

Legal barriers for community power projects & how they can be overcome

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What do legal frameworks for community power consist of?

- Consist of laws and policies at local, national and EU level that generally impact the development of community renewables projects
 - legal ownership models
 - targets/strategies
 - financial support schemes for renewable energy
 - land use planning and other local regulatory frameworks;
 - grid ownership/management; and
 - energy market/supply

Some of the main 'legal' barriers for community power

- Lack of an overall policy strategy/goal for supporting community power initiatives
- Reductions in/lack of national support schemes for renewable energy
- Planning restrictions and administrative barriers
- Grid access/use frameworks that do not account for community power
- Lack of recognition for the 'energy citizen'

‘Community Power: Model Legal Frameworks for Citizen-owned Renewable Energy’

- Report intended to identify national best practices for supporting community power
- ClientEarth carried out research and analysis of law and policy in Germany, Denmark, Spain and the UK
- Contains recommendations for creating a legal framework that enables community power

1. Overcoming legal barriers at the National level

- Development of an overall plan or strategy
- Promotion of community ownership and/or participation
- Integration of community power into renewable energy planning frameworks
- Address financial gap (e.g. Guarantees, loans, grants, tax breaks, etc.)
- Stable support regime for renewables
- Special consideration for community projects in national grid codes
- Optimised implementation of existing EU legislation on renewables, energy efficiency, energy performance in buildings, energy taxation, internal energy market

2. Overcoming barriers at EU Level – looking at 2030

- 2030 Framework should make more explicit recognition of the value and the need to support **community power** and **energy citizenship** as a way to meet EU climate and energy objectives
- Community power should be integrated explicitly into relevant EU legislation
- Community-friendly application of State aid rules, national support schemes
- Competition/internal markets should focus on reducing barriers that maintain market concentration of big players
- Expanded role for citizens and SMEs in EU energy governance fora
- Credible governance framework that ensures effective long-term delivery of climate and energy objectives, ensures investor certainty, and is sustainable over time (i.e. Climate Act for Europe)

Thank you

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