

NDEA TECHNICAL BULLETIN

TB89 - New Buildings
without EPCs

Version: 1.0

Date: 13/07/2017



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TB89 - New Buildings without EPCs

Overview

This Technical Bulletin awards **30 Minutes CPD** for Elmhurst members and covers/provides guidance for the following areas.

- Level 4 EPCs on New Build Properties that did not receive one on completion
- How to check if a New Build EPC is required



Where a Level 4 On Construction EPCs is required

Applicable to England, Wales and Northern Ireland

There appears to be some confusion within the industry regarding EPCs for new build non domestic properties. There have been a number of instances where a level 3 as built EPC has been lodged where a level 4 on construction EPC should have been provided.

The following guidance is therefore given: Since 6th April 2008 for England and Wales and 30th September 2008 for Northern Ireland, when a new non domestic building is completed and is due to be signed off by a Building Control Body (BCB), there must be a lodged On Construction Level 4 EPC in place. A Non Domestic On Construction EPC can only be produced by a suitably qualified Level 4 Energy Assessor.

The New Build Process

The usual process is for an Energy Assessor to produce a BRUKL report at design stage to gain building regulations approval. Once the building is completed the Assessor then produces an As Built BRUKL report which confirms the building meets the Part L requirement as built. The Energy Assessor will then take the SBEM calculation and produce an On Construction EPC. It is the responsibility of

WARNING: If you are a Level 3 energy assessor and have produced a Level 3 EPC where an on construction EPC is required, the level 3 EPC will be defective and require removal from the register. To remove an EPC from the register there first has to be a correct replacement which you will have to provide. If you are only Level 3 qualified you will be unable to provide an on construction EPC and will need to employ the services of a suitable Level 4 qualified Energy Assessor.



the building contractor to arrange for the EPC to be provided to the building owner on completion of the project and notify building control. The Building Control Body (BCB) should not issue a certificate of completion until they are satisfied that the On Construction EPC has been produced.

It is important to note that for a new building, where a Level 4 On-Construction EPC has not been lodged a full level 4 On Construction EPC is still required, irrespective of whether or not the building has been occupied.

It is apparent that there are a number of new buildings that are signed off as complete without the required EPC in place. This may be due to a lack of understanding of the requirements, particularly where shell and core projects are concerned.

Shell and Core

A common situation is where a shell and core building is complete to the point at which it is an empty shell (fig. 1), there is no requirement for the building contractor to provide an On Construction EPC for building regulation compliance at this stage. However, the empty shell may well be marketed for sale or let and for this purpose an EPC **IS** required. The confusion arises because, as a building with no heating the sales/letting agent considers the building is of low energy use and therefore does not require an EPC. As this is a shell and core project, there is an expectation of heating and so a Level 4 On Construction EPC using the most energy intensive fit out allowed under part L is required.



Fig 1. This building has no EPC, it looks new, there are no fixed services, it could be shell and core

Check the age of the building

If you are asked to produce an EPC for a building that appears to be new, even if it is already occupied you should do some checks to ascertain when the building was completed. If completion was after 6th April 2008 and the building does not have an EPC then a level 4 On Construction EPC is required. The best way to find the age of



EPCs off plan

On Construction EPCs can be produced off plan, there is no need to visit the site providing the Energy Assessor has been issued with a set of As Built drawings and Specification. Design or Construction drawings/documents cannot be used for this purpose unless they are accompanied by a statement from the designer listing the individual drawings/documents stating the construction drawings are As Built. For further details see Non Domestic convention 2.06.

a building is to enquire with the Local Authority Building Control, you should find that all the information required can be found on their website if not then you can call or email for assistance.

Details of the buildings completion including details of the construction and equipment can be found in the Building owner's manual/ Operation and Maintenance (O&M) or buildings log book, all buildings completed in recent years should have had one of these produced by law.

Assessors should be particularly cautious when asked to provide an EPC for a building which appears to have been completed relatively recently. Use the flow chart to ensure the correct EPC is produced.

This is a complex issue and if you are unsure of how to proceed, please contact the Non Domestic Support Team who will be happy to provide guidance.

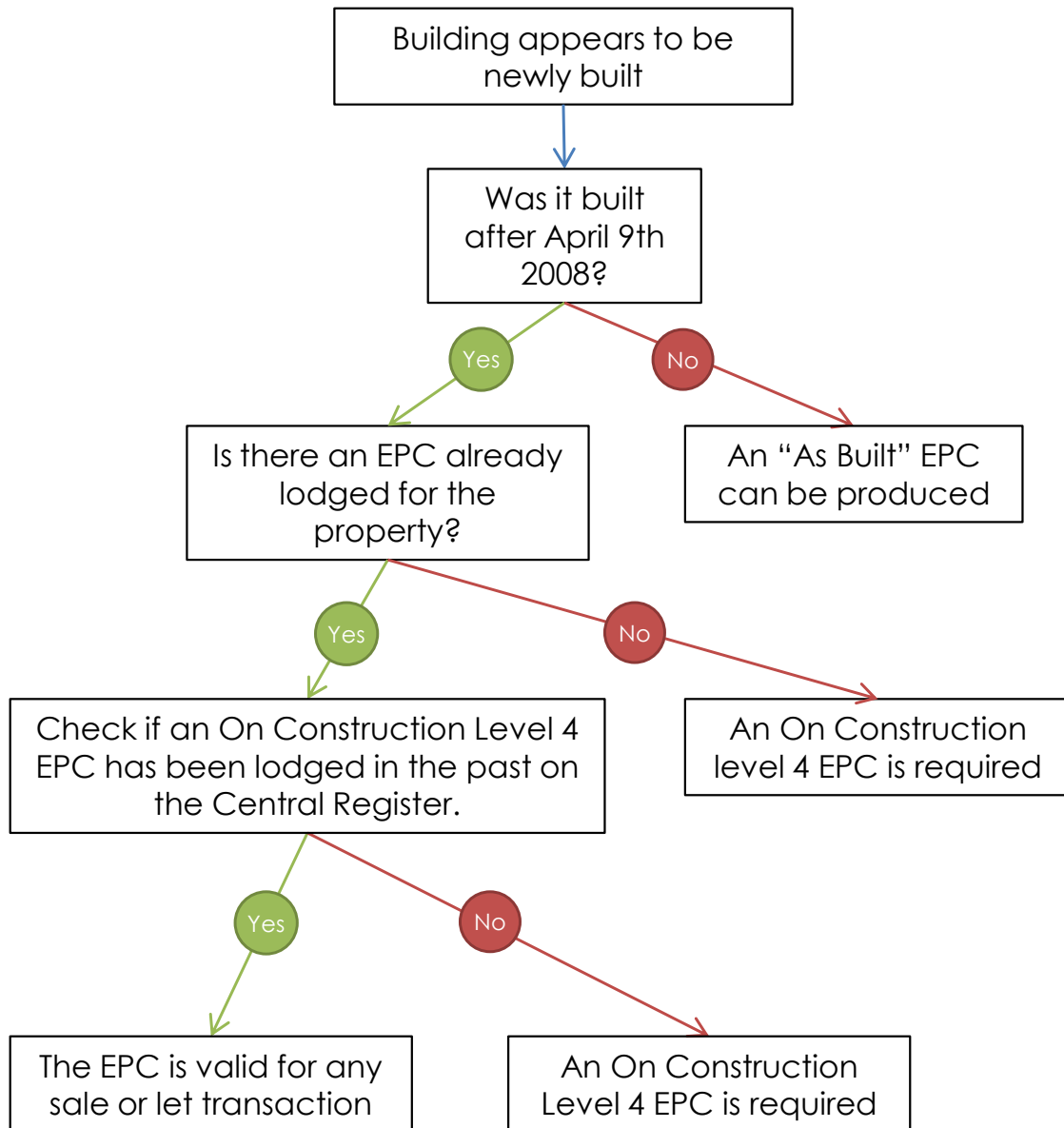


Fig2. Flow chart to identify where an On Construction EPC may be required



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Elmhurst Members receive an exclusive discount on all CPD events

Elmhurst continues to run training and CPD events nationwide, from Edinburgh to Exeter. Our training is delivered by experienced and qualified assessors to ensure you can learn at your own pace, and leave feeling confident about putting what you've learned into practice.

Below is a list of CPD events we are running throughout the year:

CPD/ Training Course	CPD Hours
<u>Use of SBEM</u>	5 Hours CPD
<u>Non-Domestic Conventions</u>	5 Hours CPD
<u>DEC Masterclass</u>	5 Hours CPD
<u>NDEA Part L</u>	5 Hours CPD
<u>Understanding Energy Consumption</u>	3 Hours CPD
<u>Energy Efficient Lighting</u>	5 Hours CPD
<u>Building and Geometry</u>	5 Hours CPD
<u>DesignBuilder for UK Certification Day 1: Introduction</u>	7 Hours CPD
<u>DesignBuilder for UK Certification Day 2: DSM</u>	7 Hours CPD
<u>SBEM Survey/Practical Day</u>	5 Hours CPD
<u>SBEM Level 4 Practical Survey Day</u>	5 Hours CPD
<u>Building Photography</u>	5 Hours CPD

If there is a group of you looking to undertake some CPD, Elmhurst can deliver courses in a location of your choice!

If you would like further information please contact **01455 883 250**

