

# Short Life Working Group: Tenements – Regulating for Energy Efficiency & Zero Emission Heat

28 February 2022



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# The Journey to Net Zero

**Heat in Buildings Strategy:** Achieving Net Zero Emissions in Scotland's Buildings, published October 2021

- **By 2045** all homes and buildings in Scotland must have significantly reduced their energy use, and almost all buildings must be using a zero emissions heating system.
- **By 2030** emissions from homes and buildings will have to **fall by 68% against 2020 levels.**

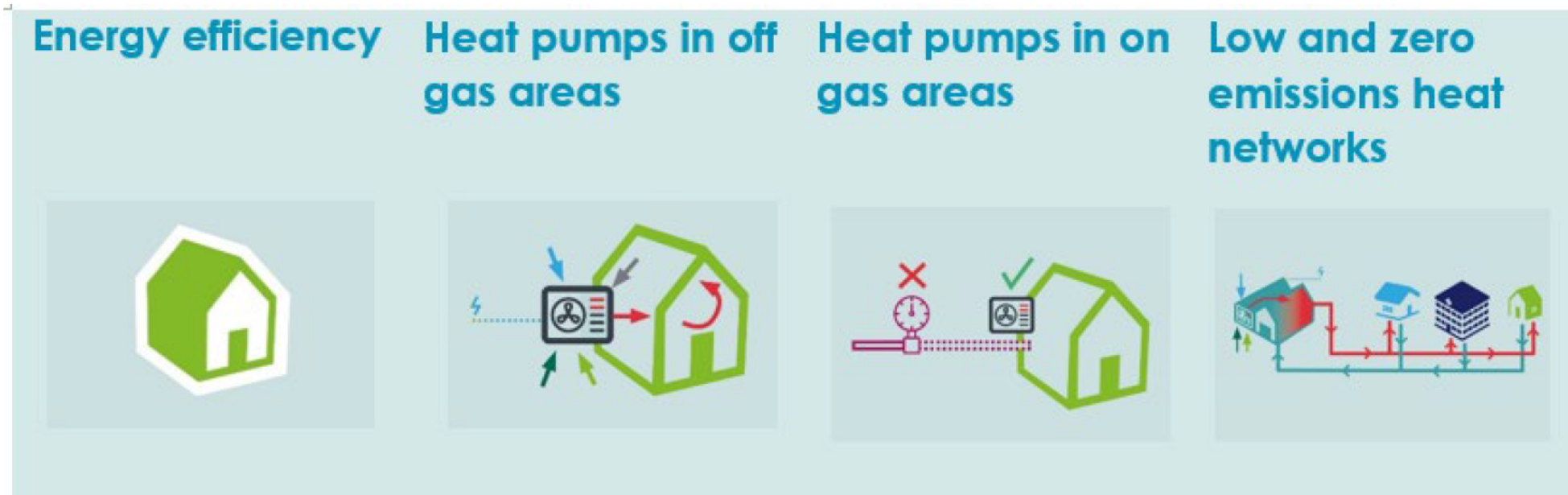
This requires:

- Very significant progress toward **all homes reaching EPC C** equivalent
- Switching the **vast majority of the 170,000 off-gas homes** using fossil fuels
- **At least 1 million on-gas homes** switching to zero emissions alternatives
- An estimated **50,000 non-domestic buildings** switching to zero emissions alternatives



# The Journey to Net Zero – Strategic Technologies

We need to very rapidly increase deployment of low regrets interventions:



Other technologies, such as hydrogen, may develop through the 2020s but are **unlikely to play a large part in reducing emissions before 2030.**



# Heat in Buildings Bill (HiBs Bill)

We will introduce new mandatory legal standards for zero emissions heating and energy efficiency from 2025 onwards:-

- all homes required to reach EPC C (equivalent) by 2033, with Private Rented sector (PRS) to attain by 2028;
- all homes to use zero emissions heating systems by 2045, with earlier 'backstop dates' from some (e.g. off-gas); and,
- 'Phase out' of new and replacement fossil fuel boilers from 2025 (off-gas grid) and 2030 (on-gas grid)

Standard		'25	'26	'27	'28	'29	'30	'31	'32	'33	'34	'35	'36	'37	'38	'39	'40	'41	'42	'43	'44	'45
Energy Efficiency	Owner Occupiers	Light Green									Dark Green											
	Private Landlords	Light Green			Dark Green																	
Heating Systems	Off-gas	Light Orange					Dark Orange															
	On-gas							Light Orange														



# Challenges for Tenements / MoMu Buildings

- The energy efficiency and zero emissions heat measures possible in tenements vary extensively. Some measures can be taken independently by building owners in their individual dwelling, but many works must be carried out communally.
- Owners responsible for both own flat and common property of tenement. “Whole building” EE measures and communal ZEH therefore require joint cooperation of owners.
- State of repair of building should be addressed before /alongside EE & ZEH measures (SG are developing a Housing Standards Bill – which will introduce a minimum condition standard for all buildings).
- Joint works are challenging and Tenement Law Reform Project, which aims to improve cooperation between owners, unlikely to be completed in this parliamentary session (Scottish Law Commission report to Scottish Government expected Spring 2026).



# Tenements – A Possible Phased Approach to Legislation

Phased approach could be considered:

- Aims to optimise the powers available at particular points in time.
- Builds from indiv. measures to “whole building” measures as powers come into force.
- Could use 3 legislative vehicles (HiBs, Housing Standards, Tenement Maintenance).

## Phase 1

HiBs Bill - powers to place a duty on all owners to meet EE and ZEH standards.

Individual flats obligated to meet EE standards with same triggers as other dwellings.

Individual flats within a designated HNZ obligated to meet EE and ZEH standards

Power taken to ensure “whole” tenement could be obligated to meet EE & ZEH standard (but not enforced until later date).

## Phase 2

Housing Standards Bill introduces minimum condition standard for all buildings. Requirement for EE and ZEH measures as introduced in HiBs Bill could be requirement of this condition standard.

Tenement Maintenance Bill could introduce new provisions (compulsory owners associations) to facilitate common works.



# TENEMENTS SHORT LIFE WORKING GROUP - ENERGY EFFICIENCY AND ZERO EMISSIONS HEAT

## MEETING 1 PAPERS

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EST Phase 1 Research	Attached separately	Item 3

## Meeting Information

Time/date: Monday 28 February 2022, 3pm

Platform: Microsoft Teams

Link: [Click here to join the meeting](#)

## **Agenda**

- Item 1 - Welcome and introductions**
- Item 2 - Update on Heat in Buildings Strategy**
  - Heat in Buildings regulation update
  - Multi-owner and mixed use update
- Item 3 - Phase 1 of EST research**
  - Presentation from EST
  - Q&A
- Item 4 - Discussion**
  - Proposed phased approach to regulation
  - Tenement or archetypes standard
  - Whole building assessment
- Item 5 - Date of future meetings**
- Item 6 - Any other business**



## Membership

1. The Short Life Working Group is comprised of the following core members:

- [REDACTED] (Chair)
- [REDACTED] - Scottish Federation of Housing Associations
- [REDACTED] - Royal Incorporation of Architects in Scotland
- [REDACTED] - Under One Roof
- [REDACTED] - Built Environment Forum Scotland
- [REDACTED] - Property Managers Association Scotland
- [REDACTED] - Historic Environment Scotland
- [REDACTED]
- [REDACTED] - Royal Institute of Chartered Surveyors
- [REDACTED] - Changeworks
- [REDACTED] - Glasgow City Council
- [REDACTED] - City of Edinburgh Council
- [REDACTED] - Energy Saving Trust
- [REDACTED] - Aberdeen City Council
- [REDACTED] - Future Climate

2. Members will communicate with and approve regular feedback from their organisations, and also ensure regular communication with the working group and other relevant stakeholders.

3. Members may co-opt other colleagues where necessary, informing the Scottish Government in advance of any Working Group meeting.

## Terms of Reference

### Short Life Working Group Role

1. The SLWG's main role will be to offer advice and expertise to support the Scottish Government in developing options for consultation on the best regulatory approach for tenement buildings to reach a good level of energy efficiency and install a zero emissions heating supply by 2040-45, in line with commitments made in the Heat in Buildings Strategy.
2. The group will focus on:-
  - Whole building assessment for various tenement archetypes and an appropriate and workable tenement standard for energy efficiency;
  - Possible amendments to existing legislation as well as new powers;
  - How to encourage and promote uptake of EE & ZEH under existing legislation;
  - Considering support and delivery (including potential models for pilot projects), and providing views on financing mechanisms to be explored by the Green Heat Finance Taskforce.
3. The Scottish Government plans to conduct a formal consultation on the proposed Heat in Buildings Bill in Summer 2022 and the working group will be tasked with supporting the development of proposals for that consultation.

### Secretariat

4. The Scottish Government will provide the secretariat support.

### Timings and Locations of Meetings

5. The Working Group will meet approximately 4 times in 2022, with the first meeting to be held in February 2022.
6. Meetings will be held virtually.
7. A draft timescale for the working group to develop its recommendations and put these options out for consultation is outlined below:

Date:	Action:
Feb 2022	First working group meeting held
Mar 2022	Second meeting held
Apr 2022	Third meeting held
May 2022	Fourth meeting held / recommendations made

## Proposed Outline of Meetings

### Meeting 1 – 28 February

**Key Topics:** Archetypes; tenements standards; whole building assessment

**Presentations and Papers:** Briefing on current SG plans and MoMu proposal; EST Research; summary of workshops.

**Areas for Discussion / Objectives:**

- 1) Discussion on the phased approach proposed by Scottish Government.
- 2) Consider the different archetypes presented by EST and how these could be subcategorised / developed into a “pattern book” approach for assessment and standards. Would a list of energy efficiency measures by archetype be workable?
- 3) Consider how/if a whole building assessment should be conducted; by whom; what it should include. How might this be supported or encouraged prior to the SLC work being completed?

### Meeting 2 – March

**Key Topics:** Encouraging works; guidance and financial and non-financial support; amending existing legislation.

**Presentation and Papers:** Summary of existing legislation and powers; briefing on current available support and proposed new support packages; briefing or presentation on Green Heat Task Force.

**Areas for Discussion / Objectives:**

- 1) Consider how current guidance and support can be developed to encourage uptake of owners associations, and undertaking of common works.
- 2) Consider which existing powers are useful, which could become more useful if amended, and suggest how we utilise these or support local authorities, or owners to use them.
- 3) Consider what funding mechanisms are required to support owners to undertake common works.
- 4) Consider potential models for pilots.

Meeting 3 – April

**Key Topics:** Tbc dependent on meetings 1 and 2 – leave flexibility for issues that need revisited or presentations requested by SLWG; Phase 2 of EST Research; Development of proposals and recommendations.

**Presentation and Papers:** EST phase 2 research on archetype interventions (due to be completed by end of March 2022); tbc.

**Areas for Discussion / Objectives:**

- 1) Output of EST research, including costs a feasibility of interventions.
- 2) Discussion of potential proposals and recommendations.
- 3) Tbc

Meeting 4 – May

**Key Topics:** Agree final proposal; discuss with Minister.

**Presentation and Papers:** Presentation outlining work of works and proposal(s?) being made.

**Areas for Discussion / Objectives:**

- 1) Agree to final proposal.
- 2) Consider Ministerial input and discuss rationale for proposal with Minister.

## Summary of Workshops

1. A series of stakeholder workshops were carried out in December 2021. Below is a summary of the issues and views raised at these sessions. Please note that as this summary is a distillation of views presented by a variety of stakeholders these may be conflicting and do not necessarily represent the views or thinking of the Scottish Government.

### Lack of Data

2. There is a lack of robust data on tenements and their state of repair.

### State of Repair

3. It is important that tenements are in a good state of repair before any energy efficiency measures are implemented, otherwise these interventions will not be effective.

### Individual vs. Common Ownership

4. There is a great deal of complexity around what is genuinely individually owned and what is commonly owned in many tenement buildings. As an illustration, an individual may own the floor boards underneath their dwelling but not the supporting beams which may be communally owned. It is important that the Scottish Government carefully considers what individual owners can legally do unilaterally within their dwelling.

### Alignment with Other Works

5. The installation of energy efficiency and zero emissions heat measures should be properly aligned with other maintenance, repair and improvement works that are taking place to the building.
6. In many properties if multiple pieces of work are occurring simultaneously then the payback period may be less. It would be good to have system linking other works with energy efficiency and zero emissions heat interventions.

### Assessment and Standards

7. There is a need to reform the assessment process for tenements to accurately represent their energy efficiency performance and determine their potential for improvement. One potential method to achieve this would be through developing a specialist approach by archetype.
8. The current system of EPCs has significant issues, particularly in relation to traditional buildings. Currently metrics such as wall thickness and wall type are not taken into account and, similarly, removable measures such as shutters and thick curtains are not considered.
9. While developing a “whole building assessment” (including the individual dwellings) may be the best approach, such an assessment may not provide significantly different information than could be garnered from individual dwelling EPCs.

10. There is also currently no information on most tenement building communal areas which means we do not really know where we are starting. Any recommendations for common areas could end up being nonsensical as in practice some of these spaces will simply be halls with doors to either open spaces or the outside world.

#### Tenement Management Scheme

11. The Scottish Government could look to amend the Tenement Management Scheme to increase the types of measures that are covered under the scheme or to lower the threshold for decisions.
12. While there is unlikely to be significant detriment to the Scottish Government doing this, the Scheme has already been amended by the Climate Change Act to include installation of insulation without considerable success. Few owners look to enforce the TMS and rather tend to turn to their local authority with any issues. Amending the TMS further would only be worthwhile if there was a way to compel other owners.

#### Tenement Law Reform Project

13. The Tenement Law Reform Project being undertaken by the Scottish Law Commission to consider mandating a cooperation framework for owners to ensure energy efficiency and zero emissions heat works are undertaken is highly significant.
14. While this work is being undertaken the Scottish Government should work to promote and encourage the establishment of owners associations in advance of these potentially being mandated as part of SLC work. The Scottish Government could also encourage 5-yearly reports and provide financial incentives for these to be undertaken.
15. It should be noted, however, that 5-yearly surveys (and the other potential measures being examined by the SLC) are not a panacea that will solve every issue. Many owners are currently aware of problems that exist within their buildings but still do not take action to remedy them.

#### Encouraging Common Works, Guidance and Support

16. Building owners working cooperatively to undertake necessary works is the overriding issue and so facilitating this should be the priority. As owners are not experts on these issues they will require guidance and support.
17. In addition to assisting through guidance, there is also a pressing need for significant government financial support and delivery programmes. This could include funding building assessments and supporting case studies or pilot projects to develop best practice. While the Scottish Government may not wish to fully fund any whole building assessment – as is occurring on Single Building Assessments for cladding - in the case of tenements even smaller grants could help with uptake.

18. The Scottish Government could consider mechanisms which bring all sectors (owner occupier, private rent and social rent) together. Combining funding and pooling resources from existing government programmes is one option that may assist in facilitating common works.
19. Alternatively, as some measures required may be tenement specific, financial support could take the form of bespoke programmes or packages for tenements.

#### Cost Effectiveness

20. When requiring any works to be undertaken by owners the Scottish Government must be mindful about cost effectiveness and the possibility that some energy efficiency measures may never be cost effective in terms of payback times for owners. Certain interventions may be considered necessary in terms of addressing the climate crisis, but those installing these measures may never recover the costs.
21. Where measures could be cost effective, however, better estimates and communication of payback times to owners could help incentivise them to take on works. [A survey undertaken by Novoville](#) of 2000 homeowners owners found 54% pointed to cost as the main barrier to them undertaking energy efficiency works, suggesting this is a significant concern that needs to be addressed.

#### Evidence Base

22. A greater evidence base of what can and cannot be done in practice within tenements (for both fabric and heating) is required. The Niddrie Road project is one approach, but will likely not be the model for mass roll out due its cost and the requirement that the building be empty when works took place.

#### Zero Emissions Heating in Tenements

23. Undertaking small improvements on different building elements can help to improve the energy efficiency of tenements and reduce their carbon emissions, however, the largest gains may rely on the installation of zero emissions heating systems. There is considerable uncertainty that we currently have the technology to deliver suitable zero carbon heating in many tenements.
24. The likelihood of hydrogen replacing gas as a heating fuel in tenements appears low and there is evidence to suggest that air source heat pumps will struggle to meet the required temperatures, or else prove incredibly costly, in properties that cannot be well insulated.

#### Drivers of Change

25. Compulsion is not necessarily the best way to get owners to undertake works and is likely to be very unpopular. Measures such as, for example, providing financial support for building surveys may prove more effective.
26. It is likely, however, that compulsion may be required in specific cases. For example, if a measure such as installing roof insulation is left entirely to the choice of owners it may never happen as there is often a mistaken view that such

works only benefit those living in a top floor flat. A level of pressure may need to be applied to owners in some cases

#### Triggers for Works

27. Using point of sale as a trigger for undertaking works could have a significant impact on the housing market - potentially encouraging people not to buy or sell properties. It would be possible to move the burden onto the buyer, making them responsible for works that need to be undertaken and allowing them a longer period of time meet the obligation.
28. Irrespective, it may be preferable instead to have set dates giving all flat owners several years to prepare and plan. It may also be the case that a point of sale trigger could lead to a situation where the number of assessments being required outstrips the skills available to undertake these.
29. Using zoning as a trigger deserves further exploration. It may the case that different approaches will be appropriate for different situations. Local Heat and Energy Efficiency Strategies are being developed by local authorities and should indicate potential zones for heat networks which could help identify earlier timescales for tenements which are in these areas.

#### Necessary Skills

30. It is vital that when looking at regulating for energy efficiency and zero emissions heat, the Scottish Government takes action to ensure there are sufficient numbers of architects, surveyors and trades people to undertake the works that would be required.



## Possible Phased Approach to Regulation

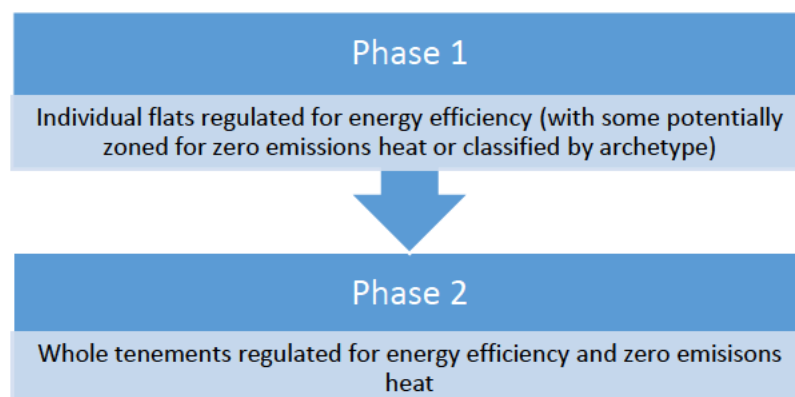
1. The Scottish Law Commission has a published timetable for the Tenements Law Reform Project it is undertaking, alongside other law reform projects, and anticipates that it will submit its final report to the Scottish Government in Spring 2026. Taking into account this timetable, one option the Scottish Government may consider is taking a phased approach to regulating tenement buildings for energy efficiency and zero emissions heat.
2. Such an approach would look to utilise the powers available to the Scottish Government at particular points in time, building up from initial measures at individual flat level towards ‘whole building’ measures by the time the full set of powers are available.

### Phase 1

3. Regulations could place a duty on all building owners to meet certain energy efficiency and zero emissions heat standards. These standards could potentially differ by building archetype. Owners of individual flats within tenements would be required to meet energy efficiency standards or measures deemed appropriate for their dwelling triggered in the same way as for any other dwelling (i.e. change of occupancy).
4. Individual flats would not, however, be required to install a zero emissions heating system at this stage unless they were zoned to do so or classified by archetype. This may include, for example, the flat falling within a designated heat network zone. An assessment of potential alternative heating options and whole building energy efficiency measures for a tenement may also be required (support for this assessment to be considered).

### Phase 2

5. Should the Scottish Law Commission work result in a new Tenement Maintenance Bill as anticipated, this should provide owners with greater tools to undertake common works.
6. Regulations could then come into force placing a duty on owners of tenements to meet certain “whole building” energy efficiency and zero emissions heat standards by a certain date. Again, these standards could differ by building archetype.



# TENEMENTS SHORT LIFE WORKING GROUP - ENERGY EFFICIENCY AND ZERO EMISSIONS HEAT

## MEETING 2 PAPERS

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## Meeting Information

Time/date: Wednesday 30 March 2022, 1pm

Platform: Microsoft Teams

Link: [Click here to join the meeting](#)

## **Agenda**

- Item 1 - Welcome and Apologies**
- Item 2 - Note of Previous Meeting and Matters Arising**
- Item 3 - Heat in Buildings Update**
- Item 4 - New Housing Standard**  
Presentation from Scottish Government  
Q&A / Discussion
- Item 5 - Scottish Law Commission Project**  
Presentation from [REDACTED], Scottish Law Commission  
Q&A / Discussion
- Item 6 - Green Heat Finance Taskforce**  
Presentation from Scottish Government  
Q&A / Discussion
- Item 7 - Date of Next Meeting**
- Item 8 - Any Other Business**

## Note of Meeting 1

28 February 2022 – 3pm

### Attendance

[REDACTED] (Chair)	[REDACTED] (RICS)	Scottish Government:	[REDACTED]
[REDACTED] (SFHA)	[REDACTED] (Changeworks)	[REDACTED]	[REDACTED]
[REDACTED] (RIAS)	[REDACTED] (Glasgow City Council)	[REDACTED]	[REDACTED]
[REDACTED] (UOR)	[REDACTED] (City of Edinburgh Council)	[REDACTED]	[REDACTED]
[REDACTED] (EST)	[REDACTED] (Aberdeen City Council)	[REDACTED]	[REDACTED]
[REDACTED] (EST)	[REDACTED] (Future Climate)	[REDACTED]	[REDACTED]
[REDACTED] (BEFS)			
[REDACTED] (PMAS)			
[REDACTED] (HES)			

### Item 1 – Welcome and Introductions

The Chair welcomed everyone to the Group and introductions took place. Members were asked to keep all information shared at the meeting, and as part of circulated papers, confidential. The Terms of Reference for the Group was accepted.

### Item 2 – Update on Heat in Buildings Strategy

Scottish Government officials provided an update on the heat in buildings regulations being develop by SG including the targets that are to be met. The work to date on addressing multi-owner and mixed use buildings was presented to the Group, including a proposed phased approach to regulation.

### Item 3 – Phase 1 of EST Research

The Energy Saving Trust gave a presentation on the findings of stage 1 of the research commissioned by the Scottish Government. *[Full slides of the research were circulated to the SLWG in the papers for the meeting,]*

#### Q&A Session with EST

The importance of technical expertise and input backing up the research was raised. Different materials used in potentially similar looking buildings will perform very differently and this could create a false picture. For example, a stone building is markedly different from a building made of other materials. Data alone would not necessarily identify this.

The use of “historic” criteria for buildings as an archetype (e.g. listed status, pre-1919) could potentially be problematic. Different buildings within the same archetypes could vary significantly. For example, two four-in-a-block buildings could look similar, but upon proper investigation perform quite differently from one another. A home may have a good EPC rating, but in practice heat up very slowly. These issues may apply to some of the proposed archetypes more than others.

The inclusion of colonies as an archetype perhaps requires consideration as these are likely to be unfamiliar to many and share various characteristics with four-in-a-blocks. The research suggests that tenements have comparatively low levels of wall insulation yet fairly good EPC ratings. This can be explained by SAP working on assumptions that can favour a flat over a house as it assumes the surrounding units are heated and occupied. Such assumptions and their implications require examination.

The use of the term “tenement” is also potentially confusing. While its legal definition includes all flatted properties, the term is commonly used to mean a specific type of traditional building – and in the context of the archetype used in the research has a third more specific definition. It may be best to change this word for archetypes or amalgamate with low rise blocks.

The scale, impact and importance of communal areas will differ significantly between archetypes. For example a shared close or stairwell in a traditional tenement will be more significant than any common area that it is likely to exist in a colony.

The methodology for defining the archetypes used in the research was discussed. It was confirmed that various criteria were used including building height (for example in determining a high rise). It was acknowledged that some types of MoMu buildings, such as low rise flats and tenements, are difficult to disentangle from one another. EST looked at characteristics including number of dwellings and the number of blocks or buildings to make a determination. It was agreed that there would need to be clear clarification and definition between different archetypes. A note from EST on the methodology used may assist with this.

#### **Item 4 – Discussion**

##### Phased Approach to Regulation

There was general agreement among the Group that the proposed phased approach to regulation could be helpful and also on the order of the phases. Such an approach would give leeway for owners in MoMu buildings to start moving forwards on improving the energy efficiency of their properties and allow for some “easy gains” to be made through installation of certain measures or systems. Improvement of windows in a flat, for example, will always be an individual responsibility.

There is, however, a significant awareness gap on what is required in buildings. The concept of a future “whole building assessment” may need to be highlighted in phase one to allow owners to see what is coming.

The issue of enforcement was broached. How regulations would be enforced at phase 1 and phase 2 will need to be carefully considered. Questions were raised over who will be responsible for enforcement and what the penalties for non-compliance would be. It was suggested that considering this issue through a “penalty perspective” was not the correct approach and, instead, we should be viewing these buildings through the lens of encouraging what is possible in a certain building. This approach could begin to move us in the right direction. We should not look to penalise owners unless there is a very good reason.

It was noted that we are trapped in a dichotomy whereby - in energy efficiency terms - it is likely better to undertake works to a whole building but often more affordable and more achievable to take measures at the individual flat level.

##### State of Repair

Maintenance of buildings must come first in the order of importance as there is little merit in installing any other measures until there is a good state of repair. It also does not make sense to try and install zero emissions heating before energy efficiency measures are in place. The order of priority should be: maintenance > energy efficiency > heat. Very careful consideration will be required regarding planning and materials.

In the past when houses lacked basic sanitation it was decided a “carrot and stick” approach was required to remedy the situation – to much success. This approach did, however, cost the public purse, and it also meant that if a property did not have basic sanitation this had to be improved or face sanction.

### Tenement Management Scheme

There may be merit in amending the Tenement Management Scheme so that undertaking works to install zero emissions heating, and any energy efficiency measures not currently included, would require only a majority rather than unanimous decision from owners. Even an amendment to change 50/50 ties to an affirmative vote could facilitate greater movement on required works.

Irrespective of whether the TMS is amended, majority decisions still face the obstacle of owners who cannot or will not pay for works. This has always been a major problem and would continue to be so. In the case of a majority decision where an owner cannot pay their share, the local authority can assist through payment of the 'missing share' followed by measures to recoup the costs from the owner. This, however, requires the local authority to first take on that debt which they are often reluctant to do.

Owners and property managers also require clarity on what can be done with majority support. Anything that affects common areas can create dispute and stall works. The perceived importance and urgency of works is also often seen through the lens of direct impact on an owner. For example, a leaking roof is of greater immediate significance to the owner of the flat into which the water is entering.

Any consideration to amend the TMS would also need to address how owners govern themselves. Currently, enforcement of the Scheme relies upon owners doing this themselves, which in practice rarely occurs.

### Scottish Law Commission / Tenement Maintenance Bill

The timetable agreed between the Scottish Law Commission and the Scottish Government suggests that a new Tenement Maintenance Bill will not be ready until the late 2020s at the earliest.

The importance of the work being undertaken by the SLC was stressed and it was noted that provisions which may be included in a future Tenement Maintenance Bill are likely to be required to undertake what the Scottish Government is proposing for phase 2 of regulations.

Mandatory owners associations could prove highly significant in facilitating the type of works being proposed to improve energy efficiency in MoMu buildings – not least through commissioning and paying for building surveys and serving as a legal entity to hold funds.

Various members of the Group suggested that the work of the SLC should be expedited if at all possible. Scottish Government officials updated that discussions had taken place with the SLC on the timetable of the project but that for reasons of capacity, process and expertise it would not be possible to accelerate the work. It was agreed that SG officials would provide the Group with additional information on this. *[Note: SG officials have since met with SLC and the SLC has agreed to attend the next meeting of the SLWG to discuss the law reform project.]*

It was highlighted that the work being undertaken by the Scottish Law Commission is not a “silver bullet” and will not solve every problem – for example while owners’ associations may be mandated they could still vote against undertaking works. Furthermore, it is possible that the project does not result in the outcomes that we may anticipate. While the Law Commission undertakes the reform project the Scottish Government should still work to encourage owners to work together to improve the energy efficiency of their buildings. The provision of guidance on and active promotion of owners associations, buildings inspections and reserve funds can and should occur in the meantime.

### Affordability

The issue of affordability cannot be overstated. The support available to owners to encourage and incentivise them to go further than the minimum required repairs will be key. Those purchasing a property predominantly favour spending the funds they do have available on measures they feel they can enjoy like a new kitchen or bathroom over works to improve energy efficiency.

### Tenements and Archetypes

An approach which looks to tackle regulation on MoMu buildings by splitting them into archetypes resulted in a mix of opinions from the Group. One view was that this approach has merit due to its relative simplicity. Addressing MoMu buildings is an incredibly complex area and splitting these into distinct archetypes could be one way forward. It was noted that some local authorities currently use a similar approach for their housing stock, albeit using fewer archetypes than those suggested in the research discussed. The shape of the buildings was identified as the most important aspect (though as noted earlier in the discussion, similar looking buildings can vary significantly in performance).

Another view expressed stressed that the usefulness of archetypes would depend on what they are being used for. Archetypes would be most valuable in highlighting potential issues or challenges in certain types of building. Variations in site, ownership and other factors will mean that costs vary greatly even within the same archetype. For example, the presence of external wall installation could change the characteristics of a building significantly.

### Standardised Approach / List of Measures

The Group was asked whether they would support a standardised or “pattern book” approach to addressing MoMu buildings. It was noted that such approaches can be very successful but there will always be idiosyncrasies. Potentially a “pattern book” approach aligned with archetypes could be useful. The audience for this work would be both professionals (architects, surveyors) but also owners and occupiers.

Much of the focus of discussion in this area still seems to be around using an EPC standard. Perhaps instead we should be looking at a list of energy efficiency measures that are possible or required. This could be a good starting point as owners will require guidance. If a list of measures required in a property was the chosen approach then certain specifications will be required.

It was stressed that a more holistic standard is what is needed, and not simply the requirement for a property to meet a set EPC rating. EPCs are not correctly presenting the realities in homes and penalise certain buildings by age and other criteria. Creating additional or “higher” standards does not necessarily translate to greater energy efficiency or “better” buildings.

### Formation of a Sub Group

It may be worthwhile convening a subgroup to specifically consider what measures are required in certain archetypes, for example historic buildings. This will be considered by the Secretariat and Scottish Government officials may contact relevant SLWG members as necessary.

### Whole Building Assessment

The proposed scope of a Whole Building Assessment would need to be carefully considered. Would it include a structural assessment, fabric condition, internal environmental conditions, and/or future maintenance requirements? Some types of survey may not need repeated regularly while others will need to be undertaken with relative frequency. It is vitally important that owners have the knowledge and information they need. It may also be helpful for any such assessment to include indicative costs. Home owners need to understand what their options are. They need to be well informed as this is very complex but fundamentally important area.

### Aligning Energy Efficiency and Fire Safety Work

The work the Scottish Government is undertaking on energy efficiency in MoMu buildings could dovetail with the work being done on fire safety. EWS1 forms for fire safety are currently being addressed with owners wishing to sell their properties, and issues around insurance, driving activity. That the Scottish Government is fully funding the Single Building Assessment being undertaken on buildings is important. Any work the SLWG may undertake on Whole Building Assessment could potentially piggy back off the Single Building Assessment that is already taking place. Assuring alignment between the two work streams would also assist in identifying which MoMu buildings currently have no insulation.

Other administrations in the UK are taking differing approaches to aligning these issues with the Welsh Government looking at energy efficiency and fire safety together, while in England fire safety is the primary focus.

### **Item 5 – Date of Future Meetings**

Scottish Government officials advised that future meetings were scheduled for March, April and May 2022. *[These have since been confirmed as taking place on 30 March, 25 April and 26 May.]* The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights will attend the final meeting.

**MEETING ENDED – 5.05pm**

### **ACTIONS:**

- **SG to provide SLWG with additional information on SLC Law Reform Project**
- **SG to consider formation of sub group**



## Scottish Law Commission Project

### Background

1. In January 2022 Scottish Ministers commissioned the Scottish Law Commission to undertake a law reform project in response to the recommendations of the [Parliamentary Working Group on Tenement Maintenance Report](#).
2. The Cross-Party Parliamentary Working Group expressed an aspiration for an Act of Parliament to be produced in 2025 as part of its recommendations. [The Scottish Government's response](#) to the recommendations highlighted that this was deemed ambitious and therefore possibly not achievable.

### Scope of Work

3. The project will consider the establishment, formation, and operation of compulsory owners' associations in Scottish tenements, together with the rights and responsibilities to be imposed on them. When considering the rights and responsibilities of compulsory owners' associations the SLC will bear in mind the feasibility and desirability of providing powers for associations to carry out energy efficiency and heating improvement work as well as taking on responsibilities in relation to fire safety matters.

### Timetable

4. The SLC is currently undertaking its Tenth Programme of Law Reform, which began in 2018 and is scheduled to complete at the end of 2022. While the Tenement Maintenance project was not part of this Programme, the SLC agreed to take on the project following discussions with the Scottish Government.
5. The overall timescale for the project was arrived at following discussions between Scottish Government officials and the Scottish Law Commission. As part of those discussions consideration was given to:
  - what would constitute a reasonable timescale for reporting bearing in mind the complexities of this matter;
  - the minimum amount of time required to complete the steps in the SLC's normal working methodology for complex projects such as this, including, importantly, sufficient time for public consultation on any initial law reform proposals and whether, given all of that, there was any realistic prospect of a Bill based on the SLC's recommendations being introduced and passed by the end of the current Parliamentary session;
  - the scope for the work to be accelerated if additional funding from the Scottish Government could be provided to the SLC. The SLC did not think that this would expedite matters, again, because of the minimum amount of time required for the steps in their normal working methodology to be followed, but also because of the time required to undertake the necessary, specialist research and the specific expertise that is required to fully consider the complex issues.

6. The SLC expects to be in a position to provide the Scottish Government with a report detailing its recommendations and a draft Bill for consideration in Spring 2026.

7. Further information on the project is available on the [SLC website](#).

#### Opportunity for Engagement

8. As the SLC progresses this work it will publish a publicly available discussion paper on its website. This paper will indicate the SLC's thinking and direction of travel and allow stakeholders - and anyone else with an interest - a chance to provide input on the relevant policy and legal issues.

9. The SLC has agreed to attend the meeting of the Short Life Working Group on 30 March 2022 to allow members to discuss the project with the Commission.

# TENEMENTS SHORT LIFE WORKING GROUP - ENERGY EFFICIENCY AND ZERO EMISSIONS HEAT

## MEETING 3 PAPERS

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<a href="#">Note of Meeting 2</a>	Page 3	Item 2
<a href="#">Revised SLWG Timetable</a>	Page 7	Item 3

## Meeting Information

Time/date: Monday 25 April 2022, 1pm

Platform: Microsoft Teams

Link: [Click here to join the meeting](#)

## **Agenda**

- Item 1 - Welcome and Apologies**
- Item 2 - Note of Previous Meeting and Matters Arising**
- Item 3 - Heat and Buildings Update**  
Presentation from Scottish Government
- Item 4 - EST Research – Phase 2**  
Presentation from EST  
Q&A / Discussion
- Item 5 - Whole Building Assessment Research Proposal**  
Presentation from Scottish Government  
Q&A / Discussion
- Item 6 - Working Group Timetable Update**
- Item 7 - Date of Next Meeting**
- Item 8 - Any Other Business**

## Note of Meeting 2

30 March 2022 – 1pm

### Attendance

[REDACTED] (Chair)  
[REDACTED] (SFHA)  
[REDACTED] (UOR)  
[REDACTED] (PMAS)  
[REDACTED] (HES)  
[REDACTED] (SLC)

[REDACTED] (RICS)  
[REDACTED] (Changeworks)  
[REDACTED] (Glasgow City Council)  
[REDACTED] (City of Edinburgh Council)  
[REDACTED] (Aberdeen City Council)

SG:

[REDACTED] [REDACTED]

### Item 1 – Welcome and Apologies

The Chair welcomed everyone and gave apologies from [REDACTED] (BEFS), [REDACTED] (RIAS) and [REDACTED] (Future Climate).

### Item 2 – Note of Previous Meeting and Matters Arising

The notes of the previous meeting held 28 February 2022 were accepted with no amendments

### Item 3 – Heat in Buildings Update

SG officials recapped the phased approach being proposed for regulating multi-owner and mixed use (MoMu) buildings [information included in papers for meeting 1]. [REDACTED]

### Item 4 – New Housing Standard

[REDACTED] presented on A New Housing Standard for Scotland. [Slides of the presentation to be circulated to Group.]

### **Discussion**

#### Enforcement

Questions were raised regarding enforcement measures – what will these be and who would be responsible for imposing them? SG officials accepted that enforcement measures will be necessary but that exactly what these will look like has not yet been fully determined.

Funding for local authorities (LAs) will be required for them to take powers forward. Financial support for landlords and owners will also be required. SG noted that work still needs to be done to identify which groups most need assistance and what type of help would be most appropriate.

#### Willingness to Improve

Owners do want to improve their homes, although this may not always be specifically for maintenance or energy efficiency measures.

Barriers to improvement may include an inability to find a trusted tradesperson, accessing information on financial support, or lack of knowledge on where to start the process. The establishment of a “one stop shop” for information and guidance, and extending financial support for energy efficiency measures to include maintenance work were suggested.

### Information on Owner Responsibility

The Group suggested that it would be useful if as a part of the conveyancing process new owners were explicitly made aware of their responsibilities when purchasing a property. This could include information on their responsibility for common property and whether the building was factored. It was noted that often owners claim ignorance of responsibility to pay for common repairs. SG officials welcomed any suggestion that would make the process clearer.

### **Item 5 – Scottish Law Commission Project**

[REDACTED] (SLC) presented on the Scottish Law Commission project Tenement Law: Compulsory Owner's Associations. [Presentation document to be circulated to the Group in due course after being cleared with other SLC Commissioners.]

Background was given to the Group on the SLC as a non-departmental public body, independent of government, focused on the implementation of law. As such, the Commission will not make a proclamation on whether owners association should be mandated, rather it will explain how to get them in place. The process undertaken by the SLC mandates a certain time is required for the standard methodology.

When considering compulsory owners associations (COAs) a number of issues and questions will need to be considered including:

- Whether Scottish Government has competence?
- Whether COAs can be imposed?
- Who would set them up?
- Who would enforce them?
- What would happen if an owner did not engage?
- What powers would be available to COAs?
- What duties would be imposed on them?
- How would COAs interact with or override existing title conditions?
- How can legislation be introduced that complies with the ECHR?

[REDACTED] disagreed with the premise that COAs had to be in place before other related work could move forward. On the contrary, due to potential human rights issues, making owners associations compulsory, and thus imposing certain duties on owners, cannot be done until mechanisms are in place that ensure they are able to comply with these duties. For example, if owners' associations must undertake building surveys, what will these consist of? If they need to pay into a reserve fund what will this look like? If they will be mandated to carry out certain works are the skills available and supply chain sufficient?

### ***Discussion***

#### Suitability for Smaller Tenements

A previous review which concluded that the complexities of owners associations were beyond what was considered reasonable for "small" tenements was raised. It was noted that previously associations had been viewed as a company and so had all of the obligations of a company. Since then we have seen the introduction of more nimble and lightweight corporate bodies in Scotland which may present more appropriate options.

#### Human Rights Considerations

The Group discussed how to appropriately mitigate to ensure COAs would be compliant with the ECHR. If some owners have limited or no money to undertake the duties being placed on them, what action can we take? It was accepted that this was a complicated issue and noted that a Court making a determination would assess multiple aspects. The time being given to owners to undertake measures, the support made available, and the importance of the societal outcome being sought would all be considered. The concern around an owner

simply not having the means to act has no easy answer and it may necessitate the inclusion of a hardship exemption. This route, however, may not be particularly appealing as we cannot exempt everyone.

It was noted that in trying to pursue a societal good (in this case mitigating climate change through decarbonising buildings) we must consider whether the cost is being unfairly burdened on only a certain sector of society.

#### Existing Models of Coordinating Works

The scheme of assistance used by Glasgow City Council to financially support maintenance and carry out compulsory works was raised. It was noted that even with this support the situation arises where owners still do not want to undertake the works.

#### **Item 6 - Green Heat Finance Taskforce**

[REDACTED] (SG) presented on the Green Heat Finance Taskforce (GHFT).  
[Presentation slides to be circulated to the Group.]

#### ***Discussion***

##### Work to Date

The GHFT has met twice so far with the first meeting focussing on the various potential options and their advantages and drawbacks. It may be that the best approach is a blend of funding mechanisms. The second meeting looked at an overview of domestic stock and related issues.

##### Timescale

The Group was updated that the GHFT will make interim recommendations by March 2023 with a final report due in September 2023. As such, SG would not expect to be piloting any recommendations from the Taskforce until 2023 at the earliest.

##### Current Pilots and Schemes

The need for some type of equity scheme was raised by the Group. The Scottish Government Home Energy Efficiency Equity Loan pilot scheme was noted. The pilot had been well received and its process, consultation and consultation responses have been published online. SG officials confirmed that such an equity scheme will be considered by the GHFT. The importance of schemes aligning with local authority timelines and finance was raised.

#### **Item 7 – Date of next Meeting**

It was confirmed that the next meeting of the Group would take place on 25 April 2022.

#### **Item 8 – Any other business**

##### Historic Buildings Subgroup

SG officials confirmed that a sub group to consider historic buildings would be formed. The following member organisations of the SLWG were suggested by SG as potential members: Historic Environment Scotland; Built Environment Forum Scotland; Royal Institution of Chartered Surveyors; Royal Incorporation of Architects in Scotland; Under One Roof. The following non-SLWG members were also proposed: Edinburgh World Heritage; Glasgow City Heritage Trust.

SG will contact the organisations listed. Any other member organisations wishing to join the sub group, or with suggestions for organisations or individuals to include, were asked to contact the Secretariat.

##### Circulation of Meeting Note

As apologies were received from several organisations it was agreed that the note of this meeting would be circulated during the week beginning 4 April for those who could not attend to contribute.

**MEETING ENDED – 2:40pm**

**ACTIONS:**

- **SLC to share presentation note once approved by all Commissioners.**
- **SG to contact organisations for Historic Building Subgroup**
- **SLWG members to suggest any additional Members for the Historical Buildings Subgroup**
- **SG to circulate meeting note in week commencing 4 April 2022 to allow those who gave apologies to contribute to the discussion.**



## Revised Short Life Working Group Timetable

### Initial Timetable

The initial timetable agreed for the Short Life Working Group was built around the need to develop options and report before Summer 2022. There is now, however, additional flexibility, allowing for the work of the Group to be extended over a longer period. Given the complex nature of the area, the below revised timetable is proposed:

Meeting 1	28 February 2022	Held
Meeting 2	30 March 2022	Held
Meeting 3	25 April	Originally Planned
Meeting 4	26 May	Originally Planned
Meeting 5	August/September	Proposed
Meeting 6	September/October	Proposed

# Tenements SLWG

Meeting 4

27 July 2022



- Staffing
- Historic Buildings Work
- Green Heat Finance Taskforce
- Research



- Presented to SLWG at 2<sup>nd</sup> meeting
- Develop a portfolio of innovative financial solutions for building owners in Scotland to ensure that homes and buildings no longer contribute to climate change.
- [REDACTED] updated GHFT at 6 July meeting on work of SLWG and challenges of common works / retrofitting flats.
- Following discussion varied, but highlighted existing pilots, the potential for a “place based approach”, the need for more data, scaling up from single tenement projects, still lack of financial mechanisms that address issues raised.



- Currently 3 linked projects are underway and/or being prepared:
  - New Domestic Energy Efficiency Metric
  - Heat in Building Standard
  - Whole Building Assessment



## 1. SUPPORT FOR PHASED APPROACH

- Is the Group content that SG takes this approach to public consultation?
- Do you agree it would support progress in decarbonisation of flats while SLC undertakes its project?
- Should outline in consultation that certain archetypes, for example four-in-a-block properties, be treated with the wider stock, rather than tenements?



## 2. SUPPORT (AT PHASE 1) FOR FLATS BEING TREATED ALONG WITH WIDER HOUSING STOCK FOR ENERGY EFFICIENCY

- For example, if energy efficiency standard was set as list of possible measures?



## 3. AMEND TENEMENTS ACT TO INCLUDE ADDITIONAL EE MEASURES AND INSTALLATION OF COMMUNAL ZDEH SYSTEM AS MAINTENANCE & REPAIR

- Support changing 50:50 ties to affirmative vote?
- Any energy efficiency measures not considered “insulation” that could be added?
- Is it appropriate to include communal zero direct emissions heating systems?
- Would this measure likely see increased uptake of common works?





## 4. CONVENE EXPERT GROUP TO CONSIDER REGULATION OF TRADITIONAL AND PROTECTED BUILDINGS

- SLWG had previously agreed to convene subgroup – now looking at workshop > public consultation > additional input.



## 5. RESEARCH SHOULD BE COMMISSIONED INTO MOST APPROPRIATE EE MEASURES AND ZDEH SYSTEMS FOR DIFFERENT MOMU BUILDINGS AND A WHOLE BUILDING ASSESSMENT METHODOLOGY DEVELOPED

- Initial research has been carried out by EST (and is being finalised) and shared with the SLWG
- An invitation to tender on a more detailed project seeking development of whole building assessment was advertised, but received no bids and so it currently being reconsidered.



## 6. WHILE SLC UNDERTAKES LAW REFORM PROJECT, SG SHOULD TAKE FORWARD WORK ON DELIVERY AND SUPPORT PROGRAMMES, BUILDING INSPECTIONS AND RESERVE FUNDS

- Are there any other workstreams SG should be pursuing simultaneously?
- On delivery/finance side, SLWG is feeding into GHFT as discussed.



7. EXTENSIVE GUIDANCE PORTAL BE SET UP BY SG TO PROVIDE ADVICE, SUPPORT ON COOPERATIVE WORKING, INFORMATION ON LEGISLATION, TOOLKITS, AND DIRECTION TO APPROVED TRADESPEOPLE AND PROFESSIONALS.

- Anything else the portal should provide?



## 8. INTRODUCTION OF CLEAR AND EXPLICIT INFORMATION FOR OWNERS OF MOMU PROPERTIES ON THEIR COMMON RESPONSIBILITIES AND SHARED AREAS

- Provided in advance of sale so buyer can see?
- Where would be most appropriate place to present this info?



## 9. OTHER RECOMMENDATIONS?

- What can SLWG recommend that would facilitate uptake of common works?
- Time between now and September to consider and discuss.



# TENEMENTS SHORT LIFE WORKING GROUP - ENERGY EFFICIENCY AND ZERO EMISSIONS HEAT

## MEETING 4 PAPERS

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<a href="#">Note of Meeting 3</a>	Page 3	Item 2
<a href="#">Summary of Scottish Government Funding Streams</a>	Page 7	Item 4
Summary of SLWG Discussions To Date and Potential Recommendations	Separate attachment	Item 5

## Meeting Information

Time/date: Monday 27 July 2022, 1pm

Platform: Microsoft Teams

Link: [Click here to join the meeting](#)

## **Agenda**

- Item 1 - Welcome and Apologies**
- Item 2 - Note of Previous Meeting and Matters Arising**
- Item 3 - Scottish Government Update**
  - Staffing
  - Historic Buildings Work
  - Green Heat Finance Taskforce
  - Research
- Item 4 - Existing Scottish Government-Supported Projects**
  - Presentation from [REDACTED], Scottish Government
  - Q&A / Discussion
- Item 5 - Scoping Potential Recommendations and Conclusions**
  - Presentation from [REDACTED], Scottish Government
  - Discussion
- Item 7 - Date of Next Meeting**
- Item 8 - Any Other Business**



## Note of Meeting 3

25 April 2022 – 1pm

[REDACTED] (Chair)	[REDACTED] (RICS)	SG:	[REDACTED]
[REDACTED] (SFHA)	[REDACTED] (Changeworks)	[REDACTED]	[REDACTED]
[REDACTED] (UOR)	[REDACTED] (Glasgow City Council)	[REDACTED]	[REDACTED]
[REDACTED] (RIAS)	[REDACTED] (City of Edinburgh Council)	[REDACTED]	[REDACTED]
[REDACTED] (PMAS)	[REDACTED] (Aberdeen City Council)	[REDACTED]	[REDACTED]
[REDACTED] (HES)	[REDACTED] (EST)	[REDACTED]	[REDACTED]
[REDACTED] (EST)	[REDACTED] (BEFS)	[REDACTED]	[REDACTED]
[REDACTED] (EST)	[REDACTED]	[REDACTED]	[REDACTED]

### Item 1 – Welcome and Apologies

The Chair welcomed everyone and gave apologies from [REDACTED] (PMAS) [REDACTED] (Future Climate). [REDACTED] (sitting in as a substitute for [REDACTED] PMAS) was welcomed.

### Item 2 – Note of Previous Meeting and Matters Arising

The Chair thanked the Group for sending in comments and amendments to the minute of the last meeting which had been incorporated by the Secretariat. The Group accepted the note of the second meeting.

### Item 3 – Heat in Buildings Update

#### Presentation

[REDACTED] (Scottish Government) presented to the Working Group a proposal to regulate the Scottish housing stock for energy efficiency and zero emissions heating through requiring homeowners to install specified measures in their homes. This proposal is still being developed and so slides from the presentation are not being circulated at this stage.

#### Q&A

##### *Empowering Owners*

The Group responded positively to the proposals, noting the merits of SG looking to empower owners through clearly illustrating what measures they can and should install in their homes.

Providing owners with a fairly simple menu of measures is appealing as progress has been hampered in the past by attempts to go down increasingly complex routes. The focus should be on what can be achieved by the average household.

##### *Need for Professional Advice and Supporting Data*

While the Group was supportive of the proposal, it was noted that adequate advice and professional involvement would need to sit alongside this. Professional advice is important and distinct from the guidance that would be given from manufacturers or installers. SG officials highlighted the opportunity to link a notification process with guidance/advice, information on local contractors and funding. Buildings where measures that work for the majority of the housing stock would not be appropriate will not be left behind. Rather SG is looking at which alternative measures will be possible and cost effective for these buildings.

The Group questioned from where the data necessary to support an online portal would come. The condition of most buildings is unknown and this will be an important factor. SG officials noted that this work would be occurring across SG and that the data required would be considered and developed alongside teams working in the delivery space.

### *Compliance*

The issue of compliance will be an important consideration, including who will be responsible for enforcing it. Given current timelines and targets there will not be a huge amount of time to solve this problem. SG officials noted that placing this responsibility on local authorities is one potential option, as is utilising the proposed new National Public Energy Agency. SG will likely set out various potential options as part the forthcoming consultation and revise these based on the feedback received from stakeholders.

## **Item 4 – EST Research – Phase 2**

### Presentation

██████████ (EST) presented to the Group on the findings of Phase 2 of the research EST has undertaken into Multi-Owner and Mixed Use Buildings. The presentation slides are included as an attachment.

### Q&A

#### *Archetypes and Age Bands*

Concerns were expressed by the Group over the definitions of certain archetypes of buildings and the age bands selected. EST confirmed that the age bands used were devised to consider a wide list of possible measures looking at what might be possible. It was agreed that a consistent use of the term “tenements” was required. It may be best to only use the term in its strict legal sense. It was agreed that further work on definitions was required either by the Group or EST.

#### *Zero Emissions Heating Systems*

The potential for ducted ASHP to be positive solution for modern MoMu buildings without ZEH systems was raised.

## **Item 5 – Whole Building Assessment Research Proposal**

### Presentation

██████████ (Scottish Government) presented the Group with a research proposal SG intends to commission seeking the development of a whole building assessment for MoMu buildings. The research would build on that already carried out by EST. The tender will go live on Public Contracts Scotland shortly and will be circulated to the Group.

### Q&A

#### *Cost Effectiveness*

The research will need to adequately consider the life span of different interventions and technologies as for some the lifetime cost may not be “cost effective” in the sense that the owner will never recoup the outlay and running costs through energy savings. Consideration needs to be given as to how long a heat pump will actually last.

#### *Synchronising Works*

It was queried as to whether consideration had been given to a scenario whereby individual owners upgrade their heat systems in isolation, but are later faced with their whole buildings

seeking to upgrade to a new communal system. SG officials confirmed that to avoid this situation occurring, current proposals would not require ZEH heating to be installed into MoMu buildings (with certain caveats) until the work of the Scottish Law Commission into mandatory owners' associations had been completed.

It will be important to have information on which measures have already been implemented in buildings and how any future interventions will work together - both with existing and other future measures.

#### *Assessment Procedure*

The Group questioned whether SG would look to consult on the assessment procedure that would be developed by the research. SG officials noted that the SLWG would be asked to input into and help shape the procedure as part of the project.

#### *Maintenance and Repair*

It was highlighted that an opportunity exists to bring building maintenance into the whole building assessment being developed. This could potentially be incorporated into a single document. Alternatively, the assessment could link in some way to the 5 yearly building survey proposed by the Cross-Party Group on Tenement Maintenance.

### **Item 6 – Working Group Timetable Update**

SG officials updated that additional flexibility was now available for the Group to run past the Summer and make recommendations in the Autumn. It was proposed that the life of the Group be extended to allow additional meetings, potentially including an in-person workshop. This was agreed by the Group. Dates for future meetings outside of those already agreed will be confirmed in due course.

### **Item 7 – Date of Next Meeting**

The date of the next meeting will be Thursday 26 May.

### **Item 8 – Any Other Business**

#### *Historic Subgroup*

SG officials confirmed that membership of the Group was now in place and thanked those at the meeting who had agreed to take part for doing so. The remit and objectives for the subgroup would be agreed and a timeline suggested in the coming weeks.

**MEETING CLOSED AT 14:45**

## Summary of Scottish Government Funding Streams

<b>Area Based Schemes</b>	
What is it?	Launched in 2013, ABS provides capital grant to all 32 councils to design and deliver local schemes targeting fuel poor areas & providing energy efficiency measures as grant-in-kind. ABS targets `hard to treat' properties requiring solid wall or complex cavity wall insulation (which is much more costly).
Target Recipient	Privately-owned domestic properties where the household is living in or at risk of fuel poverty. Funding is not available for commercial landlords (more than 3 properties) or RSLs
Average Project Size / Type	Various. ABS is intended to leverage investment by private and social landlords, ECO finance and owner occupiers.

<b>Warmer Homes Scotland</b>	
What is it?	SG's national fuel poverty scheme is designed to make homes warmer through installing insulation and heating measures. Each eligible household is offered a bespoke package of measures which are specified, installed and inspected in a fully managed, end to end process.
Target Recipient	Owner-occupiers and private tenants in or at risk of fuel poverty (eligibility determined by a range of benefit proxies).
Average Project Size / Type	Individual homes

<b>Home Energy Scotland Loan &amp; Cashback</b>	
What is it?	Interest-free loans for up to 100% of the cost of installation of energy efficiency, renewables and energy storage measures. Cashback grant of up to 75% (max £7.5k) for some renewables/ZE heat measures such as heat pumps and 40% (max £6k) for some EE measures such as insulation. Loans up to £15,000 for energy efficiency measures, up to £17,000 for renewables measures and up to £6,000 for energy storage.
Target Recipient	Owner-occupiers and self-builders.
Average Project Size / Type	Individual homes

<b>Home Energy Equity Loan Pilot</b>	
What is it?	Pilot scheme in 8 local authority areas which provides up to £40k funding from SG to homeowners to help with costs of energy efficiency measures and essential repairs, secured against the value of the property, and repaid on sale or transfer of ownership.

Target Recipient	Owner-occupiers in council tax bands A to C, and/or on qualifying benefits. Aimed at owners who would struggle to access regular repayment loans e.g. because of lack of regular income.
Average Project Size / Type	Individual homes

<b>Other Home Energy Scotland Loan Schemes</b>	
What is it?	<p><b>HES PRS Landlord Loans</b> – similar to main HES Loan but no cashback offered. For PRS landlords to install energy efficiency and zero emission heating measures. Interest-free for small landlords (&lt;6 properties), 3.5% APR for larger.</p> <p><b>HES WABS Loans</b> – interest-free loans for any required customer contributions from WHS or ABS customers.</p> <p><b>HES RSL Loan (dormant)</b> – loans for RSL energy efficiency and ZE heating projects. Not active this year, because superseded by Social Housing Net Zero Fund.</p>
Target Recipient	PRS landlords, WHS/ABS customers
Average Project Size / Type	Various

<b>Home Energy Scotland Advice Service</b>	
What is it?	<p>Home Energy Scotland, administered by Energy Saving Trust on behalf of the Scottish Government, is a domestic advice service that acts as a single point of access for free, bespoke, impartial advice and support on energy efficiency, renewable heating and fuel poverty support for all households in Scotland.</p> <p>HES provides in depth support to householders on low and zero emissions heating technologies, other domestic renewables and more complex energy efficiency improvements. It is also the gateway to domestic loans and grants programmes from Scottish Government such as Warmer Homes Scotland and the HES loan/cashback.</p>
Target Recipient	All households (owner-occupiers and tenants of any sector) and private sector landlords.
Average Project Size / Type	Individual, bespoke advice

<b>SME Loan &amp; Cashback</b>	
What is it?	Unsecured, interest free loans of up to £100,000, with a 75% cashback grant towards the costs of a renewable heating system, and a further 30% cashback grant available for energy efficiency measures. Both cashback grants are available up to a value of £10,000. Loans running since 2008, launched

	as part of Scotland's recovery programme from the financial crash.
Target Recipient	SMEs
Average Project Size / Type	Individual business premises

<b>Energy Efficiency Business Support Service</b>	
What is it?	Free, bespoke advice to SMEs on energy efficiency, renewables and zero emissions heating, including phone advice, online tools, onsite visits, bespoke energy audits, webinars, information events and advice on funding.
Target Recipient	SMEs
Average Project Size / Type	Individual business premises

<b>Scotland's Heat Network Fund</b>	
What is it?	<p>One of the successors to the Low Carbon Infrastructure Transition Programme (LCITP), which supported a wide range of renewable and low carbon projects.</p> <p>Provides long-term capital grant support for up to 50% of costs of deploying new low carbon heat networks and decarbonising/extending existing networks.</p> <p>Sits alongside the District Heating Loan Fund and the HiB Development Fund which provides grant support to produce business cases.</p>
Target Recipient	Various. Local Authorities, Registered Social Landlords, Private Organisations, e.g. heat network companies.
Average Project Size / Type	Open to large HNs and smaller communal heating projects. The Fund will continue to seek to maximise private sector investment and will offer a tailored intervention rate to maximise private finance / funding.

<b>Social Housing Net Zero Heat Fund</b>	
What is it?	Launched in August 2020 the Social Housing Net Zero Heat Fund currently provides a blend of capital grant and low interest finance for Zero Emission Heat and Energy Efficiency retrofit in social rented properties.
Target Recipient	Registered Social Landlords, Local Authorities
Average Project Size / Type	Various. Energy Efficiency measures, as well as heat pumps, storage, etc.

<b>Green Public Sector Estate Decarbonisation Scheme</b>	
What is it?	<p>The scheme launched in 2021 and will invest a in public sector energy efficiency and decarbonisation improvements. Currently it consists of:</p> <ul style="list-style-type: none"> <li>• Central Government Energy Efficiency Fund offering capital grant to non-borrowing parts of the public sector, e.g. NHS.</li> </ul>

	<ul style="list-style-type: none"> <li>• Loan Scheme, administered through Salix Finance, offering zero interest loans based on the spend to save model.</li> <li>• Non-domestic Energy Efficiency Framework (NDEEF), offering support through a number of contractors across energy efficiency retrofit.</li> <li>• Project Support Unit providing project support and advice.</li> </ul>
Target Recipient	Scottish Public Sector, including Local Authorities.
Average Project Size / Type	Various. Loan, PSU and NDEEF primarily support energy efficiency measures based on spend to save model, utilising savings from more efficient boilers and lighting improvements to cross-subsidise more expensive measures with a longer payback.
<b>CARES – Community and Renewable Energy Scheme</b>	
Target Recipient	Community organisations (primary) Charities Faith Groups Rural SME's including crofters and land managers Housing Associations Public Sector
Average Project Size / Type	Projects vary in size from Individual buildings , local energy systems, ESCO models, bulk purchasing, collective /place based action, larger infrastructural projects as well as shared ownership in and community benefits from privately led energy projects.

# Tenements SLWG

## Meeting 5

13 October 2022





## Format:

- Note from Chair
- Background
  - Heat in Buildings Strategy
  - Targets
- Short Life Working Group
  - 2021 workshops
  - Remit of group
  - Membership info
  - Meetings and speakers

## • Key Themes

- Information, data and evidence
- State of repair (*amended*)
- Ownership and responsibility (*amended*)
- Existing legislation (*amended*)
- SLC law reform project
- Encouraging common works
- Affordability and cost
- Use of archetypes
- Assessments and standards
- Skills
- Enforcement

## • Recommendations



# Recommendation 1 – Phased Approach

The SLWG supports the Scottish Government’s proposals to take a phased approach to regulating MoMu buildings.

Details: Expresses support for approach that tackles individual dwellings with existing and proposed powers, and looks to address whole building as WBA developed and COAs established.

## Rationale:

- Provides progress as SLC work undertaken.
- Does not force owners to switch to potentially suboptimal heating systems.
- Allows flexibility on outcome of COAs.

## Comments:

- To what extent is it possible to regulate for individual flats in a collective structure?
- Whole building energy efficiency standard should be set.
- COAs not “silver bullet”.
- Need support and encouragement for collective measures at phase 1.



## Recommendation 2 – Whole Building Assessment

A Whole Buildings Assessment for energy efficiency and zero direct emissions heating should be developed.

Details: Recommends that Whole Building Assessment required for both energy efficiency and zero direct emissions heat. This would provide owners with information and could be used to set whole tenement standard in future.

### Rationale:

- Would provide information on both ee and zdeh.
- Could be used to inform owners or as basis for future regulation / standard.

### Comments:

- Strong support for this.
- Should include both ee and zdeh.
- Should align with other programmes where possible, i.e. SBA for cladding.



## Recommendation 3 – Aligning SG and SLC Work Streams

It is important that Scottish Government work streams supporting the SLC project are taken forward and properly aligned.

Details: Stresses importance that other recommendations of the Cross-Party Group and work on support, delivery, skills and supply chain are taken forward by SG, and that the different team responsible for these are aligned and working together.

### Rationale:

- SLC focussed on 1 of 3 CPG recommendations.
- Outcome of SLC work may be reliant on other factors.
- Success of policies reliant on alignment.

### Comments:

- Strong support for this.
- Needs to go wider than just the CPG recommendations.
- Facilitating common works and encouraging OAs part of this.
- Different areas of SG need to be in alignment.



## Recommendation 4 – Guidance Hub

Owners in tenements require support and guidance.

Details: Recommends single point “guidance hub” to provide owners with advice, support on cooperative working, information on legislation, toolkits, direction to approved tradespeople and professionals, and funding and finance options.

### Rationale:

- Complex area
- Would provide information required
- Currently various points of contact

### Comments:

- General support.
- Need to avoid duplication of work – role of new Energy Agency?
- Is there resource to do this?
- Potential for complexity of buildings to make guidance possible too general.



## Recommendation 5 – Awareness of Responsibilities

Provision of clear information on owner responsibilities is required.

Details: Recommends clear information be given at point of sale to buyers on common responsibilities, but highlights risk of increased costs and generic guidance being provided.

### Rationale:

- Currently owners often unclear about their responsibilities.
- Would provide information in advance of purchase.

### Comments:

- General support.
- Conflicting views on whether Home Report would be best vehicle.
- Could increase costs to owners.
- Risk of cautious legal advice only giving basic or generic information.



## Recommendation 6 – Importance of Government Support

Owners will require funding from government and access to finance.

Details: Highlights requirement for significant funding from government for owners to decarbonise their buildings, and higher costs associated with tenements.

### Rationale:

- For SG targets to be met owners will require funding.
- Support will need to address multi-tenure / situational nature of MoMu.
- Nature of MoMu buildings often make measures more expensive.

### Comments:

- Not in previous draft doc.
- Potential significant expense of repair before ee can even be considered.
- Will need to address multi-tenure and mixed use challenge.
- Accept cannot all be government money.



## Recommendation 7 – Amend Tenement Act

The Tenement Act should be further amended to support energy efficiency and zero direct emission heat common works.

Details: Recommends SG consider amending Tenements Act to increase number of energy efficiency measures and include communal zero direct emissions heating systems as “maintenance” under TMS.

### Rationale:

- Would increase power of majority to undertake ee / zdeh common works.
- 50:50 ties resulting in affirmative vote could result in additional works.
- Could be expanded further to include EV charging points.

### Comments:

- Concerns over how far measures can be considered “maintenance” rather than “improvements”.
- Further work required to agree what measures and definitions to include.
- Updates to related guidance and correct messaging important.





## Recommendation 8 – Traditional Buildings

Expert advice is required on traditional and protected buildings.

Details: Recommends expert group convened to consider how best to decarbonise traditional and protected buildings.

### Rationale:

- More than ¼ flats and ~20% of all homes are pre-1919
- Significant role to play in reaching net zero
- Need to ensure correct skills, materials, and assessments in place

### Comments:

- Strong support.



# TENEMENTS SHORT LIFE WORKING GROUP - ENERGY EFFICIENCY AND ZERO EMISSIONS HEAT

## MEETING 5 PAPERS

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<a href="#">Note of Meeting 4</a>	Page 3	Item 2
<a href="#">Scoping Options for a Whole Building Assessment</a>	Page 6	Item 3

## Meeting Information

Time/date: Thursday 13 October 2022, 10am

Platform: Microsoft Teams

[Click here to join the meeting](#)

Meeting ID: 366 203 403 701

Passcode: xWC37B

## **Agenda**

**Item 1 - Welcome and Apologies**

**Item 2 - Note of Previous Meeting and Matters Arising**

**Item 3 - Scottish Government Update**

- Staffing
- Traditional and Protected Buildings Workshop
- Research

**Item 4 - SLWG Recommendations**

**Item 5 - Next Steps**

**Item 6 - Any Other Business**

**Note of Meeting 4**  
**27 July 2022 – 1pm**

**Attendees**

██████████ (Chair)	██████████ (Changeworks)	SG:
██████████ (SFHA)	██████████	██████████
██████████ (UOR)	██████████ (Glasgow City Council)	██████████
██████████ (RIAS)	██████████ (City of Edinburgh Council)	██████████
██████████ (HES)	██████████	██████████
██████████	██████████ (Aberdeen City Council)	██████████
██████████ BEFS)	██████████ (HES)	██████████
██████████ (RICS)	██████████	██████████
██████████ (EST)	██████████ (PMAS)	██████████

**Item 1 – Welcome and Apologies**

The Chair welcomed everyone. Apologies were received from ██████████, Energy Savings Trust.

**Item 2 - Note of Previous Meeting and Matters Arising**

Notes from meeting 3 were accepted.

**Item 3 - Scottish Government Update**

- a. Staffing – ██████████ has moved to another team within the Unit. The incoming team leader for the MoMu and Historic Buildings team will be ██████████ who is due to start 1 August. Unfortunately, the post which would have been responsible for taking forward the Traditional and Protected buildings work has yet to be filled.
- b. Traditional and Protected buildings subgroup - Unfortunately due to resource issues the work on the subgroup has been paused. SG plans to continue this work by holding an extended workshop in September, as part of the SLWG, and invite additional expert stakeholders to contribute. Participants will also be asked to feedback on early-stage proposals for regulation and consider their suitability for traditional and protected properties. Members offered to support and assist SG in progressing this work stream.
- c. Green Heat Finance Taskforce – The Taskforce is due to report in September 2023 on new financing mechanisms. ██████████ attended a meeting of the Taskforce and updated on the challenges surrounding tenements as identified by the SLWG. Should the SLWG have anything to add on financing, it can include this in its recommendations which will be fed into the Taskforce's work. The Scottish Federation of Housing Associations is looking at finance options in the social sector for the taskforce and can feed that back to the group.
- d. Research – ██████████ updated on the progress of two SG research projects considering an alternative to the current EPC Metric, and a new heat in building standard respectively. The Group was also updated that a Whole Building Assessment research bid went out to tender, but no bids were received. SG are looking at feedback to re-design the tender and potentially re-advertise.

**Item 4 - Existing Scottish Government-Supported Projects**

Presentation from ██████████ (Scottish Government)

The Social Housing Net Zero Heat Fund is aimed at deploying zero emissions heat in the Social Sector. A few projects have received funding from the Scottish Government. A brief description of each project was given some of which are mixed tenure.

The Group was asked to consider what a future fund should look like, and whether gaps exist in terms of what has been piloted so far. It was noted that the main issue that keeps coming up in these conversations is mixed tenure properties. The Group were asked to submit any suggestions to the SLWG Secretariat.

#### *Mixed Tenure challenges and working together*

█ gave additional insight on the Torry District Heat Network project in terms of stakeholder engagement. He described the approach as being a step-by-step process building awareness over time through social media and awareness sessions to build confidence amongst residents. They can install the pipework into communal areas of the flats so there is effectively a tap at each door should property owners wish to join the network at a later stage.

Legislation made it easier to install and/or maintain pipes from district heating in tenements: [The Tenements \(Scotland\) Act 2004 \(Heating Services\) Regulations 2018 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

For flats, many communal heating systems require infrastructure on common property land, e.g. roofs or gardens. This will need marketing material to convince property owners and answer any questions they may have. Additionally, improved understanding of where responsibility lies for future maintenance on a communal system and associated infrastructure will be required.

Group members noted there is a critical disconnect with current property ownership arrangements. Owner occupation is individual, but the demands of energy efficiency requires collective action.

#### *Technology/planning constraints*

In terms of technology, it was noted that there remains uncertainty over what types of technology will be suitable for different types of tenement buildings. For example, ASHPs were only installed in lower floors of the Niddrie Road project with gas boilers required in upper floor flats due to issues with planning.

#### *Cost effectiveness*

The Niddrie Road project was highlighted as a project that would not be cost-effective for the whole housing stock. No tenants were in the property prior to the project start date.

#### *Funding*

Funding towards Whole Building Assessments would help make owners aware of what work may be required in their building and what options are available. Loan funding is available for connecting to a district heat network under certain circumstances. [Home Energy Scotland Loan information - Energy Saving Trust](#) Funds that are available to support homeowners should be used efficiently and directed appropriately.

### **Item 5 - Scoping Potential Recommendations and Conclusions**

█ shared a draft of recommendations for the group to consider. An initial discussion was had on each. The Group were reminded that this was the beginning of the process of

shaping the recommendations and that they would be asked to provide additional input in the coming weeks. Comments were made on some of the recommendations:

- Phased approach - Owners Associations are not a “silver bullet” solution and owners need support now to allow them voluntarily undertake works, including communal measures. The timeline for a future Tenements Bill is years away, but there must be things that can change now. Under the Tenements (Scotland) Act 2004 there are certain rights for owners. Questions were raised over whether SG can legally tell people how to heat their home. Perhaps the Climate Emergency can lead to the mandating of works, overcoming some existing rights, but it is uncertain. It may be that we can only regulate for changes to individual heating and fabric measures, with communal works requiring behavioural change. Inequalities in title deeds will also need to be overcome for many works.
- Amending The Tenements (Scotland) Act 2004 to include EE and ZEH – Contacting owners is sometimes challenging although LAs have a high success rate at this. A public register of owners could be beneficial in allowing owners to contact each other. Local Authorities can help other owners access contact details if needed. Private Landlords details should be in the Landlord Registration Scheme and Owner Occupiers details will be in the Council Tax records. A fundamental problem is that title deeds do not need to be registered.
- Delivery and support programmes – The ongoing work on maintenance in SG should be linked in with the Scottish Law Commission work. Work on other areas such as skills, work force planning, and facilitating communal work can still go ahead without compulsory owners’ associations. There is a maintenance crisis due to the shortage of skilled stone masons.
- Guidance portal – A one stop shop type portal would be helpful for owners in tenements and other buildings. There were questions whether this would be picked up by the National Energy Agency. The complexity of building ownership could make clear advice on a portal very challenging. Doubts were also raised as to whether the resources were available to create such a portal.
- Informing MoMu owners of their responsibilities at purchase point – A home report could relay this information clearly. The last SG review of Home Reports was in 2015 and the most recent review is on hold. RICS are undertaking work to improve on Home Reports in lieu of the formal SG review. Concerns were raised over whether adding this to the Home Report would lead to increased costs and whether legal firms would behave cautiously, only providing the most basic information.

#### **Item 7 - Date of Next Meeting**

The next meeting will be the extended workshop in late September. Exact location and date to be confirmed.

#### **Item 8 - Any Other Business**

No other business was raised.

**The meeting closed at 15:07**

## **Scoping options for whole building assessment for energy efficiency and zero direct emissions**

The project specification seeking bidders for research to scope the development of a whole building assessment for energy efficiency and zero direct emissions heat in multi-owner and mixed use buildings can be accessed on the ClimateXChange website here: [project-specification-scoping-options-for-whole-building-assessment-for-energy.pdf \(climatexchange.org.uk\)](https://www.climatexchange.org.uk/project-specification-scoping-options-for-whole-building-assessment-for-energy.pdf)

The deadline for bids closed on 7 October.

## Note of Meeting 5

13 October 2022 – 10 am

### Attendees

██████████ (Chair)	██████████ (Changeworks)	SG:
██████████ (SFHA)	██████████	██████████
██████████ (UOR)	(Glasgow City Council)	██████████
██████████ (RIAS)	██████████ (City of	██████████
██████████	Edinburgh Council)	██████████
(HES)	██████████	██████████
██████████	(Aberdeen City Council)	██████████
██████████ (BEFS)	██████████ (HES)	██████████
██████████ (RICS)	██████████	██████████
██████████ (EST)	(PMAS)	██████████

### Item 1 – Welcome and Apologies

The Chair welcomed everyone. Apologies received from ██████████, Historic Environment Scotland.

### Item 2 - Note of Previous Meeting and Matters Arising

Notes from meeting 4 were accepted ahead of the postponed meeting.

### Item 3 - Scottish Government Update

- a. Staffing – Welcome to ██████████, the team leader for the MoMu and Historic Buildings team who started on 1 August. Welcome also to ██████████ who has joined the team to take forward the Traditional and Protected buildings work.
- b. Traditional and Protected buildings workshop - 26<sup>th</sup> – presentations from wider areas of the Heat in Buildings programme followed by breakout sessions.
- c. Research – Earlier in the year, the Whole Building Assessment (WBA) went out to tender with no responses. The project was slimmed down to be more about the development of WBA and CXC co-ordinating on behalf of SG. Some bids have been received and decision on who will be appointed will be made in the upcoming weeks.

### Item 4 - SLWG Recommendations

Presentation from ██████████ (Scottish Government). Members were thanked for the comments received on the draft recommendations which have been circulated twice.

A proposed outline with the suggested format of final report was shared with the group. The following comments were received on the recommendations:

#### **Recommendation 1 – Phased Approach:**

A whole building standard for EE could be set once a WBA was complete and a COA could facilitate this.

If COA are established this will not be a silver bullet. They can play a role but there is more work needs to go on alongside this to make it work and even encourage



voluntary OAs. It would not be good if property owners felt COA and WBA were intertwined and it was felt that people would be against COAs because of the burden that comes with them.

The group felt that the financial aspect needs to be addressed earlier in the report. Should be mentioned in the very first slide. Nothing will happen if there is no financial support.

It was hoped that the green heat finance taskforce would have been able to feed into recommendations unfortunately the timelines were not aligned. We are aware there is a gap between how much money the government has to support and how much it will cost. We need to know how that gap in financing will be addressed.

### ***Recommendation 3 – Whole Building Assessment:***

The WBA could also align with the idea SG have for a more general 5 yearly building report which we are considering as part of the HS work. (EE could be incorporated)

### ***Recommendation 4 – Advice Provision:***

Hubs may be more helpful and have tested well with the public.

Advice provision is needed, though EPC recommendations which appear to be generic or costly might be overlooked. It is important to get it right. This view was echoed. A one stop shop might not give nuanced advice but multiple experts could.

We should think about ‘where would people go for help?’ and improve the networks and relationships we already have. Home Energy Scotland could be referenced in the final report.

There is less issue with the technical difficulty of retrofitting tenements rather the complexity and difficulty of getting the work done. Empowering existing entities that provide advice with knowledge of the complexity of retrofitting tenements. Support when there are other problems with the tenements to fit in EE works.

City of Edinburgh Council do provide guidance and signposting and encourage owners, empowering them as do Under One Roof but the technical advice, legal advice and financial advice is something not provided.

### ***Recommendation 5 – Home Reports:***

Any information about the property in the Home Report is written in the context of it being a financial product. Adding more information around commitments can increase the cost of the report/survey

### ***Recommendation 6 – Need to Align Workstreams:***

There is a need to align with the ongoing work around EESSH. There is some overlap in group membership which should help but the EESSH review group will be looking at how standards for the social sector should apply to mixed tenure so we

should avoid different recommendations. The recommendation on alignment with other SG workstreams could include specific reference to the EESSH review.

### **Item 5 – Next Steps**

The report would be drafted as laid out in the first slide of the presentation. The recommendations will be adjusted in light of the comments made. There will be an opportunity to comment on the draft report before it receives final approval from the Chair. The chair will then submit the report to the Minister and offer to meet to discuss the recommendations of the group.

Members were reminded that SG are providing the secretariat support and it was up to the Group to determine what to include in its final report.

**The meeting closed at 11:37**