

# Electric vehicle chargepoints in buildings

## Introduction

Thank you for responding to the Electric vehicle chargepoints in buildings consultation. Your responses will define the:

- proposal of introducing a requirement for electric vehicle (EV) chargepoints to be installed in new homes with an associated car parking space
- manner we transpose 3 new requirements of the European Union's (EU) Energy Performance of Buildings Directive (EPBD)

The consultation will run until the 7 October 2019.

The Office for Low Emissions is carrying out this consultation to decide whether to introduce a requirement for EV chargepoints to be installed in new homes with an associated car parking space and will define the way we transpose 3 new requirements of the EU's EPBD.

## Personal details

1. Your name and email address (only used if we need to contact you).

Your name

Your email

2. Are you responding as: \*

- an individual? (Go to question 4)
- on behalf of an organisation?

## Organisation details

3. Your organisation's name is?

## Building regulation changes: new residential and residential buildings undergoing major renovation

We want every:

- new dwelling

- buildings undergoing material change of use to create a new dwelling

**with an associated dedicated car parking space to have a chargepoint, where the space is 'within the site boundary' of the building.**

**And for every residential building undergoing major renovations with more than 10 car parking spaces physically adjacent to the building to have cable routes for electric vehicle chargepoints in every space.**

## New dwellings

**4. Do you agree with our proposed policy position to require a chargepoint in new dwellings?**

- Yes for all dwellings (Go to question 6)
- Yes for single-dwelling buildings only
- Yes for multi-dwelling buildings only
- No
- Don't know? (Go to question 6)

## Against new dwellings proposal

**5. Why not, including what requirement you think would be suitable (include any evidence you may have)? [Attach your evidence to your return]**

Comments:

Energy Saving Trust recognises the clear benefits and convenience of charging at home overnight, and agrees that building regulation should be updated to reflect the growing demand for charging infrastructure.

However, we think that building regulations should specify cabling, a suitable termination point for easier installation at a later date and the necessary grid capacity, for all new homes, especially for single-dwelling, rather than the installation of chargepoints. This would mean that all new (single dwelling) homes would be "chargepoint-ready" or "chargepoint enabled". This would be a compromise between installed chargepoints and just ducting/cable routes, which would be insufficient.

While providing cabling only for 7kW chargepoint would reduce the 'nudge' factor, it also reduces the risk of new homeowners or tenants being dissatisfied with the installed chargepoints, which would undermine public confidence and therefore the policy objective.

Requiring cabling, a clear termination point, and appropriate metering would ensure that the chargepoint placement and power demand was taken into account at the design stage, improve visibility and reduce the cost and hassle of later retrofitting, while still providing households with a choice of equipment and supplier.

If developers install chargepoints, there are likely to select low-cost chargepoints and could potentially lock householders into a single supplier, if smart chargepoints without back office

interoperability are chosen. This could create local monopolies and disincentive chargepoint operators to develop attractive, competitive customer propositions and tailored packages, for example including hardware, an energy tariff and electric vehicle.

While any chargepoints installed by developers are likely to be eventually used within the next decade as EV uptake grows, chargepoint technology and products are also advancing year-on-year. Households may therefore want the option to choose the best available chargepoint at the time that meets their budget and needs, with a warranty from the time they start using the chargepoint, rather than the one chosen by the developer.

If many chargepoints are not used for several years after installation or are replaced/upgraded, this will also generate large quantities of electronic waste. Numerous local authorities across the UK are now removing obsolete, first generation public charging infrastructure.

If the government implements its policy proposal and requires all new homes to have chargepoints, developers should be required wherever possible to offer the future occupiers a choice of at least 3 chargepoints from different suppliers (if smart capable), in the same way that other fixtures and fittings are agreed.

All options – ducting, cabling and chargepoints – are an improvement on the current situation of new homes being built without any recognition of the very substantial changes already underway in the transition to EVs. However, we think consumer choice should be given greater weight in current proposals, especially with the move towards smart chargepoints.

## Material change of use

**6. Should we require the installation of an electric vehicle chargepoint in the car park of buildings converted into a new dwelling?**

Yes (Go to question 8)

No

Don't know? (Go to question 8)

## Against material change of use proposal

**7. Why not (including any evidence you have)? [Attach your evidence to your return]**

Comments:

The requirements would benefit from clarification.

As per the policy proposal, there should be at least one chargepoint per dwelling installed in the car park (or suitable cabling), with the various exemptions outlined in 3.22.

There should not be only one chargepoint per building, or per car park, as the wording could question imply.

## Major renovation

**For residential buildings undergoing major renovation we:**

- do not propose requiring the installation of an electric vehicle chargepoint
- do propose requiring cable routes for electric vehicle chargepoints when the building has more than 10 parking spaces as per the minimum EPBD requirement

**The reason we are not proposing to apply the chargepoint requirement is that we are mindful that this requirement would increase the capital cost of major renovations, and that this capital cost might ultimately fall on existing leaseholders. We also do not wish to discourage major renovations taking place by adding unacceptable additional costs to works. In a single-dwelling setting, there are more potential problems where a renovation of a separate part of the dwelling could result in the requirements being triggered.**

**8. Do you agree not to apply the chargepoint requirement to residential buildings undergoing major renovations?**

- Yes (Go to question 10)
- No
- Don't know? (Go to question 10)

## **Against major renovation proposal**

**9. Why, including any evidence you have, and to which types of residential buildings you wish to apply the regulation to (such as residential buildings with more than 10 car parking spaces only)? [Attach your evidence to your return]**

Comments:

Clarification is required here as the policy summary on p7 is inconsistent with the policy stated above, and inconsistent from Diagram 2 in Annex C, which requires the same number of chargepoints as the number of spaces or dwellings, where technically feasible.

Given that the installation of a single 7kW chargepoint is unlikely to be very expensive or require any grid upgrade, a major renovation would be a good juncture to install a chargepoint, not just ducting. It may be otherwise difficult for leaseholders to install a chargepoint. The various exemptions outlined should mitigate adverse impacts.

## **Scope of requirement**

**We propose that the requirement should be for one chargepoint per dwelling rather than every parking space associated with the building.**

Therefore if a building has more car parking spaces than dwellings, there will be a single chargepoint per dwelling rather a chargepoint per parking space.

10. Do you agree the requirement should be for one chargepoint per dwelling rather than every parking space associated with the building?

Yes (Go to question 12)

No

Don't know? (Go to question 12)

## Against scope of requirement proposal

11. Why not (including any evidence you may have)? [Attach your evidence to your return]

Comments:

## Optional building regulations

12. Do you agree we should set the requirement as mandatory rather than optional in the building regulations?

Yes (Go to question 14)

No

Don't know? (Go to question 14)

## Against optional building regulations

13. Why?

## Other issue to consider

14. What other issues do you think, relevant to using building regulations to set standards for the provision and safety of electric vehicle chargepoint, we should consider?

The ability to update building regulations or ensure sufficient flexibility in wording to allow for the development of future technologies, such as smart charging, V2G, chargepoints with internal battery storage, or battery storage.

Although considered through the smart charging consultation, interoperability and implications of this for consumers/households should be actively considered, to avoid overly restricting consumer choice.

The Government should also consider the ability to enforce the building standards, and the current lack of knowledge regarding charging infrastructure within the housing and construction sector – more education will be required to ensure good design, equipment choices and installations.

## **Building regulation changes: new non-residential and non-residential buildings undergoing major renovation**

We propose to transpose the EPBD requirement for new non-residential buildings and non-residential buildings undergoing major renovation directly.

This means that we want every new non-residential building, and every non-residential building undergoing a major renovation, with more than 10 car parking spaces to have:

- 1. one chargepoint**
- 2. cable routes for electric vehicle chargepoint cabling for one in 5 spaces**

**15. Do you agree with our proposed policy position?**

- Yes (Go to question 17)
- No
- Don't know? (Go to question 17)

## **Against new non-residential policy position**

**16. Why, including what alternative requirement you think would be suitable (note we are obliged under the EPBD to transpose the proposed requirements as a minimum)? [Attach your evidence to your return]**

Comments:

## Existing non-residential buildings

The EPBD includes a requirement for the government to lay down requirements for the installation of a minimum number of chargepoints in all existing non-residential buildings with more than 20 parking spaces. This requirement must be set by March 2020 and will come into force by 1st January 2025.

We propose to set the minimum requirement at one chargepoint per existing non-residential building with more than 20 parking spaces.

17. Do you agree that one chargepoint per existing building with more than 20 car parking spaces is a suitable minimum requirement to transpose the EPBD?

- Yes (Go to question 19)
- No
- Don't know? (Go to question 19)

## Against existing non-residential building proposal

18. Why, noting this is the minimum we must do under the EPBD?

## Existing non-residential buildings: application

19. How can the government apply these regulations in a way which balances the benefit to EV drivers and the requirements of the EPBD, with the burden on landowners?

We agree with proposals outlined, because this will avoid too much redundant infrastructure, the threshold of 20 spaces is reasonable, and this enables flexibility in terms of the type of chargepoint installed. Ducting would be more disruptive.

We think that if grant support is continued for workplaces, many will install chargepoints as a matter of course. Avoiding overly restrictive requirements and providing additional tar-

geted grant support would be beneficial to enable community groups etc to meet the requirements.

## Existing non-residential buildings: enforcement

**20. Do you agree that the appropriate enforcement regime for this power should see a sliding scale of penalties for non-compliance?**

- Yes (Go to question 22)
- No
- Don't know? (Go to question 22)

### Against sliding scale

**21. Why, including what alternative enforcement regime you think is suitable?**

Whichever enforcement body is chosen, it must have sufficient capacity and resources to adequately carry out its duties and enforce the regulations.

## Existing non-residential buildings: enforcement

**22. In your opinion the enforcement body should be:**

- Local Weights and Measures Authorities
- Local Authority Building Control
- I dont know?
- another body:

## Mitigations

**23. What steps do you think we should take to mitigate against any potential negative impact of the implementation of these regulations?**

There should be an exemption for both new and existing vehicle storage facilities and possibly



some car dealerships where ducting to 1 in 5 spaces would be excessive. It is likely that it would be better to 'top-up' these cars briefly via a single fast or rapid chargepoint sufficiently to get them on to a transporter. Currently, vehicle storage facilities do not have refuelling infrastructure and store cars with minimal fuel. Discussions with the industry and manufacturer import centres would be beneficial to discuss details, for example a suitable threshold in terms of number of spaces for the exemption to apply.

## Technical specifications for building regulation requirements

Approved Documents (ADs) are provided alongside the building regulations to provide guidance about how to comply with the regulations. We have published our [draft version of the AD text](#).

### Definitions

24. Are the definitions in the draft Approved Document accurate and provide their intended meaning?

- Yes (Go to question 26)
- No
- Don't know? (Go to question 26)

### Against definitions

25. How, in your opinion, could the definitions be improved?

### Definitions

26. Do you agree with using the concept "within the site boundary" to define which parking spaces are in scope of the regulations?

- Yes (Go to question 28)
- No
- Don't know? (Go to question 28)

### Against "in the site boundary" definition

27. Why not and what do you think an appropriate definition would be?

It should be explicit that "within site boundary" includes multi-dwellings with communal car parks. i.e. the parking space does not have to be on land owned by same owner/occupant/leaseholder as the dwelling. "Site boundary" reflects this better than

“physically adjacent”.

## Technical specifications for EV cable routes and chargepoints

The Approved Document includes some minimum technical specifications for the EV cable routes and chargepoint. The government proposes specifying that the chargepoints must have a minimum charging power of 7kW, be at least Mode 3 or equivalent and be untethered.

28. Do you agree that the government should specify a minimum charging power of 7 kW?

- Yes (Go to question 30)
- No
- Don't know? (Go to question 30)

## Against 7 kW

29. Why, including any evidence you have, and specify what specification would be suitable? [Attach your evidence to your return]

Comments:

## Technical specifications for EV cable routes and chargepoints

30. Do you agree that we should specify that chargepoints installed under the building regulations should be at least Mode 3 or equivalent?

- Yes (Go to question 32)
- No
- Don't know? (Go to question 32)

## Against Mode 3 or equivalent

31. Why, including any evidence you have, and specify what specification would be suitable? [Attach your evidence to your return]

Comments:

## Technical specifications for EV cable routes and chargepoints

**32. Do you agree that we should specify that chargepoints installed under the building regulations must be untethered?**

- Yes (Go to question 34)
- No
- Don't know? (Go to question 34)

### Against untethered chargepoints

**33. Why, including any evidence you have, and specify what specification would be suitable? [Attach your evidence to your return]**

Comments:

Given the reduction in the number of vehicles with Type 1 connectors, this should be kept under review. Tethered cables can be more convenient.

## Technical specifications for EV cable routes and chargepoints

**34. In your opinion do the draft Approved Document specifications adequately consider accessibility requirements with regards to location of the:**

	Yes	No	Don't know?
cabling routes?	<input type="checkbox"/>	✓	<input type="checkbox"/>
chargepoints?	<input type="checkbox"/>	✓	<input type="checkbox"/>

Why including alternatives?

No – the expected standards for developers are not sufficiently clear in Annex C 1.24 or the Building Regulations Approved Document M. Accessibility for installers, maintenance and chargepoint users is different from the ability of a person with a disability to use the chargepoint, and therefore this section needs elaboration.

It should be made clear what the minimum standards are to comply with Equality Act 2010 and Building regs Part M. It should also clarify if every chargepoint and parking bay is expected to be fully accessible, for example, to a wheelchair user, or only a proportion, and how.

Note that the minimum dimensions may not be sufficient for future technologies, including V2G chargepoints, and some rapid chargepoints (relevant to commercial developments).

**35. In your opinion what, if any, other accessibility requirements should we include in the Approved Document?**

As above – clearer diagrams, with minimum dimensions, and a description on how to ensure equipment and locations are compliant with accessibility legislation.

## Technical specifications for EV cable routes and chargepoints

**36. Are the specifications with regards to safety standards outlined in the draft Approved Document appropriate?**

Yes (Go to question 38)

No

✓ Don't know? (Go to question 38)

## Safety specification insufficient

**37. Why including what further safety specifications do you think we need to include? [Attach your evidence to your return]**

Comments:

## Notifiable building work

We propose that the installation, addition or alteration of dedicated circuits and earthing and bonding arrangements for electric vehicle chargepoints to be notifiable work under the building regulations.

**38. Do you agree with our proposal?**

Yes (Go to question 40)

No

Don't know? (Go to question 40)

## **Against notifiable building work**

**39. Why?**

## **Approved Document scope**

**40. Does the proposed guidance in the draft Approved Document provide sufficient detail to comply with the requirements?**

Yes (Go to question 42)

No

Don't know? (Go to question 42)

## **Against approved document scope**

**41. Why including any suggestions for how to improve the guidance? [Attach your evidence to your return]**

Comments:

A benchmark for the 'technical infeasibility' should be stated for non-residential buildings.

Diagram 2 for residential major renovation needs correcting to be consistent with the policy proposals outlined in the rest of the consultation and/or the response form.

## **Approved Document scope**

**42. The diagrams in the draft Approved Document are illustrative only but do you think they provide sufficient detail for compliance?**

Yes (Go to question 44)

- No
- Don't know? (Go to question 44)

## Against approved document scope

43. Why? [Attach your evidence to your return]

Comments:

## Approved Document scope

44. Does the draft Approved Document meet our overall proposed policy intent?

- Yes (Go to question 46)
- No
- Don't know? (Go to question 46)

## Does not meet policy intent

45. What information do you think is missing from the draft Approved Document to meet the intended policy intent?

Check major renovation wording.

## Approved Document: additional information

46. What additional information, if any do you think needs to be added to the Approved Document? [Attach your evidence to your return]

Comments:

Major renovation diagram 2 in Annex C needs correcting to be consistent with the policy proposals outlined in the rest of the document.

It would be helpful to clarify how the building regulations apply where local authorities have set

stronger, weaker or different standards for chargepoint provision in new developments, such as through their Local Plan or Supplementary Planning Guidance.

## Exemption to EV installation

We can include some exemptions both to:

- the EPBD requirements (defined in Article 8 of the EPBD)
- our domestic requirement of a chargepoint in every home

The intention is for the regulations to only apply to buildings where it is appropriate to install EV chargepoints.

## Lead in times

The EPBD allows for an exemption for buildings that have submitted their initial building notice or full plans applications by 10 March 2021.

This implies a period of one year between the implementation of the requirements in national building codes and the regulations coming into force.

We would like to hear opinions on a reasonable lead-in time between introducing the new regulations and the regulations coming into force, for the:

- EPBD requirements for new non-residential buildings
- chargepoint requirements for new residential buildings

47. What do you believe is a reasonable transition period between publishing the new regulations plus guidance and the requirements coming into force?

1 year.

## Proposed exemptions for residential buildings

48. Do you think we should apply an exemption to our proposal to require a chargepoint in every new home when the grid connection cost is high?

- ✓ Yes (Go to question 50)

- No
- Don't know? (Go to question 50)

## Against grid connection cost exemption

49. Why not, including any potential exemption you think is suitable?

In cases where the costs do exceed £3,600, the developer could be required to make an equivalent contribution towards alternative sustainable transport provision, such as public transport or public charging infrastructure, via a Section 106 agreement or the community infrastructure levy, negotiated with the local planning authority.

## Proposed exemptions for residential buildings

Our quoted technical feasibility criteria for new dwellings is:

"the installation of an electric vehicle chargepoint should be considered technically feasible if the additional costs of reinforcement and upgrades to the local electrical distribution network would not exceed [£3,600] per dwelling. This cost should be calculated as the additional capital cost for electrical infrastructure, as compared to that which would be required without the chargepoints. This cost may be calculated either:

- a. for a development containing multiple new dwellings; or
- b. for an individual dwelling

Note for new dwellings where the installation of an electric vehicle chargepoint is not technically feasible, enabling infrastructure might be required."

50. Does this text capture the intended exemption?

- Yes (Go to question 52)
- No
- Don't know? (Go to question 52)

## Not capturing intended exemption

51. Suggest an alternative drafting.

## Proposed exemptions for residential buildings

We propose setting a threshold of three times the high scenario cost of the average electrical capacity connection needed for a chargepoint in a multi-dwelling building.



According to the costs we have collated for the associated impact assessment this would be £3,600 per chargepoint.

**52. Do you agree with our suggested threshold?**

- Yes (Go to question 54)
- No
- Don't know? (Go to question 54)

## Against threshold

**53. What do you think is a reasonable threshold including any evidence? [Attach your evidence to your return]**

Comments:

## Mitigation

**54. Does this exemption sufficiently mitigate any negative impact on housing supply?**

- Yes (Go to question 56)
- No
- Don't know? (Go to question 56)

## Against mitigation

**55. Why? [Attach your evidence to your return]**

Comments:

## Other technical feasibility considerations to include

**56. What other technical considerations do you think should be included? [Attach your evidence to your return]**

Comments:

## Proposed exemptions for residential buildings

57. For our a chargepoint in every new home created from a material change of use requirement do you agree that we should apply an exemption for:

	Yes	No	Don't know?
listed buildings?	<input type="checkbox"/>	✓	
buildings in conservation areas?	<input type="checkbox"/>	✓	

Explain your reasoning if you disagree.

Whilst Energy Saving Trust does not have extensive experience in this area, we do not feel that there should be blanket exemption for all listed buildings and those in conservation areas.

We think the exemption should only apply where it can be shown by the developer in discussion with local planning authority that **any** chargepoint would unacceptably alter character or appearance. Ideally, the building regulations should help to drive the chargepoint market towards the development of minimalist, sympathetic chargepoints so that those living in listed buildings or conservation areas can still benefit from access to convenient and cost-effective home charging.

58. For our a chargepoint in every new home created from a material change of use requirement should we apply an exemption in cases where there is adequate spare capacity in the incoming electrical supply to the car park?

- Yes (Go to question 60)
- No
- ✓ Don't know? (Go to question 60)

## Against exemption for adequate spare capacity

Wording of the question unclear – Chargepoints should **not** be required where there is inadequate spare capacity within the existing power supply.

## Proposed exemptions for residential buildings

60. If we apply the chargepoint requirement to residential buildings undergoing major renovations should we allow an exemption in cases where there is adequate spare capacity in the incoming electrical supply to the car park?

- Yes (Go to question 62)
- No
- ✓ Don't know? (Go to question 62)

## Against adequate spare capacity in the incoming electrical supply to the car park exemption

### 61. Why not?

Wording of the question unclear – Chargepoints should **not** be required where there is inadequate spare capacity within the existing power supply for residential buildings.

## Cable routes exceeds 7%

### 62. Should we apply an exemption where the cost of installing the cable routes exceeds 7% of the total cost of a major renovations within:

	Yes	No	Don't know?
residential buildings?	✓	<input type="checkbox"/>	<input type="checkbox"/>
non-residential buildings?	✓	<input type="checkbox"/>	<input type="checkbox"/>

#### Why?

We agree with this statement but think a caveat would be appropriate. For example, in cases where the costs do exceed 7%, the developer could be required to make a contribution towards alternative sustainable transport provision, such as public transport or public charging infrastructure, via a Section 106 agreement or the community infrastructure levy, negotiated with the local planning authority.

## Small medium enterprise exemptions

### 63. Should we apply an exemption for the requirement for existing non-residential buildings to small and medium enterprises?

- Yes (Go to question 65)
- ✓  No
- Don't know? (Go to question 65)

## Against small medium enterprise exemptions

### 64. Why not including any evidence you think is relevant? [Attach your evidence to your return]

Comments:

SME is not a prescriptive enough category to apply an exemption.

## Evidence and analysis

We have published 2 consultation stage Impact Assessments alongside this consultation, to capture the residential and non-residential building requirements. The Impact Assessments includes information about the costs of the proposed policies and are based on some key assumptions around the development of the EV and the EV chargepoint markets. We are, through this consultation, seeking further evidence to inform the final stage impact assessments. In particular, we welcome views on the costings we are relying on and the robustness of our main assumptions. We also welcome views on any impacts or benefits not reflected in the impact assessment.

65. Do you agree with the:

	Yes	No	Don't know?
assumptions set out in the Impact Assessment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
costs set out in the Impact Assessment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
impacts set out in the Impact Assessment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain your reasons if you disagree.

66. Provide any evidence you think relevant to the impact assessment. [Attach your evidence to your return]

Comments:

67. How do you think these costs are likely to change over time? [Attach your evidence to your return]

Comments:

**68. What do you think are the likely cost reductions from economies of scale specifying whether the cost reductions will be relevant for both installation and hardware costs? [Attach your evidence to your return]**

Comments:

**69. Do you think there are groups who would be impacted by these regulations that have not been captured by this assessment?**

- Yes
- No (Go to question 71)
- Don't know? (Go to question 71)

## **Additional groups**

**70. What additional groups and why? [Attach your evidence to your return]**

Comments:

## **Evidence and analysis**

**71. Do you think multiple single-occupancy developments (such as housing estates) will be able to take advantage of economies of scale savings for chargepoint installation?**

- Yes
- No
- Don't know? (Go to question 73)

## Multiple single-occupancy developments

72. Why? [Attach your evidence to your return]

Comments:

Increased costs of the grid connections could outweigh any savings available through economies of scale for the charging equipment alone.

### Evidence and analysis

73. What are the likely technological learning rates that chargepoint hardware would experience and why? [Attach your evidence to your return]

Comments:

74. Do you think our methodology for capturing grid connection cost variation is suitable?

- Yes (Go to question 76)
- No
- Don't know? (Go to question 76)

### Better methodology

75. What do you think is a more suitable methodology for capturing the variation in grid connection costs? [Attach your evidence to your return]

Comments:

### Evidence and analysis

**76. Does the assessment of cost incidence seem accurate?**

- Yes (Go to question 78)
- No
- Don't know? (Go to question 78)

## **Against cost assessment**

**77. Why not, including any evidence you have? [Attach your evidence to your return]**

Comments:

## **Evidence and analysis**

**78. Do you think there are likely to be disruption costs in a retrofit scenario, and if so how large do you think these will be? [Attach your evidence to your return]**

Comments:

**79. In your opinion have we captured all of the benefits?**

- Yes (Go to question 81)
- No
- Don't know? (Go to question 81)

## **Other benefits in impact assessment**

**80. What additional benefits do you suggest including and why? [Attach your evidence to your return]**

Comments:

## Evidence and analysis

**81. What do you think will be the impact on housing supply of introducing a requirement for chargepoint infrastructure on new dwellings? [Attach your evidence to your return]**

Comments:

## Final comments

**82. Any other comments?**

Whichever enforcement body is chosen, it must have sufficient capacity and resources to adequately carry out its duties and enforce the regulations. We are particularly concerned that weights and measures authority – normally Local Authority Trading Standards in Great Britain – have sufficient capacity to cope with existing duties relating to EPBD, let alone new responsibilities.

In a response to a 2015 government review of trading standards, the Chartered Trading Standards Institute wrote, “The regulations surrounding enforcement of Energy Performance Certificates (EPCs).. ...are not considered relevant to trading standards and remain a low priority because there is little detriment associated with infringement...”

“...CTSI are concerned about the tendency in recent years for various government departments to give extra responsibilities to trading standards without considering whether there are appropriate resources for trading standards services to carry these out.”

<https://www.tradingstandards.uk/media/documents/policy/strategy/ctsi-written-submission-to-bis-ts-review.pdf>

In this quote, we note both the CTSI’s erroneous view that there is no detriment associated with poor energy performing buildings and their point about funding. Further, much more recent, evidence about Trading Standards’ focus on EPBD-related enforcement can be seen from a recent (June 2019) Freedom of Information request to Devon County Council. This found that in the nine years the council had had EPBD related responsibilities, the council had managed to identify only 8 infringements of regulations and no formal warning letters have been issued, let alone any financial penalties. The FoI request/response further identifies that no extra funding had been received by the Council for Trading Standards to pay for their EPBD responsibilities. [https://www.devon.gov.uk/accesstoinformation/archives/information\\_request/energy-performance-of-public-buildings](https://www.devon.gov.uk/accesstoinformation/archives/information_request/energy-performance-of-public-buildings)

**From the above it seems that Trading Standards may often have a cultural, training and resourcing problem in dealing with place/energy related regulation and it is not appropriate for government to allocate further responsibilities to them in this area without**



**a substantial focus on training and resourcing.** While we suspect many of the same issues (particularly in regard to resourcing) will apply to Local Authority Building Control, we note that energy/building related regulations (Part L) are more deeply embedded in building regulations, and therefore LABC may be a better home for these regulations relating to car parks. But what is vital is that enforcement actually happens and is resourced.