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By email: green.deal@decc.gsi.gov.uk

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Energy Performance of Buildings Regime

BCSC represents businesses operating in the retail property sector. Our mission is to promote industry best practice and advance the professional aims of the retail property industry. Our membership is a broad church of nearly 2,600 property professionals including owners, developers, retailers, surveyors, architects and public sector managers.

It is estimated that there are now 820 centres with 13,000,000m² of lettable area in the UK, with 500,000 car spaces. Using benchmark parameters these centres are responsible for nearly 3,000,000 tonnes of CO₂ emissions, split between the tenanted areas and common areas. One of our primary aims, as embedded in our [Sustainability Charter](#), is to significantly reduce carbon emissions from buildings in the retail property sector.

We are committed to working with our members' to achieve the EU's objectives for significant energy efficiency improvements in buildings and believe that good design, and low carbon technologies should be employed in the UK's shopping centres in order to achieve this objective. The cost of doing so however can be prohibitive, especially in a weak economy, and therefore we believe if the Government is serious in making all commercial buildings low carbon then appropriate fiscal incentives need to be established, along with the provision of information about energy consumption and ways to reduce energy use.

Against this backdrop, we are pleased to respond to your letter dated 8 December 2010.

We have consulted our membership and found that the predominant view is that EPCs appear to have no effect on the decision making process either in the selection or fitting out of retail properties. We also do not believe that EPCs have any impact on changing behaviour of occupiers in use. This is due to the fact that they are not reflective of the unit in operation and are only ever triggered by a new transaction on the property which is then typically followed by a strip out and refit.

To date, we have not been made aware of any landlord being challenged for failure to comply with the requirements. We would question whether Trading Standards are the appropriate enforcement mechanism. We are not convinced that Trading Standards are generally aware of transactions occurring and presumably do not therefore have a trigger for investigation.

We are firmly of the belief that if the intention of energy assessment of buildings is to change the behaviour of the building occupiers (and thereby reduce emissions) then a requirement to display a form of DEC showing true annual usage data is the only way forward.

We strongly support the publication of the list of DEC's for public buildings. The publicity that this could generate would focus the minds of the public on the sustainability of buildings both domestic and commercial, and this may in turn help to change occupational behaviours at home and work.

BCSC is also supportive of the overarching ambition to extend DEC's to commercial properties. In the long term we believe that DEC's will provide a better form of comparative performance measurement in buildings than the existing EPC model.

We accept that there is a need for primary legislation to enable Government to make DEC's compulsory. Given that this will take time, we believe that there is scope to encourage the voluntary uptake of DEC's by organisations, ahead of the legislative change. It should be noted that many landlords have in fact already committed to utilising DEC's voluntarily.

In a multi-tenanted building such as a shopping centre, where structures of ownership can be unclear – particularly to the public, it will be important to ensure that there is clear distinction as to who is responsible for the environmental performance recorded by each visible DEC. As the intention is to name and shame those with high energy consumption by the compulsory display of energy data it is clearly important for the general public to know exactly who it is that is leaving the lights on!

We are keen to work with Government on the development of commercial DEC's, in particular to ensure that different users' energy requirements are taken into account in the methodology applied to producing the DEC rating. For example, a retailer that requires large numbers of refrigeration units should not be compared to a fashion retailer that does not have the same requirement.

We accept that there would be little value in introducing compulsory DEC's without ensuring that the data within them is kept sufficiently up-to-date. With this in mind, we are broadly supportive of an annual update requirement.

However, it is crucial that a framework is put in place for quick and easy production of an annual DEC update without having to rely on a small number of assessors. We would therefore welcome a Government commitment to explore the option of a self assessment portal. This could allow a pre-registered occupier to input consumption data and produce an up-to-date DEC in each of the intervening years between full assessment and the advisory report publication at seven years.

We look forward to working with the UK Government as it works towards improving the energy performance of buildings and works to develop suitable policy levers to deliver the 2019 non-domestic zero carbon target.

Please do not hesitate to contact me should you wish to discuss any of these matters in more detail.

Yours sincerely,

A handwritten signature in blue ink that reads "Edward Cooke". The signature is written in a cursive style with a large initial 'E'.

Edward Cooke
Executive Director
BCSC