

Should implementation of EU energy policies be an exclusive matter for each Member State?

Is the law supporting or hindering the introduction of renewable energy sources in EU Member States?

EU allows the Member States much freedom to form their own energy policy. Many countries in Europe have introduced legislation and economical instruments to support the use of renewable energy sources. The most salient countries in this respect are Denmark, Germany and Spain, all of which were early with legislation for RES. The initiatives have gradually increased, but still the situation differs in many countries. A comparison between the two Member States Denmark and Sweden raises the question: Should implementation of EU energy policies be an exclusive matter for each Member State?

The permitting process for wind power differs significantly between Denmark and Sweden. The Danish system has a hierarchy of plans – national, regional and municipal – with greater possibilities to govern. The Swedish system, with municipal physical planning monopoly, where different municipalities have different preconditions, makes the permit process more unwieldy and more difficult to assess with respect to time.

The Swedish system for physical planning in combination with a complex permit process, has probably slowed down the Swedish development of wind power. In comparison, the more successful Danish development of wind power can to some extent be explained by its system that gives the government more control of the use of land- and water areas.

Two or five permits

According to Danish legislation, a maximum of two permits is required to build and run a wind power plant, both within the frame of the physical planning law. In Sweden, building and running a wind power plan may require up to five different permits in accordance with two different types of legislations: the plan and building act and the Environmental code. The Danish system is in this respect closer to the desire in EU that



Photo: Hans Blomberg

the Member States should decrease the diversity of permitting processes in order to support the introduction of RES.

The examples from Denmark and Sweden show the significance of an institutional frame work for the possibility to implement the goals of energy policies.

Comparing the permitting process for wind power plants in Denmark and Sweden

- **Denmark:** maximum two permits, both within the frame of physical planning law
- **Sweden:** 4-5 permits, appeals in several instances. Plan and Building Act and Environmental Code.

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More information about the Pathways project:
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