that climate change is the biggest ecological threat facing mankind. And we pretend to believe him. ■

ernment can pocket the resultant energy savings. Each developer has the same additional requirements regarding the amounts of energy saving needed to comply. Everybody wins. Provided that is, no developer cheats. But in practice approaching half of all new homes do not comply even with minimum standards. And during the entire 22 years during which the energy regulations have operated, no developer has ever been prosecuted for such non-compliance.

These genuinely shocking revelations did not emerge via government research. Over the past 22 years, there has been no official attempt to establish whether what the district council approves, is what the occupants enjoy. The government has never attempted any post hoc evaluation.

### FURTHER INFORMATION

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