

**Regulation 6(1)(b) – Otherwise Accessible**

Under regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format.

Where information is already publicly available I have provided you with the links to the relevant websites. If, however, you do not have internet access to obtain this information from the websites listed, then please contact me again and I will send you a paper copy.

Documents relating to questions 1 and 3 of your request can be found as part of the following EIR publication on the Scottish Government website, here:

- [New Build Heat Standards and wood burning stove data: EIR release](#)

As part of the publication above, there are three PDF attachments towards the bottom of the page that contain the information relevant to question 1 and 3 of your request.

**Regulation 11(2) - Personal Data**

While our aim is to provide information whenever possible, in this instance an exception under Regulation 11, personal data, has been applied to some of the information requested.

Information has been redacted under Regulation 11 (Personal Data), as it contains personal information and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulations (GDPR) and in Section 34(1) of the Data Protection Act 2018.

This exception is not subject to the ‘public interest test’.

**Regulation 10(4)(e) – Internal Communications**

A small amount of information has been withheld under Regulation 10(4)(e) (internal communications). This exception is subject to the ‘public interest test’. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception.

We recognise that there is some public interest in releasing the information as part of an open, transparent and accountable government. However, this is outweighed by the greater public interest in allowing Scottish Government officials a private space to share advice for the purpose of deliberation on any given policy.

## **Question 1**

### **Attendees**

[Redacted: Reg 11(2)] - SG

[Redacted: Reg 11(2)] - SG

[Redacted: Reg 11(2)] - SG

[Redacted: Reg 11(2)] - SG

Erica Malkin - SIA

James Verlaque - SIA

[Redacted: Reg 11(2)] – Federation of British Chimney Sweeps

[Redacted: Reg 11(2)] - Guild of Master Chimney Sweeps

### **Introductions**

#### **Update on review of the New Build Heat Standard**

**[REDACTED: REG 11(2)]:** Review underway, looking at past consultation responses. First opportunity for legislative amendment is September. Looking at options to issue a Direction. Advice from SG to LA verifiers on how to treat building standards. Looking to issue advice ASAP. Able to give more details when we have confirmation from ministers.

**[REDACTED: REG 11(2)]:** To flag ministerial reshuffle. Alasdair Allan now Minister for CA while Gillian Martin covers Cab Sec maternity leave.

**EM:** Thank you for clarity. Length of time was key issue for members. Already having detrimental impact on members. September is when sales typically increase, so interim guidance is welcome.

**JV:** Echoes Erica's point. What became apparent is tales of real woe that came back as result of legislation. Mentions redundancy and withdrawal of investment. Mentions knock on effect on other associated tradesmen.

**[REDACTED: REG 11(2)]:** My concern is that lumping biomass in with fossil fuels is working on wrong info with regard to Net Zero.

**[Redacted: Reg 11(2)]:** Little consultation, poor understanding of Net Zero and what it's trying to achieve. Need common sense. Wants more involvement, grateful for current engagement. Can get onboard this way.

#### **Ministerial roundtable – format & attendees**

**[REDACTED: REG 11(2)]:** Had useful rural stakeholders roundtable last year. No. of stakeholders had 5 min slot to present evidence and concerns to Minister so he can understand issues. Thoughts on this format? How many likely to come along?

**Erica:** We had roundtable session with Rachel Hamilton's office. Similar format, worked well. About 15/16 businesses, but also manufacturers. High interest from Scottish members.

**[REDACTED: REG 11(2)]:** As action would be good to identify range of members that can present these concerns, taking into account time constraints.

**[REDACTED: REG 11(2)]:** Represents amalgamation of Chimney Sweeps. Happy to represent and feedback to his members. Noticed that OFTEC made strong case for biofuel in consultation, wasn't reflected in the proposals. Doesn't make sense to push full electrification. Need transition. There are social consequences to these changes. Setting up to be a failed project. Need to change the info that you're looking at in order to come to different conclusions.

**[REDACTED: REG 11(2)]:** That's purpose of this engagement, have had meeting with UKIFDA this morning.

**JV:** There will be many that want to speak. Prudent that we have internal chat to work out who speaks. Would like some sort of Wider Q&A for members. We have so many things that we'd like to say. Is there anything specific you'd like info on that we can provide ahead of time?

**[REDACTED: REG 11(2)]:** That'd be handy for briefing for ministers

**[REDACTED: REG 11(2)]:** Suggestions for regulatory amendments and impact of regs would be welcomed

**John:** One of biggest issues chimney sweeps have with public. Education side has to be highlighted. MCS drive to put in renewables where training inadequate also occurs within solid fuel industry. Chimney sweeps can provide good advice to public, sees environment people live in and can provide good perspective.

**[Redacted: Reg 11(2)]:** Need to have joined up thinking across different government departments. Govt signed up to set of standards for chimney sweeps 18 months ago. Industry itself is part of the solution and that needs to be recognised.

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## **NBHS REVIEW**

### **Ministerial Roundtable with Stove Industry Representatives**

**Meeting Note - 10 July 2024**

#### **Scottish Government Attendees**

Minister for Climate Action – Dr Alasdair Allan

[Redacted: Reg 11(2)] Gareth Fenney – Heat in Buildings

## **Note of discussion**

### **Dr Allan**

- One of first engagements as Minister for CA.
- Review of NBHS has been announced. Aware of issues as someone who lives in western isles and cuts and burns peat.
- No ban on stoves in existing buildings, acknowledge difficulties in way guidance currently drafted. Difficulties about what constitutes 'emergency' heating.

### **[Redacted: Reg 11(2)]**

- Review to complete post-recess. Immediate action to issue a Direction to reassure you, looking at that with legal colleagues and LA verifiers.

### **Erica Malkin**

- Worked for SIA since 2019. SIA is an organisation that incorporates members from across Stove and Chimney Sweep industries. Retailers, installers, supporters and manufacturers. 194 members.
- SIA and members have worked hard since legislation came into force to raise awareness of impact on industry. Have lodged petition in parliament.

### **James Verlaque**

- One of key issues is that we don't believe the standard will reduce carbon emissions. Effectively carbon neutral.
- Miscomprehension that WBS is dirty heating. Eco design stoves essentially carbon neutral.
- Part of achieving Net Zero future. Nothing like open fireplace. Reduces draw on electricity and gas grid.
- Estimate that industry supports circa 2k jobs. Wellbeing benefits.
- Wood always produces carbon, but its sustainable. Fundamentally different from fossil fuels. By-product from sustainable forestry practice.

- Replacing wbs with electric heater will increase carbon emissions. Concern about same thought process in Heat and Buildings Bill.
- Disappointed at lack of consultation and extent of BRIA.

### **Erica**

- Feedback among members, [Redacted: Reg 10(4)(e)]. Impact on subcontractors. Reduction on equipment hire. Significant income reduction.
- Retailers holding increased stock.
- Miscomprehension that there is a total ban among customers.
- Urge minister to temporarily suspend NBHS during Review. Would ask that NBHS and Heat in Buildings Bill amended to be more amenable.

### **[Redacted: Reg 11(2)]**

- 20 staff, family business, trying hard to change structure to employ more younger people in Highlands.
- Our business was built on premise that wood was low cost and important to rural Highland communities.
- NBHS was a bolt from the blue, [Redacted: Reg 10(4)(e)]. headline of ban is what is remembered, a lot of customers are concerned about how they will heat their homes in the winter.
- People mistake it for a total ban, particularly elderly
- May need to cut staff numbers. Trying to promote stove industry as a career.

### **[Redacted: Reg 11(2)]**

- Calido based in Stirling. Family-owned. Confusion as to why wood-burners classed in same area as gas boilers.
- Confusion over whether NBHS extends to extensions. Confusion among business owners. Working in low-carbon industry.
- Confusion among public, misapprehension that stoves are banned.

### **[Redacted: Reg 11(2)]**

- Schiedel have large investment from a large American equity company. As chimney manufacturers we are cutting edge manufacturing engineering of modern eco design stoves, not a cottage industry.
- Have a significant R&D budget we are using to look at improving efficiencies and emissions.

**[Redacted: Reg 11(2)]**

- We employ 170 people on Isle of Wight - family business - wanted to make a sustainable business – have spent £1.1m in R&D past 3 years.
- The NBHS came as a shock and is a massively missed opportunity. In Norway if you have a HP there needs to be a WBS too, needed alongside to enable HPs.
- Scotland has a lot of sustainable fuel, nonsensical not to use it.

**[Redacted: Reg 11(2)]**

- Represent 90% of sweeps. NVQs been developed recent months, Industry making huge efforts to cut emissions. Not a cottage industry. Conflation between fossil fuels and biomass.
- NBHS outlawing emissions at point of source, but not looking at upsource emissions. Electricity is dirty, more expensive to generate, question of grid-capacity.
- NBHS will hit social housing and most vulnerable, will affect home-buying affordability. NBHS will increase housebuilding cost which will be passed onto buyers. Knock-on impact on health due to living in cold housing.
- Modern stove will be cheap, carbon neutral or low carbon fuel.

**[Redacted: Reg 11(2)]**

- NBHS had immediate impact. From chimney sweep pov, we are committed to encouraging end user to most efficient use. As we attend houses, we can provide advice on how to use properly.
- Long term worry about having to remove WBS in future.
- Points to cost of using Heat Pump. Urge not to include wood and biomass fuels in the Bill.
- We can encourage customers to go for most eco-friendly option.

**[Redacted: Reg 11(2)]** - running a seminar on public info and education and Env Health Officers.

#### **Q&A**

**[Redacted: Reg 11(2)]** - not really an urban/rural divide - don't want to be tied to direct debits they use wood to manage the costs of their heating.

**Dr Allan** - fair point, there are issues with FP too not just in rural areas. I'm struck by the impact on an industry from a misleading info about a 'ban' on WBS. So looking at ways to address immediately as well as a longer term solution.

**Erica** – When will interim guidance be published?

**Dr Allan / [Redacted: Reg 11(2)]** - now looking at an interim in coming days. Waiting on legal and LA verifiers, so hope by the end of the month. As a minimum we are looking to permit secondary systems but also looking at bioenergy more widely. Looking to find a solution to the perception in the days ahead.

**[Redacted: Reg 11(2)]** - if no new stoves there will be a massive demand for electricity, SG not taking this into consideration. We play a very important role for energy in this country.

**Dr Allan** - I understand your point, for many people WBS is the best option, not wanting to give the game away completely.

**[Redacted: Reg 11(2)]** - 10GW of electricity to supply other countries and vice versa. We pay more for electricity in Scotland than in London. Need to have more resilience.

**Dr Allan** - there is a challenge to meet the electricity demand. Costs of electricity in Scotland, SG is very unhappy about it and making that point to UKG.

**[Redacted: Reg 11(2)]** - ideological and populism approach to making this policy.

**[REDACTED: REG 11(2)]** - HIBB proposals only apply to primary heating so WBS will be allowed.

**Erica** - NBHS does mention primary heating terminology so the interpretation has been that NBHS was same as HIB proposals - must make sure this is very clear going forward.

**[Redacted: Reg 11(2)]** - biomass and biofuels should be exempt, they are zero carbon and not the same as fossil fuels. Complementary heating not emergency - makes sense to use a low C fuel as a top up beyond emergency.

**Dr Allan** - [Redacted: Reg 10(4)(e)]

**[REDACTED: REG 11(2)]** - Policy formed through populist and ideological positions. Fundamental Q should be do wood-fuels have carbon emissions. Biomass and biofuels are low carbon.

**[REDACTED: REG 11(2)]** - 'Emergency' terminology causes confusion.

**Dr Allan Closing Remarks**

- Appreciate strong feelings, looking to listen, and hopefully will do more than listen
- You've helped to inform officials and myself to inform direction of travel.
- Lesson learned to consult more thoroughly.

## **ANNEX A – FULL LIST OF EXTERNAL ROUNDTABLE ATTENDEES**

### **External Attendees**

Erica Malkin	Stove Industry Association (SIA)
James Verlaque	SIA
Andy Hill	SIA
[Redacted: Reg 11(2)]	Kinross Stove Centre
[Redacted: Reg 11(2)]	Guild of Master Chimney Sweeps
[Redacted: Reg 11(2)]	Federation of British Chimney Sweeps
[Redacted: Reg 11(2)]	Chesney's
[Redacted: Reg 11(2)]	Backwoodsman Stoves
[Redacted: Reg 11(2)]	Schiedel
[Redacted: Reg 11(2)]	Murray and McGregor
[Redacted: Reg 11(2)]	Charlton & Jenrick
[Redacted: Reg 11(2)]	Town & Country Fires
[Redacted: Reg 11(2)]	Bonk & Co
[Redacted: Reg 11(2)]	The Fire Side
[Redacted: Reg 11(2)]	Charnwood
[Redacted: Reg 11(2)]	Calido Logs and Stoves
[Redacted: Reg 11(2)]	Hunter Stoves
[Redacted: Reg 11(2)]	Hunter Stoves
[Redacted: Reg 11(2)]	Invica Industries
[Redacted: Reg 11(2)]	Jotul
[Redacted: Reg 11(2)]	Jotul
[Redacted: Reg 11(2)]	Multifuel Stove Company
[Redacted: Reg 11(2)]	The Stove Company

[Redacted: Reg 11(2)] Athena Fireplaces

[Redacted: Reg 11(2)] JRF Chimneys

[Redacted: Reg 11(2)] DRU

Rachael Hamilton MSP Scottish Conservatives

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**NBHS REVIEW**  
**NOTE OF CASF2 WORKING GROUP - WORKSHOP - 31 JULY 2024**

**SG Attendees:**

Sue Kearns [Redacted: Reg 11(2)]

**Stakeholders in attendance:**

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

[Redacted: Reg 11(2)]

**Meeting Summary**

Options 1 and 2 were not considered to go far enough, and there appeared to be some tentative support for Option 3. Attendees were frustrated that bioenergy was being considered in the same bracket as fuels like gas.

Regarding peat. Attendees generally felt that it was a very dirty fuel. Stove and Chimney industry representatives made the point that devices aren't tested for the burning of peat. The role it plays in fighting fuel poverty was, however, acknowledged.

**Comments on Opening Remarks**

**[Redacted: Reg 11(2)]** – Solid fuel briquettes, is this exception for wood burning stoves or multi fuel stoves – would products we sell be included in exception?

**[REDACTED: REG 11(2)]** – In practice there's no way to distinguish between these two stove types, bioenergy will be allowed.

## Options 1 and 2 Discussion

**[Redacted: Reg 11(2)]** – Heat Pumps wont be best option in cold weather. What will fill the gap when heat pumps not the entire solution.

Pellet stove boiler is best option that is least harmful.

**[Redacted: Reg 11(2)]** – Option 1 not correct, still assumes that bioenergy system is worse because it emits carbon at point of use. Why are we still trying to prevent lowest carbon emission heating available? WBS with local fuel, why are we looking to ban this? Shouldn't we be looking at carbon emissions?

Thermostat recognises heat from wbs as much as from gas boiler.

Would prefer option 2.

If you burn wood in the home, 75/80% of energy is used in home, if being burned in power plant, 30% efficiency. Need to be smart with our resources.

Danger that form of words arbitrarily excludes form of technology. Need to be aware of implications if primary systems excluded.

**[REDACTED: REG 11(2)]** – Keen to stress Passivhaus equivalent standard coming down the line.

**[Redacted: Reg 11(2)]** – Where NBHS fails is that it includes bioenergy with gas etc. Options 1 and 2 don't address fundamental issue. If we're saying that wood and biofuel aren't low carbon that's a different discussion, but scientific evidence says that they are.

**[REDACTED: REG 11(2)]** – Passivhaus still sometimes need top up heat, WBS a good low carbon option for this.

Compared to open fire, eco-design stoves can be up to 95% less particulate matter.

Clear skies mark sets standard for WBS technologies and goes beyond Eco Design, not many sectors have made as much improvement on core technology.

## Option 3 Discussion

**[REDACTED: REG 11(2)]** – Response to Q on rural distribution – We have looked at differences, but we want to make provisions that are easy to understand, urban/rural makes things more complicated.

**[REDACTED: REG 11(2)]** – Option 3 requires more detail, don't want to comment atm.

**[REDACTED: REG 11(2)]** – As COPD sufferer, recognise the need for clean air. English ban on housecoal a good thing. Need to get rid of older forms of fuel. Technology for woodburners and biomass improving as it needs to.

To get rid of older polluting fuels is a good idea. Need a balance between carbon saving vs particulates.

Govt policy should point industry to doing better, if not going to ban then lets do it better. Educate the consumer. Eco Design regs being reviewed by the Danish.

**[Redacted: Reg 11(2)]** – To reiterate that industry is always improving its technology. Industry isn't passive, it's active in reducing emissions. It's part of solution rather than problem. Caps on flues for PM<sub>2.5</sub> and catalytic convertors on stoves.

Must not conflate mineral oils with biofuels. Oil industry in same position in terms of HVO.

Need to appreciate we're at the start of journey, not at the end.

**[Redacted: Reg 11(2)]** – Majority of new builds likely to be in urban areas where there may be existing air quality problems, where these appliances may make it worse.

Consideration of existing environment where new build properties will be.

**[REDACTED: REG 11(2)]** – Will Smoke Control Areas not be used to address geographic issues raised. Some of the tools already there.

**[Redacted: Reg 11(2)]** – Decisions not made yet regarding Clean Air Act which is being reviewed.

**[Redacted: Reg 11(2)]** – We are an industry that's in decline. What happens today will keep industry going for a few years. Solid fuel is very small part of pollution in Scotland, only used 6 months per year. Traffic pollution year round. Briquette produces less emissions than WBS.

[Out of Scope]

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## Question 3

### **Ministerial meeting with HiBs officials - Zero Carbon Buildings**

**16/04/2024**

#### **Attendees:**

Patrick Harvie

Catherine Williams, [Redacted: Reg 11(2)] Sue Kearns [Redacted: Reg 11(2)]  
[Redacted: Reg 11(2)] Gareth Fenney, [Redacted: Reg 11(2)]

#### **Meeting Note:**

##### **Wood burning stoves – press issue:**

- Discussion about the wood burning stove media issue. Building standards have offered to make the technical guidance note clearer on local flexibility. Minister is supportive.

##### **Climate Change Acceleration package:**

- Minister wants to reassure officials that he is intent on nothing putting HiB agenda at risk.
- There are still a number of options on legal vehicle for this package. Therefore the impacts on the HiBs Bill are still to be confirmed. There was a discussion on the likely risks of several options.
- The Minister set out his overall position, and committed to keep officials up to date.

##### **HiBs Bill consultation:**

- Further two meetings upcoming on Compliance and Stop Gaps. Officials putting together briefings for these and to have these sent up by end of this week
- In terms of timing on the publication of the consultation responses, the Minister would like officials to check in with Parli Business colleagues.
- It may be helpful if organisations who responded could be briefed before publication with what messages will be coming out from consultation, in case they want to issue supportive quotes.
- Officials to be coming to Minister with options about sequencing for publishing consultation responses.
- SHNZS - officials will be sending up briefing for upcoming meeting on 24 April

##### **AOB**

- Officials to send across briefing on cost caps and compliance for next two meetings

##### **Key decisions:**

##### **Consultation**

- Useful if organisations who responded could be briefed before publication with what messages will be coming out from consultation.

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## **Ministerial meeting with officials on woodburning stoves and the New Build Heat Standard (NBHS)**

### **Attendees**

Cabinet Secretary for Wellbeing Economy, Net Zero and Energy (Mairi McAllan)

Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights (Patrick Harvie)

PO – [Redacted: Reg 11(2)] (Cab Sec), [Redacted: Reg 11(2)] (Minister)

SpAds – Leanne Dobson

### Officials

Kersti Berge (Director DECC), Sue Kearns (DD HiB Regulations), Catherine (DD HiB Delivery), Stephen Garvin (DD Building Standards)

HiB and BSD - [Redacted: Reg 11(2)]

SGLD - [Redacted: Reg 11(2)]

### **Note of meeting**

- [Redacted: Reg 10(4)(e)]
- Cab Sec disagreed fundamentally with treating bioenergy as polluting in the same way as oil and gas and suggests there should be a way to differentiate since bioenergy is renewable; and highlighted cost considerations for those relying on woodburning stoves (WBS)
- Cab Sec queried the emergency approach vs allowing secondary heating altogether; BHA talks about primary source rather than all
- [Redacted: Reg 10(4)(e)]
- The Minister flagged existing flexibility on complete dispensation from regs – [Redacted: Reg 10(4)(e)]
- BSD colleagues highlighted that we expect this to be used in rare cases and most likely in small island off main electricity grid communities like Eigg
- [Redacted: Reg 10(4)(e)]
- [Redacted: Reg 10(4)(e)]
- Minister flagged further work on HiB Bill and Passivhaus equivalent standard (even higher fabric standard) – can look at regs adjustment at that point
- Cab Sec recognised that fabric efficiency point reducing need for heating has been missed by some making arguments against NBHS but affordability still a concern, as well as reliability
- HiB officials highlighted NBHS consistent with CCC advice on limiting polluting stoves and phase out, and reduced need for secondary heat because of higher fabric efficiency

- Cab Sec and Minister, and Officials agreed a two-phased approach – looking at clarifying guidance first and only if that does not address concerns sufficiently, consider further regs review at point of HiB Bill or Passivhaus-equivalent intro to Parliament in December 2024
- **Cab Sec requested a further submission on detail of how to progress this two-phased approach to include:**
  - Suggestion and limitations to technical guidance amendment to provide further clarity on emergency provision
  - Where dispensation can be used and associated process, including any reference to this in guidance or comms (recognising limitations discussed)
  - Options on vehicle for further changes if required and timing (e.g. Passivhaus-equivalent SSI)
  - Overall advice on the wider HiB bioenergy position
- **Cab Sec also requested clearer communication of the issue more immediately**
- Cab Sec agreed with limitations on bioenergy use but not its elimination
- All agreed that any changes should be done in one and well-considered
- [Redacted: Reg 10(4)(e)]
- Minister cautioned on comparing existing and new buildings due to fabric efficiency differences

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**BRIEFING FOR CABINET SECRETARY FOR NET ZERO AND ENERGY - MEETING WITH FMPU – WEDNESDAY 26 MARCH**

**PURPOSE OF THE MEETING**

The FM's desire through this exercise is to ensure a clear and intense focus on those key areas which the government needs to deliver on in the remaining 12 months of this Parliament, to have the greatest impact across its four priorities and for the people of Scotland – ensuring a collective focus on the key deliverables required, and in turn where there may be opportunities to redirect the necessary resources towards those.

**[Out of Scope]**

Both the First Minister and I have said that we will introduce a Heat in Buildings Bill when we are satisfied that the interventions in it will be able to decrease fuel poverty at the same time as they decarbonise houses. We will confirm next steps as soon as practicable. Our ambition is to bring forward a Heat in Buildings Bill in Year 5 that is deliverable and affordable for households and businesses, setting the long-term direction of travel and, in turn, providing certainty to building owners and the supply chain.

- The commitment of concluding the review of the New Build Heat Standard has been achieved. An amendment to the New Build Heat Standard was laid in Parliament on 8 November with associated updated impact assessments also published. Bioenergy (including woodburning stoves) and peat heating systems, and secondary heating systems, will now be allowed in new homes following a review. This amendment came into force on 1 January 2025.

[Out of Scope]

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### Cabinet Secretary for Net Zero and Energy

<b>What</b>	Cabinet (General NZE speaking notes and background)
<b>Who</b>	Scottish Government Cabinet
<b>When</b>	Monday 4 November, Ayr Town Hall at 11:00
<b>Agenda</b>	[Out of Scope]
<b>Briefing</b>	<p><a href="#">[Out of Scope]</a></p> <p><a href="#">Annex B – SCANCE</a></p> <ul style="list-style-type: none"> <li>• Amendment to the New Build Heat Standard [issue of woodburning stoves and bioenergy]</li> <li>• [Out of Scope]</li> </ul>

Annex B

### SCANCE

**TOPIC HEADING: Amendment to the New Build Heat Standard [issue of woodburning stoves and bioenergy]**

**MINISTER: Minister for Climate Action**

[Out of Scope]

***Send to your Cabinet Secretary and Cabinet Secretariat Inbox***

The **New Build Heat Standard (NBHS)** is being amended following a review to **address concerns on the use of woodburning stoves and bioenergy within new buildings**. The NBHS came in force on 1 April 2024 and required all new buildings to be constructed without use of direct emission heating (DEH) systems. An exception was made for 'emergency heating'. DEH systems are those which

produce emissions at the point of use and include bioenergy as well as fossil fuels systems.

The Minister for Climate Action announced in Parliament in May that a review of the NBHS would commence in response to concerns on the restriction on use of woodburning stoves and bioenergy, particularly in rural and island communities. The review was conducted between May and October 2024 and involved engagement on options for potential amendment with key stakeholders via workshops, meetings and two Ministerial roundtables. An interim solution to tackle concerns has been in place since 20 September – this disapplies an element of the Standard and permits the installation of bioenergy and peat systems in domestic buildings.

The amendment will permit the installation of all bioenergy and peat systems in both domestic and non-domestic buildings and will limit the Standard to main systems only – this means any secondary system can be installed without justification – e.g. a stove. The amendment is scheduled to be introduced via a Scottish Statutory Instrument (SSI) laid on 8 November 2024 and announced via a Government-inspired Question (GIQ). There is a scheduled visit for the Minister for Climate Action on the same day at a new build development using a range of clean heating systems and a woodburning stove (Farm Cottages near Pencaitland).

#### **[Out of scope]**

##### ***Send to your Cabinet Secretary and Cabinet Secretariat Inbox***

The amendment to the existing regulations looked to achieve a balance between the below four key objectives:

- Address concerns on the resilience of communities during periods of extreme weather and other events which may cause the failure of the main heating system;
- Maximise emission reductions from new buildings to help achieve our wider goal of net zero by 2045 and any interim targets;
- Deliver the best outcomes for human health and the environment, including the effects of air pollution from any combustion systems; and
- Respect cultural practices – for some communities, including crofting ones, the act of cutting peat is not only a practical necessity but also a social gathering, with communities coming together to help one another; open fires are often also used in religious worship.

The Scottish Government considers that an amendment which allows the use of bioenergy (including wood burning stoves) and peat heating systems, is the best approach to overcome the concerns raised, including those faced by island and rural communities.

Given the complexity in providing different geographical solutions in regulations, the Scottish Government proposes via this SSI that the NBHS is amended universally which will allow the use of bioenergy heating systems and peat heating

systems for those who consider this the most appropriate choice regardless of where they live.

This amendment recognises both the important cultural role of peat, and the role of bioenergy as a potentially net zero fuel.

Impact assessments have been updated to reflect the options explored. The Business and Regulatory Impact Assessment provides emissions estimates – these are likely to be limited. Other impact assessments highlight the potentially limited mixed impacts of the provisions, including on health.

## **[Out of Scope]**

### **Community and Renewable Energy Scheme (CARES)**

The Community and Renewable Energy Scheme (CARES) has provided funding to 20 projects in North and East Ayrshire. These projects have been offered £1,303,303 in funding, with £757,554 of this funding having been drawn down to date.

#### Community buildings projects

- Beith Community Development Trust have received multiple funding offers for the development and installation of solar PV, batteries and energy efficiency measures on three buildings, with installation completed in March 2024.
- Millport Town Hall received £41,133 in funding to install an air source heat pump for their Energy Efficient Millport Town Hall project, which was installed in January 2024.
- Vintage Vehicle Village (Heritage Centre) Cumnock received £68,842 in funding for their community building project, which was also completed in January 2024 and saw the installation of an air source heat pump, solar PV and batteries.
- Cycle Station Bike Hire Limited received £34,087 in funding to install an air source heat pump, solar PV and energy efficiency measures at the Cycle Station HQ project. Installation was completed in April 2024.

#### Renewable generation projects

- Catrine Community Trust received £62,123 in loan funding for turbine refurbishment on their hydro project in 2015 and subsequently received grant funding to carry out development works on the project in 2018. This project was completed in 2021.
- Radio City Association have received significant CARES funding for their Kilbirnie Community Wind Turbine project. This included a £142,418 development loan to support the project through to financial close and the project is now under construction.
- **Sensitivity** – this project requested further capital funding through CARES Community Energy Growth Fund but was only offered £10k in funding to support a feasibility study around a direct wire connection.

[Out of Scope]

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