



## THE WARREN REPORT

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# Britain pays a high price for personal prejudice

The removal of key words from the proposals to strengthen standards in Parts F and L of the Building Regulations is costing over £700m in savings

An arbitrary decision, made by one Minister in June 2009, is costing the nation approaching three-quarters of a billion pounds. And the public justification he gave directly contradicted all the objective facts provided for him, all of which his fellow Cabinet Ministers had endorsed.

The full scandal behind this wilful perversity has finally come to light over a year on, but only thanks to the refusal by the Freedom of Information Commissioner to put up with a litany of obfuscation which the Minister set in train, to stop the true facts emerging.

The issue concerns a last-minute decision by the government to drop plans to make property owners improve the energy efficiency of the original building, whenever an extension is constructed. Or in the terminology, to avoid expanding the building's overall "carbon footprint."

In March 2009 the Communities and Local Government department

Healey. He had been in this post for just two weeks. It was taken without reference either to energy ministers, or to his own secretary of state John Denham (himself a former Friends of the Earth employee).

Healey gave instructions to his civil servants not just to remove any question concerning "consequential improvements" from the consultation document. An instruction which of itself has legally prevented his successors from including any such requirement in the new requirements being introduced on September 30.

Healey also told them to alter the formal Economic Impact Assessment, to cut out any reference to the cost benefit analysis undertaken of this option despite it having been endorsed by the rest of the Cabinet.

A sanitised version of the Economic Impact Assessment was duly issued. Challenged about the exclusion of this issue from the consultation, Healey stated that "the argument for this... didn't offset the cost."

change of Government. Suddenly the full document was available. We duly examined it in detail.

It is clear that far from being uneconomic, the objective analysis had found that introducing "consequential improvements" into existing domestic buildings in 2010 would have resulted in a net benefit of £705m. Of this:

- £201m is in savings to the household (energy savings minus costs of improvements);
- £142m is through reduced carbon emissions; and
- £363m is from avoided investment in renewables.

The changes to Part L for existing buildings also covered changes to the rules for extensions, conservatories, replacement windows and boilers, renovations, and loft/garage conversions. Of these changes, "consequential improvements" would have given the greatest proportional saving to each household, with energy savings 2.3 times greater than any costs.

When the energy parts of the building regulations were last improved in 2006, the government did consult on the "consequential improvements" issue. Despite 80 per cent support from consultees, there was (again) a change of minister just as decisions needed to be taken. And the then new buildings minister, Yvette Cooper, caused ructions with her colleagues by removing these requirements, again at the last minute.

When he stepped down as chairman of the government's Sustainable Development Commission last year, Jonathan Porritt was asked which Labour Minister he felt least sympathetic to a sustainable future. He was unequivocal in naming John Healey.

In a sane world, we would be sending the bill for the benefits forgone to the former minister - whose determination to place personal prejudice before practical evidence is even now leading to more emissions and higher fuel bills. z

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(CLG) had announced in its Heat and Energy Saving Strategy that it would specifically consult upon the issue, called "consequential improvements", as part of its proposals for the strengthening of standards in Parts F and L of the building regulations.

The consultation - originally due in January - was finally issued late June 2009. But all mention of "consequential improvements" was excised from this document. Even though it had been part of the total package approved by each of the members of the then Cabinet.

Despite this, the decision to exclude these measures was taken just one day before the consultation started, by the new Building Regulations minister, the Rt Hon John

According to a CLG spokesman, it was dropped "in response to the recession in order to save property owners money". They told the Daily Telegraph that their minister felt that "the benefits did not justify the costs."

Very suspicious as to the accuracy of such claims, my Association immediately asked to see the original full Economic Impact Assessment. We were denied it. Repeatedly. So was the Information Commissioner, to whom we appealed. The arguments went back and forth, with CLG officials always prevaricating, always seeking the utmost extra time to respond.

For over a year, they refused to release the original Economic Impact Assessment. But then there was a