



By April 2011, £7.2 million will have been provided to English and Welsh Local Authorities to enforce EPBD regulations. To date this has resulted in less than 7,000 enquiries made by Trading Standards over three years.

Northern Ireland adopted a regionalised approach to EPBD enforcement, and compliance is at near 100%

Quidos investigation into EPBD enforcement

Executive Summary

Quidos has conducted a survey of all UK Local Authorities and the amount of enforcement that has been implemented with regard to the Energy Performance of Buildings Directive.

It is clear there is very minimal, and in the vast majority, no enforcement action being undertaken by local trading standards in regard of EPBD regulations. 65 of the 180 authorities, that have responded, have made zero enquiries into EPBD compliance. A further 48 authorities had made less than 10 enquiries.

In 2008/09 £3.4million was provided by DCLG to cover the costs of EPBD enforcement to Local Authorities (in England and Wales). In the following years this has been reduced to £1.9million per year.

Over £5 million has been funded from the public purse to English and Welsh Local Authorities who have made enquiries of under 7,000 buildings in the past 4 years. Of these inspections 75% of them were conducted by just 14 separate TSOs. A paltry total of 23 Penalty Charge Notices have been issued, which represents a lack of appetite to penalise, rather than high rates of compliance.

What enforcement that exists, is largely reactive rather than proactive. This would suggest that either there is very high compliance with the regulations and no problems exist; or (and far more likely) that there is very low compliance, and very few complaints are received by the Trading Standards Officers because no-one is aware of the legislation. A chicken and egg scenario.

At present the 200 separate Trading Standards departments are under pressure from financial restraint, and increasing emphasis on more 'high risk' areas to monitor, hence collectively it is a difficult task to enforce the EPBD regulations.

Quidos recommendations are to regionalise the enforcement to eight defined geographical areas, with a small number of dedicated trading standard officers to enforce the EPBD regulations. This has been very successfully adopted in Northern Ireland, and should provide a model for England, Wales, and Scotland.

In addition Quidos recommend the provision for private companies to be contracted by these regionalised TSOs to provide enforcement if required. Fines can be defined (and retained) by each region, with a maximum being imposed by DCLG.

In these austere times we all face, there needs to be an emphasis on cost cutting. Energy certification can provide that, since it highlights inefficiencies and ways to implement cost savings through reduced energy consumption. Local authorities should look to EPBD enforcement not only as a revenue generating exercise, but one in which to reduce energy consumption across their locality.

Philip Salaman, Managing Director, Quidos

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Introduction

Energy Performance of Buildings Directive “EPBD”¹ provides regulation for building owners and occupiers to create certificates that contain information on the energy efficiency performance of that building. These cover new builds, existing homes for sale or rent, commercial buildings for sale or rent, public buildings (over 1,000 m²), and all buildings with large Air Conditioning Systems.

To improve we need to measure, and hence the EPBD is the starting point to progress. However this relies on compliance of the regulations. In this report we make little comment on compliance, and concentrate on enforcement of these regulations.

There are 200 separate Trading Standards offices tasked with enforcing EPBD regulations in the UK. Enforcement is defined differently in each of the following regions:

- England & Wales: 165 separate Trading Standard Offices are tasked to enforce the regulations
- Scotland: both Trading Standards and Building Control are responsible for the enforcement of different criteria of the regulations, spread amongst the 31 separate local authorities
- Northern Ireland: all local authorities are enforced by one central unit in Belfast
- Excluded from the regulations are Jersey, Guernsey, and Isle of Man

This investigation is to ascertain what amount of enforcement has occurred in relation to EPBD regulations.

Quidos has obtained statistics from a reliable source that compiled the data received from local authorities (under the freedom of information act) in regard to EPBD enforcement that has occurred to date since 2007.

In essence a request was put to all 200 Local Authorities, asking a number of questions surrounding enforcement and the methods of how that enforcement is implemented. (See Appendix A and B).

Local Trading Standards are identified in the legislation to enforce the regulations, and as such they have the ability to interrogate the central register of certificates (www.epcregister.com) to ascertain if a building complies with the legislation or not.

Most TSO’s prefer an intelligence led approach to enforcement, where they will react to any complaint from a member of the public. The problem is that since the compliance levels are so low, very few enquiries are received. An added complication is that Energy Assessors (who are most likely to observe non-compliance) are not likely to complain against an estate agent or building occupier who could potentially be a future customer.

Also, in the case of Display Energy Certificates (DECs) the requirement is on the Local Authority to provide compliance, how likely is it that the Local Authority TSO will penalise itself?

¹ In England and Wales: The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 (S.I. 2007/991 as amended by S.I. 2007/1669, S.I. 2007/3302, S.I. 2008/647 and S.I. 2008/2363); and in Scotland : The Energy Performance of Buildings (Scotland) Regulations 2008 (S.I. 2008/309 as amended by S.I. 2008/389), and Part 3 of the Building (Scotland) Act 2003; and in Northern Ireland: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (S.I. 2008/170 as amended by S.I. 2008/241)

Responsibility

In May 2010 Home Information Packs (HIPs) were abolished, and although the EPC (a component of the HIP) is still a requirement to be provided before the sale of a domestic property, the onus shifted from the Estate Agent to the property owner to comply with the legislation.

Thus previously it was far more convenient for TSOs to impose compliance; since they only needed to ensure a smaller number of agents (representing groups of home owners) were compliant.

For rental domestic properties, and non-domestic (sales and rental) EPCs the situation has not changed and the owners are required to provide an EPC within a time period from point of marketing.

An Air Conditioning Inspection is required every five years, regardless of sale or rental, and the responsibility lies with the system operator to provide a report.

Many TSOs adopt an "intelligence led" approach to all their work and use campaigns to find out the extent of a problem or to target known problems. Hence by concentrating activities on those issues causing the most problems, it means they rarely investigate individual complaints about individual transgressions. However, because EPBD regulations are not often brought to the attention of the general public (because of a lack of compliance), then few complaints are ever made. With better enforcement then better compliance would result.

One Southern County responded as such : *"The majority of enquiries, especially those from the public are passed via Consumer Direct, however they are not normally investigated so we cannot necessarily verify all or any of the details provided as being accurate and factually correct."*

As according to the legislation, it is the duty of each enforcement authority to enforce in their area the duties under the EPBD regulations. This does not imply that a reactive approach is supported, but it also does not insist on a proactive approach either. At some stage the DCLG need to recommend one approach over the other – after all they have funded enforcement of EPBD.

Funding

In a recent communication from DCLG, the following was provided:

Thank you for your e-mail of 14 December 2010 requesting information about "How much money did Weights and Measures authorities receive (and what is the future budget) from Central Government and the DCLG for encouraging compliance of, and enforcement of EPBD regulations? If appropriate, this could be broken down into England & Wales, Northern Ireland, and Scotland". Your request was considered under the Freedom of Information Act 2000.

I can confirm that the Department for Communities and Local Government does hold some of the information that you have requested. In setting the formula grant paid to local authorities in England and Wales from 2008/09 onwards this Department made available for the enforcement of EPBD Regulations, £3.4M in the first year and £1.9M thereafter. There is no hypothecation of any element of the transfer and local

authorities are free to determine funding of different services taking into account local needs and priorities.

The Department does not hold the information you have requested for Northern Ireland and Scotland. (Source DCLG, January 2011)

Further, we asked the Local Government Regulation (formerly LACORS), how the figures were calculated to enforce EPBD. The response was:

LACORS was asked to provide an assessment of the costs within a very short timeframe. On-going costs were based on an estimate of likely numbers of complaints and risk based inspections. There was also one-off first year costs for advising businesses and training. (Source LGR, December 2010)

Therefore at the end of this financial year, April 2011, £7.2million will have been provided to English and Welsh Local Authorities to enforce EPBD. Whilst we realise that there is no hypothecation of the amount, and local authorities are free to choose how this money is spent; the point is that LACORS budgeted an amount that was to be used for EPBD enforcement, and the Local Authorities happily accepted this.

In contrast, in Northern Ireland, with the agreement of all 26 District Councils in Northern Ireland, Belfast City Council formed a dedicated enforcement team to co-ordinate activities across all council areas. The Department of Finance and Personnel paid a grant of £77,318.55 to Belfast City Council in 2009/10. In total a budget of £250,000 was agreed for 2010/11 of which £124,556.21 had been paid as at 30 September 2010. (Source DFPNI, January 2011)

From the information we have at present, there is no indication that any extra funds were provided by the Scottish government to enforce EPBD compliance.

	Central Funding (To April 2011)	Local Authorities	Total Compliance Enquiries	Cost per enquiry
England and Wales	£7,200,000	165	6,837	£1,053
Northern Ireland	£327,319	26	2,780	£118
Scotland	?	31	167	-

Table 1

Freedom of Information Request

A Freedom of information request was made to each of the 200 Local Authorities with a Trading Standards Department responsible for EPBD regulations in England, Wales, Northern Ireland, and Scotland. Three authorities are exempt (Jersey, Guernsey, and Isle of Man), and to date we have yet to receive data from 20 local authorities.

A full transcript of the FOI request is included in Appendix A (England, Wales, and Northern Ireland) and Appendix B (Scotland). In this report we are focusing on the following questions:

- a) How many enquiries has the Local Authority made in each of the following for potential non-compliance of the EPBD regulations?
 - i. New Build EPC
 - ii. Dwellings EPC (for sale)
 - iii. Dwellings EPC (for rental)
 - iv. Non-dwellings EPC
 - v. DEC
 - vi. ACR
- b) Of the above enquiries how many were found to be non-compliant with the regulations?
- c) How many of the following has Trading Standards issued for transgression of the regulations?
 - i. Warning letter
 - ii. Penalty Notice (including total value of the fines)

In addition we have limited information on the following:

- d) Regarding DECs, how many public buildings are compliant with the regulations and have the appropriate DEC in place?
- e) Given the requirements have been in place two years now, if a member of the public reported a public building without a DEC, would Trading Standards issue a penalty for non-compliance?
- f) How many Trading Standards Officers have attended workshops and seminars on the regulations (or elements of the regulations)? What proportion of their annual training would this consist of?
- g) How much extra funding did local Trading Standards receive from Central Government for encouraging compliance of, and enforcement of the EPBD regulations?
- h) How specifically has this money been spent?
- i) Since 21st May 2010 what work has been carried out by local Trading Standards with regard to enforcing compliance of the regulations?
- j) As of January 4th 2011, the requirement for ACRs is reduced to all systems greater than 12kW (from the current 250kW). What provisions are in place for Trading Standards to cope with this far larger volume of buildings to be inspected for compliance?

The full statistical data of all responses is provided in Appendix C for questions a, b, c, d, and f above. A summary of all the data is provided below.

Analysis of data

England and Wales

Of the 165 local authorities, of which 13 have not yet responded, the overall majority had made zero or very limited enquiries with regard to EPBD enforcement.

The following seven TSOs (listed below) did not know how many enquiries they had made since they did not keep accurate or sufficient records. We would have assumed it was a requirement to keep an audited record of work they do. In fact our local Trading Standards, Bath and North East Somerset, have no idea how many enquiries they have made: *“We hold inspection/enquiry information on a single database. Unfortunately we are not able to produce a report from this source which breaks down enquiries/inspections in terms of the categories you have set out.”* This is particularly frustrating given that Quidos has offered to help with compliance in Bath & NE Somerset on numerous occasions.

- Bath & N E Somerset
- Buckinghamshire
- Camden
- Devon CC
- Lancashire CC
- Monmouthshire CC
- Stoke on Trent CC

Compliance Enquiries made	Num of TSOs
No response	13
0*	53
1	14
<10	25
<25	18
<50	12
<100	16
<250	8
250+	6

Table 2
* all unknown responses are classified as zero

Some Local Authorities have taken a much more pragmatic and focused view, and devoted resources to enforcement of EPBD regulations. The benefits to those local authorities has been revenue from Penalty Charge Notices, and more importantly an increase in awareness of building energy efficiency in their locality.

Table 3 below details the top 10 TSOs in terms of compliance enquiries made:

	TSO	Enquiries	Non-compliant
1	Northumberland CC	1,039	169
2	East Sussex	750	150
3	Rhondda Cynon Taff CC	654	54
4	Gwynedd	576	74
5	Swansea	405	6
6	Gloucestershire CC	341	71
7	Oxfordshire CC	234	5
8	Doncaster	186	50
9	Plymouth City	168	0
10	Slough BC	163	4

Table 3

On Construction EPC

Generally there are less enquiries for New Build EPCs, but this could be due to the fact that many authorities encourage Building Control to require an on construction EPC as part of building regulations.

Domestic EPC

As a percentage, there are far more Domestic EPC enquiries, but this is not unexpected given that there are far more Domestic certificates issued in comparison to non-domestic. One of the issues is that HIPs had a high level of compliance, and TSOs made more enquiries as part of their requirements to check Estate Agents. Only 32 TSOs have made any enquiries since the abolition of HIPs, if this worrying trend continues, then enforcement will deteriorate.

Commercial EPCs and Display Energy Certificates (DECs)

There are more enquiries into DECs than Commercial EPCs, even though there are nearly half as many certificates issued each year. This is probably because local authorities want to get their own house in order before they penalise the private sector.

One of the main obstacles to enforcement of Commercial EPCs is getting to the actual person responsible to provide the EPC; since it is the owner and not the estate agent that needs to provide the EPC. This is an area that would greatly improve compliance and enforcement if the responsibility shifted to the agent responsible for the rental or sale of the property.

Air Conditioning Reports (ACRs)

There is a ridiculously low number of enquiries in regard to ACRs, 198 in total (although 187 of these have been made by Gwynedd Trading Standards). This is probably down to a few reasons, including the fact there is no central register of ACRs, resulting in a TSO having to contact each of the Accreditation Schemes to check if an ACR exists for a property – perhaps a task too onerous to justify the time. Another problem is the lack of expertise of TSOs to be able to identify whether a building requires an ACR or not, for 200 separate Local Authorities to assume this level of knowledge is pointless, and should be concentrated into smaller groups of enforcement officers who can assimilate this level of knowledge, as they will concentrate on the regulations.

Non Compliance

Although approximately 10% of all enquiries were found to be non-compliant, very few resulted in a Warning Letter or Penalty Charge Notice. This is generally due to the ethos that TSOs will attempt to educate and encourage compliance, before resorting to issuing penalties.

Nearly half of all authorities had no details of how many DECs had been issued in their area, yet the majority would issue a Penalty Notice if it was warranted that excessive non-compliance was proven.

Staff Training

It is encouraging to realise that a large number of TSOs have attended some form of formal training on EPBD regulations. However, there are still over 60 Trading Standards that have received no education and without this assistance are unlikely to enforce any regulations.

Funding

Almost all responses included the same quote regarding funding, referring to the DCLG central funding calculation.

A. The Department for Communities and Local Government advised Local Government Regulation (formerly known as LACORS) that:

"The duties under the EPB Regulations are a new burden on local authorities and the Department has therefore made provision for this in the 2007 spending review. LACORS has submitted two assessments of the costs of enforcement: one at £3.4m (first year) and £1.9m (ongoing) on 25 July 2007, followed by a subsequent assessment. These assessments have been taken account of in setting the formula grant paid to local authorities for 2008-09 onwards, and additional resources made available of £3.4m in the first year and £1.9m thereafter. There is no hypothecation of any element of the transfer and local authorities are free to determine funding of different services taking into account local needs and priorities."

It is almost as if they had been prompted what to say. Most Trading Standards also stated they received none of the central funds to enforce the regulations, and hence there was no way of detailing how the money had been spent.

Provision for Increased Enforcement Activity

Given that Jan 4th 2011 saw the inclusion of many more AC systems that need to be inspected, we had hoped that TSOs would be prepared to increase enforcement activities. Regrettably the consensus was that EPBD enforcement continued to be "low risk" and was not a part of any proactive investigation.

Northern Ireland

In stark contrast to the results from England and Wales, the Northern Ireland figures are far more encouraging. As stated earlier, a more concentrated approach has been adopted by the DFPNI, and whilst obviously the area is far smaller than England or Wales, there are significantly more enquiries made (2,780 in total).

But in addition the following recent educational activities have taken place, information provided by Belfast City Council Building Control Service, which benefit the region as a whole.

The EPB Team has carried out a range of activities to promote awareness of the legislation which has assisted in increasing compliance levels to all sections of the EPB regulations. Activities have covered all aspects of the legislation: new build EPCs, dwellings for sale and rental, non dwelling EPCs, display energy certificates and air conditioning requirements. Activities carried out since 21 May 2010 includes the following:

- **Audio Media:**

Radio Ulster: 'On your behalf' presentation 22 May 2010.

Radio broadcast was broadcasted during November 2010 concentrating on sale and rental EPC requirements.

- **Production and distribution of informative leaflets**

15,000 leaflets designed and printed and all now distributed to estate agents, Building Control offices and shopping centre road shows throughout Northern Ireland.

Domestic sector 3-fold leaflets revised for clarity of information September 2010.

Designed and produced 15,000 Non Dwelling Sector: A5 Non-dwelling information leaflets: EPCs, Air Conditioning Systems, and DEC's.

- **Telephone enquiries**

Free-phone 0800 0223004 set up in March to answer queries in relation to EPB Regulations. Target audience: General public, stakeholders

- **Road shows held April-May at shopping centres and DIY stores.**

In 12 shopping centre venues and DIY stores across N.Ireland the EPB Team held road shows offering guidance and advice to general public.

- **Building Control Service training May 2010**

EPB Team prepared and presented 12 half day awareness seminars for Building Control surveyors and Business Support staff training by request from regional BCNI groups and individual district council offices.

- **Local authority Customer Focus Group June 2010**

EPB Team prepared and presented training on EPC and property conveyance to solicitors and agents customer focus group.

- **Air-Conditioning Association members July 2010**

EPB Team prepared and presented training to heating and ventilation engineers in relation to Air Conditioning legislative requirements of EPC Regulations.

- **General Public Survey September 2010**

To determine how well the general public were informed in respect of EPCs, a survey of 64 members of the public was carried out in 6 large towns.

- **Decorate and Improve show September 2010**

Two day event where the EPB Team gave a 15 minute presentation on Energy Performance Regulations aimed at home owners in large exhibition hall in Belfast.

- **Clinic and forums September-October 2010**

EPB Team ran 6 informative work clinics to stakeholders and industry representatives to inform and raising EPB awareness with solicitors, Air-conditioning, health board customers. A total of 260 stakeholders attended.

- **Air-Conditioning Inspection Report**

EPB Team has met with business and commerce group leaders in order to raise awareness and explain the cost / energy saving benefits of having an Air-Conditioning Inspection carried out.

Although very few Penalty Charge Notices have been issued by Northern Ireland (27 in total) the incentive is to encourage compliance through advice and education.

Scotland

Almost no enquiries have been made by the 31 local authorities. It would appear that enforcement has almost no place in the Scottish Trading and Building Standards priorities.

There would appear that there is huge confusion with what the regulations are, who is implying them, and what to enforce. This is not helped with the enforcement duties split between two departments: Trading Standards and Building Standards.

Given that the cost savings measures that energy certification could provide to Scottish buildings, we are surprised that this approach has been taken.

Conclusion

Enforcement of the EPBD regulations is seen as a large burden on already over-stretched Trading Standards Officers. Coupled with the fact that the assimilation of technical knowledge is often above the competence (or enthusiasm) of a TSO, the enforcement of regulations are largely ignored.

Where complaints are made, then generally TSOs will follow them through. However investigations are hampered by unclear DCLG guidance, and the difficulty of contacting the persons responsible for providing the certification.

The LGR recommended that the burden to Local Authorities in England and Wales would cost £1.9million per year to enforce. This is not being provided to the Trading Standards directly, and consumed within other Local Authority activities. Whilst it is true the amounts were not ring-fenced, it does not follow that the amounts should be provided for no return. The DCLG are wholly responsible for what monies are provided, and their remit is to provide a service to the English and Welsh people with regard to the EPBD laws. They need to ensure accountability, and if they have not conducted a similar survey to this one – why not?

A problem without a solution is not productive. Therefore we propose two solutions to the issue of applying better enforcement of the legislation.

Firstly, redirect the funds apportioned to all local authorities to the eight (already established) regional groups of Trading Standards. This has happened in Northern Ireland and is proven to work. Each region can then directly employ a small team of dedicated officers, and not only apply enforcement, but critically, education to building occupiers.

Secondly, allow the privatisation of enforcement by each of the regional groups, if they so choose to do so. Clearly this would need to be strictly monitored, but the budget certainly exists for this. The advantage of privatisation is that it is an option to Local Authorities to outsource the work, if they should identify the recruitment, training, and maintenance of staff to be prohibitively expensive. The revenues from penalties could be shared accordingly.

At the end of the day, the EPBD legislation is intended to act as a trigger to identify energy inefficiency within a building. Any improvements to the built environment to reduce energy consumption can only be a good thing for society. Government recognise this, and have provided a funded framework to ensure this, but it is not working as it should.

Appendix A: FOI Request (England, Wales, and Northern Ireland)

In England, Wales, and Northern Ireland the following letter was sent to each local authority:

Dear Sirs,

I am writing to make an open government request for all the information to which I am entitled under the freedom of information act. In order to assist you with this request, I am outlining my query as specifically as possible. If however this request is too wide or too unclear, I would be grateful if you could contact me as I understand that under the act, you are required to advise and assist requesters.

This enquiry revolves around the compliance of provision of Display Energy Certificates (“DEC”), Energy Performance Certificates (“EPC”), and Air Conditioning inspection Reports (“ACR”), within your local territory.

Regulations 38-48 of The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 (S.I. 2007/991 as amended by S.I. 2007/1669, S.I. 2007/3302, S.I. 2008/647 and S.I. 2008/2363) deal with enforcement and outline the powers and the responsibilities of the Enforcement Authorities and their Officers.

1. Regarding DECs, how many public buildings are compliant with the regulations and have the appropriate DEC in place?
2. Given the requirements have been in place two years now, if a member of the public reported a public building without a DEC, would Trading Standards issue a penalty for non-compliance?
3. How many Trading Standards Officers have attended workshops and seminars on the regulations (or elements of the regulations)? What proportion of their annual training would this consist of?
4. How many enquiries has Trading Standards made in each of the following for potential non-compliance of the EPBD regulations?
 - a. New Build EPC
 - b. Dwellings EPC (for sale)
 - c. Dwellings EPC (for rental)
 - d. Non-dwellings EPC
 - e. DEC
 - f. ACR
5. Of the above enquiries how many were found to be non-compliant with the regulations?
6. How many of the following has Trading Standards issued for transgression of the regulations?
 - a. Warning letter
 - b. Penalty Notice (including total value of the fines)
7. How much extra funding did local Trading Standards receive from Central Government for encouraging compliance of, and enforcement of the EPBD regulations?
8. How specifically has this money been spent?
9. Since 21st May 2010 what work has been carried out by local Trading Standards with regard to enforcing compliance of the regulations for the following?
 - a. New Build EPC
 - b. Dwellings EPC (for sale)
 - c. Dwellings EPC (for rental)
 - d. Non-dwellings EPC
 - e. DEC
 - f. ACR
10. As of January 4th 2011, the requirement for ACRs is reduced to all systems greater than 12kW (from the current 250kW). What provisions are in place for Trading Standards to cope with this far larger volume of buildings to be inspected for compliance?

I understand that under the act, I should be entitled to a response within 20 working days. I would be grateful if you could confirm in writing that you have received this request. I look forward to hearing from you in the near future.

Yours faithfully, (Name withheld)

Appendix B: FOI Request (Scotland)

In Scotland the following letter was sent to each local authority:

Dear Sirs

I am writing to make an open government request for all the information to which I am entitled under the freedom of information act. In order to assist you with this request, I am outlining my query as specifically as possible. If however this request is too wide or too unclear, I would be grateful if you could contact me as I understand that under the act, you are required to advise and assist requesters.

This enquiry revolves around the compliance of provision of Energy Performance Certificates ("EPC"), Public Building Energy Performance Certificates ("PBEPC"), and Air Conditioning inspection Reports ("ACR").

Provisions 15-23 of The Energy Performance of Buildings (Scotland) Regulations 2008 (S.I. 2008/309 as amended by S.I. 2008/389), and Part 3 of the Building (Scotland) Act 2003, deal with enforcement and outline the powers and the responsibilities of the Enforcement Authorities and their Officers.

1. Regarding PBEPCs, how many public buildings are compliant with the regulations and have the appropriate PBEPC in place?
2. Given the requirements have been in place two years now, if a member of the public reported a public building without a PBEPC, would Building Standards issue a fine for non-compliance?
3. How many Enforcement Officers have attended workshops and seminars on the regulations (or elements of the regulations)? What proportion of their annual training would this consist of?
4. How many enquiries has Trading Standards made in each of the following for potential non-compliance of the EPBD regulations?
 - a. Dwellings EPC (for sale)
 - b. Dwellings EPC (for rental)
5. How many enquiries has Building Standards made in each of the following for potential non-compliance of the EPBD regulations?
 - a. New Build EPC
 - b. Non-dwellings EPC
 - c. PBEPC
 - d. ACR
6. Of the above enquiries how many were found to be non-compliant with the regulations?
7. How many of the following has Trading Standards issued for transgression of the regulations?
 - a. Warning letter
 - b. Penalty Notice (including total value of the fines)
8. How many of the following has Building Standards issued for transgression of the regulations?
 - a. Compliance Notice
 - b. Enforcement Notice (including total value of the fines)
9. How much extra funding did local Trading Standards and Building Standards receive from Central Government for encouraging compliance of, and enforcement of the regulations?
10. How specifically has this money been spent?
11. As of January 4th 2011, the requirement for ACRs is reduced to all systems greater than 12kW (from the current 250kW). What provisions are in place for Building Standards to cope with this far larger volume of buildings to be inspected for compliance?

I understand that under the act, I should be entitled to a response within 20 working days. I would be grateful if you could confirm in writing that you have received this request. I look forward to hearing from you in the near future.

Regards, (Name Withheld)

Appendix C: Full Data (England, Wales, and Northern Ireland)

Full statistical results of requests for information to Local Authorities in England, Wales, and Northern Ireland.

TSO	1. Compliant DECs	3. Number of staff trained	4. Number of Enquiries made						5. Non Compliant	6. Enforcement	
			On Con	Domestic EPC (sales)	Domestic EPC (rental)	Commercial EPC	DEC	ACR		Warning Letter	PCN
Anglesey (Isle of) CC	?	-	-	-	-	-	-	-	-	-	-
Barking & Dagenham											
Barnet	4	-	-	-	-	-	-	-	-	-	-
Barnsley MBC	?	-	-	-	-	-	-	-	-	-	-
Bath & N E Somerset	?	8	?	?	?	?	?	?	?	-	-
Bedford Borough	?	2	-	-	-	-	-	-	-	-	-
Belfast City Council	1,717	198	-	815	177	71	1,717	-	840	1,160	27
Bexley LB	4	1	-	-	-	-	-	-	-	-	-
Birmingham	494	1	3	40	3	-	8	-	3	3	-
Blackburn with Darwen BC	36	1	-	10	-	-	1	-	-	-	-
Blackpool BC	?	-	-	-	1	-	-	-	1	1	-
Blaenau Gwent CB	?	2	-	1	1	-	-	-	-	-	-
Bolton MBC	45	-	-	-	-	25	-	-	3	11	2
Bournemouth BC	?	1	-	14	3	-	-	-	3	-	-
Bracknell Forest BC	65	1	-	2	1	16	-	-	3	3	-
Brent & Harrow	?	20	-	10	4	-	-	-	-	-	-
Bridgend CBC	?	-	-	-	-	-	-	-	-	-	-
Brighton & Hove	120	3	-	-	-	18	-	-	-	-	-
Bristol City	?	2	-	2	-	1	1	-	-	-	-
Bromley	?	-	-	-	-	-	-	-	-	-	-
Buckinghamshire	?	-	?	?	?	?	?	?	-	-	-
Bury MBC	-	-	-	-	-	-	-	-	-	-	-
Caerphilly CBC	?	1	-	13	10	10	-	-	2	2	-
Cambridgeshire CC	?	3	-	-	70	-	-	-	-	-	-
Camden	?	6	?	?	?	?	?	?	?	?	?
Cardiff CC	?	2	-	-	-	-	-	-	-	-	-
Carmarthenshire CC	?	4	-	40	10	-	-	-	8	8	-
Central Bedfordshire	36	1	-	5	-	-	-	-	5	-	-
Ceredigion CC	?	1	-	-	1	-	-	-	1	-	-
Cheshire West and Chester	62	1	-	30	10	2	-	-	4	-	-
Conwy CBC	51	-	-	-	1	-	-	-	-	-	-
Cornwall (Truro)	?	10	-	40	40	40	-	-	30	10	4
Coventry City	120	1	-	9	4	2	21	-	26	4	-
Croydon	?	1	-	-	5	40	10	-	-	-	-
Cumbria CC	205	-	-	-	-	-	-	-	-	1	-
Darlington BC	45	-	-	-	-	-	-	-	-	-	-
Denbighshire CC	?	2	-	-	-	-	-	-	-	-	-
Derby City	?	-	2	3	3	1	-	-	-	-	-
Derbyshire	62	2	-	7	4	8	8	-	-	-	-
Devon CC	?	2	?	?	?	?	?	?	4	1	-
Doncaster	161	2	-	185	-	1	-	-	50	6	-
Dorset CC	133	2	-	60	40	-	-	-	17	4	-
Dudley MBC	20	1	-	-	-	-	-	-	-	-	-
Durham CC	216	4	-	-	2	1	55	-	41	-	-
Ealing	21	-	-	-	1	-	-	-	-	-	-
East Riding of Yorkshire	?	-	-	32	-	-	-	-	4	-	-
East Sussex	221	1	30	300	45	150	220	5	150	-	2
Enfield	106	-	-	-	-	-	-	-	-	-	-
Essex CC											
Flintshire CC	?	1	-	-	-	1	-	-	1	-	-
Gateshead	80	-	-	-	-	-	1	-	-	-	-
Glamorgan (Vale of)											
Gloucestershire CC	?	1	-	196	25	95	25	-	71	3	7
Greenwich	?	-	-	-	-	-	-	-	-	-	-

TSO	1. Compliant DECs		4. Number of Enquiries made							5. Non Compliant		6. Enforcement	
	3. Number of staff trained	On Con	Domestic EPC (sales)	Domestic EPC (rental)	Commercial EPC	DEC	ACR	Warning Letter	PCN				
Gwynedd	58	-	-	15	-	187	187	187	74	-	-		
Hackney	?	2	-	60	19	-	-	-	-	-	-		
Halton & Warrington	?	-	-	-	-	-	-	-	-	-	-		
Hammersmith & Fulham	40	1	-	-	-	-	8	-	5	-	-		
Hampshire CC	?	2	-	40	18	-	3	-	12	-	-		
Haringey	93	2	-	-	1	-	-	-	1	-	1		
Hartlepool BC	38	-	-	-	50	-	-	-	-	-	-		
Havering	15	-	-	10	-	1	-	-	1	3	-		
Herefordshire	69	1	-	8	2	-	6	-	1	1	-		
Hertfordshire	?	1	-	8	2	4	-	-	2	1	-		
Hillingdon	?	-	-	-	-	-	-	-	-	-	-		
Hounslow	100	2	-	-	-	-	-	-	-	-	-		
Hull City	?	1	-	-	-	-	-	-	-	-	-		
Isle of Wight	?	-	-	-	-	-	-	-	-	-	-		
Islington	2	-	-	-	-	-	-	-	-	-	-		
Kensington and Chelsea	?	-	1	1	2	1	-	-	1	-	-		
Kent CC	?	-	1	2	3	1	3	-	4	3	-		
Kingston On Thames	12	-	-	-	-	-	28	1	1	1	-		
Knowsley	?	-	-	-	-	-	-	-	-	-	-		
Lambeth	14	-	-	-	-	-	-	-	-	-	-		
Lancashire CC	?	6	?	?	?	?	?	?	?	-	3		
Leicester City	117	2	-	5	-	-	1	-	2	2	-		
Lewisham													
Lincolnshire CC	?	4	-	12	2	-	-	-	3	2	-		
Liverpool													
London (City of)	?	-	-	-	-	-	-	-	-	-	-		
Luton	12	1	-	-	-	-	-	-	-	-	-		
Manchester City													
Medway	?	1	2	6	9	-	8	-	1	1	-		
Merthyr Tydfil CBC	34	1	-	50	1	-	35	-	1	1	-		
Merton	?	-	-	60	-	-	-	-	-	-	-		
Middlesbrough BC	?	1	-	1	-	-	-	-	1	-	-		
Milton Keynes	135	1	-	?	124	-	-	-	32	7	-		
Monmouthshire CC	38	1	?	?	?	?	?	?	-	-	-		
Neath Port Talbot CBC	?	-	2	22	-	-	-	-	11	1	-		
Newcastle City	6	5	-	4	1	1	1	1	-	-	-		
Newham	?	3	-	1	3	-	1	-	-	-	-		
Newport City	?	1	-	-	7	-	-	-	5	5	-		
Norfolk CC	14	8	-	40	10	13	16	-	6	-	-		
North East Lincolnshire	?	12	1	-	-	-	-	-	1	1	-		
North Lincolnshire	108	1	27	27	-	2	27	-	-	-	-		
North Somerset													
North Tyneside	105	-	-	-	1	-	1	-	2	2	-		
North Yorkshire CC	264	3	-	5	-	-	-	-	4	-	-		
Northamptonshire CC	45	-	-	-	-	25	-	-	3	-	-		
Northumberland CC	145	2	-	649	101	144	145	-	169	5	-		
Nottingham City													
Nottinghamshire County	?	3	-	118	1	-	7	-	12	-	-		
Oldham MBC													
Oxfordshire CC	?	2	-	234	-	-	-	-	5	-	-		
Pembrokeshire CC	61	2	-	-	-	-	-	-	-	-	-		
Peterborough CC	93	1	-	15	-	-	6	-	1	-	1		
Plymouth City	161	4	1	6	-	-	161	-	-	-	-		
Poole (Borough of)	?	1	-	12	2	-	-	-	2	-	-		
Portsmouth	63	2	-	1	1	-	-	-	-	-	-		
Powys CC	?	-	-	-	-	-	-	-	-	-	-		
Reading BC	58	1	-	-	1	-	-	-	-	-	-		
Redbridge	?	-	-	-	-	-	-	-	-	-	-		
Redcar & Cleveland	87	-	-	3	-	-	-	-	2	-	2		

TSO	1. Compliant DECs	3. Number of staff trained	4. Number of Enquiries made						5. Non Compliant	6. Enforcement	
			On Con	Domestic EPC (sales)	Domestic EPC (rental)	Commercial EPC	DEC	ACR		Warning Letter	PCN
Rhondda Cynon Taff CC	140	2	-	130	291	78	155	-	54	8	-
Richmond upon Thames	75	1	-	-	-	1	-	-	1	-	-
Rochdale MBC	?	1	-	-	1	-	-	-	1	1	-
Rotherham MBC	?	-	-	-	-	-	-	-	-	-	-
Rutland CC	17	-	-	5	-	-	-	-	-	-	-
Salford											
Sandwell MBC	?	-	-	-	-	50	-	2	-	-	-
Sefton	181	7	-	41	-	-	45	-	6	-	-
Sheffield City	?	-	-	50	2	1	-	-	1	1	-
Shropshire CC	?	-	-	-	-	-	-	-	-	-	-
Slough BC	47	1	-	120	43	-	-	-	4	2	-
Solihull MBC	?	2	-	5	-	-	11	-	-	-	-
Somerset CC	78	1	-	-	-	-	-	-	-	-	-
South Gloucestershire	?	2	-	-	-	-	-	-	-	-	-
South Tyneside MBC											
Southampton City	78	-	-	11	11	-	-	-	8	2	-
Southend on Sea B C	?	-	-	-	1	-	-	-	-	-	-
Southwark	?	1	-	-	-	-	-	-	-	-	-
St Helens MBC	117	-	-	-	1	3	-	-	-	-	-
Staffordshire CC	?	-	-	-	-	-	-	-	-	-	-
Stockport MBC											
Stockton on Tees BC	?	7	-	-	45	-	-	-	-	-	-
Stoke on Trent CC	?	2	?	?	?	?	?	?	?	-	-
Suffolk CC	?	1	-	-	-	-	-	-	-	-	-
Sunderland City	?	-	-	-	-	-	-	-	-	-	-
Surrey CC	?	2	-	-	4	1	3	-	3	-	-
Sutton	?	1	-	1	-	-	1	-	-	-	-
Swansea	35	3	272	60	30	15	28	-	6	-	-
Swindon BC	?	-	-	-	-	-	-	-	-	-	-
Tameside MBC	104	-	-	-	-	1	-	-	-	-	-
Telford & Wrekin	76	2	-	-	-	-	-	-	-	-	-
Thurrock	53	1	-	-	-	-	-	-	-	-	-
Torbay	9	1	1	12	5	5	1	-	2	-	-
Torfaen CBC	?	-	-	-	-	-	-	-	-	-	-
Tower Hamlets	?	1	-	-	-	-	-	-	-	-	-
Trafford MBC	?	1	-	20	-	-	-	-	5	-	-
Walsall MBC											
Waltham Forest	?	-	-	-	-	-	-	-	-	-	-
Wandsworth	109	-	-	-	-	-	-	-	-	-	-
Warrington & Halton	?	-	-	-	-	-	-	-	-	-	-
Warwickshire	250	1	1	7	6	3	3	-	-	-	-
West Berkshire	?	1	1	7	-	-	-	-	2	1	1
West Sussex	41	-	-	20	5	2	2	-	1	1	-
West Yorkshire	?	4	-	-	-	6	-	-	-	-	-
Westminster	?	10	1	28	-	1	-	1	-	-	-
Wigan	?	-	1	1	1	-	-	-	-	-	-
Wiltshire CC	?	2	-	3	1	1	1	1	2	-	-
Windsor & Maidenhead	63	-	-	-	-	-	-	-	-	-	-
Wirral MBC	30	-	-	-	-	-	-	-	-	-	-
Wolverhampton City	20	1	-	-	3	-	-	-	5	3	-
Worcestershire CC	?	-	-	-	-	3	-	-	2	-	-
Wrexham CBC	?	1	1	1	1	2	1	-	1	-	-
York City	61	-	1	21	4	9	16	-	20	1	-

Notes:

Blank rows represent no response to date

Appendix D: Full Data (Scotland)

Full statistical results of requests for information to Local Authorities in Scotland.

TSO	1. Compliant PBEBs	2. Penalise own Local Authority?	3. Num Staff Trained	4. TS Enquiries		5. BS Enquiries				6. Non Compliant	TS enforcement		BS enforcement	
				EPC (for sale)	EPC (for rental)	New Build EPC	Commercial EPC	PBEPc	ACR		Warning Letter	Penalty Notice	Compliance Notice	Enforcement Notice
Aberdeen City	?	no	5	-	-	-	-	-	-	-	-	-	-	-
Aberdeenshire	?	no	-	1	-	-	-	-	-	-	1	-	-	-
Angus	?	yes	3	-	1	-	-	-	-	1	-	-	-	-
Argyll & Bute	?	no	2	-	-	-	-	-	-	-	-	-	-	-
Comhairle Nan Eilean Siar	?	no	-	-	-	-	-	-	-	-	-	-	-	-
Dumfries & Galloway	?	no	3	-	-	-	-	-	-	-	-	-	-	-
Dundee City	?	no	4	-	1	-	-	-	-	-	-	-	-	-
East Ayrshire	?	no	15	-	9	-	-	-	-	7	-	-	-	-
East Dunbartonshire	?	yes	5	17	2	-	-	-	-	-	-	-	-	-
East Lothian	?	yes	5	-	-	-	-	-	-	-	-	-	-	-
East Renfrewshire	?	no	-	-	-	-	-	-	-	-	-	-	-	-
Edinburgh City	?	yes	4	1	-	-	-	-	-	1	1	-	-	-
Falkirk														
Fife	?	yes	5	-	-	-	-	-	-	-	-	-	-	-
Glasgow	?	yes	15	-	1	-	-	-	-	-	-	-	-	-
Highland														
Inverclyde	?	yes	5	-	-	-	-	-	-	-	-	-	-	-
Midlothian														
Moray	1	yes	3	30	13	-	-	-	-	-	1	-	-	-
North Ayrshire	79	yes	2	-	-	-	-	-	-	-	-	-	-	-
North Lanarkshire	?	yes	1	2	-	-	-	-	-	2	-	-	-	-
Orkney Islands	?	yes	-	6	-	-	-	-	-	-	-	-	-	-
Perth & Kinross	?	no	-	-	77	-	-	-	-	9	-	-	-	-
Renfrewshire														
Scottish Borders	?	no	2	-	-	-	-	-	-	-	-	-	-	-
Shetland Islands	?	no	1	-	-	-	-	-	-	-	-	-	-	-
South Ayrshire														
South Lanarkshire														
Stirling														
West Dunbartonshire	?	no	6	-	-	-	-	-	-	1	1	-	-	-
West Lothian	?	yes	3	6	-	-	-	-	-	-	-	-	-	-

Notes:

Blank rows represent no response to date



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