



ARCHITECTS' COUNCIL OF EUROPE
CONSEIL DES ARCHITECTES D'EUROPE

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Architecture and Quality of Life

Proposal for a Energy Efficiency Directive (EED) - COM (2011) 370

Position Paper

Draft

The Architects' Council of Europe (ACE) is the European organization representing the architectural profession at European level. Its growing membership consists of 44 Member Organizations, which are the nationally representative regulatory and professional bodies of all European Union (EU) Member States, Accession States, Switzerland and Norway. Through them, it represents the interests of about 526,000 architects. The principal function of the ACE is to monitor developments at EU level, seeking to influence those areas of EU Policy and legislation that have an impact on architectural practice and on the overall quality and sustainability of the built environment.

Preface

In general, the ACE highly welcomes and appreciates the efforts made by the European Institutions in respect of reducing the Energy consumption and to improve its use by applying the innovative technologies in order to reduce global warming, the dependency on fossil energies and to achieve an efficient energy management in general. Recalling various initiatives and strategies proposed by the European Commission like the revision of the Energy Performance of Buildings Directive or the Green Paper "A European strategy for sustainable, competitive and secure energy", ACE has been actively communicating and contributing to the development of these topics at the European and national levels. Several measures indicated in the stock-taking document meet with our unreserved approval, such as:

- The integrated concepts for Energy-saving
- The continuation of financial support for the Energy efficiency and renewable Energies within the Cohesion policy
- The aim to coordinate the European energy policy in a more efficient way.

However, we would like to draw the Commission's attention to some important aspects as follows:

1. It is to be welcomed that the European institutions pursue the goals of objectivity, reliability and competence as a central element of their energy efficiency policies. These goals can only be reached by corporate aid programs and by the **consistent development of education and qualification programs for all stakeholders in the Energy efficiency value chain**. Based on the experience gained at the national levels for a considerable period of time, and concerning obligatory qualification and certification schemes, it has been proven that their practical application is far too rigid and inflexible to adequately cope with the complexity and diversity of the issues within the Energy efficiency. In addition to that, the creation of new certification systems – such as stated in Article 13 - would tremendously increase the bureaucratic burden and expenditure for the professions involved in the planning processes.

Concerning smart metering and billing information, laid down in Article 8 and Annex VI, the high transparency and traceability for the end-user / final customer are the core principles if the Energy-efficiency measures are to be broadly and effectively adopted and implemented. The data gathered and derived from such measures, such as the cost-benefit analysis, the actual Energy consumption or any private information in general, have to be protected from misuse and must **remain private**. There

is a real concern and possibility that The Energy service providers, distributors or retail Energy sales companies could use such information for marketing data record for their own Energy-saving monitoring and for other commercial use without consent of the service recipient.

2. Energy concepts considerably vary between newly built and existing building stock, with different demands in the area of building retrofitting or renovations. Therefore, for retrofitting and renovations of the existing buildings the energy-saving measurements must be contextualised, customised and **individually** planned, adjusted and coordinated based on the respective structure. There is and cannot be an absolute and ideal solution applicable to all properties or real estates. For personnel authorised to perform the Energy audits and for the Accredited-building experts, there has to be a guarantee that their expertise and service is based on product-neutrality and trade-spanning and that there is no commercial conflict of interest. In Article 7 as well as in Article 6.4 it is stated that energy audits shall be “affordable and carried out in an independent manner by qualified or accredited expert“. The principles of independence, transparency and traceability must be preserved. The intention expressed by the European Commission to delete the wording “**independent manner**” is worrying as it potentially can create a further and drastic lowering of the already existing minimal quality level of for Energy services providers. At the same time, as stated in Article 13, the codified set-up of certification and qualification schemes for energy services providers, coupled with the creation of extensive and bureaucratic instruments would thwart the quality control in its entirety.

In reference to all the above mentioned points, the question must be raised whether the additional instruments and/or increased legal restrictions will in reality lead to the achievement of the desired and sustained success of the measures. Energy efficiency cannot be considered in isolation and only in its technical dimension, without the putting it in the context of other two pillars of sustainability, namely society and environment. Energy efficiency can only be considered within a holistic approach which includes much more than the single building, and connects it to its wider site and architectural context, type of use and users. It is to be hoped, that the intended Commissions’ announcement to publish a communication for a sustainable construction by the end of 2012 will strongly take into account the holistic and integrative approach, as mentioned above. The effectiveness of any proposed measures could be only achieved with reduction and qualitative amalgamation of various and numerous initiatives and legal proposals in the field of Energy efficiency and would benefit from inter-departmental coherent and comprehensive approach. As already mentioned, ACE highly welcomes the financial incentives offered by the European Union to improve the energy efficiency of the built environment. The effective application and use of these incentives and measures will depend on the adequate adoption of measures by the national governments that must be urged to adopt the available EU-programmes. It will be imperative to ensure that the financial incentives are devised and administered in such a way that they do not become a ‘pull-down’ menu of measures applied mechanically, and as such not to undermine the integrative and holistic approach to application to energy efficiency measures in a built environment. The application and administration of energy efficiency measures has to be coordinated, carried out, supervised and administered by qualified professional expert(s) with comprehensive knowledge of the built environment. We therefore call on the European institutions to encourage also the national governments on the European level to incorporate and implement the provided financial and support incentives within their national programs.

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