



The Merton Rule: the Orwellian World of Sir Humphrey

Minus means Plus

War means peace: freedom means slavery wrote George Orwell in his 1984 world

The Department for Communities and Local Government (DCLG) is now applying the same perverse obfuscation to their attempts to weaken the Merton Rule. In its proposed Climate Change Planning Policy Statement (PPS) it calls the proposed watering down of the Rule 'Merton Plus'.

Minus = Plus: the DCLG version of Orwellian logic.

What is the Merton Rule?

The definition is contained in existing PPS 22 and in a statement made to parliament by Planning Minister Yvette Cooper on 8th June last year.

PPS 22 promotes the Merton Rule:

'Local planning authorities and developers should consider the opportunity for incorporating renewable energy projects in all new developments ... (they) should specifically encourage such schemes through ... local planning documents.'

And the Minister's 8th June Statement explained:

'it is essential that all authorities should follow this example' and that 'the government expects all authorities to include policies in their development plans that require a percentage of energy in new developments to come from on-site renewables'.

So it is clear that the Merton Rule is:

1. A planning policy that 'requires a percentage of energy in new developments to come from on site renewables' and
2. Government policy, as stated in PPS 22 is that 'it is essential that all local authorities should' adopt such a policy 'in all new developments'.

Note the crucial words: 'on site renewables' and 'all new developments'.

The importance of the Rule

Yvette Cooper's statement to the House on 8th June 2006 explained that 'such policies have a vital role to play in reducing emissions'. This year, on October 2nd she reinforced this, telling the Sustainable Energy Partnership (SEP) that 'the Rule has acted as a real incentive to provide local renewable energy and cut carbon emissions'.

Weakening the Rule: Minus = Plus

Despite all this, the government has succumbed to pressure from housebuilders and other developers and proposes to weaken the Rule in its forthcoming Climate Change PPS. But, having praised, promoted and trumpeted the value of the Rule this is hardly a tenable position.

Not to worry: Sir Humphrey likes a challenge. His solution is to call the weakening of the Rule 'Merton Plus.' In that way when irritating NGOs and MPs complain to the Minister they can be told "no we're not weakening it, we actually want Merton Plus".

In 'Merton Plus', the draft Climate Change PPS (at para 27) tells local authorities to '**avoid blanket requirements**' for renewables in new developments and restrict them to 'site specific opportunities'.

Gone is the previous exhortation that the policy should apply to 'all new developments'.

In 'Merton plus' as explained by letters from Yvette Cooper to, for instance SEP, she asserts that the new Merton plus must '**allow for off site** as well as on site renewable technologies.'

Gone is the previously '**essential**' requirement that 'a percentage of energy in new developments (should) come from **on-site renewables**'.

Thus, the two fundamental points of the current Merton rule are to be removed from the new Merton rule – and then, in true Orwellian fashion, called 'Merton Plus'.

Why the Merton Rule is important

The effect of the restriction on applying the Rule to all developments is obvious: it limits the number of sites and so the number of installations. It will also undermine the onsite renewable energy Merton rule policies that have been adopted by Councils such as Croydon, Kirkless, North Devon and Leicester, as well as jeopardizing the Merton rules contained in about 140 Councils' draft Local Development Framework documents.

There is a knock-on effect: limiting the number of installations means that microgeneration manufacturers and installers are less able to obtain the economies of scale needed to bring down the price, which would make on site generation by millions of people more affordable. The UK also still has time to be a world leader in the manufacturing and supply of building integrated renewable energy technologies such as solar tiles. These technologies are already being used by many UK housebuilders such as Barratts and Fairview Homes prompted by the Merton rule and have massive export potential across the rest of Europe.

Helping to deliver CO₂ targets

Onsite renewable energy technologies need to play a full role in delivering the Government's 2016 zero carbon homes agenda if zero carbon homes are to deliver any additional renewables capacity and contribute meaningfully to the Government's long-term carbon targets. Allowing developers to simply sign up to supplier green tariffs or linking new

housing to "offsite" renewable energy developments that are **going to be, or have been, built anyway** provides no additional cut to CO₂ emissions. Nor does it do anything to change householder behaviour. There is a very clear link between the presence of onsite renewable energy installations and increased energy efficiency savings over and above that delivered by the renewable technology itself. The same cannot be said of green tariffs or links to "invisible" plant many miles away.

Despite these arguments the Government would now have us believe that emasculating the Merton rule and restricting the market for onsite renewable energy technologies, will make it more rather than less likely that housebuilders will be able to deliver zero carbon homes by 2016.

Important for investment

This point is crucial as regards the second 'minus' point – permitting off site generation to be included. The whole point of the Rule requiring **on site** generation is to kick start the market and so enable mass production, cheaper prices and shorter pay-back periods for the massive domestic and business retrofit markets, and move microgeneration from a niche product to a mass market product. The Merton rule is a key part of the Government's microgeneration strategy. A U-Turn now will be disastrous for the UK's microgeneration sector, deter investment, drive companies and UK expertise

Orwellian Obfuscation

Existing Policy: The Merton Rule applies to

'all new developments' and

'it is essential that all authorities should follow this example'

Merton 'Plus': local authorities should 'avoid blanket requirements' for renewable energy in new developments and restrict them to 'site specific opportunities'.

Minus is Plus

Existing Policy: 'the government expects all authorities to include policies in their development plans that require a percentage of energy in new developments to come from on-site renewables.' and

'it is essential that all authorities should follow this example'

Merton 'Plus' The new Merton plus must 'allow for off site as well as on site renewable technologies.'

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overseas, and also undermine the Government's own published strategy for promoting the greater uptake of these technologies.

'Merton Minus' (dressed up as Merton Plus) thus defeats the very purpose of the Merton Rule and of Government local planning and micro-generation policy to date.