

Stewardship and Responsibility: A Policy Framework for Private Housing in Scotland Comments from Friends of the Earth Scotland

Friends of the Earth Scotland welcomes the opportunity to comment on the final report of the Housing Improvement Task Force, Stewardship and Responsibility: A Policy Framework for Private Housing in Scotland.

Friends of the Earth is currently engaged in a Scottish Executive funded project aimed at determining the use made by house buyers of energy audits of properties and the strategic benefit of the information collated to policy makers.

The following comments will focus on specific recommendations of the report and concentrate on their potential impact on the energy efficiency of Scotland's housing stock.

Chapter Two – Quality standards for private housing in the 21st century

Recommendation 4

The Tolerable Standard should be extended to include a qualified statement on thermal insulation to the effect that a house must have basic provision of thermal insulation. The interpretation of this should be addressed in detailed guidance.

Friends of the Earth Scotland welcomes this recommendation and looks forward to seeing detailed guidance brought forward.

Recommendation 8

The Scottish Housing Quality Standard should introduce a cross-tenure Scottish Housing Quality Standard as a benchmark of quality against which the condition of the whole stock can be measured.

Recommendation 9

The Scottish Housing Quality Standard should include the elements: is energy efficient, based on a whole house assessment of energy efficiency.

While the introduction of a Scottish Housing Quality Standard, and in particular an energy efficiency component thereof, is to be welcomed, we are concerned that, as an aspirational standard, the Housing Quality Standard will have little effect.

Where standards and targets are aspirational there is evidence to show that they are not being met. The Home Energy Conservation Act, for example, charged local authorities with the task of improving energy efficiency in the entire housing stock of their areas. Authorities negotiated their own targets down from the hoped for 30% improvement to individual aspirational targets. After four years of the Act's operation, the majority of local authorities have failed to achieve these targets. In some cases improvements have been as little as 1 or 2%.

It would be preferable to set mandatory targets at both the national and local levels and to deliver a mechanism for achieving these.

Chapter Three – Improving the operation of the housing market

Recommendation 19

The Scottish Executive should take forward our proposals for a single survey through an initial pilot or pilots that are carefully planned and monitored.

Recommendation 22

An energy efficiency report and a summary disability access report should be included as standard in the single survey and a security report might be provided as an optional extra.

Friends of the Earth Scotland fully backs the HITF's proposal to pilot the single survey and for any single survey that is brought forward to contain an energy efficiency report.

The EC Directive on the energy performance of buildings, which came into force in this year, will require the energy labelling of all buildings by 2006 (potentially 2009 if the UK applies for an extension). The introduction of single-surveys would provide a mechanism for this to happen. When a seller commissioned a survey of their property an energy audit could be carried out and the result, the energy label of that property, included in the survey that buyers see.

The very short timescale for the introduction of the Directive means that some proposal for a mechanism by which it can be introduced needs to be brought forward as a matter of urgency. This also makes it vital that if and when single surveys are introduced they contain an energy efficiency report as mandatory.

Recommendation 25

There should be no prescribed "shelf life" for the single survey.

The proposal for the single survey to have no prescribed "shelf life" will generate difficulties if, as suggested above, they are the mechanism by which the EC Directive on the energy performance of buildings is introduced. The Directive requires that energy labels of buildings are no more than 5 years old. With no shelf life, a property which was resold after 5 years had passed, would leave the seller in the position of having to carry out an energy audit separately from a full survey. While this may not prove too onerous, it would make more sense and retain continuity for the single survey to have the same lifespan as the energy label. This would not require owners to carry out a new survey every five years but rather, only when they were selling their property and if their survey was more than five years old. This would also seem sensible with regard to buyers obtaining a truer picture of the condition of the property they are interested in buying.

Recommendation 33

The single survey scheme should be market-led and should be piloted as such. However, we are aware that there may ultimately be reasons why a legislative approach is considered desirable to provide consistency across the market, and we believe that this option should be held in reserve.

As highlighted above the timescale in which the Buildings Directive must be implemented is very short. As such, if single-surveys are to be used to introduce it this recommendation is likely to be overly optimistic. Plans should be put in place now to introduce legislation to bring single surveys and the Directive into operation in time for the 2006(2009) deadline.

In relation to the format of the house condition survey we would also recommend that the potential powers highlighted in the report (p39) for the Scottish Executive to specify the format are created. It makes sense, in terms of ease of use and comparability between one property and another, for the format of single surveys (and energy audits) to be uniform.

Chapter Five – Public sector intervention and support at the local level

Recommendation 68

The Scottish Executive should set and monitor national targets for the reduction in the number of Below Tolerable Standard houses and other relevant targets which might be measured by the Scottish Housing Quality Standard.

This recommendation is to be supported and we would argue that, in light of government commitments on fuel poverty and climate change, a national target should be set in relation to the energy efficiency component of the Scottish Housing Quality Standard. While the Scottish Executive does currently have a target relating to domestic energy efficiency, it covers only a small section of Scotland's housing stock. A national, wide-ranging target should be introduced and monitored. We also support the recommendation that monitoring should be enabled by altering the Scottish House Condition Survey.

We support the conclusion of the first HITF report that *“the existing framework of statutory powers is inadequate to deal with the range, type and distribution of condition failures evident in Scotland's private housing stock.”* In particular, local authorities have little, or no, powers to tackle problems and disrepair associated with energy efficiency in private stock.

We would, therefore, back the introduction of statutory powers for local authorities to carry out work to ensure that a house is brought up to the Tolerable Standard. With an extended Tolerable Standard which incorporates thermal insulation, local authorities will have, for the first time, the ability to make actual physical improvements in stock other than their own.

Chapter Six – Improving standards in the private rented sector

The report states that there *“needs to be powers available for local authorities to ensure effective improvements in the conditions and management of the sector where voluntary measures or partnerships fail or are not taken up”*.

Friends of the Earth would strongly emphasise this point and call for such powers to be introduced. The private rented sector is widely regarded as having some of the most energy inefficient properties in Scotland while conversely being one of the sectors hardest to reach. In Friends of the Earth's recent report¹ into the operation of the Home Energy Conservation Act we found that most local authorities did not have either enough information about or control over the private rented sector to be able to make any gains in energy efficiency as they are tasked with doing. A reliance on providing energy efficiency advice has failed to make any significant improvements.

¹ Friends of the Earth Scotland and the Association for the Conservation of Energy, 2003, *Warmer Homes, Cooler Planet – making the Home Energy Conservation Act work*