

4. Please indicate which category best describes your organisation

(Tick one only)

Executive Agencies and NDPBs	<input type="checkbox"/>
Local authority	<input type="checkbox"/>
Other statutory organisation	<input type="checkbox"/>
Registered Social Landlord	<input type="checkbox"/>
Representative body for private sector organisations	<input type="checkbox"/>
Representative body for third sector/equality organisations	<input type="checkbox"/>
Representative body for community organisations	<input type="checkbox"/>
Representative body for professionals	<input type="checkbox"/>
Private sector organisation	<input type="checkbox"/>
Third sector/equality organisation	<input checked="" type="checkbox"/>
Community group	<input type="checkbox"/>
Academic	<input type="checkbox"/>
Individual	<input type="checkbox"/>
Other – please state...	<input 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

The sustainable housing strategy focuses, quite rightly, on energy efficiency and reducing carbon emissions but a wholly sustainable housing sector would also be driven by:

- The location and design of homes in how they influence travel patterns and encourage active travel modes.
- The size, design and production techniques of homes in relation to materials and anticipated life-cycle of property and components
- Production of waste, the efficiency of use of water use and, arguably, the efficient use of appliances which take up an increasingly large part of total household energy use.

And, there is complete convergence between sustainable housing strategy and the value of place-making. Homes which will last and in which people will invest are those in neighbourhoods in which people want to live.

Finally, as host to the Scottish Empty Homes Partnership Shelter Scotland strongly believes in the merits of bringing existing homes back into use as a way of avoiding the high environmental and energy costs of demolition on the one hand and replacement new-build on the other. A sustainable housing strategy is also one in which we cherish and retain the buildings we have.

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

Our perceptions of the main barriers are (in no particular order):

- Capital cost relative to savings but, more basically, access to capital at all.
- Relative user value of energy efficiency measures vis-à-vis other improvements
- Lack of information as to what to do
- Complex landscape of options
- In the case of landlords, the vast bulk of them are not doing it professionally and also may lack the long term perspective to invest in improvements with longer payback times.

Fundamentally, while very few people would object to a more energy efficient home it is not wanted *enough* to drive the scale of change envisaged and needed.

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

Others working at the frontline of practice will be better placed than we are to identify practical approaches but the following may be worth highlighting:

- As pioneers of the Care and Repair approach in the 1980s Shelter Scotland still sees the strength of that assisted-approach model for older and more vulnerable householders.
- The new requirements on private landlords to provide better information to tenants may help to increase awareness of the value of energy efficiency improvements. However, we think more fundamental change is needed and we have submitted to the Scottish Government proposals to reform the tenancy regime in the private sector with a view to putting it on a much more stable, secure and long-term footing. We believe that is a necessary backdrop for decisions to be made on investment with medium to long term payback.
- Our work on the Scottish Empty Homes Partnership in helping local authorities to devise ways of bringing private empty homes into use is a way of avoiding the high carbon costs of demolition and replacement. The experience from England is that a long term policy commitment to empty homes is needed in order to yield full benefit. In the past, a stop-start approach to empty homes has proved unsustainable.

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

There are generic measures which build on existing progress, such as: at the broadest level improving information and awareness of energy efficiency performance of homes; supporting and advising people

And there are specific approaches needed given the building type (flats), age and location of Scotland's homes.

Our specific proposals to change some of the fundamentals of private renting are highlighted above.

However, the challenge is not simply to get people to install energy efficiency measures; but to do so to the extent that meets the scale of the challenge.

A key area for the strategy to be strengthened is to give a real sense of the quantity and type of development that is needed to meet Scotland's ambitions.

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

This is not a particular area of expertise for us but there are clearly uniquely rural issues, such as access to certain fuels and the difficulty of economies of scale for some solutions like district heating. And then there are less direct rural issues to do with the age profile and built form of the stock. These are not uniquely rural but are more characteristic of rural areas.

5 (b) How should these be addressed?

In general, remote rural areas may be in a stronger position to benefit from community and micro-renewables. In turn this can be used, via community benefit, to fund area-based programmes.

To the extent that it is the nature of the rural housing stock rather than rurality per se that is an issue, further research and development on energy measures for stone-built buildings would be welcome. This might include ensuring that skills and training opportunities are developed. Earlier this year, Shelter Scotland prepared a proposal with the help of the Wise Group on developing skills and training opportunities from the refurbishment of empty homes

We welcome the more pragmatic stance taken by conservation agencies and the recognition that buildings themselves have evolved to cope with different priorities and should continue to evolve. We should note though that most older buildings do not have any significant conservation status.

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?

We agree that a central role should fall with local authorities. There is a twin challenge here. On the one hand, the targets for 2020 (and beyond) are ambitious and need swift and continued action. On the other hand, the scale of those ambitions is such that "business as usual" will not deliver. This suggests that we need an approach that sustains current momentum and so builds on existing structures – we probably don't have the luxury of time to take the machinery apart and reassemble it in a new configuration. However, the more innovative delivery models such as the consortium approach of the Green Deal Community Interest Company could be piloted. Shelter Scotland co-ordinates – albeit on a much more modest scale – a shared services project on empty homes involving five councils in the south and east of Scotland and we would welcome the opportunity to share some learning lessons.

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

The Scottish Government has many roles including: co-ordinator of funding; research and innovation; and monitoring and evaluation – ultimately, it will be national government which is held to account by parliament for targets on fuel poverty and greenhouse gas emissions.

As well as co-ordinating funding Scottish Government has an important role in its annual budget process of ensuring sufficient funds are available, especially those which complement or plug gaps in the availability of finance from ECO and Green Deal.

Finally, we should not underestimate the role of national government as championing the retrofit programme at the highest level. This can be seen as complementary to – indeed helpful in achieving – the flagship commitments on renewable energy.

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

This might usefully form a separately-commissioned discussion paper. There is, arguably more we can do with existing (or newly acquired) powers as well as looking at what powers might be needed in the future. For example, how can the new Land and Building Transactions Tax incentivise energy efficiency measures? Can the replacement for Social Fund in Scotland develop to be a more holistic source of assistance for people living on the very lowest incomes, to include measures to tackle fuel poverty?

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

We think the final strategy needs to be clearer about the scale of change and the scale of the programme needed to match that challenge.

The key determinants of success will be

- Whether the scale of funding matches the scale of investment needed
- How effectively local retrofit programmes are “joined up”
- The application of standards (see next section)

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)?

As above we have commended a care and repair model as being relevant in this context.

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 X No

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

This is probably the key decision in the draft strategy. We have answered this specifically in relation to energy efficiency so it also applies to question 21.

We can see no evidence that simply leaving it to the market and the pressure of consumer choice would result in the scale of change needed in privately-rented or owner-occupied accommodation. Even with grants and other forms of financial assistance there is likely to be a significant gap between where we get to and where we need to be.

There is a good case for the application of minimum standards. Property owners, on average, spend significant sums on their properties and, for the majority who have the means, investment in energy efficiency specifically, will yield longer term savings and increased comfort.

However, we are under no illusions as the challenges of implementation. If we say, in effect, that there is a standard below which homes in which people live should not be permitted to fall – even with a series of exceptions for properties which are genuinely not able to reach those standards – how is that standard actually applied? In other words if a property falls below the standard what are the consequences of that?

We do believe there is a single answer to that. It does not seem credible or practicable for local authority-led enforcement alone to be the way forward. The scale is too large and the public appetite too weak. In the private rented sector we have explored the possibility of enhancing the repairing standard as a means to improve quality. This has the merit of being initiated by the consumer and subject to scrutiny by an independent tribunal.

In the owner-occupied sector – of course, the majority of Scotland's homes – the failure to meet the standard should be accompanied by a recommended action plan and direction to sources of finance if needed. In practical terms, there needs to be further exploration as to how the process of buying and selling can be used as an opportunity to improve standards; and what the consequences are for the buying and selling process if a property does not meet the standard.

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

Yes x No

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 are not convinced that the same process is used as for a works notice as the rationale for intervention is different and, at a practical level it is not clear that local authorities are making use of works notices in their current guise.

For example, the installation of a door-entry system may be seen by many people as an improvement to personal security and to community safety. But does that give authorities the right to require it to happen? At the level of an individual property it may be legitimate to require a roof to be repaired or stone-work to be maintained in light of public safety concerns, but can the same argument be extended to installation of insulation? This is not about the merits of the intervention itself but what it is legitimate for authorities to insist upon in a way which is capable of catching public support.

This is an essential part of the strategy that we think needs further discussion.

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 X No

However, we need to be aware that most local authorities are not geared up to use such powers effectively. It would be useful to explore the use of agent organisations – such as RSLs – which might intervene on the authorities behalf; and how such agents would be incentivised.

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 X No

As a power it would not be mandatory to do so but it could be used for those situations in which there is thought to be risk of deterioration.

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

Comments

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

Comments

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

Comments

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

Comments

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

The main opportunities to do this lie in the Home Report and in the new Tenants Information packs. We have also highlighted the value of high level championing of energy efficiency

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

Yes – see above

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

Comments

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

The key principles seem correct but it is clear that regulation works most pervasively when it flowing with public opinion. That might mean an incremental approach to regulation.

This means that the “entry level” of regulation should be such that it is relatively easy for most homes to meet the standard. Once the principle of minimum standards is accepted then the standard can be moved gradually upwards.

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

It is important that regulation is seen as linked to incentives such as access to funding where it is needed; participation in area-based schemes; marketing advantage on selling or renting.

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?

Option 4 has some merits in that it links most clearly to an implementation approach but we believe that overall energy performance has the greatest strength.

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

In principle the same logic should apply as homes can move between tenures.

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

Comments

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?

Comments

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

Yes No

Major refurbishment or application for landlord registration are possible examples, although some consideration of increased evasion needs to be taken into account.

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

An incremental approach should be adopted. Introducing a relatively light standard at the outset would establish the principle without making the problem of enforcement immediately widespread.

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

The main one we would want to raise is local authority skills and capacity.

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

Standards without sanctions (as well as incentives) are unlikely to be successfully applied. However, we don't think a standard approach to sanctions – such as fines – is likely to be credible or command public acceptance. It might be more fruitful to look at what other forms of public assistance or service might be conditional on achieving standards.

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?

Given the fuel poverty target of 2016 and the initial climate change target of 2020 it cannot be long after that before standards are set. That means using the period up to 2015 to get all the necessary preparatory work done.

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?

There should be mention of Tenants Information packs in the PRS.

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?

Meeting fuel costs are a key and volatile part of the assessment of the affordability of a home. It would be useful to explore a "full housing costs" approach to assessing affordability

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?

Comments

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?

Seeing the retrofit programme as a national flagship programme as outlined above

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

There is a huge amount of cross-over here to the regeneration strategy and proposed community empowerment bill. One of the key factors will be greater community engagement in place-making and neighbourhood design.

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?

Comments

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

Comments

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?

Comments

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

Comments

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?

Comments

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

As indicated earlier Shelter Scotland and the Wise Group developed a potential proposal to provide training opportunities for young people in renovation of empty homes and we think this may have even greater applicability in the context of energy efficiency investment.

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?

Comments

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

Comments

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?

Comments

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.

Comments