

4. Please indicate which category best describes your organisation

(Tick one only)

Executive Agencies and NDPBs	<input type="checkbox"/>
Local authority	<input checked="" 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 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

We agree that the vision and objectives are appropriate.

However adequate resource is required to ensure these objectives are met.

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

From the householder perspective, there are a number of reasons that take up, even of free insulation schemes, is not as good as it could be.

We have feedback evidence from our contractors and from the advice team who have been out and about, promoting the UHIS offers. This feedback is outlined below:

- Pestered too much already by aggressive insulation companies and lack of trust in organisations who 'cold call'
- Lack of confidence in quality of workmanship and of the long term impact to the property - potential damage caused by installation
- Suspicion of cost savings promoted – based on theoretical heating pattern
- Lack of trust in EPC and the outputs they demonstrate
- Lack of awareness of value of energy efficiency (savings and comfort)
- Disruption to occupier and hassle of emptying lofts and rooms for access, lifting and replacing floor coverings
- Stress to vulnerable householders
- Access to independent and reliable information.
- Landlords – split benefit (tenants make savings, landlord spends money)

There are other issues such as:

- Mixed tenure -lack of co-ordination between flats
- Gaining agreement on improvement for communal areas
- Dealing with properties in listed buildings and/or conservation areas;

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

Many households don't know 'who to trust' in relation to energy efficiency improvements and there is a need for good quality, independent advice, with such services being well publicised.

East Lothian Council has recently launched a Trusted Trader scheme which helps local businesses to market themselves by promoting their commitment to trading fairly and their recognition of the Code of Practice. By providing an opportunity for reputable businesses to promote themselves, customers will be able to find traders who are reliable and trustworthy, setting member businesses apart from their competitors. Member businesses are listed on the Trusted Trader website. The website enables customers to search for traders and read feedback left by previous customers. The Trusted Trader Scheme is managed by East Lothian Council. The Scheme is already operating successfully in a number of other local authority areas. Businesses that are willing to allow an independent company to publish feedback, both good and bad, show customers how committed they are to quality, service and value

Free insulation schemes work. Experience in delivering the Home Insulation Scheme showed that many owners were unwilling to pay the modest sum to have loft or cavity wall insulation installed whereas the free Universal Home Insulation Scheme has been applied much more successfully. However, this success is relative, as getting households to participate, even with generous grants and excellent return on investment is difficult.

Partnership with and support for the Energy Saving Scotland advice network. to ensure they can support householders through the more complex mix of measures that will be part of the National Retrofit Programme.

Social housing organisations promote schemes where they pass on the benefits of a competitively procured service to private householders. If a social housing organisation is operating on an area basis, local residents could be offered the opportunity to benefit from the competitively tendered price for the service. For example external wall insulation. This way private sector benefits from procurement exercise undertaken by social landlord. In order to minimise risk to the social landlord the offer could be structured in a way that the householder directly contracts with the installer. There are other associated risks, reputational and ensuring value for money for the social landlord to consider but this is something worth exploring further.

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

The current Energy Saving Scotland Advice Centres act as a one stop shop for relevant advice and information, however these are not sufficiently well publicised and there is a need to ensure that people know where to go for

relevant information and advice. Continued investment and development in the Energy Saving Scotland advice network which should act as an entry point for advice on improving the energy efficiency of housing. The intention would be to establish the advice centres in the same way as the Citizens Advice Bureau.

Expansion of advice provision for 'hard-to-treat' homes including more support for the provision of home visits via the advice network.

Support innovation for a range of measures such as internal insulation or draft proofing.

Continue interest-free loans for renewables.

External wall insulation – the transition from 'easy' loft and cavity wall measures to ECO measures will need to be supported by growing skills and awareness among builders and architects.

Support 'enabling' measures including loft hatches, roof vents, scaffolding, boxing of window sash boxes to allow insulation projects to proceed. These measures should be included in the relevant funding regimes.

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

The cost of fuel in rural areas is an area of concern and is particularly volatile.

5. (b) How should these be addressed?

Extension of the gas network through gas extension projects

In partnership with fuel supply organisations and local communities the Council has facilitated the extension of mains gas supplies to around 2,000 households. Around 160 properties have been connected to the gas network in Dunbar in 2011. These projects, combined with fuel switching have made the most significant reductions in carbon emissions in the Council's own housing stock and because of this receive significant CERT contributions. As part of these projects, private households are assisted to connect to the extended mains gas supply.

There are concerns about the stability of gas supply and increased prices as the UK moves towards greater reliance on imported gas. While it is recognised gas by itself is not the answer to meeting carbon targets, and that the decarbonisation of the grid remains a priority, gas presents a short to medium term answer to reducing carbon emissions and this approach will be closely monitored.

Smart Meter rollout is planned and this presents an opportunity to survey homes, and advise householders.

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?

UHS has worked well for what are generally low cost and easily installed measures of loft and cavity wall insulation. There could be benefits of a number of local authorities working collectively across a region in partnership with the Energy Saving Scotland advice centre network.

Local authorities are generally trusted sources of information. Adding ELC brand to communications to private householders is likely to increase uptake.

The NRP presents the opportunity to combine UHS, EAP, BSS and lever in ECO. Local authorities have had experience of delivering UHS and some will have had the experience of delivering other energy efficiency measures through their capital programme.

Regional Delivery Partners could support local authorities in developing and promoting fuel poverty and energy efficiency programmes in response to needs identified within local housing strategies.

The area based programme will link to Local Housing Strategies and link to local authority programmes of work – ECO could support local authority external insulation programmes, window and doors replacement etc if properly coordinated.

Community and local groups are an important part of getting information out to people, increasing understanding for the general public, and encouraging uptake. They can offer advice on how to make the best use of the scheme and the measures once installed

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

The Universal Home Insulation Scheme and the Energy Assistance Package have proved to be successful in improving the energy efficiency of Scottish homes. The National Retrofit Programme should build on the success of these schemes by promoting the benefits of whole house solutions rather than individual measures.

The Scottish Fuel Poverty Forum and Existing Homes Alliance are proposing an area based programme with a Scotland Wide National Programme. We see the value in this as it's going to be important to ensure that householders in the most challenging circumstances have a route to access to support without having to wait up to 10 years for the NRP area based programme to target their area.

The consultation lays out options for the funding to local authorities to deliver retrofit schemes. These consist of either challenge fund bidding, formula based allocation or a combined Scottish pot distributed on a “first come first served” basis. It is important that local authorities develop clear strategies for their areas which show how they will maximise funding and maximise the impact on energy efficiency. These can form the basis of challenge fund bids. However, if challenge fund bidding is used, care should be taken to ensure that it minimises any additional resource requirement.

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

No comment

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

A much more effective approach to publicity is also required. Thus far knowledge of options available is patchy and incomplete. As schemes develop they should have clear communications strategies which consider new methods of communication and the use of voluntary and community organisations

Scottish Government funding for NRP will need to increase to meet fuel poverty and climate change targets

Effective promotion of help available/schemes to tenants and home owners, using appropriate messages for the target audience.

Effective systems and procedures to ensure installers are reputable and work is of a high standard.

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)?

The approach used under East Lothian UHIS works well with a single point of contact for householders to ensure a streamlined customer journey for the householder. This incorporates EAP and benefits check into the process.

Provision should be made for direct support and assistance via trusted and established intermediaries to reach these groups. Including for example, funding to Care & Repair to provide a front line of contact to the most vulnerable. Extend these services to those who fall just out of reach of eligibility for current Care and Repair services.

Partnerships with community groups and projects where there are complementary shared objectives should be encouraged and valued.

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?

ELC do not consider that the Housing (Scotland) Act 2006 has had the desired effect of improving property condition and enforcement powers introduced through the Act are underused across Scotland. Anecdotally it is understood that a primary reason for this is that local authorities do not have the resource to manage existing standards and take enforcement action against them. Owners often lack the finance to carry out repairs and maintenance and the culture change in relation to attitudes towards repairs and maintenance does not appear to be shifting. Local authorities have significant difficulty in identifying BTS stock or properties which fail the Repairing Standard. The range of existing powers / standards should be reviewed to gain a better understanding of the barriers faced by local authorities, communities and owners before additional standards / regulations are introduced.

Recent research into private sector housing in East Lothian undertaken by the Council shows that existing tolerable standard is not being met in around 2% of properties. Approximately 17% of properties in the private rented sector fail the repairing standard.

The resource required from local authorities to seek out and act upon below tolerable standard is not sufficient for the existing standard. Legal enforcement for an increased standard would require considerable additional resources from local authorities , which are not available.

Clear information on energy efficiency could be made available at the point of sale or rent which would encourage landlords and owners to maintain their homes to a higher level.

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.

- No comment

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

Increasing powers for local authorities could assist in raising housing quality. However, given the issues raised in Q11, it is unlikely that increased powers by themselves would have any impact.

Although improvements are important, the most vital issue is that properties are kept wind and watertight and structurally sound. The order set out by the Government in the hierarchy of looking after a home reinforces this.

We do not disagree with the potential for Local Authority powers but it is not clear they would have any impact because of the issues set out in Q11.

Although legislation and requirements for repairs and maintenance are already in place, many owners are still not fulfilling their responsibilities. There is a need to ensure that the majority of owners are meeting these responsibilities first before seeking to improve homes in other ways.

There are difficulties to follow up on each works notice served under existing arrangements. The resources available to tackle this basic requirement are not adequate and to extend powers further without additional resource would essentially be meaningless.

However, it is important that owners are well advised of, and encouraged to use, the opportunities to make energy efficiency improvements while repairing a home.

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

It would appear there is some confusion in the language used in this question. 'Missing shares' is covered in volume 3 of the 2006 Housing Act guidance and defines 'maintenance' as including 'repairs'.

Having said that, there are issues surrounding paying for communal work. A

common barrier to carrying out communal repairs is to gain agreement of all other residents/owners.

However, enforcement is not always effective and that it is not popular with owners. It results in a difficult and unpopular process for the local authority with limited impact.

There is a need to ensure instead that owners take responsibility for repairs to their homes and much is being done on this through the scheme of assistance.

Any enforcement should be focused on helping fellow owners to recover costs rather than putting the burden on local authorities to meet the costs.

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

Where resources, financial or otherwise, have been invested in bringing a property up to a reasonable standard there should be a requirement for the owner to maintain that property.

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

ELC has limited knowledge about maintenance orders and it is understood that very few local authorities make use of maintenance orders. Consideration could be given to a review into the use of maintenance orders to examine the reason why they are not being used.

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

Careful use has to be made of existing powers. It is important that responsibility for maintaining, for example, an overgrown garden, is placed on the householder, rather than on a local authority. There is a danger if a local authority intervenes that this could lead to a spiral of neglect, with the issue spreading to other households. There would be ongoing involvement for the Local Authority, for example to return several times over a growing season to cut back grass and shrubs.

Enforcement action also has to be proportionate to issues they are seeking to address, in order to be a meaningful tool.

There would be little benefit in introducing further powers. The focus should be on proper advice and incentives to encourage owners to take responsibility for their own properties.

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

Repayment charges should be made available to recover costs in relation to any work carried out in a shared block, including commercial premises. Repayment charges should also be available for enforcement action (including dangerous buildings etc) the most appropriate power can be used in all cases. .

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

No comment

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

- Provide advice support and information to change behaviour
- Awareness raising of EPC and include information on energy consumed by appliances

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

Ensuring home owners are adequately repairing and maintaining their properties should be the priority.

Consistent standards can be enforced where possible in the public sector and to a reasonable level, through new build. These standards could be set as exemplars and encouraged in existing private sector homes through consumer choice based on information in EPCs, Home Reports and other awareness raising.

The standard could be more like the one they are proposing for social housing e.g. to reach an Energy Efficiency rating, rather than prescribing measures and must be related to the potential of a property.

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

- Make clear that the running costs on an EPC do not take into account appliance use
- Make them available in full as part of the lease pack for short assured tenancy (not just in the meter cupboard)
- Make it compulsory that estate agents should make the entire EPC available when looking at property and downloadable from website
- Have clear on front page what the “potential” would be if all measures were to be carried. The “potential” rating on the front page only takes account of “low cost measures” (i.e. under £500)

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

No comment

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

No role could be seen for regulation and the use of incentives.

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?

No comment

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

There is considerable difference between properties in terms of their location and type that cannot be compared across multiple houses. There are many works that require considerable upheaval and consideration to the period features of traditional buildings.

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

Standards for the private sector are laudable. However, the difficulties in enforcing these standards are outlined above.

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?

No comment

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

Yes No

No comment

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

Any regulation should be rolled out on a phased approach. This would allow owners and landlords time to prepare for regulation. It would also allow industries that provide and install the energy efficiency measures time to build up the capacity. Lessons can also be learned as the regulation is rolled out.

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

Local authorities have minimal resources to enforce regulation. As a result enforcement should be left to consumer choice based on access to the right information. Any enforcement by local authorities needs to be self financing through charging an additional fee for any involvement.

In East Lothian there are an average of 60 house sales per month and an average of 60 properties advertised for let each month. There would be a significant resource implication should there be a requirement to monitor energy efficiency compliance of these properties, one which could not currently be met. If this were to be combined with a system of applying for exemptions etc this would again require significant resource and administration.

Another issue which must be considered in relation to enforcement is the success or otherwise of existing enforcement powers. ELC do not consider that the Housing (Scotland) Act 2006 has had the desired effect of improving property condition and enforcement powers introduced through the Act are underused across Scotland. Anecdotally it is understood that a primary reason for this is that local authorities do not have the resource to manage existing standards and take enforcement action against them. Owners often lack the finance to carry out repairs and maintenance and the culture change in relation to attitudes towards repairs and maintenance does not appear to be shifting. Local authorities have significant difficulty in identifying BTS stock or properties which fail the Repairing Standard. The range of existing powers / standards should be reviewed to gain a better understanding of the barriers faced by local authorities, communities and owners before additional standards / regulations are introduced.

Another issue which must be considered in relation to enforcement is the success or otherwise of existing enforcement powers. ELC do not consider that the Housing (Scotland) Act 2006 has had the desired effect of improving property condition by making owners become more responsible for their properties, particularly in a shared or common situation and although the advice and assistance are regarded as helpful there is still the shortfall when any owner(s) cannot fund their share, leaving the situation of either – others having to fund or the works not being done. Enforcement powers introduced through the Act are underused across Scotland. Anecdotally it is understood that a primary reason for this is that local authorities do not have the resources to finance or to manage projects to bring buildings to existing standards and take enforcement action against them. Owners often lack the finance to carry out repairs and maintenance and the culture change in relation to attitudes towards repairs and maintenance does not appear to be shifting. That said, many owners have said they would prefer that common repairs are enforced by the Local Authority who can act independently on behalf of all owners and there is a certain feeling of confidence that it will be done properly. Securing monies by Repayment Charges is seen as part of that process, and for some is the only way to repay the costs of the works. Although only minimal repairs can be enforced under a Notice many schemes have benefitted from cooperation with owners to get improvements done at the same time, including insulation to flat roofs where the felt is being replaced. Other grant funding, CARS, THI etc can be levered in too and this gives a benefit to the visual appearance of the built environment, but owners have to sign up to this part. Local authorities have significant difficulty in identifying BTS stock or properties which fail the Repairing Standard. The range of existing powers / standards should be reviewed to gain a better understanding of the barriers faced by local authorities, communities and owners before additional standards / regulations are introduced.

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

The options for sanctions would appear to be limited. Evidence in relation to empty homes work indicates that one of the reasons for homes remaining empty is that owners buy properties which are in a state of disrepair with the intention of doing them up either to live in or sell but for any number of reasons they are unable to do the work. ELC is currently trying to work with such owners to encourage them to sell such properties if they cannot complete the work themselves. It would seem unfortunate if regulations around energy efficiency imposed another barrier by preventing the sale of such properties.

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?

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?

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?

Attempts are being made to increase values for houses with fuel efficiency measures. But this does not take account of the real market forces. If a house has been insulated the owner will make savings on fuel bills each year. This makes it more attractive than the identical house next door without those energy measures. But it doesn't mean that someone will be willing to pay a great deal more for it.

If the house value is more realistically seen to increase by a couple of thousand based on energy efficiency improvements that is not necessarily going to be

reflected in house valuations because in reality houses are worth what someone will pay for them, and surveyors usually round to the nearest £5,000.

As SAP is based on assumed uses, rather than actual spend, there are many scenario's where the assumed savings would not be made and therefore you would not necessarily be able to reflect this in the property value.

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?

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?

There has been discussion surrounding discounted mortgage rate for properties which meet the energy standard. This is a good idea, provided a bank could be found to provide this. However, assuming you do get a discount of 0.5%, unless it was off the cheapest product on the market you could still shop around for a cheaper deal. However, even a low discount on a mortgage would provide a significant enough discount, given the large sums involved in mortgage repayments and would therefore be worth exploring further.

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

Establishing best practice across the industry on solutions that have been effectively tried, tested and monitored

Measurement, monitoring and evaluation of the success of new neighbourhoods, including design, social integration, employment and health and well being.

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 2010 building regulations provide significant benefits in terms of fuel poverty and reduction in carbon emissions. While these regulations place additional pressure upon the financing of development, these regulations are broadly achievable. Research has shown that building to the 2010 building regulations will lift the majority of people currently in fuel poverty, out of fuel poverty.

The development costs for social landlords predominately focus on the costs in the first few years of development. Many sustainable features now

bring in an income, which is seldom factored in to the project cost. In some cases this could lead to self financing of some of the sustainable features over the lifetime of a project. Although true costs, including maintenance, replacement and staff training need to be carefully factored into the appraisal.

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

Subsidy targeted at RSLs, councils and private developers using innovative methods of construction. Further government support for manufacturers of innovative construction methods would also be useful. Support for further demonstration and evaluation projects like the Housing Innovation Showcase.

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?

Introduce new planning policies to allow affordable housing as an exception policy to planning local plans. Low cost land supply exclusively for affordable housing could allow social housing providers to build at a lower cost per unit, freeing up funding for additional greener technologies and methods.

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

No comment

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?

No comment

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

No comment

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?

No comment

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

No comment

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?

No comment

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.

No comment