

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 checked="" 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

While an appropriate vision for sustainable housing, it is the case that fuel poverty can be reduced by improving conditions to the home, it cannot be eradicated through such measures on their own. Fuel poverty exists more fundamentally due to the disparity of incomes and fuel costs. There are also important benefits to be realised through improved information and advice on the most energy efficient way to heat homes.

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

The Association's stock comprises 89% flatted type housing, including 26% in pre-1919 tenements, where the challenge to improve energy efficiency standards is greatest. Where there is a mix of owners within a stair, the challenge to improve the common external fabric is even greater, making them 'hard to treat'. There is a poor link drawn between the capital value of a property and its energy efficiency and for lower income households in particular within the private sector (renting and owning), the need for capital to pay for upfront costs presents particular difficulty. Properties located within conservation areas also present particular difficulties securing approval to specific energy efficiency improvement measures.

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

Improved information and advice which sets out the benefits in energy cost savings and reduced emissions at the point of rent or purchase would assist people to make more informed choices.

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

It is important that people know where to go to get the best possible advice and information and further publicity about this would be helpful.

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

No comment

5. (b) How should these be addressed?

No comment

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?

It is appropriate for local authorities in discharging their strategic housing role to take a lead in driving up energy efficiency standards through retrofitting. This should include taking account of the potential funding through the Green Deal and Energy Company Obligation (ECO).

Whichever option is chosen for funding to local authorities to deliver retrofit schemes, it would seem more effective to shape programmes on a national basis as this would enable projects to be delivered on a larger scale with the potential for increasing investment and making best use of available resources. As a locally based organisation, we would be willing to support initiatives which improve the level of understanding and encourage take up including advice on the appropriate measures to take in specific locations. Having as we do, a detailed understanding of the energy performance of our stock, most of which includes tenements with common fabric responsibilities with other mixed owners, we are well placed to understand what is required and the co-ordination effort needed to deliver that. The cost in advice and project management time co-ordinating interests is an additional pressure on our resources and therefore this needs to be fully understood and accounted for when executing programmes.

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

The role for Scottish Government should be to ensure that both government funding and ECO funding is maximised to deliver more ambitious programmes as outlined in Para 1.35b. The Government should ensure that any National Retrofit Programme promotes 'whole house' and 'whole tenement' solutions and assists in these likely situations where measures do not meet the financial criteria for Green Deal.

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?

There are a number of planning regulation issues which need to be addressed to ensure these do not undermine or restrict the ambition to improve energy efficiency. While micro-generation has a part to play, our experience of this at small (domestic or street) scale suggests that it is not as effective an approach than ensuring high levels of external fabric insulation including to external walls and windows. There remain some potential barriers within conservation areas to external cladding and double / triple glazed window treatments and which themselves can make the most

beneficial contribution to reducing energy use and costs.

The level of knowledge and understanding in the general public of the positive benefits from improved energy efficiency of homes is, in our experience, quite low. Publicising and communicating new programmes needs to be more extensive and effective in future and the use of community organisations to assist with this will be crucial.

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)?

Any National Retrofit Programme must be publicised and communicated in ways which reach all sections of our community. In addition to traditional 'campaign' approaches including national and local media, there need to be more local events held which include a wide range of professional and voluntary bodies to support them. Indeed, the role for community planning and health / social care partnerships is important, and it is an issue on which this Association would work closely with the Neighbourhood Partnership and community councils to ensure this was achieved. A very clear statement of the benefits from taking action to improve energy efficiency needs to accompany the vision in order to deliver a step change in the performance of our housing stock in general.

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?

There is a significant new opportunity now to set a minimum energy efficiency standard for housing across all tenures. There is also a poor history of raising standards in the private rented sector in particular (where standards are lowest in the country) through legal enforcement areas alone. It is doubtful whether local authorities have either the will or the resources to be the enforcing agency and indeed, the recent collapse of the former statutory notice system for common repairs in Edinburgh seems to illustrate the limitations of such an approach if relied on too heavily. We should also be looking to develop a form of private housing charter (not dissimilar to the Scottish Social Housing Charter in respect of property standards of fitness) and improved information to enable people to make informed decisions about what they should expect and demand of their landlord. Information on energy efficiency should be clearly available at the point of sale or let of every property, and this would form the basis on what tenants / customers should expect from all landlords by way of standards. The implementation of this in the private sector will be a very significant task and take some time to roll out. Approaching this within the sectors where there exists some level of existing control, namely within homes in multiple occupation and private leasing schemes for example, may be sensible before developing it

more widely.

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.

Any checklist should ensure the use of plain English, avoiding jargon, for the benefit of the wider population. As owner and manager of substantial numbers of property, we have instigated annual inspections of roofs and external parts including gutters. This is a low cost preventative measure which aims to pick up repairing issues prior to these becoming a more serious problem. This could be added to the checklist.

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

Within tenements where we are part or minority owner, it is the case that our ability to deliver the SHQS in full is being compromised by the lack of willingness of private owners / landlords to commit to what is classified as improvements. While the first priority is to ensure repairs are undertaken to maintain wind and watertight properties, we are experiencing growing difficulties achieving even this standard over the recent past as the Edinburgh Council statutory notice system has been curtailed. Where agreement cannot be reached under the title deeds or through a tenant management scheme, we will have to apply for an abeyance or even, in a worst possible case, consider disposing of the asset if we cannot meet our lettable standard obligations to our tenants. In whatever approach is taken to overcome this growing problem within Edinburgh, the need for enforcement powers will be necessary and as a minimum, available as a last resort to ensure necessary works are carried out. It will therefore be necessary to have enforcement powers maintained as part of an effective ongoing system.

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

While the use of enforcement powers in Edinburgh through the former statutory notice system has, for various reasons, not been as effective as it

should, this is in our view due to management failures rather than enforcement as such. There is a need to ensure that more is done to encourage owners to accept and take responsibility for repairs to their homes and which is why informed information and advice, incentives and support is needed. Enforcement as a last resort is still required for effective action to be taken to recover 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

While there is limited experience of maintenance orders being used in Edinburgh, it would be helpful to highlight how effective these have been in use elsewhere as discussions continue to reshape the approach in future within the city.

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

It would be beneficial to adopt a common approach to this throughout the country and apply consistency across all local authorities.

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

There is a lack of consistency around how existing powers are exercised by local authorities and while both improved information, advice, incentives and support for owners is needed, local authorities also should have powers to issue notices as a last resort.

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

Within property comprising commercial premises often located on the ground floor as retail outlets within residential areas, it would be necessary for local authorities to retain the power to issue repayment notices for works done as a last resort.

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

It would be appropriate to await the introduction of the Property Factors (Scotland) Act 2011 coming into force in October 2012 to assess the impact of whether this will, in practice, assist with dispute resolution and improve service standards through the new Code of Conduct. There are occasions, however, when owners feel dissatisfied with services and so reducing the requirement to allow a simple majority view in favour of change would assist.

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

As the government is seeking to introduce a new energy efficiency standard for all social housing (EESH), the requirement of a similar standard expected within the private sector should be encouraged. The home reports currently available for new owners and tenants of private landlords should include information on the impact of properties having different energy efficiency levels. Levels of awareness would be improved if energy efficiency standards formed part of a new charter for private housing and which will assist residents to make informed choices about action they should take to improve efficiency levels.

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

Yes.

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

If a typical house type benchmark of energy use can be included, this would provide an immediate awareness of any gaps that exist between the expected / desired efficiency level and current actual level. If a comparison of energy costs and carbon emissions, both with and without whatever recommendations stated on the EPC can also be provided, this additional information would provide a very clear picture upon which the resident can take informed decisions on improvements needed.

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

While there is likely to be some resistance within local authorities to introduce new regulations, these should be set and timed in ways that provide an encouragement to take action which (if the case of social housing has proven) will take 10+ years to achieve. It may be that while social housing is being asked to reach the EESH standard by 2020, it could take until 2025 or even 2030 to have private sector housing reaching such a similar level.

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

A package of incentives will need to be developed by the proposed working party established to consider regulatory issues and indeed, setting minimum energy ratings before being 'fit to let' as proposed in England and Wales, would go some way towards setting the right expectation.

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?

We would support an outcomes based approach, ie that a property meets a particular energy efficient level rather than specifying specific types of work and which would therefore respect the need for flexibility allowing different treatments to different property types.

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

Applying the same standard across all tenures should be a fundamental requirement of the system repeated throughout the country.

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?

As older people and people on lower incomes experience fuel poverty in disproportionate ways, programmes of support must be tailored to recognise their specific needs including extra support and varied communication approaches as appropriate.

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

Yes No

In addition to trigger points of sale or rent, there are other opportunities where regulation through building control requirements, for example, and alongside measures to incentivise owners to encourage improvements being carried out.

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

In order to allow sufficient time to prepare, any regulation should be rolled out on a phased basis and perhaps in line with the national retrofit programme being prioritised to fund fuel poor areas first.

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

The cost of enforcement needs to be factored into the financing of programmes including options for cost recovery discussed further.

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

Ideally, the use of incentives and support is a preferable approach to sanctions. Further assessment is needed, however, to determine whether the desired outcome will be better met by allowing consumer choice to influence the market and positive behaviour or the use of sanctions and including providing comfort that this will not have an adverse effect on the market.

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?

Any regulations introduced will need to be implemented over a number of years as previously referred to in Q23 above.

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?

No further comment

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?

Both survey and lending practice should and can be improved to provide better information of measures and comparative efficiency including reduced ongoing household costs as a result of measures being undertaken when considering mortgage availability.

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?

The wider experience of negative equity within falling housing market values will inevitably mean people not feeling able or prepared to invest in improved energy efficiency measures. The restrictions within conservation areas as mentioned above can also act as a barrier to make improvements.

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?

Providing independent and robust evidence and proof of the necessary link between sustainable houses and improved value to these homes.

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

Ensuring good quality, affordable and accessible housing is but one necessary element of what makes for a sustainable community. While a prerequisite, it is not all that is required as both wider environmental, social and economic factors have important parts to play. The linkages between these elements as well as connections to adjoining neighbourhoods are all factors that need to be addressed in pursuit of sustainability.

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 key challenge within the city is the ongoing under supply of affordable housing for people at or below average incomes in particular. At a time when private sector completions have dropped by over 60% over the past five years, there is an increasing reliance on housing associations to maintain their new build programmes. We are determined to ensure that whatever we can build is to the very highest standard in the knowledge that

this will have the most beneficial impact in the long term. Access to affordable funding including subsidy and private finance at the right balance is crucial to be able to deliver this.

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

Encouraging innovation in new methods of construction could be supported through holding annual 'Expo' type events, bringing together research bodies, manufacturers and developers to showcase, provide evidence of improved performance and in order to share good practice.

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?

Greener construction methods can often require a higher initial capital outlay to be offset by lower lifecycle costs and much reduced cost in use. The subsidy system should be further incentivised to support reduced whole life costs as well as recognising that programmes to be effective require 3-5 year periods to execute effectively. Both additional subsidy to support lower energy solutions and certainty for programming over longer periods would assist.

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

The construction industry needs to see a clear cost and return advantage from current approaches.

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 further comment.

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

As a locally based housing association, we have considerable experience running programmes of pre-employment skills development for young people, who are either disengaged or at risk of disengagement from the labour market. Through our TOiL project, we would be very interested in providing further support for young vulnerable people to develop their skills into low carbon energy / refurbishment jobs, and are very well placed to support access to long term job opportunities within this growth sector.

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 our TOiL project, we seek to increase the number of jobs, education and training opportunities for young people most at risk of failing to achieve in the labour market. Over the past eight years, the programme has supported approximately 400 young people aged 16-24 achieving year on year positive destination outcomes of 80% and above. The programme seeks to provide tailored pre-employment preparation activities within real work conditions from employers in a range of construction firms. Having also embedded community benefit clauses into the procurement practice and requirement of contracts this has enabled skills and training development opportunities to be available for those who would otherwise struggle to access the labour market.

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

Working closely with the local authority and other agencies within the context of the economic development strategy for the city, we seek a co-ordinated approach to structuring our TOiL programme and focus to assisting some of the most vulnerable young people within the community.

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 Association would support initiatives which encourage women into the construction industry in order to overcome their traditional under-representation within the sector.

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.