

LABC Technical Guidance Note



Subject : **Energy Performance Certificates (EPC's)
for building completed after 6th April 2008**

Date : April 2008 Ref No: 2008/01 Revision : B

Purpose

LABC technical guidance notes are for the benefit of its members, to provide information, promote good practice and encourage consistency of interpretation for the benefit of our clients. They are advisory in nature, and in all cases the responsibility for determining compliance with the Building Regulations remains with the Local Authority concerned.

This guidance note is based upon information available at the time of issue and may be subject to change. The Approved Documents should be consulted for full details in any particular case.

Introduction

Newly constructed dwellings or those created by conversion, that are completed after 6th April 2008, have an additional requirement to provide an Energy Performance Certificate (EPC). Dwellings offered for sale before completion have to have been assessed and information about the energy efficiency has to be provided in a Predicted Energy Assessment (PEA). This PEA must be included in the Home Information Pack. The same requirement applies to commercial property (shops and offices etc) with a floor area of more than 10,000 sqm.

The provision of DER –TER calculations to SAP 2005 are required to demonstrate compliance with Part L, the EPC is a separate requirement. While it is likely that the DER calculations will form part of the EPC process and be carried out by the energy assessor, it is not a regulatory requirement that this should be so. For Building control, at deposited plan stage it is only the DER- TER figures that are relevant, and these do not have to be produced by a registered energy assessor. The requirement for a PEA is for those wishing to market the building from plan but is not a Building Regulation requirement.

On completion Building Control require 'as built' Calculations to show the DER <=TER, and notification that a valid EPC has been given to the building owner.

Key Issues

What is an Energy Performance Certificate (EPC)?

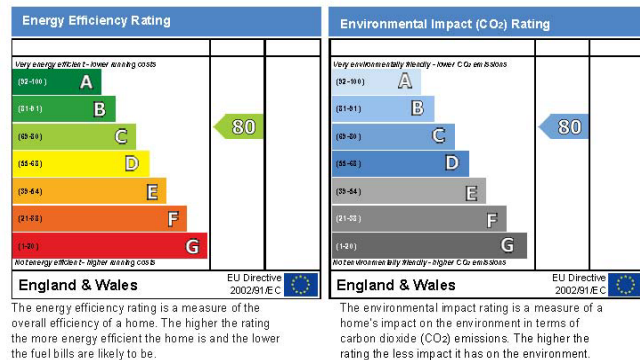
An EPC provides a rating for the energy performance of a building. The ratings are set against standard criteria to enable one building to be compared with another of a similar type. EPC's are similar to the certificates now provided with domestic appliances such as refrigerators and washing machines. They give information on the energy efficiency and carbon emissions of the building on a scale of A to G, where A is the best.

Each building certificate also has a recommendation report, providing information about ways to improve the energy efficiency of the property. The rating that could be achieved if all the recommendations were to be implemented is also given. New homes will have a reduced recommendation report which will contain more advanced energy savings improvements such as solar panels. This is because it is expected that improvements to the thermal elements (walls, floor and roof) will be incorporated in the design.

By law, Energy Performance Certificates can only be produced by an Accredited Energy Assessor. EPC's must be registered and stored in a national register at www.EPCregister.com with a unique reference number. This can only be done by an On Construction Energy Assessor in conjunction with the relevant accreditation scheme.

What does this mean for Building Control?

Compliance with the minimum energy performance requirements for buildings is still demonstrated by target CO₂ emission rates (TER – DER), both at design stage and completion of the building (calculation to SAP 2005). It is not necessary to hold any particular qualification to be able to produce these figures. If they are not 'certified' in any way, Building Control must ensure that the figures are correct! Regulation 20D(3) authorises local authorities to accept certificates from



persons registered with FAERO or BRE Certification Ltd. – difficult because FAERO no longer exists. However only an Accredited Energy Assessor can produce a valid EPC. (note: it is no longer necessary to require a SAP certificate to be posted in the dwelling)

The EPC comprises two documents: the Certificate which gives the address of the property, the name of the assessor, and the rating; plus a second document, the recommendation report. This lists cost-effective measures to improve the buildings energy efficiency.

It is a requirement of Building Regulation 17E(2) that an EPC for the building must be given to the owner and notice to that effect given to the local authority. Until this requirement is satisfied, a Building Regulation Completion Certificate cannot be issued. It should be noted that Building Control do not have to receive a copy of the certificate or verify its contents. The requirement is to ensure that a valid EPC has been given to the building owner.

It is proposed that Building Control will be able to check the validity of an EPC by having access to the relevant domestic or non-domestic register. There will be an ability to search the registers by address or postcode and also check that the Energy Assessor is registered with an accreditation scheme.

Access to the EPC register will be available via the web site www.EPCregister.com. It is recommended that if a BCO wishes to check an EPC has been lodged, the unique reference number of the report should be obtained and entered into the search facility.

Key dates for introduction of other measures contained in the Energy Performance of Buildings (Certificates and Inspections)(England and Wales) Regulations 2007 (as amended):

6 April 2008	EPCs required on construction for all dwellings. EPCs required for the construction, sale or rent of buildings, other than dwellings, with a floor area over 10,000 m ² .
1 July 2008	EPCs required for the construction, sale or rent of buildings, other than dwellings, with a floor area over 2,500 m ² .
1 Oct. 2008	EPCs required on the sale or rent of all remaining dwellings EPCs required on the construction, sale or rent of all remaining buildings, other than dwellings. Display certificates required for all public buildings >1,000 m ² .
4 Jan. 2009	First inspection of all existing air-conditioning systems over 250 kW must have occurred by this date.
4 Jan. 2011	First inspection of all remaining air-conditioning systems over 12 kW must have occurred by this date.