

Proposed Domestic Building Environmental Standards (Scotland) Bill

Introduction

A proposal for a Bill to introduce new minimum environmental design standards for all new-build housing to meet the Passivhaus standard or a Scottish equivalent in order to improve energy efficiency and thermal performance.

The consultation runs from 4 May 2022 to 27 July 2022

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available [here](#):

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

About you

Please choose whether you are responding as an individual or on behalf of an organisation.

Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Politician (MSP/MP/peer/MEP/Councillor)

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).

(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Colin Smyth MSP

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").

Q1. Which of the following best expresses your view of the proposed Bill? Please note that this question is compulsory.

Fully supportive

Please explain the reasons for your response.

With an ongoing cost of living crisis and full poverty in Scotland getting worse, we must take action to reduce energy consumption and costs. Scotland is continually failing to meet its climate targets and it is vital that we take action to address the climate crisis by reducing our energy consumption and emissions. This Bill will ensure that new any new houses built will reduce energy demand and cut fuel bills for families across the country.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

I believe that legislation is required to ensure all new houses are built to a Scottish legal minimum standard in order to help reduce consumption. The current plans put forward by the Scottish Government to ensure all new build homes built to energy rating C is reliant on expensive electric heating replacing gas fuelled boilers, which will increase demand on the grid and continue to produce CO2 emissions. We need legislation to ensure the introduction of the Passivhaus or an equivalent standard because this building standard can be achieved without the use of energy and it is a verifiable measure based on actual performance rather than the Energy Performance Certificate system, which is a theoretical model.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

Passivhaus construction will also eradicate the performance gap, which is the difference between how a new home is expected to perform and how it actually performs in relation to energy efficiency.

Q3. Which of the following best expresses your view on setting the Passivhaus standard or a Scottish equivalent as the most appropriate new build housing standards to contribute to eradicating fuel poverty?

Fully supportive

Q4. Which of the following best expresses your view on setting the Passivhaus standard or a Scottish equivalent as the most appropriate new build housing standards to contribute to a reduction in emissions?

Fully supportive

Q5. Which of the following best expresses your view of the process set out to ensure that the new standards are met in all new build housing? (see pages 14 to 16 in the consultation document)

Fully supportive

Please explain the reasons for your response, including your views on how effective the process would be in removing the 'performance gap' and on how the proposed verification process might work in practice.

Building standards should be able to be verified and evidence should be submitted to ensure that there is no performance gap. As stated previously, Passivhaus construction is a verifiable measure based on actual performance as opposed to the current Energy Performance Certificate system which is the theoretical model.

Q6. What could be the market effects of the introduction of this proposal?

The introduction of this proposal will support the growth of the supply chain in Scotland by creating skills and jobs, providing Scotland with the opportunity to be a world leader in this sector. Existing house builders who have moved from traditional construction methods to Passivhaus standards have invested in upskilling their workforce. They found that this has increased the pride architects and tradespeople take in their work and has improved skills. Reports from companies in Ireland and Scotland who have already taken this approach have been very positive.

Financial Implications

Q7. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

some increase in costs

Please explain the reasons for your answer, including whom you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more

Q7. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

cost-effectively.

There is an estimated additional capital cost of building to the Passivhaus standard, which is between 4%-8% of the total build. However, greatly improved energy efficiency will result in savings on heating bills and reduced emissions which will save money in the long-term. Builders have reported that the cost of improvements to buildings at the construction stage is much lower than retrofitting at a later date and has the added benefit of lower CO2 emissions and energy consumption from the outset.

Equalities

Q8. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

It is my view that there are no adverse impacts expected from passing this legislation. The proposal will benefit people on low incomes and those with disabilities, for example by reducing energy bills and preventing the need for retrofitting in the future. This proposal will have a positive impact on everyone, including wider society as we strive towards reaching our climate targets.

Sustainability

Q9. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? If you do not have a view then skip to next question

Please explain the reasons for your answer, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

This proposal can be part of the solution to net zero because it will reduce both emissions and the consumption of energy in our homes. Scotland currently has the highest level of people living in fuel poverty in the UK at 25%. Adopting Passivhaus or equivalent standards will reduce the energy demand for heating by up to 90% (compared to existing housing stock), cut fuel bills and reduce emissions, which will greatly benefit families and the environment. This proposal is an excellent way for Scotland to make strides towards both meeting our crucial climate targets and eradicating fuel poverty in the future.

General

Q10. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

No Response