

Community Services Committee – 1 March 2000
Addendum to Item 11

the warm homes and energy conservation (15 year programme) bill

1 In this Act the following terms shall have the following meanings that is to say:

'comprehensive package of home insulation and other energy efficiency measures' includes the installation of products manufactured for the purpose of

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| (i) cavity wall insulation; | (ii) loft insulation; | (iii) under-floor insulation; |
| (iv) insulating hot water tanks; | (v) insulating pipes or other plumbing fittings; | |
| (vi) draught proofing; | (vii) controlling domestic heating systems; | |
| (viii) external and internal wall cladding; | (ix) providing low emissivity glazing; | |

and may, if in the opinion of the Secretary of State it is practicable, include other goods of which he is satisfied the sole or a major purpose is the improvement of energy efficiency in buildings, save that any such goods must in the opinion of the Secretary of State be appropriate for any residential accommodation occupied by a household or households to which this Act applies.

'the Act of 1995' means the Home Energy Conservation Act 1995.

'energy conservation authority' has the same meaning as in the Act of 1995.

'energy rating' means a rating given to any property in order to indicate the energy efficiency of that property.

'fuel poverty' means the inability to afford adequate warmth because of the energy inefficiency of a home.

'private rented sector' means accommodation let by persons not being statutory bodies or a registered housing association.

'residential accommodation' has the same meaning as in the Act of 1995 except that it includes houses in multiple occupation.

Clause 1 defines the terms used in the Bill. In particular it should be noted that the list of products included in the definition of the comprehensive package only 'includes' the stated products — i.e. it is not an exhaustive list.

2 (1) For the purpose of ensuring as far as possible that the homes of persons suffering from fuel poverty are able to be kept warm at reasonable cost it shall be the duty of the Secretary of State to draw up, facilitate and ensure the carrying out of, over a period of fifteen years, a programme of action to provide at least 500,000 households per year with a comprehensive package of home insulation and other energy efficiency improvements.

(2) The Secretary of State

- (a) shall consider any reports drawn up by an energy conservation authority pursuant to the Act of 1995; and
(b) may consult any persons whom he sees fit when drawing up his programme of action pursuant to subsection (1) above.

(3) The Secretary of State shall, as soon as is practicable after it has been drawn up

- (a) present the programme of action to both Houses of Parliament; and
(b) cause debates to be held therein; and
(c) after considering any points made during those debates amend the programme of action as he sees fit; and
(d) thereafter take such steps as in his opinion are necessary to ensure the carrying out of the programme of action.

(4) Without prejudice to the generality a programme of action pursuant to subsection (1) above may include

- (a) any action taken or proposed to be taken by an energy conservation authority pursuant to the Act of 1995; and
(b) any steps taken or proposed to be taken by him pursuant to section 3(2)(b) of the Act of 1995; and
(c) any steps taken by him to ensure that houses are given energy ratings when sold or let; and
(d) initiatives aimed at promoting the uptake of energy efficiency measures in the private rented sector.

Clause 2(1) requires the Secretary of State to draw up the programme to eliminate fuel poverty. We thus ensure that any necessary funding either comes from or is arranged by the Government. Our calculation is that the Government's investment in this will be paid back and actually save public money in the lifetime of the scheme.

Clauses 2(2) and 2(4) permit the inclusion in the programme of other initiatives (e.g. under the 1995 Act) — provided, of course, that they are 'for the purpose' of helping people suffering from fuel poverty as stated in 2(1). Thus not all other action could be included — only that directed at the fuel poor.

The method of implementation is left to the Secretary or State to organise.

3 The Secretary of State may subject to section 4 below make regulations by statutory instrument in order to assist with the carrying out of a programme of action under this Act and any such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.

4 For the avoidance of doubt it is hereby stated that nothing in this Act shall be taken as conferring

- (a) any power of entry; or
(b) any power to require any person to carry out works; or
(c) any requirement on any person eligible to receive a comprehensive package of home insulation and other energy efficiency measures to accept all such measures included in that package and any person not wishing to accept all such measures shall not suffer any detriment or lack of priority as regards any measures that he wishes to accept; or
(d) any exemption from or relaxation of Building Regulations or in Scotland the Building Standards Regulations affecting any works carried out pursuant to this Act.

Clause 4 makes it clear that the Bill is not about creating 'thermal police'. The programme is to be achieved by persuasion (e.g. 100% grants to enable people to live in warm homes and have reduced fuel bills) and not compulsion.

5 There shall be paid out of money provided by Parliament

- (a) any expenses of the Secretary of State under this Act; and
(b) any increase attributable to this Act in the sums payable out of any other Act.

Clause 5 puts the duty to ensure adequate funding on central Government. This is the only viable option for a programme of this size.

6 (1) This Act extends to Northern Ireland.

(2) This Act may be cited as the Warm Homes and Energy Conservation (15 Year Programme) Act 1998.