



The Scottish Parliament
Pàrlamaid na h-Alba

Published 27 November 2025
SP Paper 921
7th Report, 2025 (Session 6)

Local Government, Housing and Planning Committee

Report on Energy Performance of Buildings (Scotland) Regulations 2025 [draft]



Published in Scotland by the Scottish Parliamentary Corporate Body.

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Local Government, Housing and Planning Committee

To consider and report on matters relating to local government and planning falling within the responsibility of the Cabinet Secretary for Finance and Local Government, matters within the responsibility of the Cabinet Secretary for Housing, with the exception of matters related to homelessness and rough sleeping, fuel poverty, and welfare and debt advice services; and matters relating to local government boundaries, local governance review and democratic renewal.



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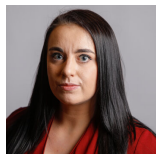
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Introduction

1. This report concerns the Energy Performance of Buildings (Scotland) Regulations 2025 (draft) ¹ which were laid before the Parliament by the Scottish Government on 10 October 2025. The instrument, which was laid in draft, is subject to the affirmative procedure, which means it cannot be made unless it has been approved by a resolution of the Parliament.
2. It is for the Local Government, Housing and Planning Committee, as lead committee, to decide whether or not to recommend approval.
3. The regulations reform the operation of the Energy Performance Certificate (EPC) system and EPC assessor market. EPCs are required whenever a property is sold, let or constructed. They are also displayed in certain large buildings. The purpose of reforming the system is to provide clearer and more comprehensive information including details of the energy efficiency of buildings, the type, and performance of a building's heating systems, and the running costs.
4. The Policy Note ² accompanying the regulations highlights that:
 - the reforms will provide more accurate and up-to-date methodologies;
 - that EPCs are conducted to the highest professional standards; and
 - EPCs will adopt a new technical infrastructure for lodging energy performance data, and generating certificates, on a new EPC Register.
5. There will be three main new ratings on the domestic EPC:
 - Heat Retention Rating – A-G rating (based on kWh/m²/yr) based on the amount of heat needed to maintain a set temperature, and improved by fabric measures such as loft or wall insulation;
 - Heating System Rating – categorisation of heating system type and emissions; A-G rating showing efficiency and running costs of current system; information about how these could be improved (e.g. by installing clean heating); and
 - Energy Cost Rating – A-G rating (based on £/m²/yr) rating giving an indication of the impact of changes on running costs and providing a consistent means of comparison across the UK. This is same as the existing Energy Efficiency Rating.
6. These ratings will be accompanied by additional information within the EPC that helps people understand how different parts of their home, such as the insulation level or heating system, contribute to the costs and emissions.
7. There will also be reform of non-domestic EPCs, with a further new set of ratings:
 - Energy Efficiency Rating (A to G) - based on modelled emissions from regulated energy use to align with the rating system used across the UK;
 - Direct Emissions (kg of CO₂e/m²/yr) - the building's modelled direct emissions

to allow a focus on the decarbonisation of individual buildings; and

- Energy Use (kWh/m²/yr) - the building's modelled energy use under standardised conditions to allow comparisons between buildings.

About the instrument

8. The instrument was made in exercise of the powers conferred by sections 1 and 49(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021³ and sections 250 and 331(2) of the Energy Act 2023⁴. The Regulations will revoke the Energy Performance of Buildings (Scotland) Regulations 2008⁵.
9. The intended reforms to the EPC system brought about by the Regulations include:
 - a new EPC rating system for domestic buildings, which will give clearer information on the fabric energy efficiency of a property, the emissions, efficiency and running costs of its heating system, and the cost of energy to run the home to standardised conditions;
 - a new EPC rating system for non-domestic buildings;
 - a redesigned EPC certificate, based on a first phase of user testing, and to be followed by a second phase prior to regulations coming into force;
 - reduction of the validity period of EPCs from 10 to five years to ensure consumers have more up-to-date information;
 - development of a new EPC user interface to sit alongside the published EPC;
 - introduction of strengthened operational governance arrangements for EPC assessors and Approved Organisations to enhance quality assurance for consumers;
 - establishing a new technical infrastructure to replace the current *Standard Assessment Procedure (SAP)* with the new *UK Home Energy Model (HEM)* calculation methodology, together with a new EPC Register, where the Scottish Government will share significant parts with the UK Government; and
 - continuing to work with the UK Government and devolved administrations where there are shared elements of the EPC regulatory system such as around skills and qualifications, across the UK internal market.

Consideration by the DPLR Committee

10. The Delegated Powers and Law Reform (DPLR) Committee is required to consider every instrument laid before the Parliament and decide whether to draw it to the attention of the Parliament on any of the “reporting grounds” set out in Rule 10.3 of the Parliament’s standing orders.
11. The DPLR Committee considered this instrument at its meeting on 4 November 2025⁶ and agreed that it did not need to be drawn to the Parliament’s attention on any of the reporting grounds.

Consideration by the Local Government, Housing and Planning Committee

12. At its meeting on 30 September 2025, the Committee held an evidence session about EPCs with two panels of witnesses, as listed below.⁷ This was prior to the regulations being laid and was based on the information which the Scottish Government had made public about its intended reforms to the EPC system.
 - Existing Homes Alliance Scotland;
 - Elmhurst Energy;
 - Scottish Property Federation;
 - Scottish Association of Landlords;
 - Rural and Islands Housing Association Forum; and
 - Professor David Jenkins, Heriot-Watt University.
13. The panel members giving evidence were generally supportive of the Scottish Government plans and agreed that the current EPC system needed reform.
14. Some witnesses were keen to know more of the detail of the methodology being used and highlighted the need for sufficient time for stakeholders to prepare for the changes.⁸
15. The regulations provide for savings and transitional provisions. There is up to a one-year grace period (until 31 October 2027) for properties being sold or let, to continue to use the old-style EPC, and a longer period (of up to five years) for large non-domestic buildings frequently visited by the public.
16. The regulations will reduce the validity period of an EPC from 10 years to 5 years. There were mixed views on this. The Scottish Association of Landlords were in favour of retaining the 10-year period arguing that increased regulation incurs costs which are ultimately borne by tenants.⁹
17. Other points were made about consumers being able to act on the information in the EPC. For example, as Professor Jenkins stated:
 - ” “We have to accept that, within an EPC, there might be a recommendation that is very bland and very broad. However, it needs to be enough to push that person towards a professional who can then give more detailed and tailored advice. EPCs are not about being tailored. They are all about being average and generic—that is their job. We can criticise them for that, but, to some extent, it is their job to be very average and generic. However, we need the information in the EPC to hold people’s hands in taking them to the next step. The work that has been going on across Europe in relation to building renovation passports is the kind of work that we need to be reflecting on.”¹⁰
18. After the regulations were laid the Existing Homes Alliance submitted further

evidence to the committee outlining its support for the regulations. It also made a point about that progressing the Home Energy Model with the UK Government introduces a degree of risk and there will need to be well planned and co-ordinated implementation:

” “The reliance on the UK Government to progress the Home Energy Model [HEM], which will replace SAP [Standard Assessment Procedure], introduces a degree of risk. Any delays at a UK level could have implications for policy development in Scotland – particularly regarding the introduction of minimum energy efficiency standards for the private rented sector. The proposed timescales are ambitious, and the Scottish Government will need to ensure the roll out is well planned and coordinated to allow for sufficient time for the development of technical guidance, raising public and stakeholder awareness ahead of implementation and training assessors.” ¹¹

19. At its meeting on 11 November 2025, the Committee then took evidence on the instrument from the Cabinet Secretary for Housing and her officials.
20. In response to concerns about potential delays to the Home Energy Model (HEM) impacting on the delivery of EPC reform, she stressed that the Scottish Government has worked closely with the UK Government, and that she has no reason to expect there would be such a delay. To mitigate against the impact of a delay a Memorandum of Understanding has been agreed between the two governments so that the Scottish Government will have early sight of any delay if it does occur. ¹²
21. The Committee also asked the Cabinet Secretary about the reduction to the validity of an EPC certificate to a 5 year period, instead of 10 years. She noted that the Scottish Government needed to strike a balance between empowering people with accurate and up to date information about a property and the impact of creating additional obligations for building owners. The Cabinet Secretary also said:

” “I am also interested in and open minded to the idea that the validity period could move back to ten years once a heat retention rating C has been achieved, but we will keep that under review.” ¹³
22. She also provided reassurance that the new system will be rolled out with a strong consumer engagement and communications plan. A more interactive user interface will also be developed which can enable people to input real data about their energy use and explore the impact of potential changes such as the installation of a heat pump, to help drive behaviour change. ¹⁴
23. Following the oral evidence, the Cabinet Secretary moved motion S6M-19564—
That the Local Government, Housing and Planning Committee recommends that the Energy Performance of Buildings (Scotland) Regulations 2025 [draft] be approved.
24. The motion was agreed to.

25. The Committee recommends to the Parliament that the draft Energy Performance of Buildings (Scotland) Regulations 2025 be approved.

- 1 [The Energy Performance of Buildings \(Scotland\) Regulations 2025](#)
- 2 [The Energy Performance of Buildings \(Scotland\) Regulations 2025 - Draft Policy Note](#)
- 3 [UK Withdrawal from the European Union \(Continuity\) \(Scotland\) Act 2021](#)
- 4 [Energy Act 2023](#)
- 5 [The Energy Performance of Buildings \(Scotland\) Regulations 2008](#)
- 6 [Delegated Powers and Law Reform Committee. 82nd Report, 2025 \(Session 6\). Subordinate Legislation considered by the Delegated Powers and Law Reform Committee on 4 November 2025](#)
- 7 [Local Government, Housing and Planning Committee 25th Meeting, 2025 | Scottish Parliament Website](#)
- 8 [Local Government, Housing and Planning Committee, Official Report, 30 September 2025, Col 5](#)
- 9 [Local Government, Housing and Planning Committee, Official Report, 30 September 2025, Col 41](#)
- 10 [Local Government, Housing and Planning Committee, Official Report, 30 September 2025, Col 8](#)
- 11 [Existing Homes Alliance. Written submission.](#)
- 12 [Local Government, Housing and Planning Committee, Official Report, 11 November, Col 4](#)
- 13 [Local Government, Housing and Planning Committee, Official Report, 11 November, Col 5](#)
- 14 [Local Government, Housing and Planning Committee, Official Report, 11 November, Col 10](#)

