

# Court ruling good for both friends and foes of nuclear power

Share of UK primary energy  
2005



Greenpeace scored a stunning court victory on the government's consultation on nuclear power [see [BBC / Greenpeace](#)] This should be widely welcomed - even by nuclear proponents and especially by ministers. It does mean that the government will have to spend more time winning hearts and minds and give a more thoroughly argued and specific case. And, if alternatives are available, it would allow these to surface. I must confess to having been sceptical that this case would win - on the basis that there were many steps still to go before the nuclear policy framework was fully in place and much consulting still to be done - but Greenpeace has outed the extent to which due process appears to have been *following* decisions already made. So what has gone wrong...?

In its 2003 white paper [[here](#)] the government said:

*Before any decision to proceed with the building of new nuclear power stations, there will need to be the fullest public consultation and the publication of a further white paper setting out our proposals.*

The original consultation "[Our Energy Challenge](#)" was really a compendium of statistics designed to establish a context in which a nuclear programme was seen as the most credible response to meeting the challenges of climate change and security of supply. The question posed for consultation were so general (see below) that it did little to surface the pros and cons of a nuclear response or the alternatives - nor did it really take account of the 8 percent contribution that nuclear makes to primary energy and therefore that energy security and climate change rest on what happens with the other 92 percent (see chart / data from [BP Energy Statistics](#))

It asked only the most general open-ended questions. These were:

*Q.1. What more could the government do on the demand or supply side for*

*energy to ensure that the UK's long-term goal of reducing carbon emissions is met?*

*Q.2. With the UK becoming a net energy importer and with big investments to be made over the next twenty years in generating capacity and networks, what further steps, if any, should the government take to develop our market framework for delivering reliable energy supplies? In particular, we invite views on the implications of increased dependence on gas imports.*

*Q.3. The Energy White Paper left open the option of nuclear new build. Are there particular considerations that should apply to nuclear as the government reexamines the issues bearing on new build, including long-term liabilities and waste management? If so, what are these, and how should the government address them?*

*Q.4. Are there particular considerations that should apply to carbon abatement and other low-carbon technologies?*

*Q.5 What further steps should be taken towards meeting the government's goals for ensuring that every home is adequately and affordably heated?*

Which could have been shortened to “*we're thinking of going nuclear, whaddya reckon?*” On the basis of responses to this, the government was able to conclude in “[The Energy Challenge](#)”:

*Nuclear power is a source of low carbon generation which contributes to the diversity of our energy supplies. Under likely scenarios for gas and carbon prices, new nuclear power stations would yield economic benefits in terms of carbon reduction and security of supply. Government considers that nuclear has a role to play in the future UK generating mix alongside other low carbon generating options. Evidence gathered during the Energy Review and consultation supports this view.*

But the consultation was undertaken before the completion of the [CoRWM assessment of radioactive waste management](#), surely a crucial aspect of the future of nuclear, and with virtually no surfacing of options in detail or consideration of questions of proliferation and the dual use of civilian and military technologies and expertise.

The avoidance of a thorough consultation is all the more troubling given that the planning reforms proposed in the July 2006 green paper "[The Energy Challenge](#)" and the [Nuclear Policy Framework](#) to take nuclear power (and other major infrastructure) development decisions out of the local planning system. There are good reasons to do that, but all the more reason to have had a thorough and searching consultation to lend some legitimacy to the proposed reforms.

That the whole thing has had the feeling of a decision already taken from the outset was reinforced by statements made by the Prime Minister [see my [May post](#) and [June post](#) on the approach of the PM - it can't have helped to have been this committed in public in advance of the completion of the consultation].

That's a shame, because in my opinion the only people who are wrong about nuclear power in a climate changing world are those that are *certain* it is the right option, the wrong option or the only option. I think it's a really difficult call and deserves a really heavy duty discussion.