

**The Chartered Institute of Building**

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Registered Charity 280795

The Rt Hon Gregory Barker MP  
Department for Energy & Climate Change  
3 Whitehall Place  
London  
SW1A 2AW

01 August 2013

Dear Mr Barker

I am writing in response to the consultation Energy Company Obligation (ECO): Updates to the Electricity and Gas (Energy Companies Obligation) Order 2012 to express our concerns on the legislation surrounding hard-to-treat cavity wall reports carried out under ECO. In particular, we refer to the wording of 'chartered surveyor' within the ECO Order 2012.

The Chartered Institute of Building (CIOB) is a professional body incorporated by Royal Charter, and counts within its membership base of construction management professionals many qualified building surveyors. Chartered membership of the CIOB is awarded upon successful completion of professional examinations and demonstration of appropriate competencies in which knowledge, ability and professionalism are tested at honours degree level (Level 6). CIOB professional qualifications are widely respected in the industry as a designation of expert knowledge and competence in the built environment discipline. Holders of chartered membership commit to continuous professional development and to a code of ethical conduct.

We responded to Ofgem's Energy Companies Obligation (ECO) 2012 - 2015: Guidance for Suppliers consultation earlier in the year, identifying that if the wording of 'chartered surveyor' was kept in the guidance, then other qualified individuals will be prevented from producing reports on hard-to-treat cavity walls. We have since been informed by Ofgem that this particular concern has been forwarded onto the Department for Energy and Climate Change, as it concerns the ECO Order 2012.

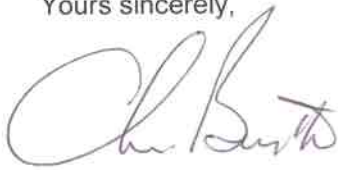
We are concerned that the Order specifies that only a chartered surveyor, with unambiguous reference to the Royal Institution of Chartered Surveyors (RICS), can produce a report on the improvements required under the ECO. We note that in guidance from DECC on the Green Deal, the Green Deal Code of Practice and other ECO work, there are no such specific mentions of using only a chartered surveyor for any other work.

We propose amending the ECO Order 2012 to account for the fact that surveyors other than members of the RICS are equally qualified to define hard-to-treat cavity walls, recommended energy efficiency measures, and produce reports under ECO. Conversely, and just as importantly, we would also call attention to the fact that many chartered surveyors who are RICS members, such as estate agents, auctioneers and valuers, would have neither the qualifications nor competency to provide a report on the identification of hard-to-treat cavity walls and/or measures to improve energy efficiency in properties.

While we certainly do not doubt the value and importance of qualified RICS members' expertise in advising on energy efficiency improvements in residential property, it appears that the ECO Order in its current form suggests that other equally qualified and competent surveyors, including those who are members of the CIOB and other professional bodies such as the Chartered Association of Building Engineers and Chartered Institution of Building Services Engineers, will be prevented from carrying out work under ECO. We believe this is not in the public interest and signifies a potential restraint of trade.

We are happy to meet and discuss these issues further with you and your officials, and we hope our concerns are taken on board.

Yours sincerely,



**Chris Blythe**  
Chief Executive

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