

ICLG: England & Wales Renewable Energy 2024

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England & Wales

1 Overview of the Renewable Energy Sector

1.1 What is the basis of renewable energy policy and regulation in your jurisdiction and is there a statutory definition of 'renewable energy,' 'clean energy' or equivalent terminology?

The Promotion of the Use of Energy from Renewables Sources Regulations 2011 (SI 2011/243) applies the definition set out in Directive 2009/28/EC (**Renewable Energy Directive**) on the promotion of the use of energy from renewable sources. This defines '*energy from renewable sources*' as '*energy from renewable non-fossil sources, namely wind, solar, aerothermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases*,' each of which is then defined separately.

This legislative framework required the government to ensure that renewable energy comprised 15% of the UK's total energy mix by 2020. The Renewable Energy Directive has now been superseded by Directive (EU) 2018/2001 (**RED II**). Although the UK has now been released from the renewable energy targets under RED II following Brexit, the UK-EU Trade and Cooperation Agreement includes a commitment to promote energy efficiency and the use of energy from renewable sources and reaffirmation of the EU's 2030 'targets' and the UK's 2030 'ambitions' for renewable energy and energy efficiency.

Ongoing policy and regulation of renewable energy is currently derived from retained EU law and English statute, notably binding commitments to:

- cut greenhouse gas emissions by 78% by 2035 compared to 1990 levels in the Carbon Budget Order 2021 (SI 2021/750); and
- achieve an 100% reduction of greenhouse gas emissions by 2050 compared to 1990 levels (the 'net zero' target) in the Climate Change Act 2008 (2050 Target Amendment) Order (SI 2019/1056).

There are various other policies, incentives, requirements and regulations that are detailed throughout this chapter below.

[**Click here to read Bracewell's entire England & Wales chapter in the International Comparative Legal Guides – Renewable Energy Laws and Regulations 2024.**](#)