

# DEC Non-Compliance

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# Background to the issue

- Implementation of the EPBD Directive (2008)
- Initial take up
- ‘Gold plating’?
- Requirements in respect of public buildings
  - More than 1,000sqm 12 months (advisory report 7 years)
  - Between 500sqm and 1,000sqm (10 years)

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# The Pickles Legacy – Part 1

- Enforcement was by TSOs
- ‘Turkeys and Christmas’
- Change with effect from 9<sup>th</sup> October 2015
- ‘Two to Tango’ neighbouring TSOs
- Last FoI revealed less than 25% compliant
- For over 75% no agent for enforcement
- Made the situation worse!

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# The Pickles Legacy – Part 2

- February 2015 Consultation and uncertainty
- Responses (and Government response) never published
- Local authority situation
  - Excuse to hide behind
  - Lack of funding
  - TSO's extremely stretched
  - MHCLG apathy

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# What has PEPA done

- Fols to Local Authorities
- Fols to MHCLG
- Letters to (a succession of) Housing Ministers with occasional success
- Released findings
- Engaged stakeholder support (such as the CCC and BEEF)
- Achieved brief spikes in activity following Fol exercises
- Schools in June, July, August 2019?

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# What is PEPA going to do?!

- Write further letters to new Ministers
- Take advantage of the change in mood on the environment
- Try first to win hearts and minds in Government to:
  - Declare the February 2015 consultation closed
  - Enforce the requirement for local authorities to appoint a neighbouring authority as the enforcement mechanism
  - Write to all Local Authority CEOs reminding them of their legal obligations
  - Write to the Secretaries of State/Ministers of all Government departments reminding them of their legal obligation to have current DEC's

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# What is PEPA going to do?!

- Write to all Local Authorities that have an Environmental Policy promoting the use of DEC's
- Launch a new on-line non-compliance reporting regime for energy assessors
- Ask energy assessors to compile evidence for PEPA through this mechanism
- Report instances of non-compliance to the relevant enforcement regimes
- Track outcomes and report back to Government

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# What is PEPA going to do?!

- If this has no effect:
  - Stakeholder engagement
  - Political engagement through
    - Opposition parties
    - Select Committee
    - Resurrecting the APPG on Energy Efficiency
- Media engagement:
  - Local media naming and shaming
  - National media campaign

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# Your views and feedback Your questions?

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