

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

In 2011, the Scottish Government forecasts revealed that 35% of households were estimated to be in fuel poverty. We welcome the proposed vision and objectives, however the aspiration about eradicating fuel poverty may not be achievable under current arrangements.

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

The key barriers include

- Knowledge of the benefits,
- Affordability
- Ease.

Also

- Access to trade skills,
- Confusion over renewables
- Insulation options,
- Having other priorities for disposable income

In addition

- A tendency to opt for lower cost / visible improvements .
- Lack of trust in benefits of PVP's
- Expectation that technology will improve / costs will fall can also result in people delaying making energy efficiency improvements.

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

- Accredited installers and tradesperson lists (e.g. for PVP's)
- Accreditation schemes (Microgeneration Schemes MCS – Carole to add
- Personalised advice
- Single national source of information
- Individual property appraisals – from a trusted neutral party rather than a commercial organisation. Many owners do not trust commercial organisations to provide neutral advice
- Government subsidy (e.g. feed in tariff for PVP's)
- A legal requirement for minimum standards in private rented housing including empty properties
- A minimum standard should be regulated by a professional body (e.g. RICS/BRE)
- Smart metering as standard in homes, to raise awareness of what influences energy use

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

The following support may enable people to get energy efficiency measures installed :-

- Financial support
- Personalised advice and information
- Support from a trusted, impartial provider
- An effective system for redress for consumers where suppliers have failed to meet promised performance standards

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

Community based systems would be of assistance in rural areas (e.g. biomass heating programmes). Due to their remote location, funding and support levels may need to be higher.

5. (b) How should these be addressed?

See Q5a

Some remote communities, such as Eigg, have set up their own energy mini grids based on renewable energy supplies, where residents are educated on energy budgeting to smooth out energy demand, increase fuel independence and security.

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?

The role of Local Authorities in retrofitting could relate to:

- distributing funding
- developing and co-ordinating retrofitting programmes.

The Energy Savings Trust's role could relate to retaining a national database to track what energy efficiency measures have been installed in the private sector (given that Local Authorities do not hold this data).

We welcome the fact that Scotland has the most ambitious climate change legislation in the world. However a baseline to track energy consumption (as well as installation of energy saving measures) is necessary, given the significant impact of behavioural factors on carbon emissions

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

The Scottish Government's role could relate to:

- a) decision making over minimum regulatory standards and measurement criteria
- b) providing funding for LA's and EST to fulfil their roles and setting the minimum standards on a realistic basis
- c) decision making over how a baseline of existing standards is to be measured and monitored.
- d) Administering the scheme.

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?

To achieve the scale of change required, mandatory minimum standards will be needed. Although a reserved matter, consideration could be given to measures at point of purchase e.g. mandatory contributions to a sinking fund for repairs / efficiency improvements from point of purchase, as a condition of mortgage lending, with a specific affordability assessment for this as part of mortgage lending criteria.

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)?

In order to benefit all consumers groups, it is necessary to :-

- Identify specific groups and work in partnerships with relevant agencies. Local Authorities are well placed to do this but would require sufficient resources to support.
- Communicate financial support packages clearly is the key driver in change particularly for economically disadvantaged groups.

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?

Consideration needs to be given to the resources needed to enforce

minimum standards and the accessibility of finance to meet them, prior to decision making on this issue. Without information about the scale of properties falling below the minimum standard, it is not possible to identify which organisations would have the resources necessary to meet the challenge. We would propose that once a minimum standard has been established and incentives/ subsidies have been embedded, that the numbers should be quantified and a target date set for compliance. At this stage the decision about enforcement could be made. Key to this is the establishment of a national database to measure standards.

We would suggest tying in any type of assessments into other mandatory checks required (e.g. EPC's or Home Reports).

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.

Not applicable

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

For this proposal to be feasible, funding would require to exist to pay for the work on behalf of any owners without resources to do so. Otherwise, it will be impractical to implement on a large scale with existing resource levels. (Recovery of cost for enforced work is a significant issue for Local Authorities, particularly where they are already maximising their budget allocations).

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

For this proposal to be feasible, funding would require to exist to pay for the work on behalf of owners that have not contributed. (Recovery of cost for enforced work is a significant issue for Local Authorities, particularly where they are already maximising their budget allocations.

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

This would help protect the investment thereafter., however there are also issues attached to cost recovery as noted at Q13 & Q14.

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

The number of parties requiring notification should be reduced.

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 out with a Housing Renewal area? Please answer Yes or No and provide further explanation if you wish.

Yes No

This is welcomed in principle but cost implications may mean it has limited practical benefits to Local Authorities and home owners, due to the issues with recovery of costs after work has been enforced, outlined at Q13 & Q14

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

This is welcomed in principle. We would also welcome a Scottish Government review of cost recovery mechanisms and timescales across all relevant enforcement powers (e.g. Housing Scotland Act 2006, Building Scotland Act 2003, Civic Government Scotland Act, environmental health powers etc).

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

We would not support any action until the Property Factors Scotland Act

2011 is embedded & evaluated. Thereafter, information on how to switch factors may be helpful.

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

The following actions may help to meet this objective:-

- Mandatory standards and longer term, penalties.
- Step by step personalised information and assistance.
- Pilots with neighbourhood action groups.
- Information about reduction in fuel bills / benefits of the measures.
- Financial incentives.

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

Yes. Private housing makes up the vast majority of homes in the country and it is important to work towards consistency. Consideration needs to be given to the resources needed to enforce minimum standards and the accessibility of finance to meet them. See also Q11

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

EPC's could be amended as follows:-

- A clearer explanation of the cost benefits of each improvement (e.g. weekly heating bill reduction).
- A quality control system could be introduced to address a lack of trust in their accuracy.
- A clearer explanation of how far the improvements will increase asset value.
- Heating efficiency should be highlighted within them.
- Further research could be commissioned to identify the longer term financial benefits to owners for improving the energy efficiency standards of their homes. This would help the properties be marketed on this basis.

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

Links to the tax system have helped to change consumer behaviour in relation to purchasing cars and this principle may be of assistance in incentivising behavioural changes in relation to carbon reduction.

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

See Q 11 & Q21.

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?

The consultation sets out the following options, our views on which are as follows:-

Option 1 would be the simplest to deliver but would achieve the most limited results.

Option 2 requires more details regarding measurement and implementation.

Option 3 would be the preferred method of measurement and implementation, however the delivery agent of the EPC would need to make sure the recommendations from it were achievable given the property characteristics – A critical and optional list of improvements could be provided, and this should be tied into subsidy arrangements for owners.

Option 4, linked to Option 3, may be practicable longer term if the legal framework on property sales is amended (however this should be piloted in the first instance).

Ultimately, without substantial subsidies, all options for minimum standards will reduce the value of housing if the funding is to be paid from existing income levels of home owners,. We appreciate that this may adjust longer term when the benefits are realised.

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

Consistency is important across sectors.

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

Long term, once costs have been quantified and funding established, there should be consistent minimum standards across tenures (within the capacity and characteristics of similar property types).

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?

Communication with a range of distinct groups is essential. Financing the change is a key issue which needs to be addressed by the Scottish and UK Governments.

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

Yes No

We share the concern about impact on the housing market if a point of sale trigger point is used to enforce minimum standards.

Other options include:

- If mixed tenure repairs are being carried out, it may be a relevant trigger point to enforce minimum standards, provided funding is in place for the owners.
- Landlord registration.
- When benefits claimed, provided funding available.
- At periodic intervals in life of the EPC (should surveys be affordable from public resources)
- Although a reserved matter, consideration could be given to measures at point of purchase e.g. mandatory contributions to a sinking fund for repairs / efficiency improvements from point of purchase, as a condition of mortgage lending, with a specific affordability assessment for this as part of the mortgage lending criteria. This could be established in advance of any compulsory minimum standards.
- Rolling surveys to identify standards of specific property types (e.g. pre 1919 tenements) provided public resources are available to cover this cost.

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

Properties switch between tenures so must be all at once to be practical.

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

No comments.

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

Sanctions longer term once finance and minimum standards have been established should be considered. Whilst we understand the rationale behind b), it may be difficult in practice to recover costs from incumbent owners as their contact details are not automatically provided.

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 need to establish a baseline using surveys, define the minimum standard, quantify the number of properties falling below it, and establish the funding mechanisms / savings plans for owners long term, we would suggest that 2018 is the earliest possible date for enforcing any regulations on minimum standards.

Clarity is needed on whether uninhabited properties are included in the standards.

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?

See Q9

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?

No Comments

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?

No 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?

No Comments

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

See Q5 (a)

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?

No Comments

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

No 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?

Share good practice with Local authorities and RSL's.

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

Funding and training as part of the professional development process are key drivers

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?

Not Applicable

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

No Comments

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 Comments

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

No 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?

No 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.

No Comments