

ECO Team
Ofgem E-Serve
9 Millbank
London
SW1P 3GE

16 February 2017

Dear ECO Team,

ENERGY COMPANY OBLIGATION 2017-2018 (ECO2T): ECO2T CONSULTATION PART 2

We welcome the opportunity to respond to the Energy Company Obligation 2017-2018 (ECO2t): ECO2T consultation part 2. Our responses to the consultation questions are set out below.

Q.1. Do you agree that an LA declaration should be dated prior to the date of installation of the measure?

We cannot find any provision in the draft Order which would require the Local Authority (LA) declaration to be dated prior to the installation of the measure and therefore we question whether Ofgem has the powers to require this.

There is a requirement for the LA to be consulted which may carry the inference that such consultation should happen before installation of the measure, though this is not certain. We believe that an LA declaration dated before the installation of a measure would provide evidence of the LA being consulted prior to installation, but we do not believe that a declaration dated prior to the installation is the only method of doing this and other evidence (for example, a copy of an email sent to the LA with details of properties proposed to be improved) could be provided to demonstrate consultation.

Q.2. Do you agree with our proposed administration of SWI in-fill?

We agree in principle, but recognise that in line with the ECO order Affordable Warmth (AW) households are excluded from SWI in-fill, but understand that local authorities may choose to use AW as an indicator for FP/LIVC eligibility in a Statement of Intent (Sol). We understand that it is the number of FP/LIVC properties at the time of the LA declaration that determines the infill position; if some of those properties are subsequently moved to AW, this does not affect the validity of the certificate. It would be helpful if the position on this was set out in the guidance.

For the avoidance of confusion, confirmation that only private tenure premises are eligible should be added to 3.11 of the draft guidance. We would suggest that it is amended to read "An LA can also declare households in private domestic premises as eligible for HHCRO measures...".

In the table under Paragraph 3.14 of the draft guidance, we think the right hand box for the upper line (the two property case) should read "The other property in the building, or to which the semi-detached property is directly adjoined, is eligible for solid wall insulation". We think there may be some cases where two properties in the same building are not directly adjoined – for example two flats separated by an area such as a common hallway – but one is nevertheless eligible for infill if the other is declared as FP/LIVC.

We also think that the draft Order may permit a detached property to be “immediately adjacent” to other eligible FP or LIVC properties, for example if there was a row of detached houses in a street with relatively small gaps between them. If that is correct, then paragraph 3.15 in the draft guidance may need to be revised; we would welcome clarification on this point.

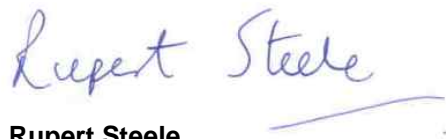
Q.3. Do you agree with our proposed administration of evidencing that the Local Authority (LA) has published a statement of intent and that it includes the minimum required information?

We agree and would also request that Ofgem recognises as good practice that an LA dates any Statement of Intent (Sol) that it issues and that any declaration or other evidence refers to that version of the issued Sol and its date.

We would welcome further information on what evidence Ofgem will be requiring in cases where an LA delegates some functions to another LA (3.2 in the draft guidance). Ofgem also make reference in the draft guidance (3.21) to BEIS having published separate guidance for local authorities on the content of Sols as well as the associated templates and so we would appreciate further information on whether Ofgem are intending to encourage use of the declaration templates issued by BEIS as this would be a more straightforward approach for all parties.

Should you wish to discuss any of the points in our response, please do not hesitate to contact me.

Yours sincerely,



Rupert Steele
Director of Regulation