



Joint meeting of the Cross Party Group of the Scottish Parliament on Renewable Energy and Energy Efficiency and the Cross Party Group of the Scottish Parliament on Architecture and the Built Environment

The Warm Homes Bill

12.45pm, Thursday 19 April 2018

Committee Room 4

The Scottish Parliament

Chair: Claudia Beamish MSP

1. Attendees and Presentations

A provisional list of attendees is attached to the end of this note. If you attended and are not shown on the list, please email Elaine Waterson (Elaine.waterson@est.org.uk).

For a copy of the presentations please email Elaine Waterson (Elaine.waterson@est.org.uk).

2. Introduction by Chair and approval of minutes from the last meeting

Claudia Beamish MSP welcomed everyone to the meeting and noted apologies had been received from Jackie Baillie MSP, Alexander Burnett MSP, Liam McArthur MSP and Linda Fabiani MSP. She then highlighted that housing was central to people's well-being and mentioned the UN's right to housing noting that a Warm Home is part of that right. She went on to highlight that a Warm Homes Bill will be introduced this year and noted the information about the Warm Homes Bill that was contained in the Scottish Government's recent consultation on their fuel poverty strategy.

Minutes of the last two meetings, held on 11 January 2018 and 22 February 2018, had been sent round group members in advance and the secretariat received no requests for additions or corrections. No requests for additions or corrections were made at the meeting. The group agreed that the minutes provided an accurate account of both meetings.

3. Presentation – Getting the most out of energy efficiency retrofits – Barbara Lantschner, John Gilbert Architects. Barbara Lantschner began her presentation by describing John Gilbert Architects' Hab Lab work which focusses on closing the 'performance gap' i.e. the gap between the predicted energy use of a building and its actual energy usage. She went to highlight a number of key findings from the Hab Lab work namely that:

- Retrofit insulation works do result in reduced energy consumption but by as much as predicted.

- Warmer, more airtight buildings exacerbate health risks associated with indoor air pollution and moisture. They also exacerbate building fabric risks associated with moisture
- The biggest variable is occupant behaviour so it is important to engage with occupants.

She went on to outline a number of proposals and conclusions based on these findings, including that ventilation must be considered as part of retrofit work and designed specifically for the archetype. She highlighted that ventilation lowers the amount of risk that energy efficiency measures might introduce to a building but noted that it is not funded under existing retrofit programmes. She also discussed the importance of closing insulation and moisture gaps, raising awareness amongst occupants, and the dissemination of information amongst construction industry stakeholders.

4. Presentation – The Warm Homes Bill – the Existing Homes Alliance’s perspective – Elizabeth Leighton, Existing Homes Alliance (ExHA). Elizabeth Leighton began her presentation by highlighting that there is not much information in the public domain about what will be in the Warm Homes Bill when it is introduced to the Scottish Parliament next month. She went on to highlight that there was cross party support for a comprehensive Warm Homes Bill and noted that in Spring 2017 the political parties came together and wrote to the Housing Minister in support of a Warm Homes Bill. She then noted that while there is already a good set of energy efficiency programmes in Scotland there is still much to do not least because around a quarter of households are in fuel poverty. She emphasised that housing ambitions need to match targets for climate change and that the Warm Homes Bill opens up a once in a generation opportunity to ensure this happens. She went on to discuss the results of a gap analysis of existing legislation that the ExHA undertook which identified the need for ambitious fuel poverty and energy performance targets for the housing stock, a strategic framework for SEEP, measures to overcome barriers, strengthened regulations and consumer protection. She concluded by highlighting the ExHA’s view that the Scottish Government’s existing proposals are unambitious and vague and that at the proposed rate of change fuel poverty will not be eradicated before 2047.

5. Presentation – The legal barriers to energy efficiency improvements in flats, Frankie McCarthy, University of Glasgow. In the session’s final presentation Frankie McCarthy started by highlighting research that she has been involved in with legal experts from different European jurisdictions. She noted that one of the key things she has learned from being involved in this work is that we are ‘miles’ behind other countries.

She went on to highlight that there is an underlying problem which is that efficiency renovations need to be applied to the building as a whole. However, the law does not understand flats as anything other than a set of individual units and this creates several problems, including that:

- Ownership is fragmented.
- Rules are not standard.
- The Tenements Scotland act is only a default and the title deeds may say something different.
- There is no information about what the title deeds will say.

She then noted that the strategic parts of the building will not always be owned by the same people and that there are no requirements for owners to act as if they have responsibility for the building as a whole. Indeed, the law is silent on the idea of collective management. In other jurisdictions flat owners are required to join an owner’s association. In Scotland there are no requirements for owners to meet, there are no requirements that they have a maintenance plan for the building and there are

no requirements that they have a sinking fund. As a result, management tends to be reactive as opposed to proactive. She went on to explore the levels of agreement required to undertake different types of work to common areas of flats and noted that it was often difficult for householders to work out what to do without legal advice. In terms of solutions she suggested that data on common title deeds provisions would be helpful together with data on potential improvements and changes to the law – which could be in the form of either carrots or sticks.

4. Question and Answer Session

A range of questions were directed at the panel; please note that the intention of this meeting note is not to record a verbatim account of the meeting. Questions posed to the panel and answers received included:

- **Stephen Young** noted that the Planning Bill was before Bob Dorris' Committee at the moment and it may be possible to get something into that.
- **Dave Hawkey** asked how much of a problem indoor air quality issues might become if current issues continue and what the cost of solutions to these might be.
- **Alan Beal** noted that previous fuel poverty targets had not been met and asked how the same pitfalls could be avoided.
- **Barbara Lantschner** noted that some low cost measures could be used today, for example sensors. Using sensors would mean that instead of having to waiting for months or indeed years before knowing how things are working data would be available straight away. She also noted that current levels of air quality in Scottish homes is poor.
- **Elizabeth Leighton** highlighted that she was aware of the Planning Bill but that timing was an issue. She went on to note that she would rather the Scottish Government set a challenging target than an unambitious one.
- **Claudia Beamish** highlighted the importance of making changes at stage 2 as opposed to stage 3.

5. Conclusion and dates of future meetings

Claudia Beamish MSP thanked everyone for their attendance at, and participation during, the meeting and noted that future meetings are planned as follows:

- 1st May 2018 – the renewables manufacturing chain [note: this meeting has now been postponed. A new date for this meeting will be set in due course]

7. AOB

No other business was discussed.

8. Attendees

Members – Cross Party Group on Renewable Energy and Energy Efficiency

Claudia	Beamish, MSP
Keith	Baker
Dan	Barlow
Alan	Beal
Sarah	Beattie-Smith

Rebecca	Bell
Garry	Cowan
Ian	Cuthbert
Andrew	Faulk
Bronagh	Finnegan
Roderick	Galbraith
David	Hawkey
Elizabeth	Leighton
John	Maclean
Ben	Macpherson, MSP (attended part of meeting)
Philip	Matthews
Paul	Moseley
Joan	Pisanek
Fiona	Riddoch
Helen	Snodin
David	Stewart
John	Taylor
Elaine	Waterson
Andy	Whightman, MSP
Stephen	Young

Members – Cross Party Group on Architecture and the Built Environment

Jack	Hugh
David	Major
Ingval	Maxwell

Non-member guests

Barbara	Lantschner
Frankie	McCarthy
Owen	Williams
Lindsey	Restrict
Scott	Restrict
Vanessa	Cox
Mareike	Luhrs

For suggestions of corrections for this note please contact the secretariat, Elaine Waterson (Elaine.waterson@est.org.uk).