



Department for
Business, Energy
& Industrial Strategy

Private Rental Sector Minimum Energy Efficiency Standard (MEES) Compliance and Enforcement Competition

Guidance for local authorities



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Any enquiries regarding this publication should be sent to us at: enquiries@beis.gov.uk

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1. Overview

1. The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 introduced a minimum energy efficiency standard of EPC E for the private rented sector (PRS) (herein ‘the MEES Regulations’). From 1 April 2018, private rented properties in scope of the MEES Regulations had to meet the minimum energy efficiency standard (EPC E) before they can be let on a new tenancy, unless a valid exemption has been registered. The MEES Regulations applied to all domestic properties in scope from 1 April 2020 and will apply to all non-domestic properties in scope from 1 April 2023).
2. Key to the success of the MEES Regulations and any strengthened minimum standards is effective compliance and enforcement. Local Authorities (LAs) are responsible for compliance and enforcement of the MEES Regulations in the domestic sector and Local Weights and Measure Authorities are responsible for compliance and enforcement in the non-domestic sector.
3. The Private Rental Sector Minimum Energy Efficiency Standard (MEES) Compliance and Enforcement Competition is open to LAs in England and Wales, who are invited to apply for funding to support them to ensure compliance and enforcement of the MEES Regulations. The competition will ensure funding is targeted at engaged LAs where a clear need for financial support has been identified, helping to build compliance assurance and enforcement capacity and capability within the selected LAs.
4. Over £2 million of grant funding has been made available to launch the competition and provide grant awards to a range of LAs in England and Wales. The purpose of these grants is to support LAs to carry out effective compliance assurance and enforcement of the MEES regulations in private rented homes in their area.
5. The Midlands Energy Hub, in partnership with BEIS, will award a series of grants of up to £100,000 to a range of LAs with viable proposals. LAs will need to submit an application for funding, which will be assessed against specified evaluation criteria.
6. The LAs awarded funding will also be given access to the Department’s draft Compliance & Enforcement Toolkit to support their compliance and enforcement work. The toolkit includes examples of best-practice approaches with regard to:
 - the back-office systems that should be in place to encourage and monitor compliance and effectively enforce the domestic MEES Regulations, including process maps;
 - systems of data collation and tools to aid in the identification of private rented properties below EPC band E and their landlords;
 - pro-active ways of engaging with landlords and other stakeholders to promote awareness of the PRS Regulations and to encourage compliance, including template letters;
 - enforcement processes and procedures, including template compliance and penalty notices, as well as numerous case studies.

1.1 Timescales

The following table outlines the steps within the competition, from initial applications to final reports.

Table 1: Competition timetable

Milestone	Planned completion date
Competition launch	24 May 2021
Competition webinars: live Q&A	7 -18 June 2021
Deadline for submission of proposals	2 July 2021
Assessment of competitions submissions	5 July – 12 July 2021
Successful submissions announced	26 July 2021
Introduction workshop with successful applicants	from 9 August 2021
Delivery of the agreed proposal	9 August 2020 - March 2022
Closing workshop held with participating local authorities	March 2022
Final submission of payment requests and provision of evidence	31 March 2022
Proposal wrap up & report complete	31 March 2022

1.2 Enquiries

Any enquiries, including if there are any problems with the application form, should be addressed in the first instance to:

PRSenforcement@nottinghamcity.gov.uk

2. Introduction

2.1 Minimum Energy Efficiency Standards

The Domestic Minimum Energy Efficiency Standard (MEES) Regulations set a minimum energy efficiency level for domestic private rented properties. Since 1 April 2020, landlords can no longer let or continue to let properties covered by the MEES Regulations if they have an EPC rating below E, unless they have a valid exemption in place. Further information about the regulations can be found [here](#)¹.

The Regulations apply to all domestic private rented properties that are:

- let on specific types of tenancy agreement
- legally required to have an Energy Performance Certificate (EPC)

3. Competition Aims and Objectives

The aim of this competition is to support local authorities to develop and implement a formulated approach for enforcing requirements under the MEES Regulations by providing 100% (revenue) grant funding to selected LAs.

Up to £100,000 is available to the successful applicant LAs to deliver the scheme. This money could be used for staff time or other relevant resources (e.g. sending compliance and enforcement notices, obtaining legal assistance, staff training or secondment – bringing in another organisation to carry out the work) in order to ensure successful outcomes.

¹ <https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance>

3.1 Competition Objectives

Successful competition proposals will be expected to evidence the following **competition objectives**:

- 1. Identify** the landlords who are not compliant with the minimum energy efficiency standard (MEES). It is anticipated that applicants will develop a process for using available data to identify non-compliant landlords in the private rental sector (PRS).
- 2. Engage.** Applicants to detail how they will contact and engage with non-compliant PRS landlords. It is expected that awareness raising of the MEES regulations will form a part of this engagement.
- 3. Compliance & Enforcement.** Applicants to develop a clear procedure for compliance and enforcement, and explain how it will be delivered by LA officers.
- 4. Impact.** Applicants will provide a simple summary report detailing the numbers of PRS landlords identified, number of engagements and number of enforcement actions taken. We encourage applicants to consider how the funding and learning of the proposal will lead towards sustainable MEES compliance and enforcement procedure after the scheme ends.

3.2 Eligibility Criteria

This competition is open to all Local Authorities (LAs) in England and Wales who require funding to develop and implement an effective compliance and enforcement procedure for the MEES Regulations. The selected LAs will need to be able to show that there is a clear need for financial support to help them build their compliance and enforcement capacity.

Applications are welcome from LA's who have previously been involved in PRS Compliance & Enforcement pilot schemes if further funding is required.

Collaborative bids are welcomed but there must be a clear 'Lead Authority' in all cases.

Applications must also meet the following requirements:

- The proposal must conform to the competition requirements (see section 4);
- The requested funding must not exceed the maximum limit of £100,000;
- The proposal must primarily focus on private rented homes
- Applicants must confirm that their organisation (including any directors or partners or any other person who has powers of representation, decision or control) has not been convicted of conspiracy, corruption, bribery, fraud, money laundering or drug trafficking, and has not been declared bankrupt;
- Proposals must comply with GDPR requirements;

- Proposals must comply with all accessibility requirements in terms of language and format of any communication;
- Only fully completed application forms will be considered.

4. Competition Requirements

Successful competition applicants will be expected to:

1. **Identify** the number of non-compliant domestic PRS landlords and/or PRS properties within a specified geographical area (defined in the applicants bid). Applicants should explain how the funding will be used to gain further information relating to non-compliance with MEES in the private rental sector.
2. **Engage** with key stakeholders. Applicants should explain how they intend to raise awareness of the MEES regulations during the project and engage with non-compliant landlords, informing them of any further help and funding available. Resources should be accessible, including Braille, BSL and other formats where appropriate.
3. **Undertake compliance and enforcement work.** Applicants should explain how they intend to develop and implement a clear procedure for encouraging and monitoring compliance and enforcing the MEES Regulations.
4. **Evidence the Impact** of the funding. Applicants will need to provide a summary report of their activities at the end of the proposed project (e.g. detailing the numbers of PRS landlords identified, number of engagements and number of enforcements).

4.1 Engagement with the Midlands Energy Hub

To ensure the delivery of the proposal runs smoothly, successful applicants will be required to work closely with the Midlands Energy Hub (the Hub) for the duration of the competition.

Evidence Submission Procedures

It is expected that successful applicants will adhere to the following process while participating in the scheme:

1. LAs will need to provide monthly summary reports with details such as the numbers of PRS landlords identified, number of engagements and number of enforcement actions to the Midlands Energy Hub. A final report will also be required evaluating the whole proposal and identifying any lessons learnt.
2. LAs may be required to provide evidence of spend in compliance with the funding as set out in the award letter. Payment will be made in 2 instalments.

Mobilisation and delivery	90%
Final Report	10%

Where a LA is failing to perform as per their grant agreement, supportive steps will be taken in the first instance to try and establish a satisfactory solution. However, if the situation cannot be resolved, the grant agreement will include a right to reduce funding or terminate the agreement and allocate the funding to an alternative LA.

5. Application Process

The application process for the competition will be run through the Midlands Energy Hub with support from BEIS.

You will be expected to use the application form provided on the GOV.UK website (<https://www.gov.uk/government/publications/apply-for-private-rented-sector-minimum-energy-efficiency-standard-meets-compliance-and-enforcement-funding>). The application form is structured around the headings set out in section 3.1. Applicants will need adhere to the maximum word limits for each section.

5.1 How to apply

Application forms must be received no later than **23:00 on 2nd July 2021**. Responses should use the application form provided on the same webpage as the guidance.

Respond by email to: PRSenforcement@nottinghamcity.gov.uk

The subject line of the email should include **'PRS Compliance and Enforcement Competition Application Submission'**.

Applications will be logged and an acknowledgement email will be issued providing a unique reference number for your application within two working days. All applications will be checked for eligibility. Only those that are considered to be eligible will be fully assessed.

5.2 Assessment Criteria and Scoring Methodology

To ensure a fair and transparent process, applications will be reviewed by an assessment panel comprising officials from BEIS, Regional Energy Hubs, the Centre for Alternative Technology (CAT) and the Midlands Energy Hub. The assessors will review each application form and applications will be scored against the set of weighted assessment criteria outlined in Table 3.

Table 3 – Assessment criteria and weightings

Major Criteria	% Weight	Sub-Criteria
Quality Assessment	40%	Clear plan for identification of, and developing engagement with, non-compliant PRS landlords.
		Clear explanation of how an effective compliance and enforcement procedure will be (developed and) implemented where non-compliance is identified.
Technical	15%	Detail of target numbers of non-compliant PRS landlords proposed, and geographic area provided
Delivery	15%	Detail of appropriate awareness raising methods, including with PRS landlords from a diverse range of communities provided.
		Clear project plan with key milestones as required within Table 2 of the application form and indicative range of relevant KPIs identified.
		Applicants to demonstrate that they will have the capacity to undertake compliance and enforcement actions, including through use of the funding.
Social Value	5%	Recognition of the needs of diverse groups within the PRS landlord community and the effect of enforcement measures in deprived communities. Plans to promote support measures and funding routes to help landlords who meet the criteria.
Cost	25%	Proposals will be evaluated on value for money.

Upon completion of the assessment stage, the assessment panel will meet to review and agree the final recommendations. When considering the awarding of grants, each proposal will be given a score between 1 and 4 against each of the assessment criteria. A proposal may be rejected if it scores less than 2 in one or more criteria area, even if it achieves a high score overall.

Final recommendations will also take into account geographical spread across the recommended proposals. Significantly lower scoring proposals will not be supported over higher scoring ones simply to achieve a better spread of areas, however the Hub and BEIS

reserve the right to ask applicants to review and reconsider their proposal, if necessary, with a view to achieving better geographic spread.

Any decision to award made by the assessment panel is final and there will not be an opportunity for unsuccessful entrants to appeal.

BEIS and the Midlands Energy Hub also reserve the right to terminate the competition at any time, and may decide not to award any grants, or to award grants for less than the total funding available. Neither BEIS nor the Hub will be liable for any costs incurred in the preparation or submission of bids.

5.4 Feedback

A short summary of key feedback regarding the applications will be provided to all applicants on request, this feedback will be based on the comments of the assessment panel. No additional feedback will be provided and there will be no further discussion on the application.

6. Notification and Publication of Results

6.1 Notification

Applicants will be informed by email whether their application has been successful, subject to compliance with the terms and conditions of the Conditional Grant Offer.

6.2 Publication of Results

BEIS and the Hub will wish to publicise the results of the competition, which may involve engagement with the media. At the end of the application and assessment process, BEIS may issue a press release or publish a notice on its website. Any public notices are likely to include:

- Identity of the participant and any partners;
- Proposal summary information, including aims and expected outcomes;
- Total award value.

Any organisation that intends to publicise its proposal, at any stage, must contact the Hub before doing so.

7. Successful Applications

If your application is successful, we will contact you with an offer in principle and to confirm the lead authorities bank details, which you will be asked to provide to set up payment routes. You will then be asked to sign and accept terms and conditions of the grant and confirm that the information within your application is correct.

Important: You must not start your proposal until we have received, checked and approved the signed offer letter and any other additional documents we may request. You will receive an email confirmation informing you that we have received and processed all necessary documentation.

7.1 Verifying Bank Details

We require grant recipients to have their own UK-based bank account. The hub may request documents in order to verify bank details. Once we have received all relevant documentation and completed our final checks, we will notify you of when you may proceed with the proposal.

7.2 Claims

Finance will be released in two stages, on approval. Initial funds of up to 90% can be claimed in advance of expenditure at start of the proposal.

If a successful applicant is under performing by an interim period, the applicant will be asked to re-profile and provide a proposal for delivering the requirements of the scheme within the specified timescale. The final 10% of the funding will not be paid until all the required information has been received to a satisfactory standard at the end of the proposal.

Important: On completion of your proposal, we will require you to submit a basic final report to the Midlands Energy Hub for review prior to your final payment. This report should include:

- proposal outputs
- lessons learnt during the design and delivery of the proposal

Should you have any competition funds remaining on completion of your proposal, these must be returned to the Midlands Energy Hub.

7.3 Payment of Grant

The grant will be transferred to your account via BACs once we receive your signed form and have completed our checks.

7.4 Evaluation Requirements

To assess the impact of the competition, including value for money, and to ensure that lessons and best practice can be captured and fed into future policy thinking, BEIS may wish to conduct evaluation work on all aspects of the delivery of successful proposals. Successful applicants will therefore be expected to engage and participate in this evaluation work which may include the Hub, BEIS, or a third-party evaluation partner.

Annex 1 - Completing the Application Form

Section 1 – Applicant Details and Executive Summary.

The application form has four main sections plus a signature / declaration section. Listed below is the information required to complete section 1 of the application form:

- Lead Local Authority - details of the LA who is submitting the proposal
- Other partners - details of any partners who will deliver the proposal
- Geographical area(s) covered - proposals are welcomed from geographies in England and Wales.

Executive Summary Section

Please use this section to describe what the proposal is and how it will be delivered. You should avoid overly technical terminology, and your response should be understood by a non-expert. In your response please cover:

- Who will benefit from the proposal and what the benefits will be (i.e. jobs created, properties upgraded)?
- What existing data or funding will be used to identify properties or target areas.
- How the proposal aims to:
 - Raise awareness of MEES.
 - Increase landlord compliance, for example providing information on available funding such as the Green Homes Grant Local Authority Delivery Scheme.
 - Support effective enforcement action where non-compliance is evident.

The maximum word limit for this section is 300 words.

Section 2 – Proposal Details

Please provide the following information in this section:

- The total amount of funding requested (the maximum amount is £100k per local authority).
- Why the funding is needed and how the funding will increase your LA's MEES enforcement capacity and capability.
- How the funding will help your local authority to identify domestic PRS landlords who have not complied with the MEES Regulation.

- How the funding will help your local authority raise awareness of the MEES regulations and engage with non-compliant domestic PRS landlords.
- How the funding will help you to (develop and) implement an effective compliance and enforcement procedure where non-compliance is identified.
- A list of realistic and measurable Key Performance Indicators (KPIs) that you plan to use to evaluate your scheme. These may include KPIs such as:
 - Number of enforcement letters sent
 - Number of penalty notices sent
 - Number of stakeholders engaged (for either or both tenants and landlords)
 - Communication (website traffic or information packs disseminated/downloaded)
 - Number of properties improved and where possible provide the increase in SAP/EPC rating
 - Time spent on the scheme
 - Number of EPC Compliance notices sent out
 - Percentage (number) of exemption register checked
 - Number of first contact engagement with landlords
- An outline of resources required to implement the proposal.
- Estimate or actual cost per engagement/property improved (e.g. total requested grant divided by actual or estimate properties processed for enforcement).
- How the proposal meets the social value criteria.
- Details of involvement with the Y2 PRS compliance and enforcement pilot study.

Section 3 – Cost Breakdown

Please use this section to provide details of the costings associated with your proposal. For example, this may include:

- Employee costs
- Legal costs
- Training costs

Section 4 - Deliverability

Please use this section to list your key project milestones.

Applicants will be required to detail how their proposal will meet the 4 key objectives of the scheme:

1. Identification of non-compliant PRS landlords
2. Engagement with non-complaint PRS landlords
3. Compliance assurance and enforcement of MEES regulations
4. Impact - Basic reporting

This will need to be clarified by completing the delivery plan provided on the application form with the key project milestones.

Please provide any further supporting evidence to demonstrate that you can deliver your proposal within the timeframes of the competition.

Section 5 – Declaration and Signature

Please insert the lead authority name where [Local Authority] is indicated on this page.

Once you have read and agreed to the statements included, please sign, state your position and date the application.

This publication is available from: www.gov.uk/government/publications/apply-for-private-rented-sector-minimum-energy-efficiency-standard-meets-compliance-and-enforcement-funding

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