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UEPC POSITION PAPER

PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2010/31/EU ON THE ENERGY PERFORMANCE OF BUILDINGS

The European Union of Developers and House Builders (hereafter UEPC) would like to share its comments on the European Commission's proposal amending Directive 2010/31/EU on the energy performance of buildings (hereafter EPBD).

UEPC welcomes the new approach adopted by the European Commission, which marks a clear break with the past, as its primary focus has been now correctly placed on the existing building stock and the need to accelerate its pace towards cost-effective renovations. Such a shift acknowledges the fact that the current Directive has been successful in improving energy performance for new buildings but not in incentivising energy efficiency renovations of the existing stock.

UEPC also supports the move of the European Commission towards an effective reduction of unnecessary burdens upon companies (deletion of article 6.1) as well as the decision to maintain the provision on cost optimality (art. 9.6) in the Directive. This provision allows Member States to be exempted from the 'nearly zero energy buildings' requirements if they are not cost-optimal, as is the case today. Such a provision frees private residential developers from using non-feasible and non-cost-optimal technical solutions which would increase construction costs and, as a consequence, have a negative impact on the affordability of housing for EU citizens.

While acknowledging the positive aspects of the new targeted amendments to the EPBD, UEPC expresses serious concerns regarding the following provisions.

1. Pre-cabling for electric recharging points in newly built residential buildings

The new article 8.3 states that *'Member States shall ensure that newly built residential buildings and those undergoing major renovations, with more than ten parking spaces, include the pre-cabling to enable the installation of recharging points for electric vehicles for every parking space.'*

The provision seems to be both non-cost-effective and non-technologically wise.

Firstly, the concept of 'pre-cabling' is rather vague, not to say unclear, in its content. Namely, the provision does not state whether 'pre-cabling' only implies the deployment of the infrastructure for e-mobility recharging points or also the access to sufficient power supply in order to recharge an indefinite number of electric vehicles. Deployment costs for the infrastructure involved in providing for the power supply needed for the electric charging of vehicles are expected to be burdensome for developers – particularly where this entails provision for a relatively large number of charging points with the potential of being used for simultaneous charging of a number of electric vehicles equal to



the total number of available parking spaces. In addition to the infrastructure deployment costs, the electricity capacity requirement resulting from the provision of charging points would need to adapt to the request for a greater power supply. This would result in further investments either to reinforce the local electricity distribution capacity or to design and provide new infrastructure – such as substations – to meet the new demand. These investment costs which are together with the infrastructure deployment costs to be borne by development would have a direct negative effect on the total costs for residential buildings. Furthermore, the increase in the electricity capacity requirement will also result in higher bills for future users, as usually the client needs to pay not only for the used electricity itself but also for the readiness of the electric company to provide the set amount of power.

Secondly, the solution proposed in the above-mentioned provision appears to be non-technologically wise, as it does not take into consideration the rapid speed of technological progress. Having a closer look at the current development of technology and charging systems, it is highly likely that the actual solution envisaged for pre-cabling would become obsolete even before being used for the deployment of charging points for electric vehicles.

Thirdly, the provision does not reflect both the actual demand and use of electric vehicles. Although UEPC supports the European Commission in its attempt to increase the decarbonisation of the European transport sector, we believe that such provision should not be considered as a precondition for such evolution but rather a consequence of a clear, effective and feasible strategy on the future of the transport sector which is currently missing. Given the current low number of electric vehicles, a provision requiring the pre-cabling of each and every parking space in newly built residential buildings seems to be an unnecessary obligation.

In this respect UEPC suggests that the new proposed article 8.3 should be deleted. We believe that a decision in this area should result from a combination of a demand-driven approach together with the solutions offered by technology to be taken at national level, rather than from an obligation to be imposed at European level.

2. Definition of ‘Smart Indicators’

Article 8.6 empowers the European Commission to adopt delegated acts to provide a definition of ‘Smart Indicators’. While being supportive of the introduction of this device, UEPC expresses doubts about the vagueness of the delegation power the European Commission would be provided with. In particular, it calls on the European Commission and EU legislators to clarify that ‘Smart Indicators’ would be clearly focused on smart meters and heating controls.

3. Inspections of heating and air-conditioning systems in residential buildings

UEPC believes that the new wording of articles 14 and 15 which set up the obligations with regard to the inspection of heating and air conditioning systems for residential buildings with centralised



technical building systems of a cumulated effective rate output of over 100 KW does not allow the necessary flexibility in the field of inspections which is wisely provided in the current EPBD.

In particular, the new wording of both paragraphs 14.3 and 15.3 which enlist the alternatives for both heating and air conditioning system' inspections state: '*3. As an alternative to paragraph 1 Member States may set requirements to ensure that residential buildings [...] are equipped:*

(a) with continuous electronic monitoring that measures systems' efficiency and inform building owners or managers when it has fallen significantly and when system servicing is necessary, and

(b) with effective control functionalities to ensure optimum generation, distribution and use of energy.'

The above-mentioned alternatives appear to be non-cost-effective and burdensome. Heating and air conditioning systems should be tailored to the needs of customers according to the products available on the market. While UEPC remains committed to the European goals in terms of energy efficiency and energy savings within the framework of our common fight against climate change, we believe that legal provisions should not determine precisely which heating and air conditioning systems residential buildings should be equipped with. Residential private developers and house builders should be given the right to decide which systems to install and whether to opt for automation and/or smart indicators based on a demand-driven approach which would take account of customers' requests. Furthermore, it should be left to the heating and air conditioning system producers to indicate how often and the way in which inspections should be carried out to ensure the safety and functionality of these systems.

UEPC supports the wording of articles 14 and 15 of the current Directive. In this respect we suggest that new articles 14.3 and 15.3 as defined in the new EPBD proposal should be deleted.

As the new EPBD proposal will be soon discussed at both Council and European Parliament level, UEPC calls on the two EU co-legislators to take stock of its comments and support the deletion of new articles 8.3, 14.3 and 15.3 which would be burdensome for residential private developers and house builders and as a consequence have a negative impact on the affordability of housing for EU citizens.

ANNEXE I

UEPC'S AMENDMENTS TO THE PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2010/31/EU ON THE ENERGY PERFORMANCE OF BUILDINGS

Provisions	EC proposal	UEPC suggested amendments
New article 8.3	<i>'3. Member States shall ensure that newly built residential buildings and those undergoing major renovations, with more than ten parking spaces, include the pre-cabling to enable the installation of recharging points for electric vehicles for every parking space.'</i>	TO BE DELETED
New article 14.3	<i>'3. As an alternative to paragraph 1 Member States may set requirements to ensure that residential buildings with centralised technical building systems of a cumulated effective rated output of over 100 kW are equipped: (a) with continuous electronic monitoring that measures systems' efficiency and inform building owners or managers when it has fallen significantly and when system servicing is necessary, and (b) with effective control functionalities to ensure optimum generation, distribution and use of energy.'</i>	TO BE DELETED
New article 15.3	<i>'3. As an alternative to paragraph 1 Member States may set requirements to ensure that residential buildings with centralised technical building systems of a cumulated effective rated output of over 100 kW (a) with continuous electronic monitoring that measures systems' efficiency and inform building owners or managers when it has fallen significantly and when system servicing is necessary, and (b) with effective control functionalities to ensure optimum generation, distribution and use of energy.'</i>	TO BE DELETED