

# 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".)

Member of the public

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".)

**Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation**

May I be bold enough to claim, that at 66 years of age, and having lived in a number dwelling houses both in the UK, Europe and Central Asia (some moderate / colder climate countries included), I have a reasonable knowledge of the benefits or otherwise related to building standards in terms of the Environment. Having experienced internal frost in conventional windows whilst growing up, to having to pay for compliance to fairly recent standards whilst extending a property, having felt the benefits of some standards, to having felt the discomfort of others, I have experienced a fairly broad spectrum of standards, and I will not be alone in having this experience. My point is really to say, that in a number of ways, anyone who has lived in a house has a degree of expertise in this subject, the more houses, the more variation of building standards, then the more expertise, albeit in a non academic or professional capacity, but in a practical capacity.

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).

Ross Stewart Imray

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

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

**Please explain the reasons for your response.**

Clearly, appropriate building standards bring many benefits in terms of energy consumption. Financial and social benefits are also applicable for those residing in housing which is constructed to the highest possible / reasonable standards in terms of energy consumption. These benefits can be defined as long and short term, and to my mind, the only way forward given the multiplicity of factors, and facts, related to this subject, is to tackle the issue head on, and an improvement in general domestic building standards, specific to energy efficiency to be encapsulated in legislation. Retrofitting is not a way forward, the clue is in the name, and in my experience, never compares favourably with integral standards being applied at time of new build.

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.

Legislation with definitive standards and penalties for non compliance, is in my opinion, the only way forward.

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?

Partially supportive

**Please explain the reasons for your response.**

It cannot be argued, at this stage, that a specific standard will have a significant short or medium term impact eradicating fuel poverty. This is a highly complex issue. It will contribute, of that there is no doubt, but clearly this is a long(ish) term approach. If nothing is done now, then there will be zero contribution either in the short, medium or long term. As stated, this is a complex issue, and I have no intention of writing a paper on the subject!!! However, consider this....fuel poverty is mentioned in this question, almost every definition of fuel poverty I have seen, bears a reference to 10 p.c. of household income being spent on "fuel", being one defining factor of fuel poverty. However, I can tell you from experience, that people in Scotland suffer daily, particularly in the colder months, scrimping and saving, wandering around indoors with multiple layers of clothing. In some cases living in one room, or indeed staying in bed, in an effort to save on fuel costs. The consequences of these actions and the miserable existence related to these actions, and indeed the purpose of these actions is a saving on fuel costs. That saving, may result in less than 10 p.c. of household income being spent on fuel!!! Albeit that for some people, depending on health, this is a high risk strategy, they may in fact be moving themselves out of one of the key factors in defining fuel poverty. The reality is, that they could be means tested on what fuel they are using, as opposed to what they should be using to maintain a healthy and meaningful existence. This example is one of many complex factors, and I use it only as an example in supporting my case that yes, surely building standards will contribute greatly, but I can only be partially supportive in terms of expressing my support in terms of the words used in # 3 above.

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?

Partially supportive

**Please explain the reasons for your response.**

Again, surely it can be seen that this is something that can be done which will have a significant impact, but a complex issue which involves a multiplicity of factors.

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.**

I am no legal expert, but the description contained within the Bill seems reasonable and robust. My expertise is not sufficient to challenge any issues. To me, it looks fine.

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

Assume that the housing market is being referred to? This will lead to increased building costs in the short to medium term. This will lead to immediate benefits to occupants of such new build properties. There will need to be Governmental support of a financial nature, either to builders, buyers, and social tenants (capping of rents). However, there will be savings in other areas of Government spending, for example NHS Scotland. This needs to be considered, and acted upon, otherwise we are "going nowhere" as a Nation in terms of a positive approach on such issues.

## 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 cost-effectively.**

This is in some ways an unfair question, in that a cost analysis needs to be undertaken. Initially a cost increase will apply in the long term as such standards become the norm, building costs will stabilise, purchase costs will stabilise, environmental costs will decrease, health issues related to environmental aspects will decrease, along with medical costs related to treating same. In some cases, benefits will decrease or stabilise due to improved fuel economy. Complex matter.

## 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.

*No Response*

## 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?

*No Response*

## 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*