



Strategic Priority 3 - Responsible Architecture

ACE response to the consultation on the Energy Efficiency Directive

Policy position

Date: 20 October 2015 Ref: 30/16/PO

BACKGROUND

The EU Commission ran from November 2015 to January 2016 a consultation to prepare the review of the Energy Efficiency Directive (EED), focusing on Articles 1, 3, 6, 7, 9-11, 20 and 24. The EED provisions about buildings were not addressed directly in this consultation. The objective of the next review is mainly to align the EED with the new 2030 energy efficiency target (= at least 27% energy savings compared with the business-as-usual scenario). ACE response reiterates the position expressed in the EPBD consultation and is based on the response of the Coalition for Energy Savings.

HIGHLIGHTS

- By providing a comprehensive legislative framework for 2020 and beyond, the EED significantly boosts national activities, strategic thinking and investments in energy efficiency improvements and provides a first step for correcting the failures of today's supply dominated energy markets.
- A continuation of the EED framework is necessary to ensure predictability and investor stability. A target of 40% for 2030 is required to tap all cost-effective energy efficiency investments across all sectors and realise the full benefits for energy consumers, economic development and climate protection.
- The lack of a focus on operational energy use, and requirement for disclosure of related data, poses a major challenge to the effective national implementation of the EED. This is particularly apparent in the poor implementation of the nZEB standards, where the lack of a link between notional and actual energy consumption of buildings is already causing a market distortion.
- Further testing and support of energy performance contracting of architectural projects should be supported. Evidence is emerging that EPCs, when effectively implemented with nZEB targets and full measurement and verification, linked to contractor bonuses lead to positive architectural outcomes and more resilient buildings.

ACE POSITION

- By providing a comprehensive legislative framework for 2020 and beyond, the EED significantly boosts national activities, strategic thinking and investments in energy efficiency improvements and provides a first step for correcting the failures of today's supply dominated energy markets.
- The EED works in coordination with national legislation and measures, and drives the creation of new national legislation and the continuation of existing legislation, although implementation has been slow, many policies are in development.
- A continuation of the EED framework is necessary to ensure predictability and investor stability. A target of 40% for 2030 is required to tap all cost-effective energy efficiency investments across all sectors and realise the full benefits for energy consumers, economic development and climate protection. Furthermore, the Paris agreement on climate change has increased



expectations to accelerate energy efficiency policies.

- The EU must secure accountability for all relevant actors, which is best achieved by setting binding targets and providing internal market rules, in particular for minimum requirements, while giving MS the flexibility to develop customised suite of policies and measures.
- Currently the minimum savings requirement of 1.5% annual energy savings under Article 7 is reduced to 0.8% by using statistical tricks. The outcome of Article 7 must, at least, double in order to secure reaching cost-effective potentials across sectors.
- The existing reporting and monitoring system under the EED is a useful tool to track developments with regard to energy efficiency in MS. However, a binding and standardised template for reporting would make reporting easier, more transparent and comparable. Standardised energy data, definitions and indicators should also be used to increase transparency and provide clarity.

Regarding Construction and Buildings sector

- The lack of a focus on operational energy use, and requirement for disclosure of related data, poses a major challenge to the effective national implementation of the EED. This is particularly apparent in the poor implementation of the nZEB standards, where the lack of a link between notional and actual energy consumption of buildings is already causing a market distortion. Construction industry is extremely fragmented, yet multi-disciplinary solutions are needed to overcome the practical challenges of reducing energy consumption in existing and new buildings.
- Further testing and support of energy performance contracting of architectural projects should be supported. Evidence is emerging that EPCs, when effectively implemented with nZEB targets and full measurement and verification, linked to contractor bonuses lead to positive architectural outcomes and more resilient buildings.
- Importance of architectural quality in occupants' perception of health, safety, comfort and productivity and the need for building energy performance legislation to validate design expectations in operation in order to support architectural quality.
- In the building sector, current legislation does not mandate the reporting of achieved operational performance or the validation of the indoor spatial and environmental quality achieved. This means that the evaluation of the energy performance of a building is not representative of actual outcomes. This has caused major unintended consequences, including poorly targeted investment, loss of productivity in the construction sector, credibility issues with certification and a significant gap between the expected and achieved energy performance of buildings. These must be urgently tackled by revised EU legislation.
- The financing of energy efficiency measures, in particular the retrofit of the existing stock, has been decoupled from investment in the spatial and architectural design of buildings. As EU MS embark on one of the largest retrofit efforts ever undertaken, there is a major opportunity to improve the uptake of efficiency measures by interlinking the financial instruments with architectural design and renovation.

ANNEXES

- [Directive 2012/27/EU of 25 October 2012 on energy efficiency](#)