

Action on Climate Change: Proposals for Improving the Energy Performance of Existing Non-domestic Buildings

- A Consultation by the Scottish Government

Response from EAUC-Scotland

QUESTION 1

Can we achieve the significant carbon emission reductions we need from non-domestic buildings by relying on the current measures and support available?

Yes No

Please provide any additional comments in the box below:

These proposals rely too heavily on a mistaken extension of the "Asset-based Rating" Energy Performance Certificate to even more buildings - confusingly entitled ACEP in the Sullivan Report and the consultation document.

DO NOT introduce any further schemes or systems with more acronyms!

Please see the presentation sent separately as a powerpoint file

QUESTION 2

Do you agree that we should seek to use a holistic approach to carbon assessment for the built environment when such methodologies are available?

Yes No

Please provide any additional comments in the box below:

Problem with their ACEP / Asset-based Rating approach is that it ONLY considers / generates a guesstimate of the CO2e emissions associated with the building fabric - NOT the actual operational impact as building(s) are actually managed and operated.

QUESTION 3

How should we measure and account for our efforts in so far as they reduce indirect emissions?

Please provide your comments in the box below:

Recommend all publicly funded bodies be required over a period of time - probably by end 2009 for those with turnover over £100m down to end of 2010 for all with turnover of £10m and end 2011 for those over £1m - to report the full Scope 1+2 emissions as defined by GRI and then one year later full Scope 3 emissions.

Clear expectation that others do so voluntarily within a similar timescale.

QUESTION 4

Should Scottish Ministers take powers that place a statutory duty on the owners, or persons delegated by the owners of non-domestic buildings, to carry out an Assessment of Carbon and Energy Performance (ACEP) other than when a building is sold or rented out?

Yes No

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Please provide any additional comments in the box below:

NO the ACEP as currently framed is entirely mistaken and will continue the flight into a calculation dead-end. The issue is NOT how to guess - even using such tools as the so-called Simplified Building Energy Model (SBEM) - the fabric related emissions only but to actually establish public registers of how much each building / facility ACTUALLY used in each year - year on year on year. Such Operational Ratings genuinely reflect actual consumption and emissions in the building / facility as actually operated and provide an annual management tool to enable owners and operators to benchmark performance against industry norms / previous years' performance. Progressive introduction of the obligation to put into the p

QUESTION 5

Should Scottish Ministers be able to vary the time intervals between EPCs as a part of ACEPs?

Yes No

Please provide any additional comments in the box below:

PLEASE introduce Operational Ratings in place of Asset-based Ratings. It would be VERY MUCH more effective prompt to management as these are required Annually and help any organisation determine the general trend of emissions associated with a building year-by-year.

This would encourage management action and investment - which the 10-year Asset-based Rating concept does NOT provide.

QUESTION 6

Should it be mandatory for cost-effective improvements identified within the ACEP to be actioned by the owners, or persons delegated by the building owners, or should action be at the discretion of building owners?

Yes No

Please provide any additional comments in the box below:

YES, BUT - there should be very substantial grant aid support available to organisations that make the necessary investment in energy efficiency infrastructure work. This would be derived from an increase in the level of Climate Change Levy - or similar Carbon Fee raised centrally on the basis of Primary Fuel consumed.

QUESTION 7

Should consideration be given to extending legislation to include a requirement for operational ratings, as well as asset based ratings? If yes, should provision be made for sub-metering?

Yes No

Please provide any additional comments in the box below:

The current system requiring certain public buildings over 1,000 sq.m to display an Asset-based Rating is WHOLLY FLAWED and WILL NOT incentivise organisations to make the necessary energy efficiency infrastructure investments. These ratings should be set aside albeit causing some potential embarrassment. This will also require a different body to Scottish Building Standards / Building Control procedures to oversee and compile such data. The duty should be transferred from SBS to : responsible for taking a broader view of environmental protection and which already provides a data compilation / audit and verification process for the EU Emissions Trading System.

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QUESTION 8

Should there be an entirely separate process for historic/traditional buildings to reflect their distinct characteristics, or should the requirements of such buildings be incorporated into a single assessment process which takes account of the characteristics of older buildings?

Yes No

Please provide any additional comments in the box below:

All building should be equally monitored and data compiled for them ON THE BASIS OF OPERATIONAL RATINGS with actual emissions derived from actual utilities bills.

There should be MUCH greater take-up and engagement IF the concept of progressive year-on-year improvements were primary as opposed to potentially faulty logic guesstimations derived from dynamic building energy simulation software which can hardly cope with what actually happens with new buildings let alone complex multi-age / extended and modified construction which has characterised the older heritage built environment.

QUESTION 9

Do you agree with the suggested criteria at paragraph 6.13 that should be considered in the assessment of historic/traditional buildings?

Yes No response

Please provide any additional comments in the box below:

QUESTION 10

Can you suggest additional assessment criteria and are there other criteria and actions you would like to see included? Are there criteria and actions which you think should be excluded?

Please provide your comments in the box below: [NONE]

QUESTION 11

Should responsibility for enforcement rest with local authorities or should there be some other body? Please offer suggestions for appropriate bodies.

Yes No

Please provide any additional comments in the box below:

It is absolutely clear that Building Control Officers in local authorities are barely able to cope with the expectations of the new buildings / major refurbishment programmes they are duty-bound to vet under new Section 6.

Recommend transfer of all other oversight / monitoring / promotional duties for Operational Ratings to be assigned to SEPA. Now they *might* sub-contract out a part of the database function to another organisation BUT they must have the overall role of pro-actively marketing the concept of benefits of year-on-year driving down CO2e emissions as measured by Operational Ratings.

QUESTION 12

Should contraventions and sanctions apply along the lines identified above?

Yes No

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Initially publishing of data must be the first step.
Later - as part of the wider set of obligations that each sector across Scotland shoulders the challenge to contribute their bit to the national programme agreed under the Scottish Climate Change Act bites - then maybe provide some mechanism for sanction.

Better however to simply provide simple carrot [grant availability for all eligible energy efficiency / low-zero carbon investments] with funds for these drawn from progressively higher Carbon Fee levied on pollution basis.

QUESTION 13

In many instances, the business and public sectors welcome regulation as it creates a level playing field, however, regulation needs to be proportionate and be sensitive to the needs of these sectors. As a tenant or building owner, what impact would these proposals have on you or your business? (Please indicate all positive and negative effects that you perceive may occur as a result of these proposals)

Please provide your comments in the box below:

Most important thing is for such measures to be: 1. Bold, 2. Significant, 3. Very clearly Time-bound and escalating by significant steps 4. Revenue neutral and clearly stated as such 5. Driving building operators AND owners
This would mark a radical change from the way so-called environmental taxation has so far been introduced in the UK - by levies and taxes being set at a low level such that the bureaucracy merely acts as an irritant - and generating only a small volume of funds with which to incentivise the necessary change. Start from the others and determine really how much investment is really required to transform UK energy infrastructure and work back to how that sort of sum is raised from polluting technologies and

QUESTION 14

Do you have other views or issues with the proposals for existing non-domestic buildings, including those that are of historic/traditional nature?

Please provide your comments in the box below:

Cannot stress enough the folly of continuing with Asset-based Rating approach. IT IS VITAL this is seriously reviewed NOW before any further commitment is made to requiring 10-year EPCs which will NOT incentivise real change and which are simply a wallpaper generated by a computer programme and WILL NOT INCENTIVISE the necessary changes / investments. Operational Ratings - with a simple ratchet on annual progress a lower cost to occupant / owner to implement. They are working with the grain of normal annual financial and other operational reporting and they are very much more clearly related to the actual operations undertaken in a building / facility.

QUESTION 15

What are the equalities implications of the measures outlined in this consultation paper?

Please provide your comments in the box below:

VERY real chance that that failure to actually invest in new / evolved energy efficiency infrastructure and in active carbon reduction programmes - will condemn future generations to a warmer world and our fellow citizens of the world in whole swathes of the globe to mass climate-induced migrations / huge social and economic losses - all because we used the wrong tools / failed to provide VERY clear sticks and carrots to deliver the necessary changes HERE IN SCOTLAND as well as world-wide.

This Document is a replica of the Online Submission. It has additionally been sent as an attachment to cciepdb@scotland.gsi.gov.uk along with the presentation given at the Built Environment Forum Scotland seminar in Glasgow and the version 2 of the EAUC-Scotland EPC Guidance October 2008.

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Consultation Document at <http://www.scotland.gov.uk/Publications/2008/08/15155233/0>
EAUC Web site at www.eauc.org.uk

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Respondent Information Form

Please complete the details on the Respondent Information Form below.
This will help ensure we handle your response appropriately.

Name:	<input type="text" value="David Somervell"/> * Required
Organisation: (if applicable)	<input type="text" value="EAUC--Scotland Branch"/>
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Telephone Number:	<input type="text" value="0131 650 2073"/>
1. Are you reponding as: (please tick one box) * Required	<input checked="" type="checkbox"/> An individual (go to Q2a/b and then Q4) <input checked="" type="checkbox"/> on behalf of a group or organisation (go to Q3 +Q4)
3. ON BEHALF OF GROUPS OR ORGANISATIONS	
The name and address of your organisation will be made available to the public (in the Scottish Government library and/or on the Scottish Government website). Are you also content for your response to be made available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No we will treat your response as confidential
4. SHARING RESPONSES/FUTURE ENGAGEMENT	
We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Government to contact you again in the future in relation to this consultation response?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No