

# **Scottish Building Regulations: Review of Energy Standards**

**‘Call for Evidence’**

**June 2018**



**Scottish Government**  
Riaghaltas na h-Alba  
gov.scot

## **Contents**

Section	Page
Part 1 – About this consultation	3
Introduction	3
Background	4
Purpose of this consultation	5
Audience	5
Body responsible for this consultation	5
Duration	5
How to make an enquiry	5
Responding to this consultation	5
Handling of your response	6
Next steps in process	6
Comments and complaints	6
The Scottish Government consultation process	6
Part 2 - Proposed scope of the review of energy standards	8
Part 3 - Consultation on the impact of the 2015 energy standards and the focus of further review	10
Part 4 - Your feedback and evidence	11
Respondent Information Form	12

## **Scottish Building Regulations: Review of Energy Standards** **'Call for Evidence'**

### **Part 1 – About this consultation**

#### **Introduction**

A review of the energy standards of the Scottish Building Regulations has commenced. The review is considering the next steps to further enhance the energy performance of buildings and contribute to greenhouse gas abatement targets set under the Climate Change (Scotland) Act 2009.

The first stage of the review is to consider the effectiveness and impact that the 2015 energy standards, and the supporting guidance, had, or continues to have, on Industry in delivering energy efficient buildings. Feedback received through this call for evidence will be considered in the next stage of the review.

Please note this consultation will run for a period of 12 weeks.

#### **Background**

Scottish Ministers designated energy efficiency as a national infrastructure priority in 2015, recognising the many benefits delivered by improving the energy performance of our existing buildings. Energy Efficient Scotland is the programme that will deliver this priority.

Scottish Ministers acknowledge that new buildings constructed to current building standards already achieve a good level of energy efficiency. However, they wish to explore options to build upon the progress made to date in providing energy efficient buildings with reduced carbon emissions. They have called for a review of the building regulations and the energy standards that apply to both domestic and non-domestic buildings.

The Building (Scotland) Act 2003 requires new construction work to comply with the standards set in the Building (Scotland) Regulations 2004. The energy section of the building standards aims to ensure that effective measures for furthering the conservation of fuel and power and furthering the achievement of sustainable development are addressed when undertaking building work.

The standards apply to new buildings, existing buildings where relevant construction work is to be carried out and buildings being converted.

The standards aim to limit energy demand in buildings by addressing the performance of the building fabric and fixed building services. They also oblige the design of buildings to be considered holistically.

The review of the energy standards is considering where the energy performance of buildings can be improved to further reduce associated carbon emissions from buildings.

The review will also consider in what way the energy standards can support the wider policy objectives identified in the [Scottish Government's Energy Strategy](#) and [Scottish Government's Climate Change Plan](#).

### **Purpose of this consultation**

This consultation is seeking the views of stakeholders on the impact the 2015 energy standards had, or continues to have, on Industry in designing and constructing buildings to meet the Scottish building regulations. Feedback received will be considered in the development of the next set of energy standards programmed to be introduced in 2021.

We want to hear about the challenges you faced in meeting the 2015 standards and how they were overcome. We also want to understand where you consider there are practical opportunities to further improve the energy performance of buildings. Robust evidence, and where possible examples, should be provided to support your views.

### **Audience**

Anyone may reply to this consultation. We would particularly like to hear from organisations and individuals who can provide evidence from their involvement in the design, development and construction of buildings.

It would also be helpful to have views and opinions that reflect construction and development across Scotland, including the impact of the energy standards to development in remote, rural and island communities.

### **Body responsible for this consultation**

The Building Standards Division working through Scottish Ministers is responsible for this consultation.

### **Duration**

This consultation will run for 12 weeks from 25 June – 14 September 2018.

### **How to make an enquiry**

If you have any queries about this consultation please contact Building Standards Division at BSD\_Admin\_Mailbox@gov.scot or call 0131 244 4000.

### **Responding to this consultation**

We are inviting responses to this consultation by 17 September.

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space (<http://consult.gov.scot>). Access and respond to this consultation online at <https://consult.gov.scot/local-government-and-communities/building-standards-energy>. You can save and return to your responses while the consultation is open. Please ensure that consultation responses are submitted before the closing date of 14 September 2018.

If you are unable to respond using our consultation hub, please complete the Respondent Information Form and return, by post to:

Building Standards Division  
Energy Standards Consultation  
Scottish Government  
Denholm House Almondvale Business Park

Livingston  
EH54 6GA

### **Handling of your response**

If you respond using the consultation hub, you will be directed to the 'About You' page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

To find out how we handle your personal data, please see our privacy policy:

<https://beta.gov.scot/privacy/>

### **Next steps in the process**

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.scotland.gov.uk>. If you use Citizen Space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to inform the decision making process. Responses will be published where we have been given permission to do so.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them in writing to the contact address above or to

[BSD\\_Admin\\_Mailbox@gov.scot](mailto:BSD_Admin_Mailbox@gov.scot).

### **The Scottish Government consultation process**

Consultation is an essential part of the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work. You can find all our consultations online: <http://consult.scotland.gov.uk>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the policy development process, along with a range of other available information and evidence. We will publish a report of responses for every consultation. Responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

## Part 2 – Proposed scope of the review of energy standards

The energy standards introduced in October 2015 for new buildings, set targets that deliver an aggregate reduction in greenhouse gas emissions of 21% for new homes and 43% for other buildings over the previous 2010 standards. The 2015 changes follow previous reviews in 2007 and 2010 which also introduced step changes in the energy standards applicable to new buildings and new building work.

Emissions from new buildings constructed to current building standards are, on average, 75% lower than those constructed to the equivalent standards in force in 1990 (the baseline year for reporting on carbon emissions abatement).

This review of the energy standards, and the supporting guidance, will consider the next steps to increasing the level of abatement achieved in new construction work. The draft scope of the topics to be considered are:

- **Achieving further carbon abatement from new buildings** – investigating further reductions including the levels proposed in the 2013 Sullivan Report update.
- **Setting of performance standards in terms of energy rather than emissions** – recognising a stronger focus on energy demand reduction within Ministerial policy and EU legislation, we will investigate the benefits of setting targets in terms of energy demand whilst still reporting on greenhouse gas emissions.
- **Achieving further carbon abatement from existing buildings** – to support broader Scottish Government policy objectives, reviewing guidance on work to existing buildings to give more comprehensive information to support other drivers for the renovation of our existing stock.
- **Improvements to heating systems when replacing boilers** – looking at the benefits of requiring the installation of heating controls when heat sources are upgraded, as well as other consequential actions, to enable systems to be operated at optimum efficiency (this follows discussion on similar work being undertaken in England by the UK Government).
- **Designed versus as-built performance** – review on potential for action within the building standards system to improve the quality and performance of new buildings, including a comparison to their designed (calculated) performance.
- **Alignment of change with broader Scottish Government policy objectives** – cross-cutting work to determine how building standards may assist other carbon and energy policy outcomes, including support for renewable heat and the reduction of energy demand through the use of new technologies.
- **Investigate current constraints affecting further emissions reduction** – with other policy colleagues; topics include grid constraints on new generating sources and skills/capacity within the construction sector.
- **Action on EU requirements for ‘nearly zero energy’ new buildings from 2019/21** – UK work in this area is on-going and proposals will be developed for Ministers to consider in the context of Scotland’s position in Europe, post-exit.

Two related items being considered within a separate review of miscellaneous building standards topics which began earlier in 2018, are:

- **Allowable solutions** – consider the potential to set a ‘net zero carbon’ standard for new buildings through use of carbon offsetting measures unrelated to the buildings, as mentioned in the 2013 Sullivan Report update.
- **Enabling charging of electric vehicles** - working in partnership with Transport Scotland, to investigate provision of EV charging points or enabling infrastructure within new buildings.

Any changes to the standards or supporting guidance will be subject to a public consultation.

It is anticipated that the next set of standards and supporting guidance will be introduced in October 2021 with the changes being published 1 year in advance. Versions of the national calculation methodologies (SAP & SBEM) will be available before the revised standards and guidance take effect.

The review will also consider all relevant actions/findings arising from the Fire Safety and Compliance & Enforcement reviews that are currently in progress.

### **Part 3 – Consultation on the impact of the 2015 energy standards and the focus of further review**

This consultation is the first stage of the review of the current energy standards.

Its purpose is to gather views, supported by robust evidence, on your involvement in the construction or alteration of buildings under the current energy standards, introduced in October 2015.

This information will assist in finalising the scope of the review and will help identify any potential barriers to constructing buildings that are both energy efficient and reduce carbon emissions.

We would particularly like to hear from those persons who have responsibility for, or contribute to, the design and construction of domestic and non-domestic buildings.

Furthermore, we would encourage feedback on the application of the energy standards to development in remote, rural and island communities.

Some examples of the type of topics we would like to hear about are:

- The challenges you experienced, and how these were overcome in both the design and the construction of buildings. We are particularly interested in the experiences of building in remote, rural and island communities.
- Where you consider the greatest potential areas exist for further practical improvement to energy performance of buildings in the next set of energy standards.
- What role does the provision of renewable technologies have in the design and construction of buildings? What informs your view?
- To meet lower emission targets in 2015, to what extent did the building fabric (insulation) specifications you use change compared to under the 2010 standards?
- What role did the building services specification (heating, lighting, ventilation, etc) play in meeting the 2015 standards? Where do you consider the focus of attention should lie in the design and specification of low energy buildings?
- Are there any aspects of the National Calculation Methodology - Standard Assessment Procedure (SAP) & Simplified Building Energy Model (SBEM) - that you consider are not representative, or present challenges, in calculating and reporting building energy performance?

The above list is only provided to offer examples of possible areas of response. Accordingly, please do not limit your feedback to these topics.

To ensure the feedback we receive is robust, evidence supporting your comments should be provided where practical. This can include the uploading of relevant additional documents and examples.

## Part 4 – Your feedback and evidence

Please provide your views and experiences of the 2015 energy standards and where you consider scope for further review should focus. When providing your response please identify the building type to which your information relates to (domestic, non-domestic or both). Also identify the nature of the construction work to which your information relates (new build, extensions, alterations, conversions or all construction work).

Documentation to support your views should be sent with your response.

Where you have more than one item of feedback you wish to give please record these separately by providing a duplicate template containing the information requested below.

<b>Building Type</b>	Domestic building <input type="checkbox"/> Non-domestic building <input type="checkbox"/> Both <input type="checkbox"/>
<b>Nature of Work</b>	New build <input type="checkbox"/> Extensions <input type="checkbox"/> Alteration <input type="checkbox"/> Conversion <input type="checkbox"/> All construction work <input type="checkbox"/>
<b>Subject:</b> Please provide a brief description of the aspect of the 2015 energy standards you wish to provide feedback on.	
<b>Commentary:</b> Please provide full details about the aspect of the 2015 energy standards that you are providing feedback on.	
Where you are sending a supporting document as evidence please provide a brief description about its relevance to the feedback you have provided.	

## Scottish Building Regulations: Review of Energy Standards 'Call for Evidence'

### RESPONDENT INFORMATION FORM

**Please Note** this form **must** be completed and returned with your response.  
To find out how we handle your personal data, please see our privacy policy:  
<https://beta.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual  
 Organisation

Full name or organisation's name

Phone number  
Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name  
 Publish response only (without name)  
 Do not publish response

#### Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

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 Scottish Government to contact you again in relation to this consultation exercise?

- Yes  
 No



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

© Crown copyright 2018

**OGL**

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://nationalarchives.gov.uk/doc/open-government-licence/version/3) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at [www.gov.scot](http://www.gov.scot)

Any enquiries regarding this publication should be sent to us at  
The Scottish Government  
St Andrew's House  
Edinburgh  
EH1 3DG

ISBN: 978-1-78781-005-1 (web only)

Published by The Scottish Government, June 2018

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA  
PPDAS431686 (06/18)

W W W . G O V . S C O T