

An update on the latest 2022 changes to building regulations

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Energy and Environmental Standards

Background

- 2021 Programme for Government: *“We will also review energy standards within current building regulations to deliver further improvement in energy efficiency and emissions reductions in new buildings, helping make homes more affordable to heat and tackling fuel poverty”*.
- 1990 to 2015: 75-80% reduction in carbon emissions for new build - not ‘how far we have gone’ but ‘what more we can now do’.
- Consultation on Energy Standards: July to November 2021.

Energy and Environmental Standards

Changes – to be confirmed early May 2022

- Building level actions, effective in reducing delivered energy.
- Two notional buildings, separate treatment of space & water heating.
- Two options for improvement to new non-domestic buildings: aggregate of 16% or 25%.
- New (additional) energy target for new buildings.
- An amended approach to on-site generation of power (exclude credit for any exported energy) and connection to a heat network (focussed on the building performance).

Energy and Environmental Standards

Changes – to be confirmed early May 2022

- Support for planned introduction of New Build Heat Standard 2024.
- Action to improve energy performance through improved compliance with standards.
- ‘Compliance Plan’ approach - opportunity to pilot work on energy to reduce concern over ‘designed versus as-built’ performance gap.
- Proposals for EV charging points and infrastructure in new buildings and those subject to ‘major renovation’ (scheduled for 2023).
- Regulations laid on 22 April, to apply from 1 October 2022.

Energy and Environmental Standards

The Consultation Response

- Consultation ran from July to November last year - 176 responses received. These are all published online at the consultation website: <https://consult.gov.scot/local-government-and-communities/building-regulations-energy-standards-review/>

Timetable for change

- May 2022 Publication of revised Technical Handbooks.
- July 2022 Dissemination events begin.
- October 2022 New standards and guidance in force.

Energy and Environmental Standards

Next Steps

- Industry Group facilitated by the Construction Scotland Innovation Centre to support 2022 implementation and provide a forum to support development of proposals for further change.

Initial reporting outputs (for May to July 2022):

- Map current industry delivery of low energy buildings.
- Practical means of demonstrating compliance with energy standards.
- Considering approaches such as Passivhaus in future energy standards.
- Proposal for development of a low energy Knowledge Hub.

Looking ahead - New Build Heat Standard

Background

- The Scottish Government has set a target of achieving net-zero emissions by 2045, with a more pressing target to cutting emissions by 75% by 2030. Decarbonising heat in Scotland's building stock will be a key factor in achieving these ambitious targets.
- Commitment to introducing standards and regulations to ensure that all buildings are energy efficient by 2035 and use 'zero direct emissions' heat 2045. New buildings applying for a building warrant from 2024 will lead the way on meeting this commitment.

Looking ahead - New Build Heat Standard

Rationale & next steps

- Heat generation is a choice the building owner has control over.
- Indirect emissions generated from purchased energy delivered via a heat network or produced from grid electricity to be 'zero-rated'.
- Excludes building-level combustion solutions, but otherwise technology-neutral, so developers have flexibility in achieving compliance.
- Following scoping consultation in 2021, reconvened working group leading to consultation on proposals in **Summer 2022**.
- Passage of regulations through Parliament in 2023.

Fire Safety Standards - Cladding

Background

- Ministerial Working Group on Building & Fire Safety convened in summer 2017 to coordinate two reviews – compliance & enforcement and fire safety.
- Compliance review led to formation of Building Standards Futures Board.
- 2019 fire safety consultation and changes – Move to European Classification A1 or A2 (or BS8414/BR135) cladding for all non-domestic buildings with a storey at a height of more than 11 metres and all but small entertainment & assembly, hospital and residential care buildings.

Fire Safety Standards - Cladding

Current (2021) Consultation

- Consideration of a definition and ban on the highest risk metal composite material (MCM) cladding panels.
- Options to improving standards and guidance on cladding systems, including the continued role of the large scale fire test, BS 8414.
- Consequential matters such as combustible 'exemptions' on facades.

Subsequent Consideration

- Application of current standards and building warrant process to replacement of cladding on existing buildings.

Fire Safety Standards - Cladding

Changes – to be confirmed early May 2022

- Ban on highly combustible metal composite material cladding or lining on all buildings regardless of height.
- Ban on combustible external wall cladding systems on residential and high risk buildings over 11 metres (no BS8414 route for such buildings).
- Changes to the mandatory building standard 2.7 (fire spread on external walls) to improve clarity of intent.
- Replacement cladding to comply with current regulations.
- Regulations laid on 22 April, to apply from 1 June 2022.

Fire Safety Standards - Cladding

The Consultation Response

- Consultation ran from July to October 2021 - 76 responses received. These are all published online at the consultation website:
<https://consult.gov.scot/building-standards/building-regulations-fire-ews-review/>

Next Steps

- Phase 2 of Grenfell Inquiry evidence completed by late Spring 2022.
- Final Phase 2 Report expected Spring 2023.
- SG Phase 2 Working Group in place to consider recommendations.

Building Standard Futures Board

Background

- Following consultation on compliance in 2017, group formed in 2019 to improve the performance, expertise, resilience and sustainability of the Scottish building standards framework & services across Scotland.
- Chair: Craig Hatton, CE of North Ayrshire Council. Members: industry, academia, professional bodies, COSLA and LABSS (verifiers).
- **Workstreams** - Verification Delivery Model; Compliance Plan Approach; Digital Transformation; Certification Strategy; Workforce Strategy; Technical Strategy; Verification Strategy.

Compliance Plan Approach - Consultation

The Consultation sought views on strengthening compliance for ‘High Risk Buildings’ and on the new Compliance Plan process, including:

- Compliance Plan Manager role - construction professional, compliance oversight on all ‘High Risk Buildings’.
- The definition of ‘High Risk Buildings’ .
- Early engagement with building standards, at pre-Application stage.
- Enhanced enforcement powers and fines under the building standards system, including after acceptance of a completion certificate.
- Application of the Compliance Plan process.

Compliance Plan Approach - Consultation

The Consultation response

- The Consultation ran from November 2021 to February 2022 - 91 responses received. These are all published online at the consultation website: <https://consult.gov.scot/building-standards/highriskbuildingcompliance/>

Next Steps

- Analysis of responses is underway, reporting on June 2022.
- Pilot compliance plan programme with nominated local authority.
- Output will also inform work on compliance with energy standards.

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Thank you

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