

**4. Please indicate which category best describes your organisation**

**(Tick one only)**

<b>Executive Agencies and NDPBs</b>	<input type="checkbox"/>
<b>Local authority</b>	<input type="checkbox"/>
<b>Other statutory organisation</b>	<input type="checkbox"/>
<b>Registered Social Landlord</b>	<input type="checkbox"/>
<b>Representative body for private sector organisations</b>	<input type="checkbox"/>
<b>Representative body for third sector/equality organisations</b>	<input type="checkbox"/>
<b>Representative body for community organisations</b>	<input type="checkbox"/>
<b>Representative body for professionals</b>	<input type="checkbox"/>
<b>Private sector organisation</b>	<input type="checkbox"/>
<b>Third sector/equality organisation</b>	<input type="checkbox"/>
<b>Community group</b>	<input type="checkbox"/>
<b>Academic</b>	<input type="checkbox"/>
<b>Individual</b>	<input type="checkbox"/>
<b>Other – Third sector organisation: community of interest in ecological design and the built environment</b>	<input checked="" type="checkbox"/>

## CONSULTATION QUESTIONS

1. Are the vision and objectives as set out in sections 19 and 20 appropriate for Scotland's Sustainable Housing Strategy? Please answer Yes or No and provide fuller explanation if you wish.

Yes  No

Yes, and we welcome the emphasis on retrofit, but the vision and objectives should go further.

### **Apparent limitations:**

It would appear from this that the focus is entirely energy use reduction.

However within this envelope there is room to discuss the important issue of airtightness and its affect on health through humidity, mould growth and off gassing, none of which are addressed in this strategy. Neither is there any mention of the effects on durability of older housing stock through raised humidity levels and interstitial condensation risk.

Information on these issues is available in the following publications:

- SEDA Design Guides 2 and 3 (now sadly redacted)
- Inform leaflet from Historic Scotland: "ventilation in traditional houses"
- <http://www.historic-scotland.gov.uk/technicalpaper12.pdf>
- <http://www.historic-scotland.gov.uk/technicalpaper13.pdf>
- [http://www.seda.uk.net/design\\_and\\_detailing\\_for\\_irtightness.html](http://www.seda.uk.net/design_and_detailing_for_irtightness.html)

There is only a passing reference to reuse of materials and none to embodied energy. Historic Scotland make reference to embodied energy in terms of existing buildings in:

- <http://www.historic-scotland.gov.uk/technicalpaper13.pdf>

No reference is made to the importance of surface temperatures on thermal comfort and the reduction in heat loss through reduced air temperature requirements. Historic Scotland have now also taken this on board together with Herriot Watt University in:

- <http://www.historic-scotland.gov.uk/technicalpaper14.pdf>

Much of this is applicable to newbuild as well as retrofit.

### **Sustainable Housing Strategy Route Map to 2030:**

The route map needs more built in feedback if it is to serve as a robust framework for progress and development and if it is to remain a valid document for 18 years. Otherwise there will be no way to bring it back on track if and when targets fail to be met. 2013 should include a review of the economic framework for delivery and reporting on how this will affect targets in terms of costs and resources.

We note also that the 2012 review of building standards has still to be published and a question mark still hangs over the commitment to implementing the 2013 energy benchmarks proposed in the Sullivan Report. The route map would appear to be dependent on the implementation of these step changes but appears to

acknowledge these as being 'programmed' rather than 'built-in'.

Feedback should be built into the route map at at least 3 year intervals providing an ongoing review of progress towards economic, environmental and social targets. This would also provide a mechanism for changes to the route map should these become necessary through developing knowledge or unforeseen circumstances.

It is telling that there is only one item scheduled against 2014.....

The only reference to energy companies is at 2022, with a question mark against any obligation on their part. This seems so vague as to be hardly worth stating.

**Some inherent difficulties:**

The Vision makes the claim for the low carbon economy being the key to prosperity, but where is the economic incentive to use less energy?

To be resilient we will need to be able to respond to threats from both growing and shrinking markets, i.e. to be adaptive to economic fluctuations and aware of their non-cyclical nature.

How can attitudes to lending and borrowing be made robust and respond to the challenges of revised growth estimates post 2009 and post peak-oil?

We welcome the goal of financial market transformation but wonder how the market's mechanisms can be altered to make the default action sustainable and reward the seller for their investment in structural work and regular maintenance.

If there is financial recognition of green homes how is that green-ness measured when a large 'eco-home' may still consume more energy per occupant than a poorly insulated and poorly heated tenement?

Reference is made to the rolling out of the current programme of incremental improvements to energy standards in the building regulations as moving towards net zero "if practicable" - this appears to give a let-out clause either to the end target or the implementation timescale. This is reinforced by the reference (para 2.47) to the late summer 2012 consultation on building standards, which suggests that emissions reduction proposals may be softened in the light of cost information. This would seem to undermine the whole process and the Government's own targets.

If we need 450,000 extra homes by 2033, that would mean building 22,500 houses a year in the interim, which equates to an expenditure of £2,000 million per annum.

2. What do you think are the main barriers that prevent home owners and landlords from installing energy efficiency measures?

Cost, disruption to daily life and lack of confidence in the effectiveness of proposed improvements.

3. Please explain any practical solutions and/or incentives to overcome any barriers you have identified.

We welcome the emphasis on tenements and tackling problems of standards in the private sector. However the following issues also need to be addressed as part of an overall energy efficiency strategy:

### **Accuracy of modelling:**

*"As important as getting the right measures correctly fitted is how people actually live and behave in their homes. Carbon and energy bill savings achieved by a family living and possibly working in an energy efficient home will not necessarily match those modelled in an empty property."* (para 1.11)

This is really important, probably more important than any other action - see paper by Genevieve Jones in Scientists For Global Responsibility Newsletter which signposts lots of research on this:

- [http://www.sgr.org.uk/sites/sgr.org.uk/files/SGRNL40\\_energyconservingbuildings.pdf](http://www.sgr.org.uk/sites/sgr.org.uk/files/SGRNL40_energyconservingbuildings.pdf)

### **Guidance on technical issues:**

Clearer definitions are required with regard to unheated sunspaces as a net source of passive solar gain and heated conservatories as huge users of energy.

The retrofit milestones include highly efficient gas central heating to all homes but options should also include low carbon energy sources and energy saving measures.

Guidance should stress the effect of warm surface temperatures on both comfort and heat/ energy loss and the simple and straightforward ways of achieving this.

District heating proposals should include looking beyond housing to sources of waste heat from industry.

Despite its name, the Green Building Directory barely gives mention to 'sustainable materials' but has lots of emphasis on foam and mineral fibre. On the basis of 'points mean prizes' many developers see no choice but to use these. Also the online BREEAM Green Guide provides ratings for environmental impact which sometimes appear questionable and in the case of bespoke ratings are inscrutable and not open to question.

### **Sust. The Green Directory - a way forward for Scotland?**

The Green Directory is the first dedicated resource for products, manufacturers and service providers of green products in Scotland.

Each of the entries is referenced according to geographic location to help users to source locally and in Scotland you can search for information within Local Enterprise Company (LEC) regions:

- <http://www.sust.org/tgd/>

The Green Directory is a partnership project with [SEDA \(Scottish Ecological Design Association\)](#).

4. Given Scotland's diverse range of housing, what support is needed to enable people to get energy efficiency measures installed?

Better advice about grant funding availability, more consistent grant funding availability and better advice about home improvements including condensation, ventilation issues etc.

Diverse housing needs varied responses. At present many traditional house types still do not tick the right boxes when it comes to building standards or repair and

improvement grant funding criteria. For example, a detached sandstone house with no cavities is divided into ground and upper floor flats; the house is built on solid rock with a deep vented solum causing significant heat loss in the rooms, however there is no grant funding available for the floor insulation which would solve the problem.

Further examples of hard to treat housing can be found in the work carried out by Chris Morgan of Locate Architects for Sustainable Uist: "Sustainable Uist: Improving Energy Efficiency in Traditional Uist Houses", funded by the Climate Challenge Fund and carried out between September 2010 and March 2011:

- [http://www.sustainableuist.org/file\\_store/files/Uist\\_HtT\\_Final\\_Report\\_II.pdf](http://www.sustainableuist.org/file_store/files/Uist_HtT_Final_Report_II.pdf)
- [http://www.sustainableuist.org/file\\_store/files/Conference\\_Report\\_Final\\_for\\_Web.pdf](http://www.sustainableuist.org/file_store/files/Conference_Report_Final_for_Web.pdf)

and the June 2012 conference report published by Changeworks:

- [http://www.changeworks.org.uk/uploads/SolidWallInsulation\\_In\\_Scotland\\_Report\\_ChangeworksJune2012.pdf](http://www.changeworks.org.uk/uploads/SolidWallInsulation_In_Scotland_Report_ChangeworksJune2012.pdf)

5. (a) What specific issues need to be addressed in respect of improving energy efficiency in rural areas, particularly more remote or island areas?

Local issues may include exposed location, transport and travel distance and supply chain problems.

5. (b) How should these be addressed?

We would question £5 million funding going into extending gas grid rather than renewables or energy saving measures. How is this justified? Why not direct the investment to biomass, heat pumps etc?

Look to local procurement, local training and local suppliers. Solutions might include more emphasis on insulation and draught proofing (passive solutions), biomass or locally produced electricity.

6. Taking into account the models and funding sources outlined in section 1.20-1.37, what role might local authorities and other agencies play in bringing about a step change in retrofitting Scotland's housing?

Local authorities can work together well with housing associations and co-ops to establish local priorities and build local partnerships based on proven performance.

The proposed funding model (a) based on local council bids to central government would risk political interference such as the prioritisation of funding to marginal constituencies.

**EST, CERT and CESP schemes (para 1.25):**

Unfortunately neither EST or SCARF seem able to give advice to users and owners of the solid wall, 'rooms in the roof' type of property that is represented across rural and to some extent urban Scotland. Their advice for the most part is generic and presents a challenge where owners and

planners do not want to strip the roof or overclad. Emphasising surface temperatures rather than 'U' values can help a little in this respect.

There is also an issue that insulation schemes give no choice of material or detailing to householders. Is this the result of industry lobbying? There are potential consequences for health here.

The ubiquitous use of cavity insulation apparently regardless of actual exposure is concerning both from a watertightness aspect and that of breathability and health for both buildings and occupants.

**Homes for Scotland Proposal (para 1.28):**

Why should improved standards cost the construction industry more? This calls into question how construction costs and standards are estimated and measured. Improved standards will apply across the board and while they may push up consumer costs will create new and expanding markets for contractors and suppliers and establish a level playing field for those who do not wish to take the risks inherent in being at the forefront of MMC.

The Homes for Scotland proposal looks like robbing Peter to pay Paul - letting new developer housing off the hook with a subsidy to retrofit to be undertaken by others in that less profitable sector. This business as usual approach will also undermine the skills and training agenda and make a mockery of those who have invested in best practice.

Why doesn't Homes for Scotland put "the cash amount for every home built" into that home? Statistically at least new housing will be around for longer and lowering the standard would place a large section of the housing stock below the benchmark theoretically for a further 60 years.

**New funding options (para 1.35):**

The proposed funding model (a) based on local council bids to central government would risk political interference such as the prioritisation of funding to marginal constituencies.

7. What role should the Scottish Government play in a National Retrofit Programme?

Establishing standards backed by legislation and setting up a regularly reviewed funding programme.

We need to ensure that changes to legislation represent more than tinkering or window dressing and are practical and enforceable.

We would again question the implementation timescale - putting the implementation date back to 2015 suggests political expediency - leaving the difficult decisions to the next administration - whereas mechanisms need to be developed and put in place as soon as possible.

8. What role could the devolution of additional powers play in achieving more retrofit?

The benefits to be derived from direct fund-raising powers.

9. What further action is needed to achieve the scale of change required to existing homes?

Private landlord registration. Building user education.

10. How can we make sure a National Retrofit Programme maximises benefits to all consumers (for example, older people, those from ethnic minorities, those with long term illness or disability)?

This will require a comprehensive country-wide assessment of need based on local demographic information.

11. (a) Should the Scottish Government consider whether a single mandatory condition standard (beyond the tolerable standard) should apply to all properties, irrespective of tenure?

Yes  No

11. (b) If so, how would that be enforced?

Yes: a standard is a standard. This would also deal with the issue of privately owner units within a development that have been purchased through earlier 'right to buy' schemes.

The standard needs to be enforced for empty properties too.

How can this be achieved? Private landlords have become accustomed to taking regular rental income from property for very little outlay. The proposals will reduce these profits and may lead to a short term reaction of leaving properties empty unless empty properties are also subject to the same regulations.

At present local authorities seem reluctant to enforce action against private owners as it will cost them to recoup repair costs from each owner.

12. (a) In box 6 we identify a checklist for maintaining a quality home. Do you agree with our proposed hierarchy of needs?

Yes  No

12. (b) If you think anything is missing or in the wrong place please explain your views.

Include also annual servicing of boiler and importance of ventilation.  
Ventilation especially important for open flued gas boilers.

13. Should local authorities be able to require that owners improve their properties, in the same way they can require that they repair them? For example, could poor energy efficiency be a trigger for a work notice? Please answer Yes or No and provide further explanation if you wish, for example on how this might work.

Yes  No

We need to address where funding will come from for implementation. Who would decide level of improvement required and what would be the right to appeal?

If enforcement is under-used at present how will council cope with expanded powers? Who will be employed to inspect and monitor?

This might introduce an unacceptably cumbersome and costly level of bureaucracy, which could result in more empty homes and more homelessness.

There needs to be a change in attitude first, perhaps through expansion of HMO type legislation and licensing of landlords. This could see existing landlords who were unable or unwilling to make improvements selling up to more professionally organised property companies.

14. Should local authorities have a power to enforce decisions taken by owners under the title deeds, tenement management scheme or by unanimity? For example, should they have explicit powers to pay missing shares of owners who are not paying for communal repair work, in the same way they can for agreed maintenance work ? Please answer Yes or No and provide further explanation, if you wish.

Yes  No

Yes - this is a logical extension of existing under-used powers.

15. Should local authorities be able to automatically issue maintenance orders on any property which has had a work notice? Please provide further explanation if you wish.

Yes  No

Yes - but not automatically - this should be subject to a follow up inspection.

16. Should the process for using maintenance orders be streamlined , and if so, how? Please answer Yes or No and provide further explanation, if you wish.

Yes  No

Yes - but needs safeguarded against ill-judged decisions by council staff or where there is a conflict of interest between owners and the local authority.

17. Should local authorities be able to: a. issue work notices on housing affecting the amenity, and b. require work such as to improve safety and security on properties which are outwith a Housing Renewal area? Please answer Yes or No and provide further explanation if you wish.

Yes  No

Yes - but needs safeguarded against ill-judged decisions by council staff or

where there is a conflict of interest between owners and the local authority.

18. Should local authorities be able to issue repayment charges for work done on commercial properties, in the same way they can for residential premises? Please answer Yes or No and provide further explanation below, if you wish.

Yes  No

Yes - tenements often have mixed tenure within common curtilage of property.

19. What action, if any, do you think the Government should take to make it easier to dismiss and replace property factors?

Registration of factors - they are supposed to be service providers, working for the owners!

20. What action can be taken to raise the importance placed by owners and tenants on the energy efficiency of their properties?

Highlight fuel cost issues.

Enhance content of EPC.

More public information about EPCs including including advertisements in mainstream media.

Apply social housing standards as voluntary code of best practice.

21. Should the Scottish Government introduce minimum energy efficiency standards for private sector housing?

Yes, but this will need careful planning and a fair and equitable implementation strategy.

22. How could we amend EPCs to make them a more useful tool for influencing behaviour change to improve energy efficiency?

EPCs should contain suggestions for improvement.

23. Are there other key principles that we ought to consider when looking at the possible introduction of regulations?

Regulation should be based on practical solutions and open to the development of new solutions to evolving problems.

Regulation should be reviewed periodically by a panel of suitably qualified construction experts.

24. How could regulation be used to support the uptake of incentives?

Carrot and stick approach.

25. In section 2.68 we identify design options for the standard. Do you have any views on the options set out in that report? Are there other options that we should be considering?

Use EPCs as basis for recommendation of improvements, i.e. options (3) and (4) from Section 2.68.

There could be a risk that by following SHQS for some buildings and EPCs for others we introduce a confusing dual standard.

26. Do you agree that any regulations for private sector housing ought to reflect the energy efficiency capacity of the property and/or location, as is proposed for the social sector?

Yes  No

Use EPCs as basis for recommendation of improvements, i.e. options (3) and (4).

There could be a risk that by following SHQS for some buildings and EPCs for others this would introduce a confusing dual standard.

27. If you agree with Q26, should houses of the same type in the social and private sectors be expected to meet the same standard?

Yes  No

Yes - this will establish level playing field and would deal with possibility of property exchanges between public and private sectors.

28. Are there other specific issues we need to consider in introducing regulation on the energy efficiency of the home for particular groups of people, for example older people, those with disabilities, people from minority ethnic communities?

Older and disabled people are likely to be less mobile and spend more time indoors. This will demand different standards of heating and more thorough attention to ventilation quality and off-gassing of materials.

29. Should we consider additional trigger points to point of sale or rental? If so, what?

Yes  No

This might risk destabilising markets but should work if EPC always forms part of seller survey package.

30. Should rollout of any regulation across the owner occupied and PRS sectors be phased or all at once? If you think that rollout should be phased how do you think this should be done?

Yes  No

Not by location, which would be unnecessarily divisive.

Instead use benchmarking system (e.g. Ecohomes XB) to establish incremental improvements starting with worst performing homes.

31. What other issues around enforcement do we need to think about when considering how different approaches to regulation might work?

We will need to resist corporate lobbying, especially from volume house-builders and vested property interests.

The cost and practicalities of enforcement will also be a major issue - how many planning orders are enforced at present or even followed up?

32. In sections 2.76-2.79 we suggest that one way of regulating would be to issue sanctions.

(a) Do you think that sanctions on owners should be used to enforce regulations?

Yes  No

(b) Should owners be able to pass the sanction or obligation on to buyers?

Yes  No

There should be sanctions on owners. These should come to light at the time of conveyancing and should be negotiable against valuation as part of purchase price.

33. The Scottish Government does not intend to regulate before 2015. The working group will consider what options for timing of any regulation might be appropriate, but, given all the points set out in sections 2.80-2.81, from when do you think it might be appropriate to apply regulations?

The proposal not to regulate before 2015 seems to be more about other political agendas - to wait until after the referendum to establish how fiscally independent the proposals can be and to leave implementation to another administration.

However delaying implementation in this way could have a negative effect on goals and targets especially where step changes are involved - it would seem preferable to begin implementation as soon as possible.

34. (a) In Section 3.4 we describe the range of legislative and policy levers that we believe are available to help us transform the financial market such that it values warm, high quality, low carbon homes. Do you agree that this is the full range of levers?

Yes  No

34. (b) Can you suggest any other ways to help transform the market for more energy efficient, sustainable homes?

EPCs do not cover all sustainability issues pertaining to building and site. However other sustainability indicators may be negative or neutral when it comes to property value.

The market needs clear unambiguous legislative constraints within which to operate, implemented through building standards, planning, environmental legislation and energy legislation.

Some of us can remember the old Schedule E tax on property, whereby owners could off-set the costs of maintenance against the tax. Owners could then calculate how much they could spend "free" each year to avoid paying any tax. That could be a real financial incentive - and boost the labour intensive small maintenance builders.

35. What changes would be required to current survey and lending practice to enable mortgage lenders to take account of the income from new technology or savings on energy bills?

Better and more specialised training of valuation surveyors.

Expanded information available at point of sale - e.g. "log book" for house.

36. Section 3.15 lists a range of challenges that may prevent the benefits of a more sustainable, energy efficient home being fully recognised in its value. What further challenges, if any, need to be addressed?

Proposed improvement mechanisms need to remain robust in the face of both depressed and overheated markets.

Industry is by nature or habit averse to increased bureaucracy and innovation.

How would the system deal with inaccurate surveys?

Implementation will require specialised training for building surveyors.

37. (a) Sections 3.16-3.22 set out the action that Scottish Government is currently developing to encourage greater recognition of the value of sustainable homes. Do you agree that this action is appropriate?

Yes  No

37. (b) What further action is needed to influence consumers and the market?

Yes, the approach is right but should be expanded, especially among property companies, estate agents, manufacturers and suppliers and the mainstream press.

We should also work with the DIY sector and small builders to raise awareness.

38. What steps can we take to ensure that we design and develop sustainable neighbourhoods?

Look at how we design for the car - at present the pedestrian has to make all the compromises.

39. Section 4.10 sets out the main challenges to address in taking forward our aim of new build transformation. What further challenges, if any, need to be addressed?

The construction sector may be depressed at the moment but lack of training has also been a problem during boom times.

Manufacturers and producers are generally unwilling to be early adopters of change.

40. What action is needed to increase the capacity for developing and bringing to market innovative methods of construction?

Provide incentives by covering some of the contractor/ supplier risks.

Provide more public information and involve schools.

41. What further changes to the operation of the Government's affordable housing supply programme would help to enable it to champion greener construction methods and technologies in the medium term?

Release more funding for house building projects which could showcase possibilities for innovative design and technologies.

42. What further action is needed to influence the construction industry to make greater use of innovative methods to deliver more greener new homes?

Challenge cosy supply chain deals - tackle suppliers as well as contractors and manufacturers.

43. (a) Has Chapter 5 of this consultation identified the key challenges to ensuring Scottish companies have the skills to take advantage of the opportunities expected to be on offer?

Yes  No

43. (b) If not, What other challenges are there?

Training programmes must adapt to possibility of longer term recession without return to previous patterns and projections for growth.

Training programmes risk being limited to a handful of pilot projects if there is not a roll-out programme of work to follow on.

44. What further action is needed to ensure there is appropriate investment in skills and training to meet these opportunities?

The training issue is very important - meeting constructional requirements for airtightness requires understanding and care. Are current apprentices and trainees being taught this? Are the rapid changes needed to construct more sustainably being reflected in the building colleges?

We also need to relearn traditional building skills and develop specialist repair skills for dealing with 20th century buildings.

45. How can the construction industry be made more aware of the potential funding and support for skills and training development opportunities and engage effectively with those providing training to ensure that it meets their current and future needs?

Through government initiatives.

46. How do we ensure that skills and training opportunities are provided on an equitable basis to all groups in society?

Roll out training through F/E colleges.

Introduce awareness-raising projects into school curriculum.

Involve unemployed workers in training programmes.

47. Apart from training and skills opportunities are there any other issues that should be addressed to make employment in construction and other industries becomes more representative?

The disproportionate representation of women and certain ethnic groups may be a cultural issue best dealt with separately.

48. Please describe any specific difficulties relating to skills and training that apply to those in remote and island areas and your view on how these may be addressed.

Lack of local training providers, travel time and distance and a tradition or habit of reliance on local knowledge and shared personal experience.

Local knowledge may still prove the more resilient.