**EIR – 202400441564**

**Q1** - The analysis undertaken by the Scottish Government which related to wood burning stoves and direct emission heating systems before introducing regulations in the New Build Heat Standards.

Response – the analysis relevant to the above question can be found in the following published documents.

- Housing/ Net Zero: FOI release
  Housing/ Net Zero: FOI release - gov.scot

- Analysis undertaken for The Fairer Scotland Duty and BRIA
  The Building (Scotland) Amendment Regulations 2023

- Analysis undertaken for the following Written PQ response
  Written question and answer: S6W-10183 | Scottish Parliament Website

- Document named 'Submission – NBHS 2024 Consultation Analysis Outcomes and Actions' was released under a previous FoI which can be found at the following link (Annex D) –
  Evidence and advice on wood burning stoves: EIR release - gov.scot

| | |
|---|---|
| What | Meeting between the Minister for Climate Change (Dr Alasdair Allan), Rachel Hamilton MSP and Jamie Halcro Johnston MSP |
| Where | Microsoft Teams |
| When | 25th September 2024 14:45-15:15 |
| Why | Rachel Hamilton attended a virtual roundtable you hosted on 10 July 2024 which included representatives and members of the Stove Industry Association and chimney sweeps organisations on the New Build Heat Standard (NBHS) Review.<br><br>**[REDACTED - Regulation 10(4)(e)]**<br><br>Jamie Halcro Johnston has **[REDACTED - Regulation 10(4)(e)]** requested the Members' Debate on 29 May where Ms Martin announced the review of the NBHS. He has also asked a recent supplementary to a Parliamentary Question (S6O-03655) regarding the potential impact of the proposed Heat in Buildings Bill **[REDACTED - Regulation 10(4)(e)]**<br><br>Both have welcomed the Direction issued on 19 September 2024 providing a temporary solution ahead of the Standard's review, and have called for these provisions to be made permanent. |
| Key message(s) | • The New Build Heat Standard remains an important and positive step in our journey to decarbonising buildings and our journey to net zero.<br>• I and my predecessor, Gillian Martin, have been listening to the concerns raised about the reliance on biomass and solid fuel burning stoves in rural and remote areas and are taking these fully on board.<br>• As part of the review, which we announced back in May, we have completed a series of workshops and roundtables with stakeholders to ensure we gather and reflect a wide range of views, including those of rural and island communities; the workshops discussed in detail a number of options for the review<br>• I have now issued a Direction to Local Authorities to temporarily relax the Standard and permit the installation of bioenergy, including wood burning stoves, and peat heating systems in new homes. This is to ensure there is clarity ahead of the final review concluding<br>• This Direction will be revoked once we have implemented the final outcome of the overall review - we aim to do this as soon as possible and by December 2024<br>• I understand you have also conducted a roundtable of your |

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| | own with representatives of the stove and chimney sweep industries to gather their concerns on the New Build Heat Standard and I would be keen to hear about this today. |
| Discussion points | • Update on NBHS review and current engagement<br>• Next steps |
| Supporting officials | Sue Kearns, Heat in Buildings Policy and Regulation<br>**[REDACTED - Regulation 11(2)],** Heat in Buildings Policy and Regulation<br>**[REDACTED - Regulation 11(2)]**, Heat in Buildings Policy and Regulation<br>**[REDACTED - Regulation 11(2)],** Heat in Buildings Policy and Regulation |
| Briefing contents | Annex A – **[REDACTED - Regulation 6(1)(b)]**<br>Annex B - **[REDACTED - Regulation 6(1)(b)]**<br>Annex C – **[REDACTED - Regulation 10(4)(e)]** |

**ANNEX A – [REDACTED - Regulation 6(1)(b)]**

**[INSERTED - Motion S6M-12917 | Scottish Parliament Website]**

**[REDACTED - Regulation 6(1)(b)]**

Rachael Hamilton MSP (Scottish Conservative & Unionist Party) for Ettrick, Roxburgh and Berwickshire
**[REDACTED - Regulation 6(1)(b)]**
Jamie Halcro Johnston MSP (Scottish Conservative and Unionist Party) for Highlands and Islands (Region)
**[REDACTED - Regulation 6(1)(b)]**

**ANNEX B [REDACTED - Regulation 6(1)(b)]**

**[REDACTED - Regulation 6(1)(b)]**

## Annex C – NBHS review options discussed at NBHS workshops

Please note that variations of these options have emerged during the workshops and this is not a representation of the exact solution that may be implemented. We are happy for the options to be shared with Ms. Hamilton and Mr Halcro Johnston.

**[REDACTED - Regulation 10(4)(e)]**

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|---|---|
| ***What*** | **MEMBERS' BUSINESS DEBATE: Importance of Wood-burning Stoves and Other Direct Emission Heating to Homes in Rural and Island Communities** |
| ***Where*** | Main chamber, Scottish Parliament |
| ***When*** | 29th May, 17:55, 30-60 minutes |
| ***Key Message(s)*** | • There is no blanket ban on wood burning stoves<br>• Ministers have been listening to the concerns raised recently about the reliance on biomass and wood burning stoves in rural and remote areas and are taking these fully on board.<br>• The New Build Heat Standard, as it stands, applies only to new buildings and certain types of conversions applying for a building warrant from 1 April 2024. Wood burning stoves or other 'direct emission heating systems' can still be installed to provide 'emergency heating' where such a solution can be justified.<br>• This is in direct response to consultation feedback and recognises the unique needs of Scotland's rural and island communities.<br>• However, we acknowledge that the way in which technical guidance is currently drafted on what constitutes emergency heating can be difficult to reconcile with the nature of wood burning stoves which are often installed for more frequent use, rather than solely as emergency systems.<br>• To address this, I can now confirm that the government will review the regulations to consider the treatment of wood burning stoves in more detail.<br>• We will do this in collaboration with concerned parties, including communities, businesses and Local Authorities to ensure that any regulations review reflects the concerns raised.<br>• I am keen to work collaboratively and constructively with colleagues in Parliament who have raised concerns. |
| ***Who*** | Minister for Climate Action (closing remarks) |
| ***Supporting Officials*** | **[REDACTED - Regulation 11(2)],** via Teams<br>**[REDACTED - Regulation 11(2)],** Sue Kearns – 07843 180594 |
| ***Briefing*** | **Annex A:** Debate motion **[REDACTED - Regulation 11(2)],** |

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| ***Contents*** | **Annex B:** Closing speech (attached separately)<br><br>**Annex C: [REDACTED - Regulation 6(1)(b)]**<br><br>**Annex D: [REDACTED - Regulation 6(1)(b)]** |

**ANNEX A – DEBATE MOTION AND MATERIALS**

**Debate title:** Importance of Wood-burning Stoves and Other Direct Emission Heating to Homes in Rural and Island Communities - Jamie Halcro Johnston MSP

**[INSERTED - Motion S6M-12917 | Scottish Parliament Website]**

**[REDACTED - Regulation 6(1)(b)]**

**SCOTTISH LAND AND ESTATES (SLE) – DEBATE BRIEF**

**[INSERTED - Brief has already been released in an FoI - EIR+202400435616+-+Information+Released+-+Annex.pdf (www.gov.scot) – see page 27]**

**[REDACTED - Regulation 6(1)(b)]**

**ANNEX B – CLOSING SPEECH [ATTACHED SEPARATELY]**

[**INSERTED** - Speech can be accessed at this link on the Scottish Parliament website - Members' Business — S6M-12917 Jamie Halcro Johnston: Importance of Wood-burning Stoves and Other Direct Emission Heating to Homes in Rural and Island Communities | Scottish Parliament TV]

**ANNEX C – TOP BRIEF**

**[REDACTED - Regulation 6(1)(b)]**

**Annex D – Q&A**

**[REDACTED - Regulation 6(1)(b)]**

Minister for Climate Action – Dr Alasdair Allan

**Briefing for media visit to announce outcome of the review of the NBHS**

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| **What** | **Visit to a property near [REDACTED - Regulation 11(2)], Kinross, coinciding with announcing the outcome of the review of the New Build Heat Standard, and laying the SSI** |
| **Where** | Property near **[REDACTED - Regulation 11(2)]** |
| **When** | Friday 8th November<br>10:00 – 11:00 |
| **Key message(s)** | • The New Build Heat Standard remains a crucial piece of legislation to help tackle emissions in new buildings, preventing the need for retrofit in the future, and ensuring a cleaner and greener Scotland.<br>• Heat from our homes and buildings makes up about 20% of Scotland's carbon emissions so there is no way to tackle the climate emergency and reach net zero without addressing the most polluting forms of domestic heating.<br>• However, we have listened to concerns from rural and island communities about resilience in times of bad weather or power outages as well as the wider use of bioenergy and peat for other reasons.<br>• The changes we are making today address these concerns whilst retaining the spirit of the original legislation.<br>• I would like to thank all of those who have contributed to the review of the NBHS though submitting evidence and attending one of our workshops, including Scottish Land and Estates who are here today.<br>• The property we are visiting today showcases well-considered sustainable design, ensuring high fabric efficiency and combining clean heating solutions like heat pumps and solar with a woodburning stove which provides additional resilience. |
| **Who** | **[REDACTED - Regulation 11(2)]** |
| **Why** | This is an opportunity to visit and meet the owner and architect of a newly converted rural property which rely on a clean form of primary heating (heat pump and solar), while also making use of a wood-burning stove. This is the type of project we would expect to see under the amended NBHS |

Minister for Climate Action – Dr Alasdair Allan

**Briefing for media visit to announce outcome of the review of the NBHS**

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|---|---|
| | This visit will allow the Minister to publicise the amendment to the NBHS once parliament has been made aware through a GIQ issued earlier in the morning. |
| **Supporting official** | **[REDACTED - Regulation 11(2)]**– Team Leader, Heat in **[REDACTED - Regulation 11(2)]**<br>Nathaniel Mumford – Senior Media Manager, Communications<br>**[REDACTED - Regulation 11(2)]** |
| **Briefing contents** | **Annex A:** Event programme, property/ project details and suggested questions<br><br>**Annex B:** Guest list and attendees<br><br>**Annex C:** Lines to Take |
| **Media handling** | **[REDACTED - Regulation 11(2)]** |
| **Social media** | Comms handling related to the visit will follow separately |
| **Greeting party and specific meeting point on arrival (if event is at a non-Scottish Government building)** | You will be greeted at the entry of the property by **[REDACTED - Regulation 11(2)]** |

Minister for Climate Action – Dr Alasdair Allan

**Briefing for media visit to announce outcome of the review of the NBHS**
**Annex A – [REDACTED - Regulation 10(4)(e)] [REDACTED - Regulation 11(2)]**
**[REDACTED - Regulation 10(4)(e)]**
**[REDACTED - Regulation 10(4)(e)]**
**[REDACTED - Regulation 11(2)]**

**[REDACTED - Regulation 10(4)(e)]**

**Annex B – Attendees**

| Name | Organisation Information |
|---|---|
| **[REDACTED - Regulation 11(2)]** (Scottish Land & Estates (SLE)) | **[REDACTED - Regulation 11(2)]** |
| **[REDACTED - Regulation 11(2)]** (SLE) | **[REDACTED - Regulation 11(2)]** |
| **[REDACTED - Regulation 11(2)]** (Mill Architects) | **[REDACTED - Regulation 11(2)]** |
| **[REDACTED - Regulation 11(2)]** | **[REDACTED - Regulation 11(2)]** |

**Annex C - [REDACTED - Regulation 6(1)(b)]**

| | |
|---|---|
| ***What*** | **MINISTERIAL ROUNDTABLE: Review of the New Build Heat Standard - Evidence from Stove Industry and Chimney Sweeps** |
| ***Where*** | Microsoft Teams |
| ***When*** | 10 July 2024<br>13:45 – 14:45 |
| ***Why*** | This is an opportunity to listen to the Stove Industry Association and the Chimney Sweeps Association and Federation regarding their concerns over the implementation of the New Build Heat Standard (NBHS). **[REDACTED - Regulation 10(4)(e)]** It is vital to demonstrate that we are listening to their concerns and taking them on board as we progress with the review of the New Build Heat Standard. |
| ***Key Message(s)*** | • Ministers have been listening to the concerns raised recently about the reliance on biomass and solid fuel burning stoves in rural and remote areas and are taking these fully on board.<br>• There is no blanket ban on solid fuel burning stoves and they can continue to be used in existing buildings<br>• The New Build Heat Standard, as it stands, applies only to new buildings and certain types of conversions applying for a building warrant from 1 April 2024. Solid fuel burning stoves or other 'direct emission heating systems' can still be installed to provide 'emergency heating' where such a solution can be justified.<br>• This is in direct response to consultation feedback and recognises the unique needs of Scotland's rural and island communities.<br>• However, we acknowledge that the way in which technical guidance is currently drafted on what constitutes emergency heating can be difficult to reconcile with the nature of solid fuel burning stoves which are often installed for more frequent use, rather than solely as emergency systems.<br>• **To address this, a review of the New Build Heat Standard is now underway and this session is just one** |

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| | **of a number of workshops and 1-2-1 discussions with stakeholders as part of it. We really value your input.** |
| ***Who*** | Minister for Climate Action<br>Stove Industry Association and members<br>Chimney Sweeps Federation and members<br>Chimney Sweeps Association and members<br>**Full list of attendees in Annex B**<br><br>Rachael Hamilton MSP will also be attending in a listening capacity – Ms Hamilton requested to join any roundtable with the Stove Industry Association following the Members' Debate on 29 May 2024 |
| ***Supporting Officials*** | **[REDACTED - Regulation 11(2)]** |
| ***Briefing Contents*** | **Annex A: [REDACTED - Regulation 10(4)(e)]**<br><br>**Annex B: [REDACTED - Regulation 11(2)]**<br><br>**Annex C:** Opening and closing remarks<br><br>**Annex D:** Top Brief<br><br>**Annex E:** Q&A |

**ANNEX A – [REDACTED - Regulation 10(4)(e)]**

**ANNEX B –** External attendees

| Name | Organisation Information | Participating |
|---|---|---|
| Rachael Hamilton MSP (Scottish Conservative & Unionist Party) for Ettrick, Roxburgh and Berwickshire | [REDACTED - Regulation 6(1)(b)] | Listening, but may participate in Q&A |
| [REDACTED - Regulation 11(2)], SIA [REDACTED - Regulation 11(2)], (Stove Industry Association) | [REDACTED - Regulation 6(1)(b)] | Speaking |
| [REDACTED - Regulation 11(2)], (Stove Industry Association) | | Speaking |
| [REDACTED - Regulation 11(2)], (Stove Industry Association) | | Listening |
| [REDACTED - Regulation 11(2)], (Federation of British Chimney Sweeps) | [REDACTED - Regulation 6(1)(b)] | Speaking |
| [REDACTED - Regulation 11(2)], (Guild of Master Chimney Sweeps) | [REDACTED - Regulation 6(1)(b)] | Speaking |
| [REDACTED - Regulation 11(2)], (Kinross Stove Centre) | [REDACTED - Regulation 6(1)(b)] | Listening |
| [REDACTED - Regulation 11(2)], (Murray & McGregor) | [REDACTED - Regulation 6(1)(b)] | Listening |
| [REDACTED - Regulation 11(2)], (Schiedel) | [REDACTED - Regulation 6(1)(b)] | Speaking |

| | | |
|---|---|---|
| **[REDACTED - Regulation 11(2)],** (Chesney's) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (Contura Stoves) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (Fire Surround Centres) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| Attendance TBC (Burning Question) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (Backwoodsman Stoves) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (Donside Heating) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (Speyside Stoves) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (Bonk & Co) | **[REDACTED - Regulation 6(1)(b)]** | Speaking |
| **[REDACTED - Regulation 11(2)],** (Calido Logs & Stoves) | **[REDACTED - Regulation 6(1)(b)]** | Speaking |
| Attendance TBC (Scottish Stove Centre) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (The Fire Side) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| Attendance TBC (West Coast Stoves) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| Attendance TBC (Able Sweep) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| Attendance TBC (Diamond Chimney Sweeps) | **[REDACTED - Regulation 6(1)(b)]** | Listening |

| | | |
|---|---|---|
| **[REDACTED - Regulation 11(2)],** (Charlton and Jenrick) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (Town and Country Fires) | **[REDACTED - Regulation 6(1)(b)]** | Listening |
| **[REDACTED - Regulation 11(2)],** (Charnwood Stoves) | **[REDACTED - Regulation 6(1)(b)]** | Speaking |

**ANNEX C – Opening and closing remarks**

## OPENING REMARKS

- Thank you very much for joining this meeting today. This is one of my first engagements as the Minister for Climate Action, and I am very much looking forward to hearing from you regarding the concerns you may have over the implementation of the New Build Heat Standard.

- As you will hopefully be aware, my predecessor Gillian Martin announced a review of the New Build Heat Standard on 28 May in response to the concerns raised regarding the reliance on biomass and solid fuel burning stoves in rural and remote areas.

- This meeting today is an opportunity for me and my officials to hear directly from you on how you think the regulations going forward should accommodate the concerns expressed by your sector. This feedback will be vital in helping to inform the development of options as part of the Review.

- As MSP for the Western Isles, I am very alive to the concerns raised and the vital role of your members and organisations in ensuring homes in rural communities are heated safely and when necessary, particularly given the increase in devastating storms we have observed over the past few years.

- I would like to take this opportunity to reassure you that there is no blanket ban on solid fuel burning stoves – they can continue to be used in existing buildings which make up the majority of the housing stock.

- The New Build Heat Standard, as it stands, applies only to new buildings and certain types of conversions applying for a building warrant from 1 April 2024. New buildings are only a small proportion of our overall housing stock in Scotland each year.

- Under the New Build Heat Standard, solid fuel burning stoves or other ‘direct emission heating systems’ can still be installed to provide ‘emergency heating’ where such a solution can be justified. This was included in direct response to consultation feedback and recognises the unique needs of Scotland’s rural and island communities.

- However, we acknowledge that the way in which the technical guidance is currently drafted on what constitutes emergency heating can be difficult to reconcile with the nature of solid fuel burning stoves which are often installed for more frequent use, rather than solely as emergency systems.

- **That is why we have committed to undertaking a review of the New Build Heat Standard. This review is now underway and this session is just one of a number of workshops and 1-2-1 discussions with stakeholders as part of it.**

  - I know that many stakeholders will be concerned about how to proceed in the interim. I can reassure you that officials are urgently preparing a Direction to be issued to local authorities – this will provide clarity on the treatment of solid fuel burning stoves and bioenergy in the interim until a legislative amendment is complete

- For today's session, I would like to invite a number of you to speak on behalf of your respective organisations followed by some time towards the end for questions and discussion.

**CLOSING REMARKS**

- Many thanks to all of you who have joined this session today. I have found it very helpful and informative to hear from you directly.

- I am very grateful to attendees for sharing evidence and their experience today – please be reassured that this evidence will be carefully considered as we progress with the review.

- If there is anything further you wish to share, then please do contact the New Build Heat Standard Review team – I understand contact details for the review team will be shared shortly.

**ANNEX D – [REDACTED - Regulation 6(1)(b)]**

**Annex E – [REDACTED - Regulation 6(1)(b)]**

| | |
|---|---|
| What | Meeting between the Minister for Climate Action (Dr Alasdair Allan) and Ariane Burgess MSP |
| Where | Microsoft teams<br>16:30 – 17:00 |
| When | 28 August 2024 |
| Why | Ariane Burgess previously wrote to Patrick Harvie MSP when he was acting Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights, expressing concerns on behalf of her constituents relating to the treatment of woodburning stoves within the New Build Heat Standard (NBHS). This is an opportunity to discuss these concerns and highlight ongoing work to review the Standard.<br><br>**[REDACTED - Regulation 10(4)(e)]** |
| Key message(s) | • I appreciate Ariane Burgess' letter and suggestions included in it for potential legislative amendment – my officials are considering these as part of the review.<br>• I and my predecessor, Gillian Martin, have been listening to the concerns raised recently about the reliance on biomass and solid fuel burning stoves in rural and remote areas and are taking these fully on board.<br>• The New Build Heat Standard, as it stands, applies only to new buildings and certain types of conversions applying for a building warrant from 1 April 2024. Solid fuel burning stoves or other 'direct emission heating systems' can still be installed to provide 'emergency heating' where such a solution can be justified.<br>• This is in direct response to consultation feedback and recognises the unique needs of Scotland's rural and island communities.<br>• However, we acknowledge that the way in which technical guidance is currently drafted on what constitutes emergency heating can be difficult to reconcile with the nature of solid fuel burning stoves which are often installed for more frequent use, rather than solely as emergency systems.<br>• The NBHS review is ongoing and any regulatory amendment as part of the review will be implemented as soon as possible after recess. |

| | |
|---|---|
| | • We are currently conducting a series of workshops with stakeholders to ensure we gather and reflect a wide range of views.<br>• In the meantime, my officials are urgently preparing a Direction to be issued – this will provide clarity on the treatment of solid fuel burning stoves and bioenergy in the interim until a legislative amendment is complete.<br>• **I have now written to all local authority verifiers for the required 21 day period to seek views on a draft Direction which will temporarily disapply the requirement for the installation of Zero Direct Emissions Heating systems to enable applicants to install a bioenergy or peat heating system or appliances in domestic buildings. Following this period, which ends on 11 September, a Direction will be issued and will come and remain in force until a legislative amendment implementing the outcome of the current review.** |
| Supporting officials | **[REDACTED - Regulation 11(2)]**, Heat in Buildings Regulations and Enforcement Unit)<br>**[REDACTED - Regulation 11(2)]**, Heat in Buildings Regulations and Enforcement Unit)<br>**[REDACTED - Regulation 11(2)],** Heat in Buildings) **note taker**<br>**[REDACTED - Regulation 11(2)],** (Heat in Buildings, Graduate Development Programme)<br>**[REDACTED - Regulation 11(2)],** (Cares & Shared Ownership Team Leader) |
| Briefing contents | **Annex A** – **[REDACTED - Regulation 6(1)(b)]**<br>**Annex B** – **[REDACTED - Regulation 6(1)(b)]**<br>**Annex C** – **[REDACTED - Regulation 10(4)(e)]**<br>**Annex D** – Letter sent to Housing Minister from Ariane Burgess on 13th May discussing the New Build Heat Standard and Wood Burners; and original response letter sent by the then Climate Minister Gillian Martin on 31st May<br>**Annex E** – summary of main options explored as part of the review |
| Discussion points | **[REDACTED - Regulation 10(4)(e)]** |

**ANNEX A – [REDACTED - Regulation 6(1)(b)]**

**[REDACTED – OUT OF SCOPE FOR THIS EIR REQUEST – relates to a separate policy to NBHS/WBS/DEH - Regulation 10(4)(e)]**

**Annex B – Ariane Burgess MSP Biography**

**[INSERTED - Motion S6M-12917 | Scottish Parliament Website]**

**[REDACTED - Regulation 6(1)(b)]**

**Annex C – [REDACTED - Regulation 10(4)(e)]**

**[REDACTED - Regulation 10(4)(e)]**

**Annex D letter sent to Housing Minister from Ariane Burgess and response from Minister for Climate Action at the time, Gillian Martin**

The Scottish Parliament
Pàrlamaid na h-Alba

Ariane Burgess
MSP for the Highlands and Islands Region
The Scottish Parliament,
Edinburgh,
EH99 1SP
Ariane.Burgess.MSP@Parliament.Scot

13/5/24

Dear Paul,

I include below the text of a letter written to our colleague, Patrick Harvie MSP, shortly before the end of his time as the Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights.
Apologies if that original letter gets passed to you and causes duplication, that is not my intention, however this is a matter of some urgency for constituents that I would like to see resolved.

I would appreciate meeting with you on behalf of a number of constituents who have raised concerns with me about the New Build Heat Standard, specifically in relation to the restrictions on the installation on wood burning stoves as a primary heat source in new buildings and major renovations.

While the drive to reduce carbon emissions and particulate matter from our heating systems is welcome and much-needed to tackle Scotland's greenhouse gas emissions, there are specific issues related to rural and particularly off-grid rural and island communities that make this new standard challenging for them to comply with.

I am also concerned about the Island Communities Impact Assessment (ICIA) on the regulation which may have missed an important nuance. There are currently six off-grid islands in Scotland: Muck, Eigg, Rum, Canna, Foula and Fair Isle as well as the off-grid mainland community of Knoydart. With the exception of Foula and Fair Isle, these communities share the postcodes PH42-PH44.

As you can see in the table relating to Q1:18-Q3:22 in the ICIA (reproduced below with off-grid communities highlighted), all the new homes built in these communities had direct emission heating (DEH) installed. This is due to there being insufficient capacity and reliability within the local (chiefly renewable) energy supply to support electric heating. Given their location, most of these properties will burn locally-produced wood.

Even when these communities are in a position to install a non-

weather/seasonal method of generation (most likely tidal) they will always need a secondary form of heating when there are no renewables being generated. In this situation, the only way of powering zero direct emissions heating (ZDEH), as currently done on Eigg, is to run it on a diesel generator.

Wood burning stoves and wood fuel are a key part of Eigg's net zero by 2030 strategy. They are practical and affordable to both fit and maintain, provide hot water in winter when solar thermal can't, and the island's local timber harvesting provides both affordable fuel & jobs. According to Eigg's 2022 fuel poverty survey 44% experience of islander's are in fuel poverty and 23% in extreme fuel poverty.

**I therefore urge the Scottish Government to consider an exemption from the new standards specifically for off-grid communities.**

Table: Main fuel type of new-build dwellings in the Scottish Islands (Q1:18 – Q3:22)[8]

| Postcode[9] | ZDEH (%) | DEH (%) | Total New-Builds |
|---|---|---|---|
| **HS1 – HS9** | 86 | 14 | 430 |
| **IV41 – IV49; IV55 – IV63** | 83 | 17 | 240 |
| **KA27** | 92 | 8 | 90 |
| **KW15 – KW17** | 98 | 2 | 450 |
| **PA20; PA41 – PA78** | 85 | 15 | 230 |
| **PH42 – PH44** | 0 | 100 | 10 |
| **ZE1 – ZE3** | 94 | 6 | 300 |

As well as off-grid communities, I've been contacted by woodland crofters with wider concerns about the potential impact of the new standard on their operations. The Scottish Government supports the creation of new woodland crofts which will have new houses on them. A key feature of such crofts is their self-sufficiency in heating fuel, which is a significant benefit to existing crofts.

More widely, occupiers of land such as crofters, farmers, and owners of forests could sustainably grow all their own fuel from their own land with minimal 'fuel miles', and corresponding benefits arising through managing that land for fuel: shelter; biodiversity; improved timber quality. All that is in danger of being lost if no new properties are permitted to install wood-burning stoves.

There is concern this policy could have a significant impact on forest management, particularly in respect of broadleaved thinning should the woodfuel market decline. This market is especially important for community woodland owners.

There are a number of options available to resolve this, including the implementation of further exemptions that go beyond simply off-grid communities; introducing more flexibility to the regulations to local authorities who will be able to assess applications on a case-by-case basis; implementing minimum efficiency standards by limiting which equipment is eligible eg ‘dry’ stoves (without boilers) or purpose-designed log boilers with thermal stores.

**I urge the Scottish Government to further consider an exemption for crofters and occupiers of land who can demonstrate that they will supply their own fuel.** I note that there’s already a similar mechanism in place regarding RHI payments, via the Biomass Suppliers list (self suppliers).

Finally, there does seem to be a degree of confusion around what constitutes “emergency” and “secondary” heating sources. I’d welcome more clarity around what these terms mean in practice. For example, if a home is being built with the intention of connecting it to a ZDEH source in the future but a wood-burning stove is required until such a source is expanded or developed, would that be considered an emergency or secondary heat source? I would appreciate hearing from you by 1 May or sooner, and to meet on this matter as soon as possible.

Kind regards,

Ariane Burgess MSP

**Original response letter sent by then Minister for Climate Action (Gillian Martin)**

Heat in Buildings - Direct Emissions Heating letter from Ariane Burgess MSP 31 May 2024

Dear Ariane Burgess,

Thank you for your letter of the 13th of May to Paul MacLennan MSP, Minister for Housing, to raise concerns on behalf of your constituents over the use of wood-burning stoves under the New Build Heat Standard (NBHS). I am responding to you as I hold portfolio responsibility for Climate Action.

You invited the minister to a meeting to discuss your concerns. I would be pleased to accept this invitation. Please could you contact my private office by email on MinisterCA@gov.scot to make arrangements.

I have been listening to the concerns raised by communities, which is why I announced in Parliament on 28 May that the Scottish Government will be reviewing the regulations with an intention to adapt them to address the issue of flexibility.

The outcome of this review will ensure resilience to interruptions of electricity and heating supply, respect for rural communities' culture and traditions, and sustainable systems. I want to ensure that climate-friendly alternatives to direct emissions heating are promoted in appropriate ways across Scotland, and with no unintended consequences with regard to fuel poverty and sustainability, particularly in rural communities.

The review will be carried out in short order and will be collaborative – including communities, businesses and Local Authorities to ensure that it reflects all views. In that same spirit, I appreciate the suggestions in your letter on how challenges can be resolved and I am just as keen to work collaboratively with colleagues in Parliament.

As you rightly point out, the NBHS as it stands prior to this review applies only to new buildings applying for a building warrant from 1 April 2024, and solutions such as solid fuel burning stoves can still be installed in new homes to provide 'emergency heating' where required. Emergency heating through a fixed installation can be considered if the size, complexity, or heat demand makes portable solutions not suitable. This is in direct response to consultation feedback and recognises the unique needs of Scotland's rural and island communities.

In some very rare cases where it is not possible for clean heating systems to be installed in new buildings – for example, in cases where the electrical demand for heating could not be met – then a dispensation or relaxation of the standard is available. This may apply to developers applying for new building warrants on the Isle of Eigg, as referred to in your letter. In many instances, a heat network, when

available, would be the most suitable solution. A heat network is considered clean heat regardless of the fuel used which means that a network powered by bioenergy would be permitted. A heat network is any system supplying more than one property with heat.

With regards to existing buildings, owners may continue to use and install fuel burning stoves as they choose. As set out in our Bioenergy Draft Policy Statement, published in March, we recognise that the bioenergy sector is a vital part of Scotland's circular economy and that as a renewable, and potentially net zero fuel, it may represent the best option to decarbonise certain types of buildings. The public consultation on this statement (which closes on 12 June) can be found here: Supporting documents - Bioenergy - draft policy statement: consultation - gov.scot (www.gov.scot).

Proposals for the NBHS were subject to full consultation in 2021 and again in 2022, and both consultations showed strong support. We also ran an external working group, six open, online workshops and 12 interview sessions with businesses spanning multiple sectors. Events were held online to try and ensure as much representation from islands communities as possible. This extensive engagement informed a range of impact assessments published alongside the regulations, including the Islands Communities Impact Assessment which can be accessed here: New Build Heat Standard - gov.scot (www.gov.scot).

I hope that the above information provides reassurance that that the Scottish Government continues to listen and respond to the feedback we have received on the introduction of the NBHS – underlined by my announcement in Parliament on May 28.

Yours sincerely

**GILLIAN MARTIN**

## Annex E – NBHS review options discussed at NBHS workshops

Please note that variations of these options have emerged during the workshops and this is not a representation of the exact solution that may be implemented. We are happy for these options to be shared with Ms. Burgess with this caveat.

**[REDACTED - Regulation 10(4)(e)]**

From:
**[REDACTED - Regulation 11(2)]**
HiB Policy and Regulation
1 July 2024

**Minister for Climate Action**
**Cc Cabinet Secretary for Net Zero and Energy**

**Review of New Build Heat Standard (NBHS): Issuing of Direction - interim advice to local authorities**

## Priority

1. Routine – At a meeting with officials on 23 May, the then Minister for Climate Action (Gillian Martin) agreed to officials exploring a temporary solution to address concerns raised on the use of wood-burning stoves within the New Build Heat Standard (NBHS). This temporary solution would be for applications for building warrants received before the outcome of the ongoing review and its implementation post-recess.

## Purpose and recommendation

2. This submission asks that you:

    - Indicate your preference for one of the two options you would like officials to use to issue advice to local authority building standards officers via a Direction; this provides a temporary solution for applications for new building warrants received in advance of completion of the wider review; and,
    - Agree for officials to further explore two options for consideration as part of the wider review during stakeholder engagement, including 1-2-1 meetings and workshops. This is in order to agree any final amendment to the regulations, if the outcome of the review requires this.

## Context and issues

3. The New Build Heat Standard (NBHS), introduced through standard 6.11 of building regulations, came into force on 1 April 2024. It means new homes and buildings constructed under a building warrant (applied for on or after 1 April 2024) will not be allowed to use direct emission heating (DEH) systems. An exception is made for ‘emergency heating’. DEH systems were defined in the regulations as those which produce emissions at the point of use and so include bioenergy as well as fossil fuels systems. In policy development, “polluting heating systems” have been used as a shorthand for DEH.

4. On 9 April 2024, a thread on X drew media attention to the Standard and was labelled a “ban on woodburning stoves”. Significant political attention has followed with calls to provide further clarity in guidance permitting the use of woodburning stoves more widely, especially for rural communities, as guidance and the definition of ‘emergency heating’ does not explicitly enable wider use.

5. On 28 May, the Minister for Climate Action at the time announced in Parliament that a review of the NBHS will commence shortly in response to these concerns. The review is now underway and is examining the role of both woodburning stoves and bioenergy systems more widely. Officials are currently reviewing previous consultation responses, Parliamentary discussions during the NBHS’s passage, and any further evidence received.

6. The NBHS remains in force until any post-review legislative amendment is made. A Direction can provide a temporary solution to make sure current concerns on the use of woodburning stoves and bioenergy are addressed promptly. **[REDACTED - Regulation 10(4)(e)]**

7.

**Power to make Direction**

8. Under section 3(2)(b) of The Building (Scotland) Act 2003, Ministers may give a Direction dispensing with or relaxing a provision of the building regulations generally in relation to a description of building. Ministers might therefore look to relax the application of standard 6.11 to permit DEH systems which are bioenergy heating systems “in relation to a description of building” rather than for all buildings. Therefore, we recommend that the Direction applies to domestic buildings as these have been the focus of the concerns raised. For non-domestic buildings, it would remain possible for an application to relax or dispense with the standard to be made on a case-by-case basis under section 3(2)(a) of the 2003 Act for a particular building or buildings should there be a need to do so.

**Direction: [REDACTED - Regulation 10(4)(e)]**

**Communications**

9. Once you have provided a steer on which Direction option to proceed with, we will work with communications colleagues to ensure this temporary measure is widely known.

**Conclusion and next steps**

10. Once you have provided a steer on which option to pursue for issuing a Direction as a temporary solution, officials will work with LABSS/ SBSH and

communications colleagues to ensure this is communicated widely and we will update the NBHS Fact Sheet reflecting the agreed position.

11. In addition, once you have confirmed you are content with officials exploring these two options in the wider review, we will proceed with planned stakeholder engagement on that basis.

**[REDACTED - Regulation 11(2)],**
Heat in Buildings Policy and Regulation, DECC
**[REDACTED - Regulation 11(2)],**
Heat in Buildings Policy and Regulation, DECC
**[REDACTED - Regulation 11(2)]**/ via Teams

| Cabinet Secretaries and Ministers Copy List | For Action | For Information Portfolio interest | For Information Constituency interest | For Information General awareness |
|---|---|---|---|---|
| Cabinet Secretary for Net Zero and Energy | X | | | |
| Cabinet Secretary for Rural Affairs, Land Reform and Islands | | X | | |
| Minister for Housing | | X | | |
| Minister for Agriculture and Connectivity | | | | |
| Minister for Social Care, Wellbeing and Sport | | | | X |
| | | | | X |

| Officials Copy List |
|---|
| Director of Agriculture and Rural Economy<br>Director of Environment and Forestry<br>Deputy Director for Land Reform, Rural and Islands Policy<br>Kersti Berge<br>Sue Kearns<br>**[REDACTED - Regulation 11(2)]** |

**ANNEX A**
**PROPOSED DIRECTION TEXT**

[REDACTED - Regulation 10(4)(e)]

Ministerial Islands Roundtable meeting note - released under previous FoI (page 17)

https://www.gov.scot/binaries/content/documents/govscot/publications/foi-eir-release/2024/11-a/foi-202400435616/documents/eir-202400435616---information-released---annex/eir-202400435616---information-released---annex/govscot%3Adocument/EIR%2B202400435616%2B-%2BInformation%2BReleased%2B-%2BAnnex.pdf

Document named ‘Submission – NBHS 2024 Consultation Analysis Outcomes and Actions’ was released under a previous FoI which can be found at the following link (Annex D) –

Evidence and advice on wood burning stoves: EIR release - gov.scot

From:
**[REDACTED - Regulation 11(2)]**
HiB Policy and Regulation
23 May 2024

**Minister for Climate Action**

**Announcing a review of New Build Heat Standard (NBHS)**

**Priority and Purpose**

1. Urgent – **[REDACTED - Regulation 10(4)(e)]**you requested updated lines to be issued as soon as possible to confirm that we are now proceeding with reviewing the regulations (instead of guidance as previously indicated).

   **[REDACTED - Regulation 10(4)(e)]**

2. With that in mind, we recommend raising a GIQ during topical questions on Tuesday 28 May and have copied the Minister for Parliamentary Business into this submission as per GIQ guidance.

**Recommendation**

3. That we issue a GIQ during topical questions on Tuesday 28 May in order to announce the review of the NBHS.

**Context**

4. The New Build Heat Standard (NBHS), introduced through standard 6.11 of building regulations, came into force on 1 April 2024. It means new homes and buildings constructed under a building warrant (applied for on or after 1 April 2024) will not be allowed to use direct emission heating (DEH) systems. DEH systems were defined in the regulations as those which produce emissions at the point of use and so include bioenergy as well as fossil fuels systems.

5. On 9 April 2024, a thread on X drew media attention to the Standard and was labelled a “ban on woodburning stoves”. Significant political attention has followed with calls to provide further clarity in guidance permitting the use of woodburning stoves, especially for rural communities.

6. Both you and the Cabinet Secretary for Net Zero and Energy have since provided a steer that in response to the concerns raised, you wish for officials to commence a review of the regulations to allow for wood burning stoves and other bioenergy systems to be installed as secondary heating systems in new buildings.

7. In a meeting with officials this morning (Thursday 23 May), you requested updated lines to be issued as soon as possible to confirm that we are now

proceeding with reviewing the regulations (instead of guidance as previously indicated).

**[REDACTED - Regulation 10(4)(e)]**
**Conclusion**

8. **[REDACTED - Regulation 10(4)(e)]**we recommend that you agree to:

    - A GIQ to be raised during topical questions on Tuesday 28 May as the method for announcing the review of the regulations; and,
    - SpAds nominating **[REDACTED - Regulation 10(4)(e)]**to raise the GIQ at Annex A.

9. We recommend that the Minister for Parliamentary Business review this submission and provide approval of the approach and the draft GIQ at Annex A should the Minister for Climate Action also agree with this approach.

**[REDACTED - Regulation 11(2)]**
Heat in Buildings Policy and Regulation, DECC
**[REDACTED - Regulation 11(2)]**
Heat in Buildings Policy and Regulation, DECC
**[REDACTED - Regulation 11(2)]** / via Teams

| Cabinet Secretaries and Ministers Copy List | For Action | For Information Portfolio interest | For Information Constituency interest | For Information General awareness |
|---|---|---|---|---|
| Cabinet Secretary for Wellbeing Economy, Net Zero and Energy | X | | | |
| Minister for Parliamentary Business | | X | | |
| Cabinet Secretary for Rural Affairs, Land Reform and Islands | | X | | |
| Minister for Housing | | X | | |
| Minister for Agriculture and Connectivity | | | | X |
| Minister for Social Care, Wellbeing and Sport | | | | X |

| Officials Copy List |
|---|
| Permanent Secretary |

| Officials Copy List |
| --- |
| Director of Agriculture and Rural Economy<br>Director of Environment and Forestry<br>Deputy Director for Land Reform, Rural and Islands Policy<br>Parliamentary Clerk<br>Kersti Berge<br>Sue Kearns<br>**[REDACTED - Regulation 11(2)]** |

**ANNEX A –** **[REDACTED - Regulation 10(4)(e)]**

**ANNEX B –** **[REDACTED - Regulation 10(4)(e)]**

**ANNEX C –** **[REDACTED - Regulation 10(4)(e)]**

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**[INSERTED - Document 2 – email chain relating to above submission]**

Re: Urgent: Submission - Minister CA - Announcing the review of the NBHS
Fri 24/05/2024 10:49

Hi all,

Ms Martin is content with draft question & response for GIQ. The minister has also commented that she would like it to go as soon as possible, if that happens to be Wednesday then that is fine.

Many thanks,
**[REDACTED - Regulation 11(2)]**

---

**From**[REDACTED - Regulation 11(2)]
**Subject:** RE: Urgent: Submission - Minister CA - Announcing the review of the NBHS

Hi **[REDACTED - Regulation 11(2)]**,

Thank you for getting back to me. During a meeting yesterday, the Minister for Climate Action provided a steer that she was keen to announce this review of the New Build Heat Standard (NBHS) asap, **[REDACTED - Regulation 10(4)(e)]**

**[REDACTED - Regulation 11(2)]**The Scottish Government
Energy & Climate Change Directorate
Atlantic Quay

GLASGOW  G2 8LU

**From**[REDACTED - Regulation 11(2)]
[REDACTED - Regulation 10(4)(e)]
[REDACTED - Regulation 11(2)],

[REDACTED - Regulation 10(4)(e)].

[REDACTED - Regulation 11(2)]

[REDACTED - Regulation 10(4)(e)]

**From:** [REDACTED - Regulation 11(2)]
**Subject:** RE: Urgent: Submission - Minister CA - Announcing the review of the NBHS

Hi [REDACTED - Regulation 11(2)],

Thank you for the response. Please can you also confirm if Ms Martin is content with the draft media statement to follow the GIQ?

PO for Minister for Parliamentary Business – please can you confirm the Minister is also content with this approach for a GIQ on Tuesday?

Thanks,

[REDACTED - Regulation 11(2)]
The Scottish Government
Energy & Climate Change Directorate
Atlantic Quay
GLASGOW  G2 8LU

**From: [REDACTED - Regulation 11(2)]**
**Subject:** RE: Urgent: Submission - Minister CA - Announcing the review of the NBHS

**This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.**

Hi[REDACTED - Regulation 11(2)],

Thank you for this – Ms Martin is content with the recommendation to issue a GIQ during topical questions on Tuesday 28 May in order to announce the review of the NBHS.

Many thanks,
**[REDACTED - Regulation 11(2)]**
**Deputy Private Secretary to the Minister for Climate Action – Gillian Martin MSP**
Scottish Government | St Andrew's House, Regent Road, Edinburgh EH1 3DG | MinisterCA@gov.scot

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**From: [REDACTED - Regulation 11(2)]**
**Subject:** Urgent: Submission - Minister CA - Announcing the review of the NBHS

Hi **[REDACTED - Regulation 11(2)]**,

Please see attached a short submission on how to announce the review of the New Build Heat Standard (NBHS) as requested by the Minister in the meeting on the NBHS this morning.

Also copying this submission to the private office of the Minister for Parliamentary Business given our advice is to issue a GIQ on Tuesday, and to SpAds to review the suggested MSPs to raise the GIQ.

Erdm link here: **[REDACTED - Regulation 10(4)(e)]**

Thanks,

**[REDACTED - Regulation 11(2)]**
Head of Heat in Buildings Regulations and Enforcement Unit
The Scottish Government
Energy & Climate Change Directorate
Atlantic Quay
GLASGOW G2 8LU

**RE: Submission: Review of NBHS: Issuing of Direction - interim advice to local authorities**

**Mon 22/07/2024 08:32**

**This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.**
Good morning,

Dr Allan would be minded to go ahead with an interim relaxation of standards on the basis of option 2 as discussed while making very explicit that this does not seek to prejudge any review, as the minister expressed at the stove event.

Many thanks,

**[REDACTED - Regulation 11(2)]**
**Private Secretary to the Minister for Climate Action– Alasdair Allan MSP**
**The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG

E: **MinisterforCA@gov.scot**
M: **[REDACTED - Regulation 11(2)]**

**From: [REDACTED - Regulation 11(2)]**
**[REDACTED - Regulation 10(4)(e)]**

**From: [REDACTED - Regulation 11(2)] On Behalf Of** Minister for Climate Action
**Sent:** Monday, July 8, 2024 9:30 AM
**To: [REDACTED - Regulation 11(2)]**
**Subject:** RE: Submission: Review of NBHS: Issuing of Direction - interim advice to local authorities

Thank you **[REDACTED - Regulation 11(2)]**,

Dr Allan's preference is for option 2, as the interim measure to relax standards, as this relaxes standards on a broader basis**[REDACTED - Regulation 10(4)(e)]**

Dr Allan agrees that care is needed in the presentation of this to make explicit that this is not prejudging the review, but is, rather a return to the former status quo for the time being until these issues are resolved.

**[REDACTED - Regulation 10(4)(e)]**.

Many thanks,

**[REDACTED - Regulation 11(2)]**
**Private Secretary to the Minister for Climate Action– Alasdair Allan MSP**
**The Scottish Government**

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

**[REDACTED - Regulation 11(2)]**
**[REDACTED - Regulation 10(4)(e)]**

**From: [REDACTED - Regulation 11(2)]**

**Sent:** Monday, July 1, 2024 11:42 AM
**To:** Minister for Climate Action **[REDACTED - Regulation 11(2)]**
**Subject:** Submission: Review of NBHS: Issuing of Direction - interim advice to local authorities

Private Office,

Please see attached a submission for the Minister for Climate Action on issuing a Direction to provide interim advice to local authorities, regarding applications for building warrants received before the outcome of the ongoing review of the New Build Heat Standard (NBHS).

The erdm link is here: **[REDACTED - Regulation 10(4)(e)]**

Thanks,

**[REDACTED - Regulation 11(2)]**
The Scottish Government
Energy & Climate Change Directorate
Atlantic Quay
GLASGOW  G2 8LU

From:
[REDACTED - Regulation 11(2)] HiB Policy and Regulation
26 September 2024

**Minister for Climate Action**
**Cc Cabinet Secretary for Net Zero and Energy**

[REDACTED - Regulation 10(4)(e)]
[REDACTED - Regulation 11(2)]
Heat in Buildings Policy and Regulation, DECC
[REDACTED - Regulation 11(2)]
Heat in Buildings Policy and Regulation, DECC
[REDACTED - Regulation 11(2)] / via Team

| Cabinet Secretaries and Ministers Copy List | For Action | For Information Portfolio interest | For Information Constituency interest | For Information General awareness |
|---|---|---|---|---|
| Cabinet Secretary for Net Zero and Energy | | X | | |
| Cabinet Secretary for Rural Affairs, Land Reform and Islands | | X | | |
| Minister for Climate Action | X | X | | |

| | | | | |
|---|---|---|---|---|
| Minister for Parliamentary Business<br><br>Minister for Housing<br><br>Minister for Agriculture and Connectivity<br><br>Minister for Social Care, Wellbeing and Sport | | X<br><br>X | | X |

| **Officials Copy List** |
|---|
| DG Net Zero<br>Director of Agriculture and Rural Economy<br>Director of Environment and Forestry<br>Deputy Director for Land Reform, Rural and Islands Policy<br>Kersti Berge<br>Sue Kearns<br>**[REDACTED - Regulation 11(2)]** |

**ANNEX A – [REDACTED - Regulation 10(4)(e)]**

**[INSERTED – Document 4&5 merged, email chain below (doc 5) relates to sub above (doc 4)]**

**RE: Submission: Review of the NBHS - emerging option and associated risks**
**Mon 30/09/2024 12:16**

Good afternoon,

[REDACTED - Regulation 10(4)(e)]

In order to discuss this further we would like to set up a meeting on Wednesday 15:30 – 16:00 to go over this. Grateful if you can let me know which officials to include in the invite please?

Many thanks,

[REDACTED - Regulation 11(2)]
**Private Secretary to the Minister for Climate Action– Alasdair Allan MSP**
**The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG

E: **MinisterforCA@gov.scot**
[REDACTED - Regulation 11(2)]

**From:** [REDACTED - Regulation 11(2)]
**Sent:** Thursday, September 26, 2024 5:01 PM
**To:** Minister for Climate Action <ministerforca@gov.scot>
[REDACTED - Regulation 11(2)]
**Subject:** Submission: Review of the NBHS - emerging option and associated risks

Minister for Climate Action Private Office,

Please see attached a submission on the review of the New Build Heat Standard (NBHS), the emerging option for amending the regulations, and the associated risks.

Erdm link here: [REDACTED - Regulation 10(4)(e)]
We are happy to liaise with you to organise a meeting to discuss should the Minister find it helpful.

Thanks,

**[REDACTED - Regulation 11(2)]**
Heat in Buildings Regulatory Flexibility and Compliance Unit
The Scottish Government
Energy & Climate Change Directorate
Atlantic Quay
GLASGOW  G2 8LU

From:
[REDACTED - Regulation 11(2)]
HiB Policy and Regulation
09 October 2024

**Minister for Climate Action**
**Cc Cabinet Secretary for Net Zero and Energy**

**Review of New Build Heat Standard (NBHS): Amendment of regulations and communications handling**

**Priority**

1. Urgent – This submission follows a meeting between the Minister for Climate Action, Cabinet Secretary for Net Zero and Energy, and officials on 2 October. It clarifies further the two final options identified for regulatory amendment and provides details on proposed comms handling. A quick response would therefore be helpful so that we can proceed with finalising and laying the SSI as soon as possible and in time for a potential laying date of 7 November 2024.

**Purpose and recommendation**

2. This submission asks that you:
    - Confirm your preference for Option 3A or 3B based on the advice in this submission, noting the associated risks;

[REDACTED - Regulation 10(4)(e)]

**Conclusion and next steps**

3. Officials ask that you:
    - Confirm your preference for Option 3A or 3B based on the advice in this submission, noting the associated risks;

[REDACTED - Regulation 10(4)(e)]

[REDACTED - Regulation 11(2)]
Heat in Buildings Policy and Regulation, DECC
[REDACTED - Regulation 11(2)]
Heat in Buildings Policy and Regulation, DECC
[REDACTED - Regulation 11(2)] / via Teams

| Cabinet Secretaries and Ministers Copy List | For Action | For Information Portfolio interest | For Information Constituency interest | For Information General awareness |
|---|---|---|---|---|
| Cabinet Secretary for | | X | | |

| | | | | |
|---|---|---|---|---|
| Net Zero and Energy | | X | | |
| Cabinet Secretary for Rural Affairs, Land Reform and Islands | | X | | |
| Minister for Climate Action | X | X | | |
| Minister for Parliamentary Business | | | | X |
| Minister for Housing | | | | |
| Minister for Agriculture and Connectivity | | | | X |
| Minister for Social Care, Wellbeing and Sport | | | | X |

| **Officials Copy List** |
|---|
| DG Net Zero<br>Director of Agriculture and Rural Economy<br>Director of Environment and Forestry<br>Deputy Director for Land Reform, Rural and Islands Policy<br>Kersti Berge<br>Sue Kearns<br>**[REDACTED - Regulation 11(2)]** |

**Annex A**

[REDACTED - Regulation 10(4)(e)]

**Annex B**

[REDACTED - Regulation 10(4)(e)]

**Annex C**

**[INSERTED - Including active links to the NBHS Factsheet and Impact Assessments –**
New Build Heat Standard - gov.scot (www.gov.scot)

The Building (Scotland) Amendment (No. 2) Regulations 2024 (legislation.gov.uk)

New Build Heat Standard - gov.scot (www.gov.scot)]

[REDACTED – Regulation 10(4)(d)]

**Annex D**

[REDACTED – Regulation 10(4)(d)]

**RE: Submission - NBHS - Amendment of regulations and communications handling**

**Thu 10/10/2024 17:04**

**This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.**

Good afternoon **[REDACTED - Regulation 11(2)]**,

Dr Allan has added some comments to the attached and has commented if there is no practical difference, other than a presentational one, then the simplest way to meet the presentational aims discussed at meeting is, option 3a. The minister is am content to go with that option.

Many thanks,

**[REDACTED - Regulation 11(2)]**
**Private Secretary to the Minister for Climate Action– Alasdair Allan MSP**
**The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG

**[REDACTED - Regulation 11(2)]**

**From:** **[REDACTED - Regulation 11(2)]**
**Sent:** Wednesday, October 9, 2024 3:40 PM
**To:** Minister for Climate Action **[REDACTED - Regulation 11(2)]**
**Subject:** Submission - NBHS - Amendment of regulations and communications handling

Minister for Climate Action
cc Cabinet Secretary for Net Zero and Energy

**Review of New Build Heat Standard (NBHS): Amendment of regulations and communications handling**

Please find attached a submission, following your meeting on 2 October, clarifying the final options for regulatory amendment of the NBHS and seeking your views on the preferred option.

**[REDACTED - Regulation 10(4)(e)]**

Thanks,
**[REDACTED - Regulation 11(2)]**
Regulatory, Flexibility & Compliance Unit
Heat in Buildings Division
Directorate for Energy & Climate Change
Scottish Government