

A guide to energy performance certificates for the Construction, sale and let of non-dwellings

Preface

This document is intended to give a simplified overview of Commercial Property Energy Certification. It aims to help prospective sellers, buyers, landlords, and their agents understand how the European Directive 2002/91/EC on the Energy Performance of Buildings Directive, works in practice, how to apply the Regulations and what their responsibilities are regarding Energy Performance Certificates.

Any interpretation of the Regulations is offered only as a guide, as Stratify Associates cannot provide legal advice. Therefore, it is important to read and understand the Regulations as well. In cases of doubt independent legal advice should be sought.

Why energy performance certificates are required

An Energy Performance Certificate (EPC) is intended to inform potential buyers or tenants about the energy performance of a building, so they can consider energy efficiency as part of their investment or business decision to buy or occupy that building.

Buildings requiring an energy performance certificate

For a building to fall within the requirement for an EPC it must:



- have a roof and walls; and
- use energy to condition the indoor climate.

This is the case where the building has any of the following fixed services: heating, mechanical ventilation or air conditioning.

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Where a building is expected to have heating, mechanical ventilation or air conditioning installed, it will require an EPC based on the assumed fit out. In general terms an EPC should reflect the accommodation being sold or let.

Selling or letting part of a building

The seller or prospective landlord has a choice:

- To prepare (or make available) an EPC for the whole building; or
- To prepare (or make available) an EPC for a part designed or altered to be used separately being offered for sale or let. The assessment should be based on energy use per m² for the whole building.



It is the action of *selling*, *letting* or *construction* that triggers the requirement for an EPC.

Key Dates

From **6 April 2008** those buildings with a total useful floor area greater than 10,000m² will require an Energy Performance Certificate on construction, sale or let.

From **1 July 2008** those buildings with a total useful floor area greater than 2,500m² will require an Energy Performance Certificate on construction, sale or let.

From **1 October 2008**, all remaining buildings over 50m² that are not dwellings will require an Energy Performance Certificate on construction, sale or let.

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Situations where an EPC is not required

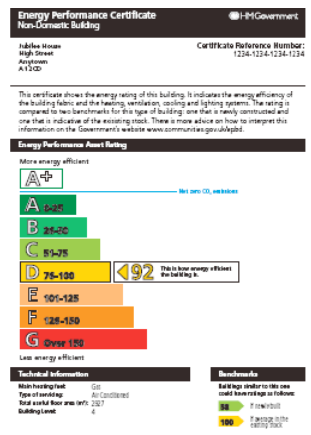
EPCs are not required on construction, sale or rent for:

- places of worship
- temporary buildings with a planned time of use less than two years
- stand alone buildings with a total useful floor area of less than 50m² and non-residential agricultural buildings with low energy demand.

What is an EPC and what does it mean?

The EPC looks broadly similar to the energy labels now provided with vehicles and many white goods appliances, such as fridges & freezers for example. Its purpose is to indicate how energy efficient a building is. The certificate will provide an energy rating of the building from A to G, where A is very efficient and G is the least efficient. The better the rating, the more energy-efficient the building is, and the lower the fuel bills are likely to be. The energy performance of the building is shown as a Carbon Dioxide (CO²) based index.

The certificate is accompanied by a report which includes cost-effective recommendations to improve the energy ratings. For each improvement indicative paybacks are listed.




Administrative Information

This is an Energy Performance Certificate as defined in 2007/1991 as amended

Calculation tool: RSP 5.14

Property reference: 8912379612

Assessor Name: John Smith

Assessor Registration: 88175368

Accreditation Scheme: PAS Accreditation Ltd

Employer/Valuing Address: 488A Finch, Hale Way, Birmingham, B1 4AA

Issue Date: 08 Dec 2009

Valid until: 07 Dec 2018

Related Party Disclosure

Recommendations for improving the property are contained in Report Reference Number: 1234-1234-1234-1234

If you have a complaint or wish to confirm that the certificate is genuine

Details of the assessor and the relevant accreditation scheme are on the certificate. You can get contact details of the accreditation scheme from the website www.companies.gov.uk/epc together with details of the procedure for confirming authenticity of a certificate and for making a complaint.

CARBON TRUST

We welcome you to have a view and to find out about technical and financial conditions schemes to help make buildings more energy efficient visit www.carbontrust.co.uk

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Responsibilities for providing an EPC on construction or modification of a non-dwelling

When a building being sold, let or constructed is physically complete, it is the responsibility of the person carrying out the construction to give an EPC and recommendations report to the owner of the building and to notify Building Control that this has been done. Building Control will not issue a certificate of completion until they are satisfied this has been done.

A valid EPC and recommendation report must be made available free of charge by the seller or landlord to a prospective buyer or tenant when non-dwellings are sold or let. This information should be provided at the earliest opportunity and no later than:

- When any written information about the building is provided in response to a request for information received from the prospective buyer or tenant; or when a viewing is conducted.

Responsibilities for existing property

As soon as a building is in the process of being offered for sale, it is the responsibility of the seller to make available an EPC to prospective buyers. As soon as a building is in the process of being offered to let, it is the responsibility of the prospective landlord to make available an EPC to prospective tenants.

The Process



Once an energy assessor has been commissioned to produce an EPC, there are three main steps to performing the assessment, which are:

1. Gathering the relevant information about the building
2. Analysing the information and identifying different zones of the building
3. Entering the information into an approved software programme.

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During the assessment the energy assessor will collect information about the building. This will include plans, dimensions of the building, its uses, and the number of floors, amount and type of glazing (i.e. single or double glazing), heating systems and fuel used.

This information will be fed into an approved software programme using a Government approved energy assessment method. The software produces the certificate and the recommendation report for the building.

The energy assessor will then record the certificate onto the national register via his or her accreditation body and provide you, the seller or landlord with a copy.

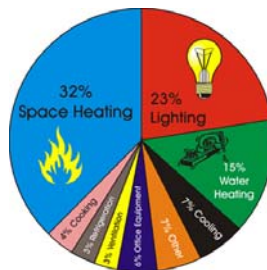
The EPC is now ready to be given to new building owners or made available to prospective buyers or tenants.

Keeping costs down

The energy assessor will need to understand the internal layout of the building and for what purposes it is designed to be used. This is to understand the energy demands of each individual space (zone) in accordance with its designed use.

The information that will be required to produce an EPC includes:

- the individual spaces or zones in use within the building, and their dimensions (either as verified from plans or as measured). This information is most readily provided by building plans.
- the activities conducted within the zones. Examples of zones include retail space, office space, kitchens, storage etc



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- the heating and ventilation services for each zone (including type of system, metering, controls, fuel used etc.)
- the lighting and controls used for each zone
- the construction of the fabric of the building and thermal efficiency of the materials used: roof, floors, walls and glazing.

If there are no plans for a building, the energy assessor will need to survey the building and gather the appropriate information. If you have up-to-date information and plans for your building this process will be less time-consuming.

EPC Recommendations

The recommendation report that is included with an EPC will help to improve the energy rating of a building. The recommendations only include those improvements that are appropriate for the building that has been assessed. For each recommendation indicative paybacks are noted.

Penalties

Local authorities (usually by their Trading Standards Officers) are responsible for enforcing the requirement to have an EPC on sale or let of a building. Failure to provide an EPC when required by the Regulations means you may be liable to a penalty for failing to make an EPC available. The range of penalties under a formula are set with a minimum of £500 and capped at a maximum of £5,000.

How can I order a Commercial EPC?

Stratify Associates is committed to making the whole process as easy for you as possible. Our team of expert advisers is ready to answer any questions you may have.

All you have to do is to contact [Stratify Associates](#) on 020 7554 2211

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