
Energy Efficient Scotland consultation

Shelter Scotland
response

July 2018

SUMMARY

Shelter Scotland welcomes the opportunity to respond to the consultation on Energy Efficient Scotland.

Shelter Scotland helps over half a million people every year struggling with bad housing or homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

At Shelter Scotland we believe everyone is entitled to a safe, secure and affordable home – a home with poor energy efficiency presents a barrier to making this a reality.

Scotland is currently in a housing crisis and we need to invest in our existing housing stock to ensure it is sustainable and fit for purpose. This includes making sure that existing homes are affordable to heat. Improving the energy efficiency of Scotland's homes not only has benefits for the economy and the climate, but it can reduce fuel bills helping to tackle poverty as well as having real impacts on the health and wellbeing of the householder. Everyone, regardless of their tenure, deserves a home which is affordable to heat and power.

- **We welcome the commitment to introduce minimum energy efficiency standards in the private sector as a means to tackle fuel poverty.** There is strong evidence that private tenants in particular do not feel empowered to tackle high energy bills in their homes. Regulation, when accompanied with sufficient scrutiny, enforcement and support, is both necessary and effective to improve energy efficiency in the private rented sector. Proactive monitoring and enforcement is key – the onus must not be placed solely on tenants as the conduit for change. Local authorities are likely to be best placed to take on the role of monitoring compliance, but they must be resourced to do this successfully.
- **We believe that simply 'encouraging' owner occupiers to improve the energy efficiency of their homes will be ineffective, and thereby regulation is necessary.** However, this must be rolled out in a way which does not adversely affect poor owner occupiers who are already struggling. **Energy efficiency improvements must not be pursued at the cost of making housing unaffordable for people.** The focus must be on providing tailored support, including financial, and advice to households.
- **We welcome the proposal for higher targets for those who are living in fuel poverty** to effectively remove energy efficiency as a driver for fuel poverty to focus resources on those most in need.

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- **The provision of a sufficient communication and awareness raising plan and support (including financial) and handholding services for those who require it is essential** to enable and ensure compliance with the proposed standards.

CONSULTATION QUESTIONS

Question 1: What are your views on our proposal for owner occupied and private rented properties to achieve the Long-Term Domestic Standard EPC Energy Efficiency Rating Band C by 2040 at the latest?

Shelter Scotland strongly supports the proposal for owner-occupied and private rented sector (PRS) properties to achieve the Long-Term Domestic Standard EPC Energy Efficiency Rating Band C. Scotland is currently experiencing a housing crisis and we need to make our existing housing stock is sustainable and fit for purpose, including making sure that homes are affordable to heat.

Improving the energy efficiency of people's homes is a crucially important tool to tackle fuel poverty. Proposals such as the Long-Term Domestic Standard are paramount to achieve fuel poverty targets such as those outlined in the draft Fuel Poverty Strategy¹ and the Fuel Poverty (Target, Definition and Strategy) (Scotland) Bill.²

2040 and the private rented sector

Our understanding of the current proposal is that all PRS properties should meet EPC C by 2030, rather than 2040 as suggested in this section, and we support the earlier 2030 target. In the private rented sector, a service is being provided by a landlord, and tenants have less control over their own improvements. Consultation with private tenants has shown that renters struggle to pay their fuel bills and keep their home warm, wish their home was more energy efficient, feel powerless to deal with energy inefficiency in their home, are unable to vote with their feet to choose energy efficient housing, and support the introduction of minimum standards.³ We believe that regulation, when accompanied with sufficient scrutiny, enforcement and support, is both necessary and effective to improve energy efficiency in the PRS. Our response to the 2017 consultation on the introduction of minimum standards of energy efficiency in the PRS sets out our position on this in more detail.⁴

2040 and the owner occupied sector

As above, we support the proposal that all homes, including owner occupied homes, are fit for purpose including that they are affordable to heat and power. However, we must ensure that poor home owners who are struggling are not adversely affected. The success and fairness of this target and associated regulations will be dependent on certain things being in place for private owners including a sufficient communication and awareness raising plan and support

¹ Scottish Government (June 2018), Draft Fuel Poverty Strategy for Scotland 2018, <https://www.gov.scot/Publications/2018/06/2306/downloads>

² <http://www.parliament.scot/parliamentarybusiness/Bills/108916.aspx>

³ Shelter Scotland (June 2017), Scottish Government consultation on energy efficiency: the views of private tenants,

https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/scottish_government_consultation_on_energy_efficiency_the_views_of_private_tenants

⁴ Shelter Scotland (June 2017), Scottish Government consultation on energy efficiency and repairs in the PRS: Shelter Scotland response,

https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/scottish_government_consultation_on_energy_efficiency_and_repairs_in_the_prs_shelter_scotland_response

(including financial) and handholding services for those who require it. Too many households, including many owner occupiers, already struggle to buy food, pay their mortgage or other essential bills, and face the impossible choice of 'heat or eat'. Energy efficiency improvements must not be pursued at the cost of making housing unaffordable for people.

In particular, we must ensure there is sufficient support for those who are vulnerable to fuel poverty. Consequently, we endorse the focus on higher targets for fuel poor households – EPC C by 2030 and EPC B by 2040 – assuming that this target comes with support (including financial) given by definition many are already struggling.

Question 2: Do you think we should allow for situations where a lower standard is acceptable?

Question 3: Do you think we should allow for situations where a longer period for improvement is allowed? Please explain your answer, giving examples.

Given the substantial time scale proposed for mandating actions in the private sector, exemptions and extensions should be the exception rather than the rule. The communication and information strategy should ensure owners are prepared for the forthcoming regulations including allowing sufficient time for getting plans and permissions in place.

Nevertheless, there will be some situations where exemptions or a longer period for improvement are required. There is a need to ensure that any consideration and decisions about exemptions and extensions are consistently applied across different local authorities, and that the evidence required to prove such an exemption or extension is necessary is also consistent.

Instances where a lower standard or a longer period for improvement is allowed may include where a property is too technically complicated or expensive to bring up to standard (i.e. beyond the technically feasible and cost-effective definitions), or where personal circumstances prevent or make compliance difficult. For example, if an individual had extremely poor health and such disruption may have a negative impact, or the householder lacks capacity.

We support the view of the Existing Homes Alliance that any abeyance or exemption should be time limited and that a plan is put in place with the relevant authority to work towards compliance or to review decisions on a semi-regular basis to allow for developing technologies or a change in circumstances which may resolve previous barriers. The proposal to review every 5 years, as stated in the consultation on minimum energy efficiency standards in the PRS in 2017, is reasonable.

It is important that, where a property is technically complicated or expensive to bring up to standard, the local authority and the Scottish Government work to identify if there is any other support which could be put in place. Those properties most likely to be put forward for exemptions are likely the ones where an

improvement in energy efficiency would have the most benefit for both the occupier's warmth and wider environmental impacts of increased energy use.

In addition there should be consideration on whether there should be some kind of subsidy for tenants living in a property where there is an exception or abeyance: such as reducing council tax rates for properties that can't meet the standard, to even the playing field for those tenants. All tenants deserve to live in a warm and affordable home.

Question 4: We are proposing that the definition of a cost-effective measure is that it should pay back over its lifetime. What are your views on this definition?

We have some concerns over this definition depending on the detail of the calculation.

Undoubtedly some measures will not fall under this definition and the policy aim should be kept in mind with consideration of the wider factors that are pushing energy efficiency work including environmental targets and reducing fuel poverty. When taking these into consideration on balance it may be worthwhile to go ahead with a measure even if it is not considered to be cost effective by the proposed definition. If this is the case, there needs to be solutions provided for exemptions or high cost barriers. For example, this is likely to exclude those living in the most rural areas, who may be subject to higher installation fees or where works cannot be done on a large enough scale to reduce costs. It may be there is a requirement for the Scottish Government to consider grants or loans, or assisting with lower installation fees, for work to go ahead.

For owner occupiers, the cost-effective measure should also take into consideration the financial situation of the householder and support provided if necessary to make compliance financially viable.

Care around the communication of this aspect will be necessary for the PRS and the impact of the roll out of this policy must be monitored closely, to ensure that private renters in particular are not unfairly affected by rent rises by landlords passing on the cost of compliance with a new standard by landlords seeking to keep any improvements 'cost effective'. It remains to be seen how effective provisions regulating rent increases under the new Private Residential Tenancy will be.

Question 5: What are your views on the issue of air quality in relation to the Long-Term Domestic Standard?

No answer provided.

Question 6: The EPC Rating of a property can be affected by changes to the underlying methodology and to fuel price data. How do you suggest that the Programme takes account of this in setting the Long-Term Domestic Standard?

No answer provided.

Question 7: What are your views on the proposal that all PRS properties meet EPC Energy Efficiency Rating Band C by 2030?

Shelter Scotland support the proposal for all PRS properties to meet EPC C by 2030 through a phased approach as outlined by the Scottish Government and in our response to the consultation on minimum energy efficiency standards in the private rented sector in 2017.⁵

Introducing a minimum standard higher than D will help level the playing field on energy efficiency issues with the social rented sector. Experiences of our advisers show that there is a large group of people living in the private rented sector not out of true choice, but because they have been priced out of owner occupation and because of the limited supply of social rented housing. Private tenants are therefore in a difficult position – they cannot undertake certain types of work in their home to improve the energy efficiency without the consent of their landlord, and yet they are not entitled to the same high standards for a warm, dry home that social sector tenants are.

Consultation carried out in 2017 with private tenants shows that renters struggle to pay their fuel bills and keep their home warm, wish their home was more energy efficient, feel powerless to deal with issues of energy inefficiency in their home, are unable to vote with their feet to choose energy efficient housing, and support the introduction of minimum standards.⁶ We believe that regulation, when accompanied with sufficient scrutiny, enforcement and support, is both necessary and effective to achieve the aims set out in Energy Efficient Scotland and to tackle fuel poverty.

There is a need to ensure that this policy is designed to protect against unintended consequences such as landlords withdrawing from the sector by leaving properties empty, selling, or converting their property to a holiday let. Introducing commonality of standards across sectors is one way to avoid this issue and Shelter Scotland strongly support this move.

- Monitoring and enforcement

Monitoring and enforcement of the standard for the private rented sector is key. We know from our advisers that tenants are not always able to challenge non-compliance. We must ensure that tenants are well-informed of their housing

⁵ Shelter Scotland (June 2017), Scottish Government consultation on energy efficiency and repairs in the PRS: Shelter Scotland response, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/scottish_government_consultation_on_energy_efficiency_and_repairs_in_the_prs_shelter_scotland_response

⁶ Shelter Scotland (June 2017), Scottish Government consultation on energy efficiency: the views of private tenants, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/scottish_government_consultation_on_energy_efficiency_the_views_of_private_tenants

rights, empowered to take action and be aware of where to get help if they require it. However, tenants must not be the sole conduit for change.

We previously stated in our response to the 2017 consultation that the implementation of the standard (before the backstop date) at the change of tenancy is problematic because there is no natural communication between the landlord and local authority or the tenant and local authority at this date. Furthermore, we know that tenants do not feel in a position to challenge compliance or vote with their feet before a tenancy has begun.⁷ We proposed an alternative, that the standard is introduced at the point of landlord registration or re-registration. Local authorities already collect information on compliance with other regulations at this stage, for example gas safety certificates, and the recent landlord registration consultation proposed that EPCs were included at this stage.⁸ As the proposal stands, it is likely that monitoring and enforcement will be extremely difficult before the backstop date and in practice that the standard will not be easily monitored or enforced until the backstop date for each new EPC band.

To ensure compliance with the standard, self-certification of the appropriate EPCs should be added to the landlord registration process and the repairing standard should be amended, plus we strongly believe local authorities must pursue a more hands-on approach to landlord registration administration and their engagement with private landlords more generally.

Adding it to the landlord registration process would involve landlords self-certifying the EPC of the property. Documentation submitted to local authorities must then be verified in some way. To ensure that resources are used effectively this verification should take place via a combination of a risk-based check and a regular audit of a sample of registered landlords. This will provide the local authority with the means to assess whether the landlord is renting out properties which comply with the repairing standard. Where a property's EPC rating is such that it does not comply with the repairing standard then the local authority can start a conversation with the landlord about the steps they need to take to make the property more energy efficient. We propose a Private Landlord Support Officer model, recently trialed in Highland and Dundee and now fully embedded within Dundee City Council, where landlords receive information and one-to-one support on their responsibilities. For landlords who are currently falling short of the expected standard, this service provides an opportunity for them to engage on a more informal basis and accept assistance at an early stage, prior to enforcement action being considered. There is much more information about this approach in our response to the recent consultation on landlord registration.⁹

⁷ Shelter Scotland (June 2017), Scottish Government consultation on energy efficiency: the views of private tenants, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/scottish_government_consultation_on_energy_efficiency_the_views_of_private_tenants

⁸ Shelter Scotland (June 2018), Response to consultation on landlord registration applications and fees, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/response_to_consultation_on_landlord_registration_applications_and_fees

⁹ Shelter Scotland (June 2018), Response to consultation on landlord registration applications and fees, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/response_to_consultation_on_landlord_registration_applications_and_fees

Where this approach does not work, by adding the energy efficiency requirement to the repairing standard it allows the local authority, via third party applications, and the tenant themselves to apply to the First Tier Tribunal for a resolution.

[Owner occupiers] Question 8: What are your views on our proposal for an initial period of encouraging action?

There has already been an effort to encourage owner occupiers to increase the energy efficiency of their properties including information and support, and yet only a third of these are EPC C or above. We do not believe that there is evidence to show that a further period of encouraging action without regulation (or foresight of upcoming regulation) would result in the policy objective to meet the long term domestic standard.

Question 9: What information would be useful for households to be able to access on how to achieve EPC Energy Efficiency Rating Band C before 2030?

A major awareness raising campaign is required informing all households of the direction of travel and what regulations are upcoming.

Clear information should be available to owner occupiers, tenants and private landlords on both 'carrots' and 'sticks' – for example clear and personalised cost savings available, relevant regulations, and support available including financial.

Question 10: What are your views on our proposal to follow this initial period with mandating of action?

It must be expected that voluntarily many households will not increase their home up to EPC C. We support the introduction of regulations on minimum energy efficiency standards in the owner-occupied sector. A cross-tenure standard will assist in normalising the policy and ensuring our existing housing stock is sustainable and fit for purpose. Everyone, regardless of their tenure, deserves a home which is affordable to heat and power.

Whilst we agree that mandating action to ensure that our existing housing stock is sustainable and fit for purpose, we must ensure that poor home owners struggling are not adversely affected. The success and fairness of this target and associated regulations will be dependent on certain things being in place for private owners including a sufficient communication and awareness raising plan and support (including financial) and handholding services for those who require it. Too many households, including many owner occupiers, are already struggling to buy food, pay their mortgage or other essential bills, and face the impossible choice of 'heat or eat'. Energy efficiency improvements must not be pursued at the cost of making housing unaffordable for people. There must be an emphasis on getting the public on board to secure compliance, which should be done via a large communication strategy and the provision of tailored support and information, rather than focusing on enforcement.

Thereby we support the commitment in the consultation “to continuing to target funding to low income households to improve their homes and offering loans to those...households who are able to pay”, depending on the detail of the ‘able to pay’ definition and the financial support provided.

In addition, there is a need to ensure that this policy is designed to protect against adverse consequences such as an increase in the number of empty homes.

Question 11: What are your views on our proposal that 2030 is the right point to start mandating action to achieve EPC Energy Efficiency Rating Band C?

Shelter Scotland agree that there should be a clear pathway set out now which gives detail of when regulation will be introduced. This allows time for owners to plan any works and required improvements whilst setting out a clear trajectory for change.

We propose the period before the mandatory action begins is used to its best effect to encourage voluntary action at an earlier date, with reviews at regular periods throughout this time, to consider which actions are most effective and putting resources into these.

Given that the trigger points proposed for compliance, the point of sale or major refurbishment, will take time to come into force across the sector, 2030 seems a reasonable date to start this process – with the caveat that sufficient information and support is in place.

Question 12: What are your views on our proposal for owner occupied properties to be subject to penalties for non-compliance?

With respect to owners of private empty homes, local authorities can choose to apply up to 200% council tax on empty homes. If an owner is working with the local Empty Homes Officer to bring their property back into use, then the local authority may choose to reduce the level of council tax applied. The Scottish Empty Homes Partnership has found this has been effective but only where this is accompanied by support in the form of an Empty Homes Officer who can handhold and motivate certain individuals to overcome actual or perceived barriers in their own unique situation. It is our view that a similar approach will be necessary when considering penalties for non-compliance for owner occupied properties.

However, as above, we must ensure that the individual circumstances of households are taken into consideration and that the policy does not adversely affect owner occupiers and push people to a situation where they are complying to the detriment of other areas of their lives.

Question 13: What are your views on requiring all types of accommodation to meet the Long-Term Domestic Standard over time? Please explain your answer, giving examples of accommodation you think should/should not be required to meet the Long-Term Domestic Standard if relevant.

We strongly support the proposal to roll out the Long-Term Domestic Standard to all types of accommodation. We feel particularly strongly that Houses in Multiple Occupation should be covered which the consultation document suggests is currently under dispute.

Requiring all types of accommodation to meet the Long Term Domestic Standard will help to mitigate the risk of properties being taken out the residential sector to avoid compliance, for example to re-purpose as a holiday let, ensuring a high supply of housing stock. There is also fluidity between tenures for example holiday lets and the private rented sector: many properties are used as holiday lets throughout the summer then as a private rented property in winter or will switch between the two year to year.

If the Long-Term Domestic Standard was included within the repairing standard, and the repairing standard was extended to cover holiday lets, as was suggested in the 2017 consultation and which Shelter Scotland supported in our response,¹⁰ then this would take account of this.

Question 14: Please provide your views on our proposal that all homes with fuel poor households are to reach EPC Energy Efficiency Rating Band C by 2030, where technically feasible and cost effective?

We support the intent that fuel poor households are supported to have more energy efficient homes, with a target of EPC C by 2030, which would only be an additional benefit for owner occupiers under the current proposals. Please see question 15 for more information on our position.

Question 15: Please provide your views on our proposal that all homes with fuel poor households are to reach EPC Energy Efficiency Rating Band B by 2040, where technically feasible, cost-effective and possible within limits affordable to the public purse?

We support the intent that fuel poor households are supported to have more energy efficient homes, with a target of EPC B by 2040. However, we are not clear about how this will be achieved in practice: will this be via using the fuel poverty definition as a criterion for eligibility for different schemes or for focusing resources and programmes, such as area-based schemes, in areas where there is a high rate of fuel poverty? Would this be legally enforced through regulation or simply something to aim for?

For this to be effective for owner occupiers and private tenants there will have to be a wide awareness raising campaign and support for tenants to negotiate with

¹⁰ Shelter Scotland (June 2017), Scottish Government consultation on energy efficiency and repairs in the PRS: Shelter Scotland response, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/scottish_government_consultation_on_energy_efficiency_and_repairs_in_the_prs_shelter_scotland_response

their landlord for improvements. The level of financial support here will also be a factor, otherwise it may result in landlords discriminating against households who might be in fuel poverty to avoid having to comply with the higher target.

We know that the rate of fuel poverty is lower in more energy efficient homes,¹¹ and that this is one effective way to tackle fuel poverty, and one which supports the Scottish Fuel Poverty Strategic Working Group's aspiration to eliminate poor energy performance of a property as a driver of fuel poverty.¹² However, we also know that improvements in energy efficiency don't always result in reduced bills or a better experience for people and therefore we must ensure that other support including that focusing on how energy is used, is provided to enable householders to reap the benefits of the improvements.

We should also be mindful that the cost-benefit of improving the energy efficiency of homes to this level has not been confirmed, and that there are other drivers of fuel poverty and supports available to households such as increasing household income and switching supplier, and that these interventions may have a greater positive impact in some cases.

In addition, further information would be required on how 'limits affordable to the public purse' would be defined.

Question 16: In addition to what we have set out in paras 46-50, what should the Energy Efficient Scotland Assessment Short Life Working Group also consider? Please explain your answer.

No answer provided.

Question 17: What are your views on whether the Long-Term Domestic Standard should be enforced at a local or national level? Please explain your answer.

As outlined in question 7, monitoring and enforcement of the standard is key.

- Private rented sector

Monitoring and enforcement of the standard for the private rented sector is key. We know from our advisers that tenants are not always able to challenge non-compliance. We must ensure that tenants are well-informed of their housing rights, empowered to take action and be aware of where to get help if they require it. However, tenants must not be the sole conduit for change.

¹¹ Scottish Government, Scottish House Condition Survey 2016: Key Findings, <https://www.gov.scot/Publications/2017/12/5401/downloads>

¹² Scottish Fuel Poverty Strategic Working Group (2016), A Scotland without fuel poverty is a fairer Scotland: Four steps to achieving sustainable, affordable and attainable warmth and energy use for all, <http://www.gov.scot/Publications/2016/10/2273/downloads>

We previously stated in our response to the 2017 consultation that the implementation of the standard (before the backstop date) at the change of tenancy is problematic because there is no natural communication between the landlord and local authority or the tenant and local authority at this date. Furthermore, we know that tenants do not feel in a position to challenge compliance or vote with their feet before a tenancy has begun.¹³ We proposed an alternative, that the standard is introduced at the point of landlord registration or re-registration. Local authorities already collect information on compliance with other regulations at this stage, for example gas safety certificates, and the recent landlord registration consultation proposed that EPCs were included at this stage.¹⁴ As the proposal stands, it is likely that monitoring and enforcement will be extremely difficult before the backstop date and in practice that the standard will not be easily enforced until the backstop date for each new EPC band.

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¹³ Shelter Scotland (June 2017), Scottish Government consultation on energy efficiency: the views of private tenants, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/scottish_government_consultation_on_energy_efficiency_the_views_of_private_tenants

¹⁴ Shelter Scotland (June 2018), Response to consultation on landlord registration applications and fees, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/response_to_consultation_on_landlord_registration_applications_and_fees

¹⁵ Shelter Scotland (June 2018), Response to consultation on landlord registration applications and fees, https://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/response_to_consultation_on_landlord_registration_applications_and_fees

Where this approach does not work, by adding the energy efficiency requirement to the repairing standard it allows the local authority, via third party applications, and the tenant themselves to apply to the First Tier Tribunal for a resolution.

- Owner occupiers

Proposals within the consultation document that compliance is linked to trigger points including major refurbishment and the point of sale are sensible. As such, monitoring could be partially undertaken by local authority building standards teams. Sufficient resource will have to be in place for a department to follow up on non-compliance issues. Tying compliance requirements to the point of sale also enables monitoring to be taken up by other parties. Options may be considered where a property can be sold with the new owner being given a set period for compliance. Support will be required here to mitigate against homes lying empty because they don't comply with the standard – lessons can be learnt from the Scottish Empty Homes Partnership on this point.

Question 18-24 focus on the non-domestic sector.

No answers provided.

Question 25-28 focus on the use of EPC data for domestic and non-domestic buildings.

No answers provided.

Question 29: What are your views on the implementation and enforcement of existing legislation relating to energy efficiency and heating of buildings in Scotland?

The repairing standard and building standards should be updated to take account of the long term domestic standard, and regulations around landlord registration.

Our suggested approach to ensuring compliance within the private rented sector is outlined in previous questions, and the key issue here is the lack of resource for bodies to make use of existing powers.

Question 30: What changes may be needed (if any) to this existing legislation to ensure that the Scottish Government, local authorities, and any other relevant bodies or persons, have the powers and duties necessary to support the Energy Efficient Scotland Programme?

No answer provided.

Question 31: What other elements of the Programme may require new or amended legislation to enable the Energy Efficient Scotland Programme to operate?

As supporters of the Existing Homes Alliance Scotland (ExHA), Shelter Scotland is calling for the Scottish Government to introduce legislation to provide a statutory foundation for the new fuel poverty target and strategy (currently being taken forward through the Fuel Poverty Bill) to deliver the Energy Efficient Scotland Programme. In order to achieve meaningful changes to improve the condition of our homes, reduce fuel poverty and carbon emissions, ExHA is calling for legislation to include the following measures:

Fuel poverty

- Renewed definition and target to eradicate fuel poverty.
- Actions and milestones relating to all four drivers of fuel poverty.
- Provisions for accountability, scrutiny, monitoring, reporting and review of the Fuel Poverty Strategy.

Scottish Energy Efficiency Programme (SEEP)/Energy Efficient Scotland Programme

- Statutory framework including targets and scrutiny provisions.
- Establishment of an independent body responsible for overseeing the delivery of SEEP.
- Duty on local authorities to produce Local Heat and Energy Efficiency Strategies.
- Review of existing legislation relating to the potential for tax incentives for energy efficient properties.

Regulation

- Provisions to lay out timeframe for review of barriers to energy performance improvements in common works in tenements and flats (including consideration of EPCs).
- Provisions to lay out timeframe for review of building regulations with remit to include existing and new buildings.
- Review of relevant regulatory frameworks (eg building regulations, planning guidance, condition standards) to ensure consistency in supporting and encouraging highly energy efficient and low carbon homes.

More detailed briefings on each of these elements is available on the ExHA website.¹⁶

¹⁶ Existing Homes Alliance Scotland, <http://existinghomesalliancescotland.co.uk/policy/a-warm-homes-bill-for-scotland/>

Question 32: Which organisation(s) should be responsible for delivering any new legal requirements?

As per question 31 above, an independent body should be established to oversee the Energy Efficient Scotland Programme.

Contact:

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Shelter Scotland helps over half a million people every year struggling with bad housing or homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

We're here so no one has to fight bad housing or homelessness on their own.

Please support us at shelterscotland.org

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