Appendix 1



ENERGY PERFORMANCE OF BUILDINGS

Enforcement Procedure, Flowcharts, Sample Letters and Penalty Charge Notices

2019

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Enforcement Procedure

Energy Performance of Buildings Regulations Building Control Northern Ireland





Introduction

This guidance document has been created to help Councils enforce the Energy Performance of Buildings Regulations consistently across Northern Ireland. The guidance should be used in accordance with each councils' own Enforcement Policy and in line with the Good Enforcement Concordat.

Part 1 - Energy Performance Certificates

(a) An EPC is required when the construction of a new building is EPB complete or an existing building is modified for separate use

Note: In accordance with the regulations an EPC is required within *5 days* of a building being deemed EPB complete. ('EPB complete' means that the building has walls, roof, windows and primary heating/ventilation system installed and able to be used to condition the indoor climate.)

1) For all new buildings or where a building has been significantly modified so that part of the building may be used separately; there is a requirement to have an On Construction EPC (OC EPC) provided by the relevant person, to the property owner within five days of being deemed EPB complete.

2) When the Council becomes aware that a new building is EPB complete, consideration may be given as to whether a copy of the EPC should be requested. A copy of an OC EPC can **only** be requested within a period of **6 months** after the building is deemed EPB complete. In determining this date, the occupation date will be relevant. An initial written request should be issued if applicable.

3) If after a period of **21 days** post the initial written request, confirmation of the OC EPC has not been received by the Council, a further formal request under Regulation 32(1) for a copy of the OC EPC and the accompanying recommendation report may be issued (the EPB regulations state: the EPC is required within 7 days beginning with the day after the date of formal request).

4) If after a period of **7 days** the OC EPC has not been received a Penalty Charge Notice (PCN) under Regulation 33(1) may be served on the relevant person by an 'authorised officer' (in accordance with the regulations, the PCN sum should be paid within 28 days).

5) If after a period of **28 days** the Penalty Charge sum has not been paid, proceedings for the recovery of the penalty charge may be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in the first instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the valid documentation

within 7 days. A Penalty Charge Notice may also be given in respect of breach of duty under other EPB Regulations.

(b) – An EPC is required when a building is offered for sale or rental

Sale

1) Where the Council becomes aware (through periodic inspections or complaints) that a building is offered or marketed for sale or has been sold, the Council may issue a written request for a copy of a valid EPC and recommendation report.

2) If the valid EPC information is not received after a period of **21 days** from the date of issuing the written request, a further formal request under Regulation 32(1) for a copy of the EPC and the accompanying recommendation report may be issued (the EPB Regulations state: the EPC is required within 7 days beginning with the day after the date of formal request). It will be necessary to establish the name and address of the relevant person.

3) If after a period of **7 days** a valid EPC and recommendation report has not been received a Penalty Charge Notice (PCN) under Regulation 33(1) may be served on the relevant person by an 'authorised officer' (in accordance with the regulations, the PCN sum should be paid within 28 days).

4) If after a period of **28 days** the Penalty Charge sum has not been paid, proceedings for the recovery of the penalty charge may be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in the first instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the valid documentation within 7 days. A Penalty Charge Notice may also be given in respect of breach of duty under other EPC regulations.

Rental

1) Where the Council becomes aware (through periodic inspection or complaints) that a building is offered for rental or has been rented, the Council may issue a written request for a copy of a valid EPC and recommendation report.

2) If the valid EPC information is not received after a period of **21 days** from the date of issuing the written request, a further formal request under Regulation 32(1) for a copy of the EPC and the accompanying recommendation report may be issued. (The EPB regulations state: the EPC is required within 7 days beginning with the day after the date of formal request). It will be necessary to establish the name and address of the relevant person.

3) If after a period of **7 days** the EPC has not been received a Penalty Charge Notice (PCN) under Regulation 33(1) may be served on the relevant person by an 'authorised

officer' (in accordance with the regulations, the PCN sum should be paid within 28 days).

4) If after a period of **28 days** the Penalty Charge sum has not been paid, proceedings for the recovery of the penalty charge may be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in the first instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the valid documentation within 7 days. A Penalty Charge Notice may also be given in respect of breach of duty under other EPC regulations.

A copy of an EPC may only be requested within a period of **6 months** after the property tenancy / purchase agreement has been signed.

(c) - Energy performance indicator displayed on marketing

1) Commercial media of properties for sale or rent will be checked to ensure the energy performance indicator of the building, is present. The energy performance indicator should be displayed in a form approved by the Department of Finance.

2) Where the Council becomes aware (through periodic inspection or complaints) that a building offered for sale or rent does not state the energy performance indicator in the approved form, on all commercial media, it may issue a written advisory notice. The advisory notice will inform the relevant person that their commercial media is not compliant with Regulation 5A and give the relevant person **14 days** to ensure their commercial media complies with the regulations.

3) If after the **14 day period** the energy performance indicator in the approved form, is not present on all commercial media a Penalty Charge Notice (PCN) under Regulation 33(1) may be served on the relevant person by an 'authorised officer' (in accordance with the regulations, the PCN sum should be paid within *28 days*).

4) If after a period of **28 days** the Penalty Charge sum has not been paid, proceedings for the recovery of the penalty charge may be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice **in this instance**, will be for a breach of Regulation 5A(2). The written advisory notice is at the discretion of each Council and it is recommended each relevant person should receive only one written advisory notice in any three month period, thereafter a Penalty Charge Notice should be issued for a breach of Regulation 5A(2).

(d) – Display of energy performance certificates

1) Steps may be taken to identify, as far as possible, those buildings within the Council area that should display its valid Energy Performance Certificate.

This regulation applies to buildings other than dwellings which has a total useful floor area of more than 500m2, is frequently visited by the public and has had a Valid EPC issued pursuant to Regulation 5 or 6. Buildings which are identified as meeting this criteria should display the buildings EPC in a prominent place clearly visible to members of the public.

2) Where the Council becomes aware that a building subject to this regulation is not displaying its valid EPC in accordance with Regulation 8A; an initial request for compliance may be issued.

3) If compliance is not achieved after a period of **14 days** from the issue of the initial written request, a further written request may be issued highlighting that continued non-compliance will lead to a Penalty Charge Notice.

4) If after a period of **14 days** the EPC is not displayed in accordance with Regulation 8A a Penalty Charge Notice under Regulation 33(1) may be served on the relevant person by an 'authorised officer' (in accordance with the regulations the sum should be paid within 28 days).

5) Where a Penalty Charge is not paid after a period of **28 days** proceedings for the recovery of the penalty charge may be commenced in accordance with Regulation 38.

6) It should be noted that the requirement to display the EPC is a **continuing** requirement for as long as that EPC is valid.

Note: The Penalty Charge Notice will, **in this instance**, be for a breach of Regulation 8A(2)

Part 2 - Display Energy Certificate (DEC)

The Display of a valid DEC

1) Steps may be taken to identify, as far as possible, those buildings within the Council area that require a DEC.

2) Periodic inspections should be carried out to establish if a valid DEC has been displayed correctly. Where a building does not have a valid DEC displayed in accordance with the Regulation 11(3), an initial written request for compliance may be issued.

3) If compliance is not achieved after a period of **28 days** from the issue of the initial written request, a further written request may be issued highlighting that continued non-compliance will lead to a Penalty Charge Notice.

4) If after a period of **21 days** a valid DEC is not displayed in accordance with Regulation 11(3) a Penalty Charge Notice under Regulation 33(1) may be served on the relevant person by an 'authorised officer' (in accordance with the regulations the sum should be paid within 28 days).

EPB Enforcement Procedure – Final Version

5) Where a penalty charge is not paid after a period of **28 days** proceedings for the recovery of the penalty charge may be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in this instance**, be for a breach of Regulation 11(3). The requirement to display a valid DEC is a **continuing** requirement.

A Valid Advisory Report

6) Where a valid Advisory Report is not in the control or possession of the occupier in accordance with Regulation 11(3), an initial written request for compliance may be issued.

7) If compliance is not achieved after a period of **28 days** from the issue of the initial written request, a further formal request for a copy of the Advisory Report may be issued under Regulation 32(1) (the EPB Regulations state: the report is required within *7 days* beginning with the day after the date of the formal request).

8) If after a period of **7 days** a valid advisory report has not been received a Penalty Charge Notice under Regulation 33(1) may be served on the relevant person by an 'authorised officer' (in accordance with the regulations sum to be paid within 28 days).

9) Where a penalty charge is not paid after a period of **28 days** proceedings for the recovery of the penalty charge may be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in this instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the valid documentation within 7 days. A Penalty Charge Notice may also be served in respect of breach of duty under other EPB Regulations. The requirement to have a valid advisory report is a **continuing** requirement.

Part 3 - Buildings with Air-Conditioning

1) Steps may be taken to identify, as far as possible, those buildings within the Council area that have an air-conditioning system with an effective output rating exceeding 12kW that use a refrigerant product for the comfort cooling of the building occupants.

2) Where it is established that a building has an air-conditioning system exceeding 12kW that uses a refrigerant product for the comfort cooling of the building occupants, the relevant person has a period of five years from the commissioning date to carry out an air-conditioning inspection, and thereafter, an air-conditioning inspection is required at regular intervals not exceeding 5 years.

3) The relevant person shall keep the most recent inspection report and make it available upon a formal request.

EPB Enforcement Procedure – Final Version

4) Where the Council becomes aware that a valid Air-Conditioning Inspection Report (ACIR) is required; an initial request for compliance may be issued.

5) Where compliance is not achieved after a period of **28 days** from the issue of the initial written request, a formal request for a copy of the Air Conditioning Inspection Report may be issued under Regulation 32(1) (the EPB regulations state: a report is required within 7 days beginning with the day after the date of formal request).

6) If after a period of **7 days** the most recent inspection report has not been received, a Penalty Charge Notice under Regulation 33(1) may be served on the relevant person by an 'authorised officer' (in accordance with the regulations sum to be paid within 28 days).

7) Where a Penalty Charge is not paid after a period of **28 days** proceedings for the recovery of the penalty charge may be commenced in accordance with Regulation 38.

8) It should be noted that the requirement to keep the most recent inspection report is a **continuing** requirement.

Note: The Penalty Charge Notice will, **in the first instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the most recent inspection report within 7 days. A Penalty Charge Notice may also be served in respect of a breach of duty under other regulations.

Part 4 - General provisions

1) A Penalty Charge Notice may be served by registered post.

2) Where a copy of an EPC and accompanying recommendation report is requested this should be provided. Where this is not possible, confirmation of the unique reference number may suffice to enable the authorised officer to check on the National register.

3) Under Regulation 32, a copy of the following valid certificates may not be required to be produced for inspection more than **six months** after the last day on which the person concerned was subject to a duty in relation to the building:

- energy performance certificate
- accompanying EPC recommendation report
- DEC advisory report
- most recent air-conditioning inspection report

4) A Penalty Charge Notice may not be given after the end of the period of six months beginning with the day (or, in the case of a continuing breach, the last day) on which the breach of duty was committed.

5) A person who receives a Penalty Charge Notice may within a period of 28 days request the Council to review the notice. When such a request is received, the review may be undertaken at the earliest opportunity by an independent third party. A decision to either confirm or withdraw the notice will be conveyed to the applicant.

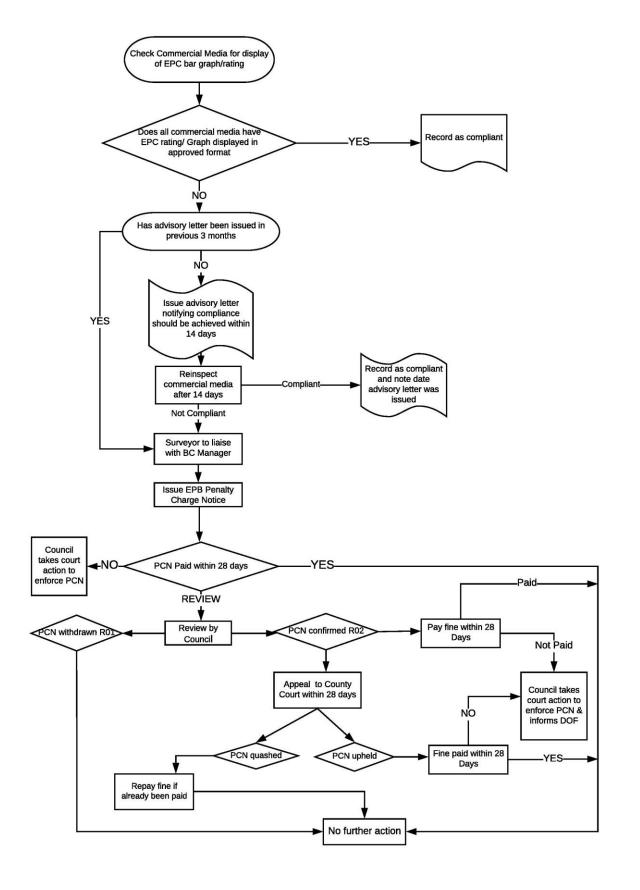
6) If after a review the Penalty Charge Notice is confirmed by the enforcement authority, the recipient may appeal to the County Court against the Penalty Charge Notice. The County Court will uphold or quash the notice.

7) Part 1 of this policy is subject to exemptions please see Energy Performance of Buildings Regulations NI 2008 (as amended) Part 2 Regulation 4.



Energy Performance Certificates Commercial Media

Display of EPC rating on commercial media



Sample Commercial Media Advisory Letter

Ref:

Dear Sir/ Madam

Re: Non-compliance with the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (As Amended)

Following a recent site / online inspection of your estate agency we are writing to inform you that we found that you were **not compliant** in providing EPC information on all your commercial media and you are therefore in breach of the above Regulations.

We would remind you that Regulation 5A requires the energy performance indicator of the building (as expressed in the energy performance certificate) to be stated in any advertisement for sale or rent of the building in all commercial media, for example in window displays, property brochures, newspaper advertisements and on web-sites. It must be displayed in the approved format.

As the energy performance indicator is not included in all your commercial media we are formally advising you, with immediate effect, to either:

- comply with the legislation by including the energy performance indicator on the literature for the properties which you are marketing,
- or
- remove the properties from the market.

We will provide you with 14 working days from the date of this letter to gain compliance.

Following this period we will be carrying out further compliance checks on your commercial media, and any non-compliance will be considered a breach of the EPB Regulations and may result in a Penalty Charge Notice of £200 per property being issued.

If you need any further information or clarification please contact the person named above or phone us on 028 XXXXXXXX.

For advice on displaying EPC information on commercial media, visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Penalty Charge Notice – Suggested template

1. Notice of Breach

Council Name

Penalty Charge Notice

Penalty Charge Notice Energy Performance of Buildings (Certificates And Inspections) Northern Ireland Regulations (As Amended) Regulation 5A Reference

Notice of Breach

NOTICE GIVEN TO (name of defendant) -

OF (address) -

NOTICE GIVEN BY (name of authorised officer)

OF (name of local authority)

I am an authorised officer of the above named Council. I believe that you have committed a breach of the Energy Performance of Buildings (Certificates and Inspections) Northern Ireland Regulations 2008 (as Amended) by not displaying an energy rating on commercial media.

Date of breach:

Details of breach:

.....

Signature of authorised officer:

Date:

This notice requires that you within the period of 28 days (or such longer period as the Council may choose to specify) from the date of this notice

- a. Pay the fixed penalty charge of £ or
- b. Give notice to this authority that you wish the notice to be reviewed.

2. HOW THE PENALTY CHARGE MAY BE PAID

To be paid to: The penalty charge should be paid to [name the AUTHORITY]. **Address**: [name and address of the AUTHORITY] Payment may be made in person or by post to the office (a receipt will be sent on request).

Method of payment: Payment may be made by:

- cheque or postal/money order (made payable to [The AUTHORITY]);
- cash (please do not send cash by post)
- internet (i.e. by credit or debit card 24 hours a day at [www.AuthorityName.gov.uk/payments]
- phone (i.e. by credit or debit card on [Tel No.])

3. WHAT YOU SHOULD DO IF YOU WOULD LIKE THE COUNCIL TO REVIEW THIS NOTICE

Please send notice in writing to [Insert name and address] to request a review of this notice.

Please include any representations that you wish to make relating to the review. We may withdraw the penalty charge notice if we consider that the penalty charge notice should not have been given, and must do so if any of the following is the case:

(a) You can demonstrate that you took all reasonable steps and exercised all due diligence to avoid breaching the duty;

(b) This notice was issued more than six-months after the date on which the breach of duty occurred (or the date of the last day if a continuing breach), or otherwise fails to comply with the requirements of the regulations;

4. WHAT YOU SHOULD EXPECT AFTER A REVIEW

We will consider any representations you make and the circumstances of the alleged breach and will decide whether to confirm or withdraw this notice. We will notify you of our decision in writing.

If we confirm the penalty charge, you may then appeal to the County Court within the period of 28 days from the day after the date of our confirmation. The County Court may extend the period for appealing against the notice. An appeal to the county court must be on one or more of the grounds listed in regulation 37 (3) (a), (b) or (c).

5. IF YOU DO NOT PAY THE PENALTY CHARGE OR YOU DO NOT PAY IT FOLLOWING AN UNSUCCESSFUL REVIEW OR APPEAL

Unless we withdraw this notice, or a court quashes it, if you do not pay this penalty charge, we can recover the amount as a debt through the County Court.

Debt recovery proceedings cannot however be started any earlier than:

(a) The end of the period allowed for the payment of this charge or any extended period that has been allowed; or

(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

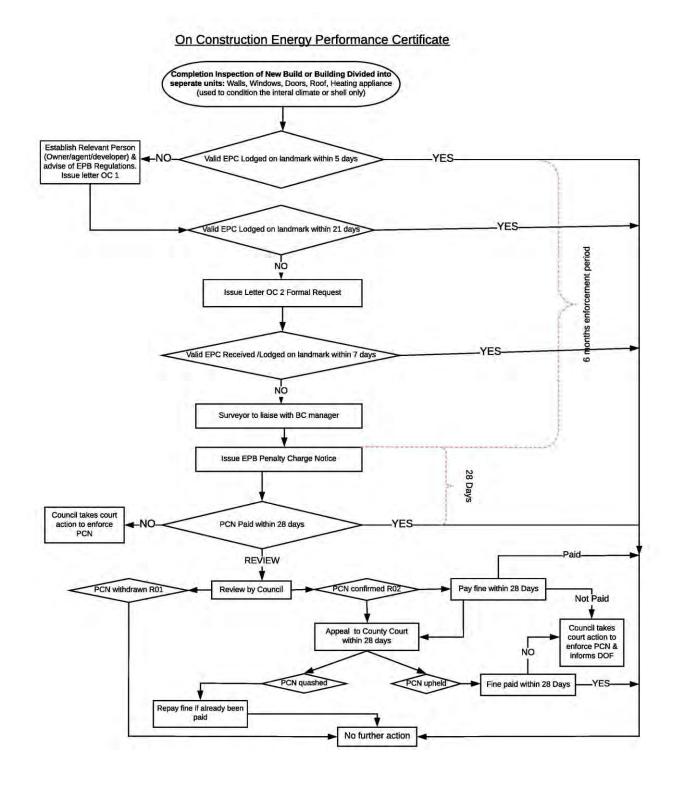
(c) Where you appeal to the county court following confirmation on review, 28 days from the day on which the appeal is either withdrawn or determined.

If the penalty charge notice is withdrawn or quashed we will repay any amount previously paid as a penalty charge in pursuance of the notice.



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Energy Performance Certificates On Construction



Sample Letter On Construction EPC OC1

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (As Amended)

Regulation 6 of the above regulations requires you to provide an On Construction Energy Performance Certificate and a Recommendation Report for the building at XXXXXXXXX. This must be provided to the owner within 5 days of the building being complete for the purposes of the above regulations.

In order to fulfil the Council's duty as the authority responsible for enforcing these regulations you are asked to confirm that this has been done within 21 days of the date of this letter.

Failure to comply with this request may lead to you being issued with a Penalty Charge Notice.

We trust the above action will not be necessary and would assure that providing the above information will avoid further enforcement.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Sample Letter On Construction EPC OC2

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (As Amended)

We refer to our communication of XXXXX and note that you have not responded to our request for confirmation within the allocated time period.

Regulation 6 of the above regulations requires you to provide an On Construction Energy Performance Certificate and Recommendation Report for the building at XXXXXXXX to the owner within 5 days of the building being complete for the purposes of the above regulations.

In order to fulfil the Council's duty as the enforcing authority you are asked to confirm that this has been done and provide a copy of the On Construction Energy Performance Certificate and Recommendation Report to ourselves within 7 days of this letter.

Failure to comply with this request within seven days will be considered a breach of Regulation 32 of the above legislation and will lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Penalty Charge Notice – Suggested template

1. Notice of Breach

Council Name

Penalty Charge Notice

Penalty Charge Notice Energy Performance of Buildings (Certificates And Inspections) Northern Ireland Regulations (As Amended) Regulation 32 Reference

Notice of Breach

NOTICE GIVEN TO (name of defendant) -

OF (address) -

NOTICE GIVEN BY (name of authorised officer)

OF (name of local authority)

I am an authorised officer of the above named Council. I believe that you have committed a breach of the Energy Performance of Buildings (Certificates and Inspections) Northern Ireland Regulations 2008 (as Amended) by not producing for inspection an Energy Performance Certificate.

Date of breach:

Details of breach:

.....

.....

Signature of authorised officer:

Date:

This notice requires that you within the period of 28 (or such longer period as the Council may choose to specify) days from the date of this notice

- a. Pay the fixed penalty charge of \pounds or
- b. Give notice to this authority that you wish the notice to be reviewed.

2. HOW THE PENALTY CHARGE MAY BE PAID

To be paid to: The penalty charge should be paid to [name the AUTHORITY]. **Address**: [name and address of the AUTHORITY] Payment may be made in person or by post to the office (a receipt will be sent on request).

Method of payment: Payment may be made by:

- cheque or postal/money order (made payable to [The AUTHORITY]);
- cash (please do not send cash by post)
- internet (i.e. by credit or debit card 24 hours a day at [www.AuthorityName.gov.uk/payments]
- phone (i.e. by credit or debit card on [Tel No.])

3. WHAT YOU SHOULD DO IF YOU WOULD LIKE THE COUNCIL TO REVIEW THIS NOTICE

Please send notice in writing to [Insert name and address] to request a review of this notice.

Please include any representations that you wish to make relating to the review. We may withdraw the penalty charge notice if we consider that the penalty charge notice should not have been given, and must do so if any of the following is the case:

(a) You can demonstrate that you took all reasonable steps and exercised all due diligence to avoid breaching the duty;

(b) This notice was issued more than six-months after the date on which the breach of duty occurred (or the date of the last day if a continuing breach), or otherwise fails to comply with the requirements of the regulations;

4. WHAT YOU SHOULD EXPECT AFTER A REVIEW

We will consider any representations you make and the circumstances of the alleged breach and will decide whether to confirm or withdraw this notice. We will notify you of our decision in writing.

If we confirm the penalty charge, you may then appeal to the County Court within the period of 28 days from the day after the date of our confirmation. The County Court may extend the period for appealing against the notice. An appeal to the county court must be on one or more of the grounds listed in regulation 37 (3) (a), (b) or (c).

5. IF YOU DO NOT PAY THE PENALTY CHARGE OR YOU DO NOT PAY IT FOLLOWING AN UNSUCCESSFUL REVIEW OR APPEAL

Unless we withdraw this notice, or a court quashes it, if you do not pay this penalty charge, we can recover the amount as a debt through the County Court.

Debt recovery proceedings cannot however be started any earlier than:

(a) The end of the period allowed for the payment of this charge or any extended period that has been allowed; or

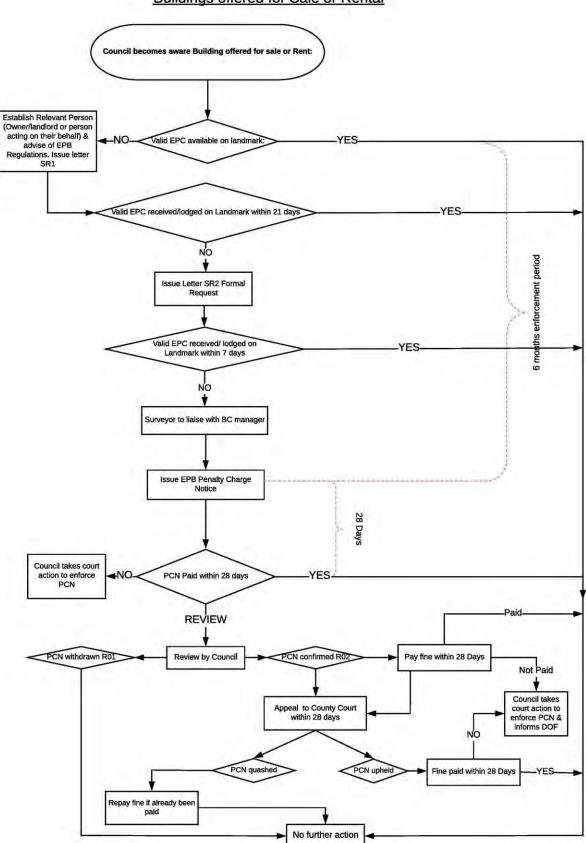
(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(c) Where you appeal to the county court following confirmation on review, 28 days from the day on which the appeal is either withdrawn or determined.

If the penalty charge notice is withdrawn or quashed we will repay any amount previously paid as a penalty charge in pursuance of the notice.



Energy Performance Certificates Sale Or Rent



Sample letter - No EPC sale/ rent SR1

Ref: Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

Regulation 5 of the above regulations requires you to make available a valid Energy Performance Certificate to any prospective buyer/ tenant and give a valid Energy Performance Certificate and Recommendation Report to the actual buyer/ tenant.

In order to fulfil the Council's duty as the Authority for enforcing these Regulations you are asked to confirm that this has been done within 21 days of this letter.

Failure to comply with this request may lead to a Penalty Charge Notice.

We trust the above action will not be necessary and would assure that providing the above information will avoid further enforcement.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-</u>

<u>buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Sample letter - No EPC Sale/ Rent SR2

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

We refer to our communication of XXXXX and note that you have not responded to our request for confirmation within the allocated time period.

Regulation 5 of the above regulations requires you to make available a valid Energy Performance Certificate to any prospective buyer/ tenant and give a valid Energy Performance Certificate and Recommendation Report to the actual buyer/tenant.

In order to fulfil the Council's duty as enforcing authority you are asked to confirm that this has been done and provide a copy of the Energy Performance Certificate and Recommendation Report to ourselves within 7 days of this letter.

Failure to comply with this request within 7 days will be considered a breach of Regulation 32 of the above legislation and will lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-</u> <u>buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Penalty Charge Notice – Suggested template

1. Notice of Breach

Council Name

Penalty Charge Notice

Penalty Charge Notice Energy Performance of Buildings (Certificates And Inspections) Northern Ireland Regulations (As Amended) Regulation 32 Reference

Notice of Breach

NOTICE GIVEN TO (name of defendant) -

OF (address) -

NOTICE GIVEN BY (name of authorised officer)

OF (name of local authority)

I am an authorised officer of the above named Council. I believe that you have committed a breach of the Energy Performance of Buildings (Certificates and Inspections) Northern Ireland Regulations 2008 (as Amended) by not producing for inspection an Energy Performance Certificate.

Date of breach:

Details of breach:

.....

Signature of authorised officer:

Date:

This notice requires that you within the period of 28 (or such longer period as the Council may choose to specify) days from the date of this notice

- a. Pay the fixed penalty charge of £ or
- b. Give notice to this authority that you wish the notice to be reviewed.

2. HOW THE PENALTY CHARGE MAY BE PAID

To be paid to: The penalty charge should be paid to [name the AUTHORITY]. **Address**: [name and address of the AUTHORITY] Payment may be made in person or by post to the office (a receipt will be sent on request).

Method of payment: Payment may be made by:

- cheque or postal/money order (made payable to [The AUTHORITY]);
- cash (please do not send cash by post)
- internet (i.e. by credit or debit card 24 hours a day at [www.AuthorityName.gov.uk/payments]
- phone (i.e. by credit or debit card on [Tel No.])

3. WHAT YOU SHOULD DO IF YOU WOULD LIKE THE COUNCIL TO REVIEW THIS NOTICE

Please send notice in writing to [Insert name and address] to request a review of this notice.

Please include any representations that you wish to make relating to the review. We may withdraw the penalty charge notice if we consider that the penalty charge notice should not have been given, and must do so if any of the following is the case:

(a) You can demonstrate that you took all reasonable steps and exercised all due diligence to avoid breaching the duty;

(b) This notice was issued more than six-months after the date on which the breach of duty occurred (or the date of the last day if a continuing breach), or otherwise fails to comply with the requirements of the regulations;

(c) You have a defence under Regulation 34 (unobtainable certificate).

4. WHAT YOU SHOULD EXPECT AFTER A REVIEW

We will consider any representations you make and the circumstances of the alleged breach and will decide whether to confirm or withdraw this notice. We will notify you of our decision in writing.

If we confirm the penalty charge, you may then appeal to the County Court within the period of 28 days from the day after the date of our confirmation. The County Court may extend the period for appealing against the notice. An appeal to the county court must be on one or more of the grounds listed in regulation 37 (3) (a), (b) or (c).

5. IF YOU DO NOT PAY THE PENALTY CHARGE OR YOU DO NOT PAY IT FOLLOWING AN UNSUCCESSFUL REVIEW OR APPEAL

Unless we withdraw this notice, or a court quashes it, if you do not pay this penalty charge, we can recover the amount as a debt through the County Court.

Debt recovery proceedings cannot however be started any earlier than:

(a) The end of the period allowed for the payment of this charge or any extended period that has been allowed; or

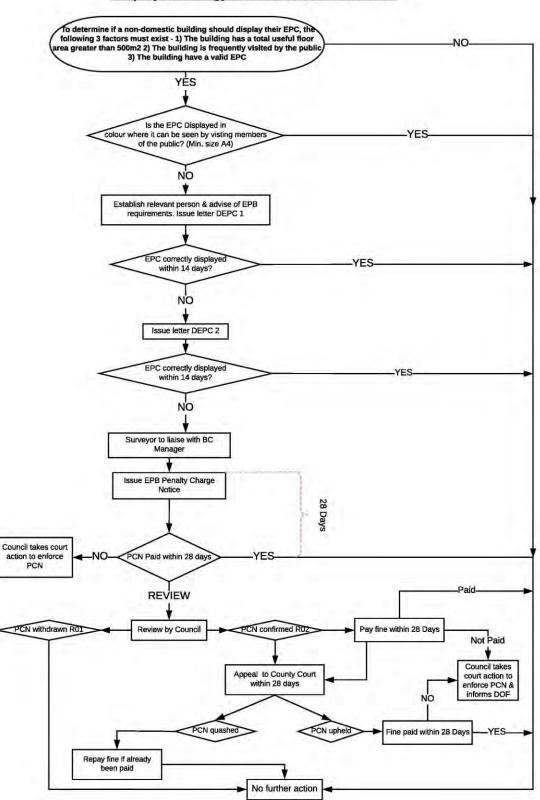
(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(c) Where you appeal to the county court following confirmation on review, 28 days from the day on which the appeal is either withdrawn or determined.

If the penalty charge notice is withdrawn or quashed we will repay any amount previously paid as a penalty charge in pursuance of the notice.



Energy Performance Certificates Display of EPC's



Display of Energy Performance Certificates

Sample Letter DEPC 1

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

Following a recent visit to your building we are writing to inform you that we found that you were **not compliant** in clearly displaying the Energy Performance Certificate for the building which you occupy.

We would remind you that Regulation 8A requires you, as the occupant, to display the Energy Performance Certificate for the building or part of the building in a prominent place which is clearly visible to members of the public who visit the building.

In order to fulfil the Council's duty as the enforcing authority of the above legislation you are asked to confirm within 14 days that the Energy Performance Certificate for the building which you occupy is clearly displayed in accordance with Regulation 8A of the above Regulations. An officer will visit your site to confirm compliance.

Failure to comply with this Regulation may lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Sample Letter DEPC 2

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

We refer to our communication of XXXXX and subsequent site visit on XXXXX and note that you are still not displaying the Energy Performance Certificate for the building which you occupy, as required in accordance with Regulation 8A of the above regulations.

We would remind you that Regulation 8A requires you, as the occupant, to display the Energy Performance Certificate for the building or part of the building in a prominent place which is clearly visible to members of the public who visit the building.

In order to fulfil the Council's duty as enforcing authority of the above legislation you are asked to comply with Regulation 8A within 14 days. An officer will visit your site to confirm compliance.

Failure to comply within 14 days will be considered a breach of Regulation 8A of the above legislation and will lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Penalty Charge Notice – Suggested template

1. Notice of Breach

Council Name

Penalty Charge Notice

Penalty Charge Notice Energy Performance of Buildings (Certificates And Inspections) Northern Ireland Regulations (As Amended) Regulation 8A Reference

Notice of Breach

NOTICE GIVEN TO (name of defendant) -

OF (address) -

NOTICE GIVEN BY (name of authorised officer)

OF (name of local authority)

I am an authorised officer of the above named Council. I believe that you have committed a breach of the Energy Performance of Buildings (Certificates and Inspections) Northern Ireland Regulations 2008 (as Amended) by not displaying an Energy Performance Certificate.

Date of breach:

Details of breach:

.....

Signature of authorised officer:

Date:

This notice requires that you within the period of 28 days (or such longer period as the Council may choose to specify) from the date of this notice

- a. Pay the fixed penalty charge of £ or
- b. Give notice to this authority that you wish the notice to be reviewed.

2. HOW THE PENALTY CHARGE MAY BE PAID

To be paid to: The penalty charge should be paid to [name the AUTHORITY]. **Address**: [name and address of the AUTHORITY] Payment may be made in person or by post to the office (a receipt will be sent on request).

Method of payment: Payment may be made by:

- cheque or postal/money order (made payable to [The AUTHORITY]);
- cash (please do not send cash by post)
- internet (i.e. by credit or debit card 24 hours a day at [www.AuthorityName.gov.uk/payments]
- phone (i.e. by credit or debit card on [Tel No.])

3. WHAT YOU SHOULD DO IF YOU WOULD LIKE THE COUNCIL TO REVIEW THIS NOTICE

Please send notice in writing to [Insert name and address] to request a review of this notice.

Please include any representations that you wish to make relating to the review. We may withdraw the penalty charge notice if we consider that the penalty charge notice should not have been given, and must do so if any of the following is the case:

(a) You can demonstrate that you took all reasonable steps and exercised all due diligence to avoid breaching the duty;

(b) This notice was issued more than six-months after the date on which the breach of duty occurred (or the date of the last day if a continuing breach), or otherwise fails to comply with the requirements of the regulations;

4. WHAT YOU SHOULD EXPECT AFTER A REVIEW

We will consider any representations you make and the circumstances of the alleged breach and will decide whether to confirm or withdraw this notice. We will notify you of our decision in writing.

If we confirm the penalty charge, you may then appeal to the County Court within the period of 28 days from the day after the date of our confirmation. The County Court may extend the period for appealing against the notice. An appeal to the county court must be on one or more of the grounds listed in regulation 37 (3) (a), (b) or (c).

5. IF YOU DO NOT PAY THE PENALTY CHARGE OR YOU DO NOT PAY IT FOLLOWING AN UNSUCCESSFUL REVIEW OR APPEAL

Unless we withdraw this notice, or a court quashes it, if you do not pay this penalty charge, we can recover the amount as a debt through the County Court.

Debt recovery proceedings cannot however be started any earlier than:

(a) The end of the period allowed for the payment of this charge or any extended period that has been allowed; or

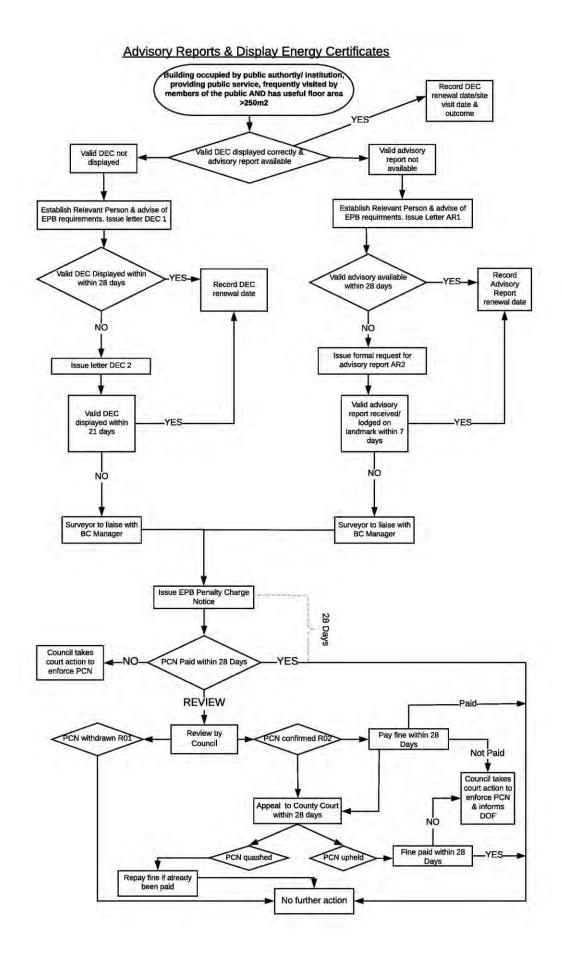
(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(c) Where you appeal to the county court following confirmation on review, 28 days from the day on which the appeal is either withdrawn or determined.

If the penalty charge notice is withdrawn or quashed we will repay any amount previously paid as a penalty charge in pursuance of the notice.



Display Energy Certificate (DEC)



Sample Letter DEC 1

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

It has come to our attention that you may not be displaying a valid Display Energy Certificate as required in accordance with Regulation 11 of the above regulations.

Regulation 11 requires all occupiers of relevant buildings to display a valid Display Energy Certificate in a prominent place.

In order to fulfil the Council's duty as enforcing authority of the above legislation you are asked to confirm that a valid Display Energy Certificate is in place and displayed in accordance with Regulation 11 of the above Regulations within 28 days. An officer will visit your site to confirm compliance.

Failure to comply with this Regulation may lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Sample Letter DEC 2

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

We refer to our communication of XXXXX and subsequent site visit on XXXXX and note that you are still not displaying a valid Display Energy Certificate as required in accordance with Regulation 11 of the above regulations.

Regulation 11 requires all occupiers of relevant buildings to display a valid Display Energy Certificate in a prominent place at all times.

In order to fulfil the Council's duty as enforcing authority of the above legislation you are asked to comply with Regulation 11 within 21 days. An officer will visit your site to confirm compliance.

Failure to comply within 21 days will be considered a breach of Regulation 11 of the above legislation and will lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Penalty Charge Notice – Suggested template

1. Notice of Breach

Council Name

Penalty Charge Notice

Penalty Charge Notice Energy Performance of Buildings (Certificates And Inspections) Northern Ireland Regulations (As Amended) Regulation 11 Reference

Notice of Breach

NOTICE GIVEN TO (name of defendant) -

OF (address) -

NOTICE GIVEN BY (name of authorised officer)

OF (name of local authority)

I am an authorised officer of the above named Council. I believe that you have committed a breach of the Energy Performance of Buildings (Certificates and Inspections) Northern Ireland Regulations 2008 (as Amended) by not displaying a valid Display Energy Certificate.

Date of breach:

Details of breach:

.....

Signature of authorised officer:

Date:

This notice requires that you within the period of 28 days (or such longer period as the Council may choose to specify) from the date of this notice

- a. Pay the fixed penalty charge of £ or
- b. Give notice to this authority that you wish the notice to be reviewed.

2. HOW THE PENALTY CHARGE MAY BE PAID

To be paid to: The penalty charge should be paid to [name the AUTHORITY]. **Address**: [name and address of the AUTHORITY] Payment may be made in person or by post to the office (a receipt will be sent on request).

Method of payment: Payment may be made by:

- cheque or postal/money order (made payable to [The AUTHORITY]);
- cash (please do not send cash by post)
- internet (i.e. by credit or debit card 24 hours a day at [www.AuthorityName.gov.uk/payments]
- phone (i.e. by credit or debit card on [Tel No.])

3. WHAT YOU SHOULD DO IF YOU WOULD LIKE THE COUNCIL TO REVIEW THIS NOTICE

Please send notice in writing to [Insert name and address] to request a review of this notice.

Please include any representations that you wish to make relating to the review. We may withdraw the penalty charge notice if we consider that the penalty charge notice should not have been given, and must do so if any of the following is the case:

(a) You can demonstrate that you took all reasonable steps and exercised all due diligence to avoid breaching the duty;

(b) This notice was issued more than six-months after the date on which the breach of duty occurred (or the date of the last day if a continuing breach), or otherwise fails to comply with the requirements of the regulations;

4. WHAT YOU SHOULD EXPECT AFTER A REVIEW

We will consider any representations you make and the circumstances of the alleged breach and will decide whether to confirm or withdraw this notice. We will notify you of our decision in writing.

If we confirm the penalty charge, you may then appeal to the County Court within the period of 28 days from the day after the date of our confirmation. The County Court may extend the period for appealing against the notice. An appeal to the County Court must be on one or more of the grounds listed in regulation 37 (3) (a), (b) or (c).

5. IF YOU DO NOT PAY THE PENALTY CHARGE OR YOU DO NOT PAY IT FOLLOWING AN UNSUCCESSFUL REVIEW OR APPEAL

Unless we withdraw this notice, or a court quashes it, if you do not pay this penalty charge, we can recover the amount as a debt through the County Court.

Debt recovery proceedings cannot however be started any earlier than:

(a) The end of the period allowed for the payment of this charge or any extended period that has been allowed; or

(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(c) Where you appeal to the county court following confirmation on review, 28 days from the day on which the appeal is either withdrawn or determined.

If the penalty charge notice is withdrawn or quashed we will repay any amount previously paid as a penalty charge in pursuance of the notice.

Sample Letter AR 1

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

It has come to our attention that you may not have renewed the Advisory Report as required in accordance with Regulation 11 of the above regulations.

The Advisory Report is valid for a period of 7 years, beginning on the date it is issued. Regulation 11(3b) requires all occupiers of relevant buildings to have possession or control of a valid Advisory Report at all times.

In order to fulfil the Council's duty as enforcing authority of the above legislation, you are asked to confirm that a valid Advisory Report has been carried out and lodged on to the Register within 28 days from the date of this letter.

Failure to comply with this Regulation may lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Sample Letter AR 2

Ref:

Dear Sir/Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

We refer to our communication of XXXXX and note you do not have in your possession or control, a valid Advisory Report.

Regulation 11 requires all occupiers of relevant buildings to have possession or control of a valid Advisory Report.

In order to fulfil the Council's duty as enforcing authority of the above legislation you are asked provide a copy of a valid Advisory Report to the Council within 7 days.

Failure to comply with this request within 7 days will be considered a breach of Regulation 32 of the above legislation and will lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Penalty Charge Notice – Suggested template

1. Notice of Breach

Council Name

Penalty Charge Notice

Penalty Charge Notice Energy Performance of Buildings (Certificates And Inspections) Northern Ireland Regulations (As Amended) Regulation 32 Reference

Notice of Breach

NOTICE GIVEN TO (name of defendant) -

OF (address) -

NOTICE GIVEN BY (name of authorised officer)

OF (name of local authority)

I am an authorised officer of the above named Council. I believe that you have committed a breach of the Energy Performance of Buildings (Certificates and Inspections) Northern Ireland Regulations 2008 (as Amended) by not producing for inspection a valid Advisory Report.

Date of breach:

Details of breach:

.....

Signature of authorised officer:

Date:

This notice requires that you within the period of 28 days (or such longer period as the Council may choose to specify) from the date of this notice

- a. Pay the fixed penalty charge of £ or
- b. Give notice to this authority that you wish the notice to be reviewed.

2. HOW THE PENALTY CHARGE MAY BE PAID

To be paid to: The penalty charge should be paid to [name the AUTHORITY]. **Address**: [name and address of the AUTHORITY] Payment may be made in person or by post to the office (a receipt will be sent on request).

Method of payment: Payment may be made by:

- cheque or postal/money order (made payable to [The AUTHORITY]);
- cash (please do not send cash by post)
- internet (i.e. by credit or debit card 24 hours a day at [www.AuthorityName.gov.uk/payments]
- phone (i.e. by credit or debit card on [Tel No.])

3. WHAT YOU SHOULD DO IF YOU WOULD LIKE THE COUNCIL TO REVIEW THIS NOTICE

Please send notice in writing to [Insert name and address] to request a review of this notice.

Please include any representations that you wish to make relating to the review. We may withdraw the penalty charge notice if we consider that the penalty charge notice should not have been given, and must do so if any of the following is the case:

(a) You can demonstrate that you took all reasonable steps and exercised all due diligence to avoid breaching the duty;

(b) This notice was issued more than six-months after the date on which the breach of duty occurred (or the date of the last day if a continuing breach), or otherwise fails to comply with the requirements of the regulations;

4. WHAT YOU SHOULD EXPECT AFTER A REVIEW

We will consider any representations you make and the circumstances of the alleged breach and will decide whether to confirm or withdraw this notice. We will notify you of our decision in writing.

If we confirm the penalty charge, you may then appeal to the County Court within the period of 28 days from the day after the date of our confirmation. The County Court may extend the period for appealing against the notice. An appeal to the County Court must be on one or more of the grounds listed in regulation 37 (3) (a), (b) or (c).

5. IF YOU DO NOT PAY THE PENALTY CHARGE OR YOU DO NOT PAY IT FOLLOWING AN UNSUCCESSFUL REVIEW OR APPEAL

Unless we withdraw this notice, or a court quashes it, if you do not pay this penalty charge, we can recover the amount as a debt through the County Court.

Debt recovery proceedings cannot however be started any earlier than:

(a) The end of the period allowed for the payment of this charge or any extended period that has been allowed; or

(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(c) Where you appeal to the county court following confirmation on review, 28 days from the day on which the appeal is either withdrawn or determined.

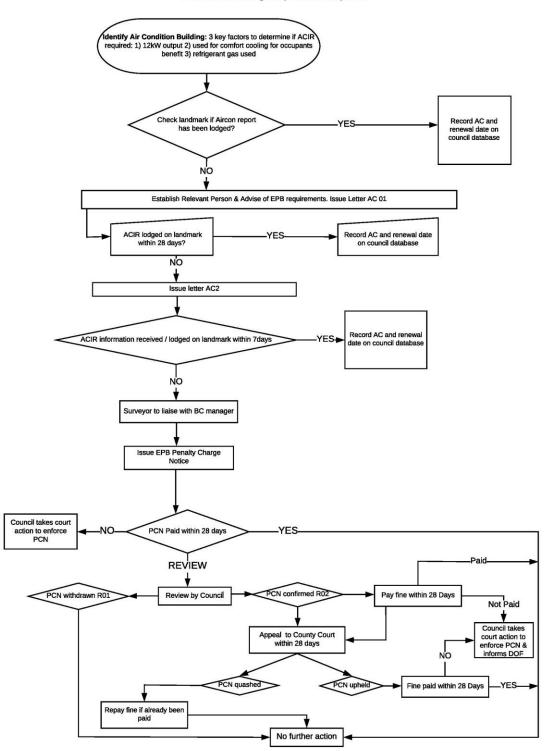
If the penalty charge notice is withdrawn or quashed we will repay any amount previously paid as a penalty charge in pursuance of the notice.



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Air Conditioning

Air Conditioning Inspection Reports



Sample Letter AC 01

Ref:

Dear Sir/ Madam

Ref:- The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

It has come to our attention that the building at XXXXXXXX incorporates an air-conditioning system with an effective rated output of more than 12kW.

In accordance with Regulation 15 of the above regulations any relevant air-conditioning system must have an Air-Conditioning Inspection Report completed by an approved energy assessor at regular intervals not exceeding 5 years.

In order to fulfil the Council's duty as enforcing authority of the above legislation, you are asked to confirm within 28 days that a valid Air-Conditioning Inspection Report been carried out and the report is held by the relevant person.

Failure to comply with this request may lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Sample Letter AC 02

Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

In accordance with Regulation 15 of the above regulations any relevant air-conditioning system must have an Air-Conditioning Inspection Report completed by an approved energy assessor at regular intervals not exceeding 5 years.

In order to fulfil the Council's duty as enforcing authority of the above legislation you are asked to produce a copy of the Air-Conditioning Inspection Report inspection report within 7 days.

Failure to comply with this request within 7 days will be considered a breach of Regulation 32 of the above legislation and will lead to a Penalty Charge Notice.

If you need any further information or clarification please contact the person named above, phone us on 028 XXXXXXXX.

Alternatively for more information visit the Department of Finance web-site: <u>www.finance-ni.gov.uk/topics/building-regulations-and-energy-efficiency-buildings/energy-performance-buildings</u> or contact the Building Control EPB Team on Free phone 0800 022 3004.

Penalty Charge Notice – Suggested template

1. Notice of Breach

Council Name

Penalty Charge Notice

Penalty Charge Notice Energy Performance of Buildings (Certificates And Inspections) Northern Ireland Regulations (As Amended) Regulation 32 Reference

Notice of Breach

NOTICE GIVEN TO (name of defendant) -

OF (address) -

NOTICE GIVEN BY (name of authorised officer)

OF (name of local authority)

I am an authorised officer of the above named Council. I believe that you have committed a breach of the Energy Performance of Buildings (Certificates and Inspections) Northern Ireland Regulations 2008 (as Amended) by not producing for inspection the most recent Air-Conditioning Inspection Report.

Date of breach:

Details of breach:

.....

Signature of authorised officer:

Date:

This notice requires that you within the period of 28 days (or such longer period as the Council may choose to specify) from the date of this notice

- a. Pay the fixed penalty charge of £ or
- b. Give notice to this authority that you wish the notice to be reviewed.

2. HOW THE PENALTY CHARGE MAY BE PAID

To be paid to: The penalty charge should be paid to [name the AUTHORITY]. **Address**: [name and address of the AUTHORITY] Payment may be made in person or by post to the office (a receipt will be sent on request).

Method of payment: Payment may be made by:

- cheque or postal/money order (made payable to [The AUTHORITY]);
- cash (please do not send cash by post)
- internet (i.e. by credit or debit card 24 hours a day at [www.AuthorityName.gov.uk/payments]
- phone (i.e. by credit or debit card on [Tel No.])

3. WHAT YOU SHOULD DO IF YOU WOULD LIKE THE COUNCIL TO REVIEW THIS NOTICE

Please send notice in writing to [Insert name and address] to request a review of this notice.

Please include any representations that you wish to make relating to the review. We may withdraw the penalty charge notice if we consider that the penalty charge notice should not have been given, and must do so if any of the following is the case:

(a) You can demonstrate that you took all reasonable steps and exercised all due diligence to avoid breaching the duty;

(b) This notice was issued more than six-months after the date on which the breach of duty occurred (or the date of the last day if a continuing breach), or otherwise fails to comply with the requirements of the regulations;

4. WHAT YOU SHOULD EXPECT AFTER A REVIEW

We will consider any representations you make and the circumstances of the alleged breach and will decide whether to confirm or withdraw this notice. We will notify you of our decision in writing.

If we confirm the penalty charge, you may then appeal to the County Court within the period of 28 days from the day after the date of our confirmation. The County Court may extend the period for appealing against the notice. An appeal to the county court must be on one or more of the grounds listed in regulation 37 (3) (a), (b) or (c).

5. IF YOU DO NOT PAY THE PENALTY CHARGE OR YOU DO NOT PAY IT FOLLOWING AN UNSUCCESSFUL REVIEW OR APPEAL

Unless we withdraw this notice, or a court quashes it, if you do not pay this penalty charge, we can recover the amount as a debt through the County Court.

Debt recovery proceedings cannot however be started any earlier than:

(a) The end of the period allowed for the payment of this charge or any extended period that has been allowed; or

(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(c) Where you appeal to the county court following confirmation on review, 28 days from the day on which the appeal is either withdrawn or determined.

If the penalty charge notice is withdrawn or quashed we will repay any amount previously paid as a penalty charge in pursuance of the notice.



Review

Sample Review Letter R01 (withdraw)

Our Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008

We refer to the Penalty Charge Notice which was issued to you on the and which you requested а review of on the XXXXXXXXXXXXXXXXXXXXXX

A review has been carried out of the Penalty Charge Notice and the Council has decided to withdraw the Penalty Charge Notice as of the date of this letter.

If you require any further information please do not hesitate to contact the office quoting the reference number above.

Sample Review Letter R02 (confirm)

Our Ref:

Dear Sir/ Madam

Re: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended)

We refer to penalty charge notice which was issued to the the you on and which you requested review of the а on XXXXXXXXXXXXXXXXXXXXXX

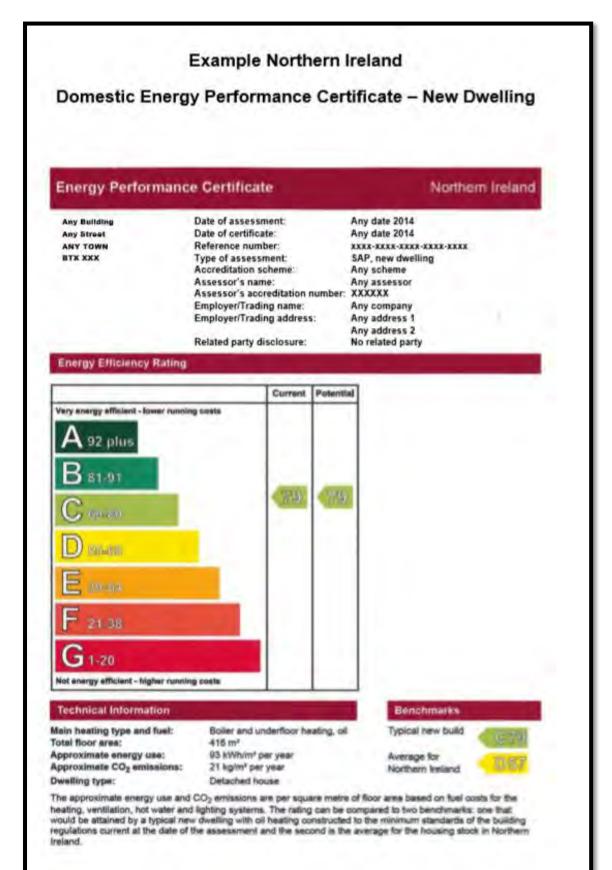
A review has been carried out of the penalty charge notice and the Council has decided to confirm the penalty charge notice as of the date of this letter.

You are reminded that the amount of this penalty charge notice is £XXXXXX and should be paid to the council within 28 days. Under regulation 38 of the above regulations the amount of the penalty charge notice is recoverable from the recipient of the penalty charge notice as a debt owed to the council.

If you do not agree with the review and feel that you would like to appeal the decision you may within 28 days under regulation 37 of the above regulations appeal the decision to the county court. Further information on the process to appeal can be obtained from the Council.

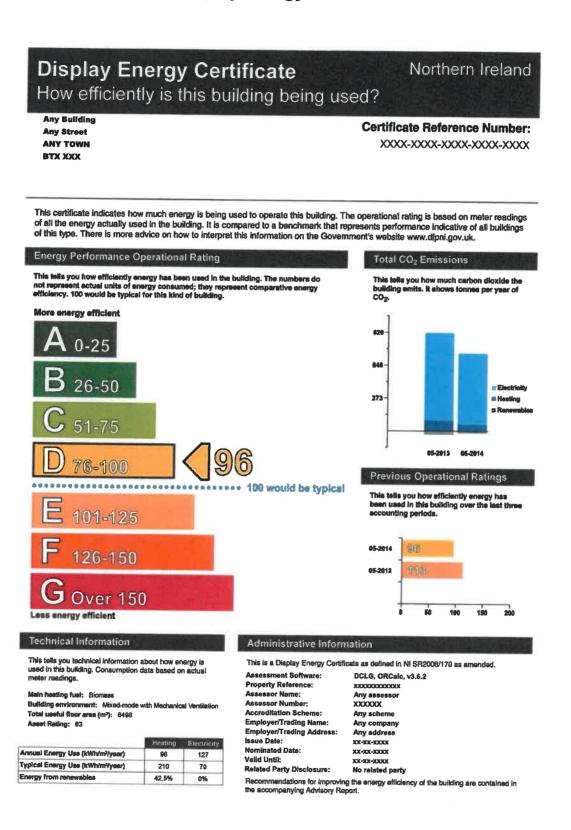
If within 28 days you do not pay the penalty charge notice or appeal the review decision to the county court, council may take legal action through the small claims court to recover the penalty charge notice.

If you require any further information please do not hesitate to contact the office quoting the reference number above.



Sample Northern Ireland

Display Energy Certificate



Appendix 3

0565-2095-0813-0300-3001

Advisory Report

Report Reference Number: 0565-2095-0813-0300-3001

Building Occupier

Address

Building Type(s): Cultural activities

| ADMINISTRATIVE INFORMATIO | N |
|--|------------------------------|
| Issue Date: | 09-02-2011 |
| Valid Until: | 08-02-2018 |
| Total Useful Floor Area (m ²): | 1807.00 |
| Assessment Software: | SystemsLink, ORToolkit, v3.5 |
| Property Reference: | 553803960000 |
| Type of inspection: | Physical |

| ENERGY ASSESSOR DETAILS | |
|--------------------------------|----------------------|
| Assessor Name: | |
| Employer/Trading Name: | |
| Employer/Trading Address: | |
| Assessor Number: | STR0001346 |
| Accreditation scheme: | Stroma Accreditation |

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1. Background

Statutory Rules of Northern Ireland 2008 No. 170, *The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008*, as amended, transposes the requirements of Articles 7.2 and 7.3 of the Energy Performance of Buildings Directive 2002/91/EC.

This report is an Advisory Report as required under regulation 11(2)(b) of the Statutory Rule SR 2008/170 (as amended).

This section provides general information regarding the building:

| Total Useful Floor Area (m ²): | 1807.00 |
|--|------------------------------------|
| Building Description: | |
| Building Environment: | Heating and Mechanical Ventilation |
| On-site renewable energy sources: | Not applicable |
| Separable energy uses discounted: | Not applicable |

| Fuel Types: | Quantity used (kWh) |
|-------------|---------------------|
| Oil | 201077 |
| Electricity | 147052 |
| None | 0 |

2. Introduction

This Advisory Report was produced in line with the Government's approved methodology and is based on assessment software SystemsLink, ORToolkit, v3.5. This advisory report was developed based on a physical visit of the building.

In accordance with Government's current guidance, the Energy Assessor did undertake a walk around survey of the building on 07/05/2009 prior to producing this Advisory Report.

3. Recommendations

The following sections list recommendations selected by the energy assessor for the improvement of the energy performance of the building. The recommendations are listed under four headings: short payback, medium payback, long payback, and other measures.

a) Recommendations with a short payback

This section lists recommendations with a payback of less than 3 years:

| Recommendation | Potential impact |
|---|-------------------------|
| Consider introducing or improving loft insulation. | HIGH |
| Consider installing heat recovery to catering refrigeration condensers in order to aid with HWS generation or to heat room air. | HIGH |
| Consider how catering refrigerators can be relocated away or thermally isolated from sources of heat such as ovens, dishwashers etc. | HIGH |
| Ensure catering equipment such as large ovens and dishwashers are utilised at maximum capacity, and/or install smaller capacity appliances to increase operational flexibility. | HIGH |
| Consider with chefs and kitchen managers implementing a training programme and monitoring systems with incentives. | HIGH |
| Consider a programme of fitting energy meters to kitchen facilities as part of the service and maintenance regime. | HIGH |

b) Recommendations with a medium payback

No recommendations were selected within this payback period.

c) Recommendations with a long payback

This section lists recommendations with a payback of more than 7 years:

| Recommendation | Potential impact |
|---|------------------|
| Consider heating the building using biomass boiler(s). | HIGH |
| The current metering provisions do not enable production of a specific and reasonably accurate Operational Rating for this building. It is recommended that meters be installed and a regime of recording data be put in place. CIBSE TM 39 gives guidance on this. | HIGH |

d) Other Recommendations

This section lists other recommendations selected by the energy assessor, based on an understanding of the building, and / or based on a valid existing energy report.

| Recommendation | Potential impact |
|---|------------------|
| Cafe facility to be seperately metered. | LOW |

, î

4. Next Steps

a) Your Advisory Report

As the building occupier, regulation 11(2)(b) of SR 2008/170 (as amended) requires that you have in your 'possession or control at all times a valid advisory report'. Regulation 11(4) specifies that 'an advisory report is valid for a period of seven years beginning with the date it is issued'.

You must be able to produce a copy of this Advisory Report within seven days if requested by an Enforcement Authority under regulation 32(4) of SR 2008/170 (as amended).

This Advisory Report has also been lodged on the Government's central register. Access to the report, to the data used to compile the report, and to previous similar documents relating to the same building can be obtained by request through the Non-Dwellings Register (www.niepcregister.com) using the report reference number of this document.

You must commission a new Advisory Report in seven years from the date this Advisory Report is issued. However, a new Advisory Report may be commissioned earlier.

b) Implementing recommendations

The recommendations provided within this Advisory Report have been selected by the accredited assessor from a central list of recommendations, based on his / her knowledge of the building fabric, building services, the operation of plant and equipment within the curtilage of the building, and the general management of the building.

The accredited assessor may have inserted additional measures in section 3d (Other Recommendations). The recommendations are provided as an indication of opportunities that appear to exist to improve the buildings energy efficiency.

c) Legal disclaimer

The advice provided in this Advisory Report is intended to be for information only. Recipients of this Advisory Report are advised to seek further detailed professional advice before reaching any decision on how to improve the energy performance of the building.

d) Complaints

Details of the assessor and the relevant accreditation scheme are on this report and the display energy certificate. You can get contact details of the accreditation scheme from our website at www.dfpni.gov.uk, together with details of their procedures for confirming authenticity of a report and for making a complaint.

5. Glossary

a) Payback

The payback periods are based on data provided by Good Practice Guides and Carbon Trust energy survey reports and are average figures calculated using a simple payback method. It is assumed that the source data is correct and accurate using up to date information.

The figures have been calculated as an average across a range of buildings and may differ from the actual payback period for the building being assessed. Therefore, it is recommended that each suggested measure be further investigated before reaching any decision on how to improve the energy efficiency of the building.

b) Carbon impact

The High / Medium / Low carbon impact indicators against each recommendation are provided to distinguish, between the suggested recommendations, those that would most effectively reduce carbon emissions from the building. The carbon impact indicators are determined by the assessor based on his / her knowledge of the building. In most instances, the carbon impact has not been calculated accurately.

7

c) Valid report

A valid existing report is defined at the Energy Assessor's discretion.



Air Conditioning System Inspection Report

Responsible Site Contact

Equipment Owner's Address

UPRN

| Date of inspection | 29/06/2010 | Date of lodgement | 29/06/2010 |
|----------------------------------|------------|-----------------------------------|------------|
| Assessor name and assessor ID | | Address of Assessor's employer | |
| Name and ID number of Scheme | | | |
| Related Party Disclosure | | | |
| Assessment Software Used | 4 | | |

Executive Summary

The building is approximately 100,000 sq ft in gross internal area with a total of approximately 88,000 sq ft of offices consisting of four floors on a site of over 7 acres providing in excess of 320 parking spaces. The original part of the building was completed in the late 1960s and the new section in 2001 at which time all the finishes and the majority of the mechanical and electrical services were replaced. The remaining core services such as the boiler room and mains transformers and electrical switchboards were replaced in 2006.

Building owners and managers who operate air-conditioning systems have statutory obligations under the Energy Performance of Buildings Directive (EPBD) to ensure that air conditioning inspections are conducted by qualified and accredited air-conditioning inspectors.

All air-conditioning systems with an effective rated output of more than 12kw must be regularly inspected by an energy assessor. If the system has an effective rated output of 12kW or more, the first inspection must be done by 4 January 2011.

The survey and sampling had been carried out based on TM 44 (Inspection of air conditioning systems) Based on TM44 : The air conditioning system includes large numbers of similar fan coil units and because no evidence can be provided that these have been adequately cleaned and maintained, then the inspector examine a small . The sample is one in fifty in installations

the number examined is sufficient to obtain an indication of the state of maintenance of the units. The building is heated and comfort cooled by a combination of four pipe and two pipe fan coil units together with panel radiators which are individually thermostatically controlled, where appropriate. Tempered fresh air is supplied via a central air handling unit located in the roof Plant Room. Air is extracted mechanically via a central air handling unit in the Plant Room.

Refrigeration and AC Systems: Design parameters External conditions: Winter - -4 C dry bulb/-4C wet bulb Summer — 28 C dry bulb/19 C wet bulb Internal conditions: Winter office area 20 C +/-1 Summer office area 25 C/+/-1 Heat load 120 watts sq m



Air Conditioning System Inspection Report

General system description: The office areas are air conditioned using a condensate wet fan coil unit system. The fan coil units are

located within the ceiling voids of the office areas. Fan units

have waterside control.

Chilled and Heating Water:

Pipework and supply air ductwork distribute horizontally from the common service riser within the ceiling void to serve the fan coil units. At each floor level condensate is drained to a foul drain. Fan coil units are individually controlled by a Honeywell Zone Manager system. The ceiling void is utilised as a plenum for return air to the fan coil units.

Building Management System (B.M.S):

The boiler pumps chillers and fans are controlled by Trend 1Q241/242, controllers located in 4 control panels located as follows:

1.Room top Plant Room

2. Ground Floor Secondary Plant Room

3.Main Plant Room Boiler Panel

4.Main Plant Room Chiller Panel

All panels are linked and the boiler panel has a smart display unit. The ceiling mounted fan coil units are controlled by Honeywell

Controllers on each floor which are linked and monitored from a panel in the Plant Room. Each unit has its own localised control.

No evidence of maintenace is available as they have a new contract and no documents available from old maintenance company.

System components inspected

The following components of the system were inspected:

System Documentation Refrigeration Plant Heat Rejection Equipment Airborne Cooling and Air Conditioning Systems Airborne Systems in Air Handling Units and Ducts Outdoor Air Inlets System Controls

Key Recommendations

System efficiency, capacity and cooling loads

Consider introducing variable speed drives (VSD) for fans, pumps and compressors. Consider with experts implementation of an energy efficient equipment procurement regime that will upgrade existing equipment and renew in a planned cost-effective programme. Ensure building occupants understand when the various cooling modes of the mixed mode venthation system are in operation to avoid windows being opened when mechanical cooling is on.



Air Conditioning System Inspection Report

Improvement options

Engage experts to review overall ventilation strategy and propose an investment programme for upgrading and/or switching to alternative solutions to [m prove effectiveness and energy efficiency. Engage experts to propose and set up an air conditioning servicing and maintenance regime and implement it, Review the air conditioning energy performance report and seek to implement any outstanding recommendations for action. Engage experts to review the HVAC control systems settings and propose alterations and/or upgrades and adjust to suit current occupancy patterns. Consider with chefs and kitchen managers implementing a training programme and monitoring systems with incentives. Consider with chefs and kitchen managers implementing an energy efficiency plan including maintenance and servicing provisions and operational targets, monitoring and incentives. Engage experts to propose and set up an air conditioning servicing and maintenance regime and implement it

Alternative solutions

Consider installing building mounted photovoltaic electricity generating panels. Consider installing building mounted wind turbine(s). Consider installing automated controls and monitoring systems to electrical quipment and portable appliances to minimise electricity waste. Consider installing high speed shutter doors to loading bays. Consider installing heat recovery to catering refrigeration condensers in order to aid with HWS generation or to heat room air. Engage experts to review overall air conditioning strategy and propose an investment programme for upgrading and/or switching to alternative solutions. Consider a programme of fitting energy meters to lifts and escalators as part of the service and maintenance regime Enable power save settings and power down management on computers and associated equipment Consider engaging with building users to economise equipment energy consumption with targets, guidance on their achievement and incentives.

Other recommendations

Consider applying reflective coating to windows and/or fit shading devices to reduce unwanted solar gain. Ensure building occupants understand when the various cooling modes of the mixed mode ventilation system are in operation to avoid windows being opened when mechanical cooling is on. Consider to install run around coil between Main Extract system and fresh supply for the restaurant area. Consider installing External shading in the existing building to reduce heat gain. Provide a short guidance for thermostats and place it next to the thermostat. Replace R-22 refrigerant with new refrigerant(the chiller is in a very good condition and no need to replace the whole system. Replace traditional spot lights with LED spot lights. Consider installing occupant sensor for main corridors in first and second floor.



Centralised Cooling System Inspection Checklist

Pre Site visit work items:

| Equipment Owner | | | |
|------------------------------|---|---|--|
| Organisation Name | | | |
| Equipment Owner/Manager Name | | | |
| Street Address | - | | |
| | - | | |
| | - | | |
| City | - | I | |

| quipment Operator (if diffe | rent from owner) | |
|-----------------------------|------------------|--|
| rganisation Name | | |
| esponsible Site Contact | | |
| Street Address | | |
| City | | |

| Accredited inspector details | | | | | | | | | |
|------------------------------|----------|-------|----------------------|--------|------|----------|-----|--------|--|
| Inspector Name | | | - | | | | | | |
| Inspector Number | | | Accreditation Scheme | | | | | | |
| Trading Name | | | | | | | | | |
| Trading Address | | | | | | | | | |
| | | | | | | | | | |
| Insurance Details | | | | | | | | | |
| Insurance Company Brit Insu | | rance | Policy Number | | | BRT-3 | | | |
| Start Date | 15/10/20 | 009 | Expiry Date | 14/10/ | 2010 | PI Limit | (£) | 100000 | |

| Inspection Details | | | | | | | |
|---|--------------|-------------------|--|--|--|--|--|
| UPRN | 165346680000 | RRN | | | | | |
| Date of inspection | 29/06/2010 | Date of lodgement | | | | | |
| Effective rated output of the all air-conditioning in the building? | 632 | | | | | | |



Note: Request following information from client and complete the following checklist. The inspector should examine the relevant documentation and systems as far as possible to check that the installed equipment is as described. If the documentation is not available, then an additional part of this procedure is to locate the equipment and assemble a minimum portfolio of relevant documentation.

| Level | Information Required | Reviewed | Not Available |
|-----------|--|----------|------------------|
| Essential | Itemised list of installed air conditioning and refrigeration plant including product makes, models and identification numbers. | х | |
| | Cooling capacities, with locations of the indoor and outdoor components of each plant. | х | |
| | Description of system control zones, with schematic drawings. | Х | |
| | Description of method of control of temperature. | Х | |
| | Description of method of control of periods of operation. | Х | |
| | Floor plans and schematics of air conditioning systems. | Х | |
| Desirable | Reports from earlier inspections of air conditioning systems, and for the generation of an energy performance certificate | | |
| | Records of maintenance operations carried out on refrigeration systems, including cleaning indoor and outdoor heat exchangers, refrigerant leakage tests, repairs to refrigeration components or replenishing with refrigerant. | | |
| | Records of maintenance operations carried out on air delivery systems, including filter cleaning and changing, and cleaning of heat exchangers. | | |
| | Records of calibration and maintenance operations carried out on control systems and sensors, or BMS systems and sensors. | | |
| | Records of sub-metered air conditioning plant use or energy consumption. | | |
| Optional | For relevant air supply and extract systems, commissioning results of measured absorbed power at normal air delivery and extract rates, and commissioning results for normal delivered delivery and extract air flow rates (or independently calculated specific fan power for the systems). | | |
| | An estimate of the design cooling load for each system (if available). Otherwise, a brief description of the occupation of the cooled spaces, and of power consuming equipment normally used in those spaces. | Х | |
| | Records of any issues or complaints that have been raised concerning the indoor comfort conditions achieved in the treated spaces. | | |
| | Where a BMS is used the manager should arrange for a short | | |



| statement to be provided describing its capabilities, the plant it is connected to control, the set points for the control of temperature, the frequency with which it is maintained, and the date of the last inspection and maintenance | х | |
|--|---|--|
| Where a monitoring station, or remote monitoring facility, is used to continually observe the performance of equipment such as chillers, the manager should arrange for a statement to be provided describing the parameters monitored, and a statement reviewing the operating efficiency of the equipment. | х | |

Site visit work items: Cooling Plant

Number of Units 2

| Unit Identifier | CHILLER 1 - CGA600 |
|-----------------------------|--------------------|
| Manufacturer | TRANE |
| Description | 88190 GLOBEY |
| Model / Reference | ECGLA600A7 |
| Serial Number | J1155856 |
| Year plant installed | 2001 |
| Rated Cooling Capacity (kW) | 150 |
| Refrigerant Type | R-407C |
| Location | Outside plantroom |
| Areas / Systems Served | New extension |

Note below any discrepancy between information provided by client and on site information collected:

| Cooling Plant Equipment Visual inspection | | | | |
|---|----------------|---------------------------------|----------------------------|--|
| Item / Guidance notes | Inspe | ction Notes | Guidance Recommendation | |
| Is heat rejection plant operational? | Yes If no t | ⊠ No □ hen provide details : | Not Appropriate | |
| | | | | |



| Is area around the heat | Yes No | Not Appropriate |
|--------------------------|---|-----------------|
| rejection plant clear of | | |
| obstructions and | If no provide information and description of obstructions: | |
| debris? | | |
| | i i | |
| Is chiller plant | Yes No | Not Appropriate |
| operational? | | 100.1.00.00 |
| | If no then provide details: | |
| | | |
| | Yes No | |
| Is area around the | | Not Appropriate |
| chiller plant clear of | | |
| obstructions and | If no provide information and description of obstructions: | |
| debris? | | |
| | Yes No | |
| Is there any possibility | res ivo | Not Appropriate |
| of air recirculation | If yes provide information and description of obstructions: | |
| through the | If yes provide information and description of obstructions: | |
| condenser? | | |
| | | |
| Is general condition of | Yes No | Not Appropriate |
| chiller and associated | | |
| central plant in good | If no provide description of dilapidations: | |
| order? | | |
| | | |
| Are condenser heat | Yes No | Not Appropriate |
| exchangers | | |
| undamaged/ un- | If no provide description; | |
| corroded and clean? | | |
| conforce and clean. | | |
| Is insulation on primary | Yes No | Not Appropriate |
| circulation pipe vork | | |
| well fitted and in good | If no provide detail: | |
| order? | | |
| order? | | |
| Is the chiller unit | Yes No | Net Appropriato |
| | | Not Appropriate |
| placed clear from | | |
| warm air discharge | If no provide detail : | |
| louvers? | | |
| I | Yes No | |
| Locate compressors | | Not Appropriate |
| and ensure they are | If no explain problem: | |
| operational or can be | If no explain problem: | |
| brought into operation | | |
| | | |
| | | |
| | | |



| Cooling Plant | | | | | 0 |
|-------------------------|--|--|-----------------------------|--------|---|
| Item | Guidance notes | Inspection Notes | | | Guidance Recommendatio n |
| Appropriately | Compare system | Following Information | Required: | | Occupant 83 |
| Sized Cooling Plant | sizes with likely loads. Section 4 TM44 contains simple procedures for assessing | Total Occupants Total Floor Area ² Occupant density /m | 83 1425 17 | person | Floor area: 1425 m2 Occupant density: 1425/83=17.2 Lower heat gain: |
| | whether refrigeration systems and air supply systems are | Lower level heat gain | No. | W/m | TM44=100 W/m2 Upper level heat gain = |
| | likely to be oversized. | Upper level heat gain | 100 | W/m | 100(TM44) no |
| | | Installed Cooling Capacity The installed size is d More than Expected | 150 eerred: | kW | need for additional load Expected Capacity = 100 W/m2 x 1425 = 142.5 kW As the load is in +_15% of the installed |
| Refrigerant used | Identify the | Less than Expected As Expected Refrigerant name | R-407C | | load it is in a Expected range |
| | Indicate where and F-Gas Regulations inspections may be required. | F-Gas refrigerant requi inspection? Yes No | ring regular leak | age | |
| | | | | | |
| Refrigeration Charge | In operation observe the temperature | Refrigeration Temper | | | |
| | difference across the refrigeration | Pre compressor Post Compressor | 11 1 | | |
| | compressor. | Ambient | ⊡ &5 | | |
| | Compared with the ambient temperature in the plant room / outside air. | The temperature deer More than Expected Less than Expected | ned: | | |
| | | As Expected | | | |

RRN:

exchangers show

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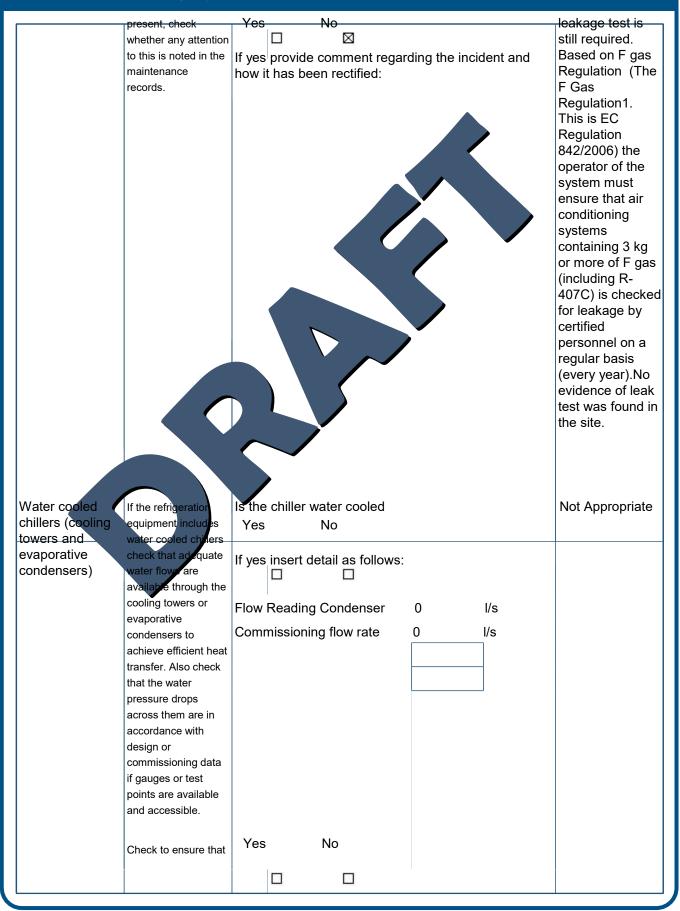
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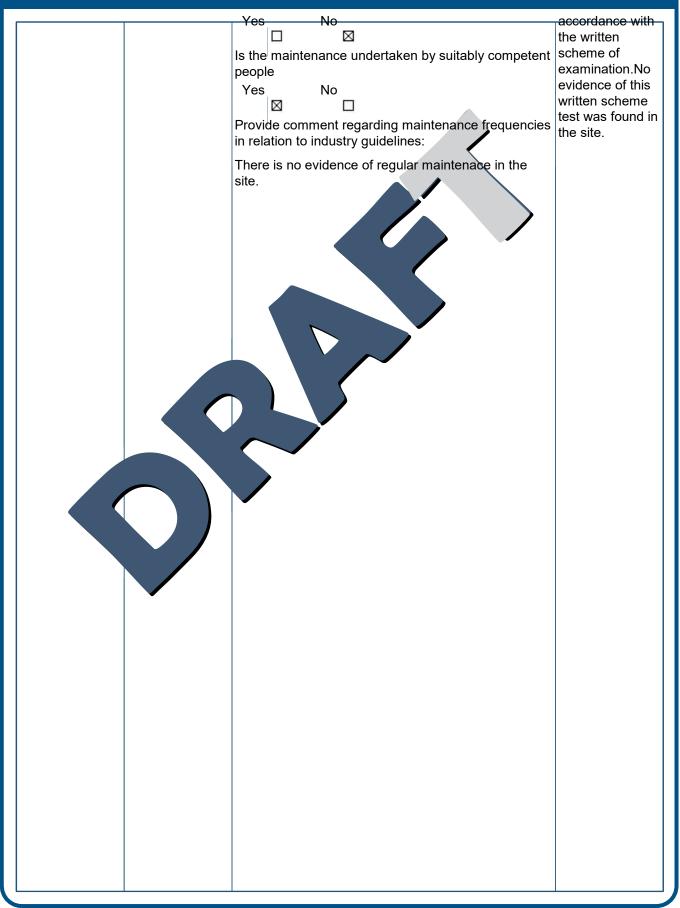






| | the water is treated | | |
|-------------|------------------------|--|-------------------------------------|
| | and regularly | | |
| | checked to ensure | | |
| | that there is no | | |
| | Legionella risk. See | | |
| | HSE L8 | | |
| D | | | |
| Regular | Record whether | Are there records of regular maintenance | As the building |
| Maintenance | there is evidence of a | | doesnt have any |
| | regular inspection | | logbook |
| | and maintenance | | preparing a |
| | regime carried out by | | LOGBOOK |
| | suitably competent | | based on TM31 |
| | people. Record and | | is very important. |
| | comment on the | | Based on The |
| | frequencies and | | Pressure |
| | scope of | | Systems Safety |
| | maintenance to the | | Regulacons |
| | air conditioning | | 2000, vapour |
| | equipment and | | compression |
| | systems in relation to | | refrigeration |
| | industry guidelines. | | system where |
| | This, and the dates | | the installed |
| | of most recent | | power exceeds |
| | maintenance may | | 25 kW requires a |
| | also need to be | | written scheme |
| | referred to during the | | of examination. |
| | 'physical' inspection. | \sim | Users and |
| | | | owners of |
| | | | pressure |
| | | | systems are |
| | | • | required to |
| | | | demonstrate that |
| | | | they know : 1- |
| | | | The safe |
| | | | operating limits, |
| | | | principally |
| | | | pressure and |
| | | | temperature, of |
| | | | their pressure |
| | | | systems, 2- They |
| | | | need to ensure |
| | | | that a suitable |
| | | | written scheme of examination is |
| | | | in place before |
| | | | |
| | | | the system is |
| | | | operated. 3- |
| | | | They also need to ensure that |
| | | | |
| | | | the pressure |
| | | | system is |
| | | | actually examined in |
| | | | |
| | | | |
| | 1 | | |







| Metering | Is metering installed | Yes No Not Apr | oropriate 1 |
|------------------|--|------------------------------------|-------------|
| Motoring | to enable monitoring of energy | If yes, record meter reading 63.52 | |
| | consumption of refrigeration plant. | | |
| | Is a BEMs installed in | Yes No | |
| | the building which can warn about out | If No then provide details | |
| | of range alarms? | | |
| Humidity Control | Is there separate equipment installed | Yes No Not App | propriate |
| | for humidity control? | | |
| | | | |

| Cooling Plant Equipment inspected Note: Verify information provided by client is correct by way of | |
|--|---|
| inspection and insert actual verified information in fields below. | l |

| Unit Identifier | CHILLER 2 - RTAA-214 |
|------------------------|----------------------|
| Manufacturer | TRANE |
| Description | Air cooled chiller |
| Model / Reference | ERTAA-214 |
| Serial Number | EKI-1878 |
| Year plant installed | 1998 |
| Rated Cooling Capacity | 490 |
| (kW) | |
| Refrigerant Type | R-22 |
| Location | ouside plantroom |
| Areas / Systems Served | Existing building |

Note below any discrepancy between information provided by client and on site information collected:

| Cooling Plant Equipment Visual inspection | | | | |
|--|-------|------|----------------------------|-----------|
| Item / Guidance notes Inspection Notes | | | Guidance Recommendation | |
| operational? | Yes | No D | | propriate |
| Is area around the heat rejection plant clear of | Yes 🛛 | No 🗌 | Not Ap | propriate |



| obstructions and | | | |
|---|---------------------------|--|-----------------|
| debris? | If no provide | e information and description of obstructions: | |
| | | | |
| | Vaa | No | |
| Is chiller plant | Yes | <u>No</u> | Not Appropriate |
| operational? | | | |
| | If no then pr | ovide details: | |
| | | | |
| Is area around the | Yes | No | Not Appropriate |
| chiller plant clear of | | | |
| obstructions and | If no provide | information and description of obstructions. | |
| debris? | | | |
| | N | | |
| Is there any possibility | Yes | No | Not Appropriate |
| of air recirculation | | | |
| through the | If yes pr ovid | e information and description of obstructions: | |
| condenser? | | | |
| | Yes | No | |
| Is general condition of | 165 | | Not Appropriate |
| chiller and associated | 🖾 | | |
| central plant in good | If no provide | e description of dilapidations: | |
| order? | | | |
| | Yes | No | |
| Are condenser heat | 100 | | Not Appropriate |
| exchangers | If you you the ide | | |
| undamaged/ un- | | desch ip tion: | |
| corroded and clean? | | ~ / | |
| le inculation on primeru | Yes | No | Not Appropriate |
| Is insulation on primary circulation pipe work | | | Not Appropriate |
| well fitted and in good | If no pipyide | | |
| order? | | dean. | |
| order? | | | |
| Is the chiller unit | Yes | No | Not Appropriate |
| placed clear from | | | |
| warm air discharge | If no provide | e detail | |
| louvers? | | | |
| | 1 | | |
| Locate compressors | Yes | No | Not Appropriate |
| and ensure they are | - | | |
| operational or can be | If no explain | problem: | |
| brought into operation | | | |
| | | | |
| | | | |
| L | | | |



| Item | Guidance notes | Inspection Notes | | | Guidance |
|------------------------|--|--|--------------------|-----------------------|---|
| | | | | | Recommendation |
| Appropriately | Compare system | Following Information | Required: | | Occupant 328 |
| Sized Cooling Plant | sizes with likely loads. Section 4 | Total Occupants | 328 | | Floor area: 5575 m2 Occupant |
| | TM44 contains simple procedures | Total Floor Area 2 | 5576 | 2 | density: 5575/328=17 |
| | for assessing whether refrigeration | Occupant density /m | 17 | person ⁱ m | Lower heat gain TM44=100 |
| | systems and air supply systems are | Lower level heat gain | 201 | W/m | W/m2 Upper level heat gain = |
| | likely to be oversized. | Upper level heat gain | 107 | W/m | 100 (TM44) no |
| | | Installed Cooling Capacity The installed size is d | 490 | kW | additional load require Cooling capacity = 100 W/m2 x 5575 = 557.5 kW 490 x |
| | | More than Expected Less than Expected | | | 0.15 (Acceptabl range) + 490 = 563 kW As the load is in +_ 15 |
| | | As Expected | | | of the installed load it is in a Expected range |
| Refrigerant used | Identify the refrigerant used. | Refrigerant name | R-22 | | |
| | Indicate where and F-Gas Regulations | F-Gas refrigerant requi inspection? | ring regular leaka | ge | |
| | inspections may be required. | Yes No | | _ | |
| Refrigeration | In operation observe | Refrigeration Temper | ature: | | |
| Charge | the temperature difference across the | Pre compressor | 11 | | |
| | refrigeration | Post Compressor | 5 | | |
| | compressor. | Ambient | 25 | | |
| | Compared with the ambient temperature | The temperature deer | ⊠ ned: | | |
| | in the plant room / | More than Expected | | | |
| | outside air. | Less than Expected | | | |
| | | As Expected | | | |

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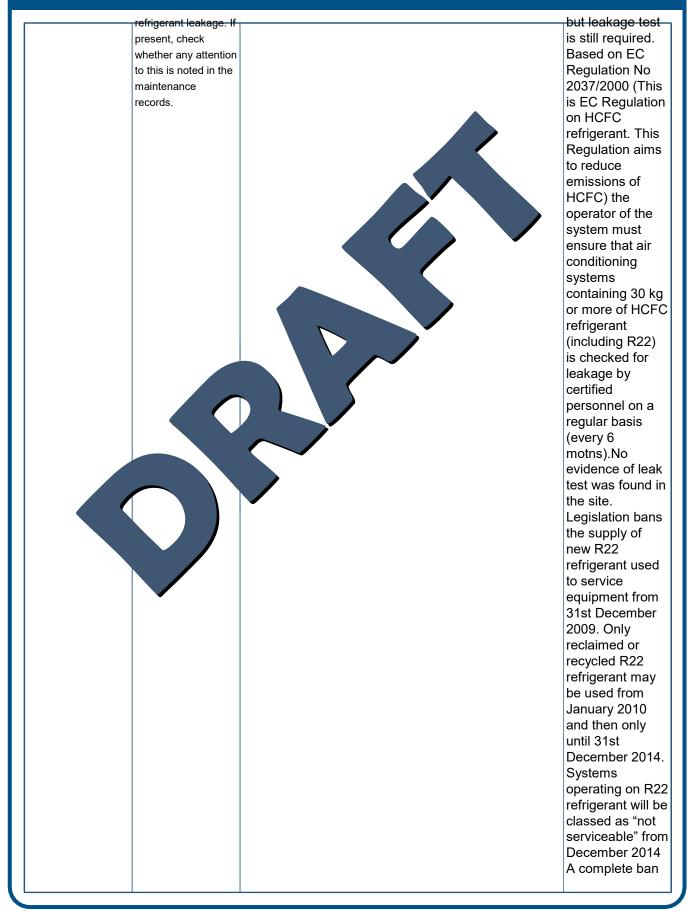
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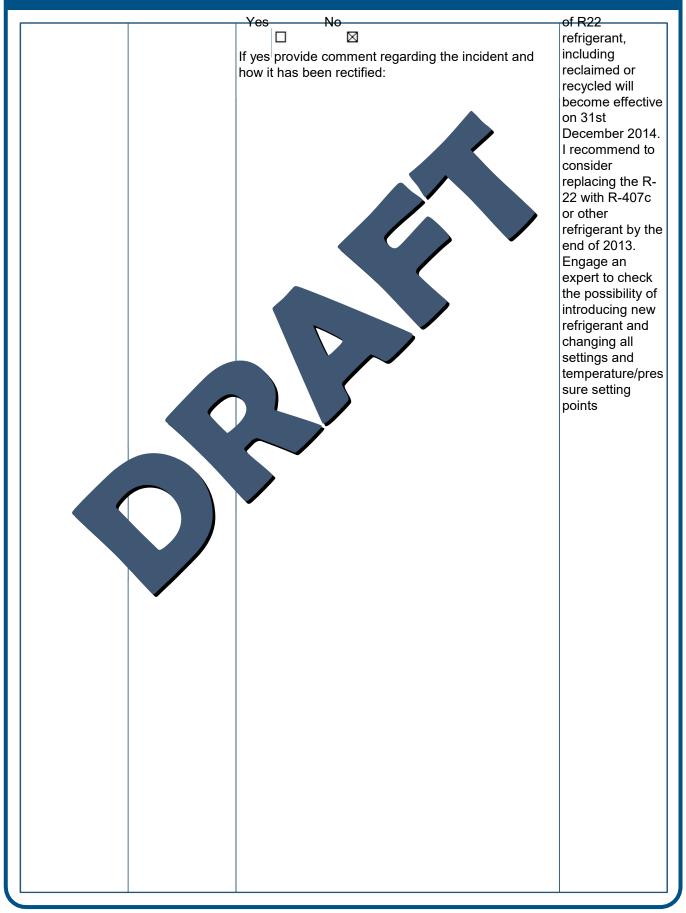
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| Water cooled chillers (cooling towers and | If the refrigeration quipment includes water cooled chillers | Is the chiller water cooled Yes No □ □ | Not Appropriate |
|---|--|--|-----------------|
| evaporative condensers) | check that adequate water flows are available through the | If yes insert detail as follows: | |
| | cooling towers or | Flow Reading Condenser 0 | |
| | evaporative condensers to | Commissioning flow rate 0 | |
| | achieve efficient heat | | |
| | transfer. Also check | | |
| | that the water pressure drops | | |
| | across them are in | | |
| | accordance with design or | | |
| | commissioning data | | |
| | if gauges or test | | |
| | points are available and accessible. | | |
| | Check to ensure that | Yes No | |
| | the water is treated | | |
| | and regularly checked to ensure | | |
| | | | |



| | that there is no | | | | | | |
|-------------|--|---------------------------------------|---|---|---------------------------------------|-----|---|
| | Legionella risk. See HSE L8 | | | | | | |
| Regular | Record whether | Are th | ere reco | ords of regula | r maintenar | nce | Based on The |
| Maintenance | there is evidence of a regular inspection and maintenance regime carried out by suitably competent people. Record and comment on the frequencies and scope of maintenance to the air conditioning equipment and systems in relation to industry guidelines. This, and the dates of most recent maintenance may also need to be referred to during the 'physical' inspection | Provid in rela As the prepar | mainten e ⊠ de comm tion to ir ere is no | No nent regarding ndustry guide evidence of r gbook based | g maintenar lines: regular main | | Pressure Systems Safety Regulacons 2000, vapour compression refrigeration system where the installed power exceeds 25 kW requires a written scheme of examination. Users and owners of pressure systems are required to demonstrate that they know : 1- The safe operating limits, principally pressure and temperature, of their pressure systems, 2- They need to ensure that a suitable written scheme of examination is in place before the system is operated. 3- They also need to ensure that the pressure system is actually examined in accordance with the written scheme of examination.No evidence of this written scheme test was found in the site. |
| Metering | Is metering installed to enable monitoring | Yes | ⊠ | No 🗌 | | | Not Appropriate |



| in yes, record inteler reading UPU is a BEMs installed in the building which or name about out of range alarms? Yes IS No Humidity Control is there separate equipment installed for humidity control? No | of energy | If yes, record meter reading | 104.6 | |
|--|---------------------------------------|------------------------------|-------|-----------------|
| the building which can warn about out of range alarms? If No then provide details If No then provide details Humidity Control Is there separate equipment installed Yes No | consumption of | n yes, record meter reading | 104.0 | |
| equipment installed | the building which can warn about out | | | |
| | equipment installed | Yes No | | Not Appropriate |
| | | | | |



Air Handling Systems:

| Number | of | Units |
|---------|----|--------|
| Turnbor | | Offico |

Note: For safety reasons, it will be necessary for air handling fans in air distribution systems to be turned off in order to gain access inside air handlers or ductwork to examine components such as fans, drives, filters, heat exchangers and control dampers. The building manager should arrange safe access for the inspector.

1

| Unit Identifier | CCGA |
|--------------------------------------|---|
| Systems Served from cooling plant | Connected to the two main air coored chillers |
| Manufacturer(s) | TRANE |
| Year systems installed | 2001 |
| Location | Roof Plant room |
| Areas / Systems Served | Whole Building |
| | |

Note below any discrepancy between information provided by client and on site information collected:

CCGA-07-07 2.960 m3/s

| An Handi | ing pystem Detane | d Inspection Notes | |
|----------|---|---|--|
| Item | Guidance notes | Inspection Notes | Guidance Recommendatio n |
| Filters | Oheck condition of intake air filters and check air inlets and outlets for obstruction. | Inlet and filter conditions acceptable Yes No | Filter was almost blocked how ever the pressure drop was 100 pa which is not high however I would suggest to change the filter more regulary as it will improve the efficiency of whole system |
| | Note the usual filter changing or cleaning frequency, and the elapsed time since | Filter changes according to measured pressure drop? | Not Appropriate |



| | ⊤the last change or | Yes No | |
|------------------------------|-------------------------------------|---|-----------------|
| | clean, in relation to | | |
| | industry guidance. | If no provide description below: | |
| | | | |
| | | | |
| | | | |
| Specific Fan | Estimate the specific | Use the guidance in TM44 section 4.4 tables 4.1 | Not Appropriate |
| Power | fan power (SFP) of | Indicative ventilation rates for various types of | |
| | air movement | buildings (Source BSRIA BG14/2003(20) and 4.2 | |
| | systems, provided | yardstick installed fan capacities (source BSRIA | |
| | that this can be done | AG1/2000(21)) | |
| | simply from existing | 1.85 | |
| | records of the | | |
| | installed fan | Are air flow rates and system pressures available | |
| | capacities and the | from commissioning data? | |
| | flow rates and pressure drops noted | Yes No | |
| | in commissioning | | |
| | records, for | [Undertake SFP calculation is it reasonable i.e. less | |
| | comparison with the | than 3 | |
| | guidance | 3 m3/s = 300 lit/s. this unit consume 5500 watt SFP= | |
| | | 5500/3000 = 1.85 < 2 (Compliance guide-Bulding | |
| | | Regulation 2006) Accepted | |
| | | | |
| Fan Rotation | Check for correct | Does the fan rotate in the correct sense? | Not Appropriate |
| | rotation of fans. If | Yes No 🗆 | |
| | possible, observe the | | |
| | modulation of | Is speed control or modulation operation | |
| | multiple fans in | Yes 🛛 No 🗆 | |
| | response to load changes. | | |
| | | | |
| Condition of | Assess condition of | Are heat exchangers in good condition | No guidance |
| | | | |
| Heat Exchangers | Note whether any | Yes No | given. |
| | heat exchanger | | |
| | surfaces are | If no provide description below: | |
| | significantly | | |
| | damaged, or blocked | | |
| | by debris or dust. | | |
| | Where reasonably | | |
| | practical, and where | | |
| | suitable information | | |
| | is available for | | |
| | comparison, the air | | |
| | path resistance across the coil | | |
| | should be measured | | |
| | and compared with | | |
| | the design | | |
| | resistance. | | |
| | | | |
| Refrigeration | Note whether | Are there any signs of a refrigerant leak | No guidance |
| looke (if DV ani | refrigeration heat | · | given. |
| leaks (if DX coil installed) | exchangers show | | given. |



| | signs of oily staining | Yes No | |
|--------------------|-------------------------|--|-----------------|
| | that could indicate | | |
| | refrigerant leakage. If | If yes provide comment regarding the incident and | |
| | present, check | how it has been rectified: | |
| | whether any attention | | |
| | to this is noted in the | | |
| | maintenance | | |
| | records. | | |
| | | | |
| | | | |
| Fan and Control | Note the fan type, | Centrifugal fan, As this unit is 100% fresh air there is | No guidance |
| | and method of air | no inter control between extract and fresh air how | given. |
| | speed control. | ever the amount of fresh air will get control by using | 0 |
| | Check the setting | manual damper. | |
| | and operation of any | | |
| | fresh air/recirculation | | |
| | dampers | | |
| | | | |
| | 11 Jr 1 J J | | |
| Heat recovery | Identify whether the | Energy Conservation features installed: | No guidance |
| | systems have any | | given. |
| | energy conservation | | |
| | facilities, e.g. heat | | |
| | recovery, free cooling | | |
| | sequence, and check | | |
| | for evidence that | | |
| | such facilities | \sim | |
| | are/have been | | |
| | functioning. | | |
| Air leakage | observe the air | | Not Appropriate |
| | handling plant and | | |
| | visible air | | |
| | containment | | |
| | including ductwork, | | |
| | floor or ceiling | | |
| | plenup s and | | |
| | builders' work shafts | | |
| | for signs of excessive | | |
| | leakage and energy | | |
| | loss. | | |
| | | | |
| Outdoor air inlets | (a) Locate the inlets | The inlet is located on the roof in the side of building | No guidance |
| | for outdoor air. | not facing car park There is no blockage or | given. |
| | (b) Note any | obstruction There is no source of heat or exhaust air. | |
| | significant | | |
| | obstructions or | | |
| | blockages to inlet | | |
| | grilles, screens and | | |
| | pre-filters. | | |
| | (c) Note where inlets | | |
| | may be affected by | | |
| | proximity to local | | |
| | sources of heat, or to | | |
| | air exhausts. | | |
| | | | |



3

Terminal Units:

Number of Units

| Terminal Unit Equipment Inspection | | | | |
|--------------------------------------|--|--|--|--|
| Unit Identifier | FAN COIL- G07/E | | | |
| Systems Served from cooling plant | Feed Two supply grills, Cooled water from Chiller one | | | |
| Manufacturer(s) | TRANE | | | |
| Year systems installed | 2001 | | | |
| Location | In the middle of the room, in the false ceiling close to the board | | | |
| Areas / Systems Served | Meeting Room 2358 | | | |

Note below any discrepancy between information provided by client and on site information collected:

HF0B06DWH5L2

Terminal Unit Detailed Inspection Notes

| | Botanea nope | | |
|--------------------|--|--|-------------------------|
| Item | Guidance notes | Inspection Notes | Guidance |
| | | \sim | Recommendatio |
| | | | n |
| Insulation | Hisually inspect the | Is pipe work adequately insulated? | Ask a member of |
| | route and condition of the cooling system | Yes No | your maintenance |
| | pipe work serving | Is ductwork adequately insulated? | team to replace |
| | local areas. Check that pipe work | Yes No | the duct completely and |
| | or dustwork (or both) is appropriately | If no provide detail: | fix the insulation. |
| | insulated. | The duct has broken and there is a big hole in the duct which simply cause no air coming out of the grille | |
| | | The insulation is not properly installed as there are some loose parts in the duct work | |
| | | | |
| Unit Condition | Visually check the | Are th⊠terminal untils in good working order? | Filter nedds to |
| | condition and operation of indoor | Yes No | be changes/cleaned |
| | units. | If no provide comment regarding condition: | _ |
| | | ······································ | |
| Grilles & Air Flow | Review air delivery | Are diffusers /grilles clean and in good order? | Not Appropriate |
| | diffusers, and route | | 1 |



| | ⊤by which air is | Yes No | |
|-----------|--------------------------------------|---|-----------------|
| | extracted from the | | |
| | spaces. | If no provide comment regarding condition: | |
| | | In the provide comment regarding condition. | |
| | | | |
| | | | |
| | Note whether these | · · · · · · · · · · · · · · · · · · · | |
| | Note whether these | Yes they provide good distribution, however using | |
| | appear to provide good distribution. | grilles with adjustable vanes would give more | |
| | good distribution. | flexibility to the occupier of the room. | |
| | | | |
| | Check that chilled | Are chilled and hot water being supplied to terminals | |
| | and hot water are not | | |
| | being supplied to terminals | Yes No | |
| | simultaneously | | |
| | Simulaneously | | |
| | | | |
| | | Issues arising from facilities manager's records | |
| | occupants find the air | | |
| | delivery arrangements | | |
| | unacceptable – for | | |
| | example check the | | |
| | complaints log (it it is | | |
| | available) | | |
| Diffuser | Assess the | Are air supply grilles positioned well in relation to | Not Appropriate |
| Positions | positioning and | extract openings? | Not Appropriate |
| | comstry of air | Yes No | |
| | supply openings in | | |
| | relation to extract | If no provide comment: | |
| | openings. | | |
| | | | |
| | | | |
| | Observe if | | |
| | partitioning or | No effect on performmance | |
| | furniture is affecting | | |
| | performance. | | |
| | | | |
| | | | |

Terminal Unit Equipment Inspection

| Unit Identifier | FANCOIL-FCU2-108 |
|-----------------------------------|---|
| Systems Served from cooling plant | one supply grille-Feed from chiller two |
| Manufacturer(s) | TRANE |
| Year systems installed | 2001 |
| Location | False ceiling-Middle of the room |
| Areas / Systems Served | Meeting Romm 2340 |



Note below any discrepancy between information provided by client and on site information collected:

HF0B04DWH5L2

| Item | Guidance notes | Inspection Notes | Guidance |
|--------------------|--|---|---|
| litem | Guidance notes | | Recommendatio |
| Insulation | Visually inspect the route and condition of the cooling system pipe work serving local areas. Check that pipe work or ductwork (or both) is appropriately insulated. | Is pipe work adequately insulated? Yes ⊠ No Γ Is ductwork adequately insulated? Yes ⊠ No □ If no provide detail: | Not Appropriate |
| Unit Condition | Visually check the condition and operation of indoor units. | Are the terminal units in good working order? Yes Nr If no provide comment regarding condition: | Filter was blocked, replace or clean the filter |
| Grilles & Air Flov | W Review air delivery openings, grilles ar diffusers, and route by which air is extracted from the spaces. | Are diffusers /grilles clean and in good order? Yes No If no provide comment regarding condition: | Not Appropriate |
| | Note whether these appear to provide good distribution. | Yes it does provide good distribution, but I would provide for flexibility to change the grille to adjustable vane grilles. | |
| | Check that chilled and hot water are not being supplied to terminals simultaneously | Are chilled and hot water being supplied to terminals simultaneously Yes ⊠ No □ | |
| | Review evidence that occupants find the air delivery arrangements unacceptable – for | Issues arising from facilities manager's records | |



| | a successful to the second state in the second state is the second state of the second | | | |
|-----------------------|--|--|-----------------|--|
| | complaints log (if it is available) | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Diffuser | Assess the | Are air supply grilles positioned well in relation to | Not Appropriate | |
| Positions | positioning and | extract openings? | | |
| | geometry of air | Yes No | | |
| | supply openings in relation to extract | | | |
| | openings. | If no provide comment: | | |
| | operings. | | | |
| | | | | |
| | | | | |
| | Observe if | No effect | | |
| | partitioning or | | | |
| | furniture is affecting | | | |
| | performance. | | | |
| | | | | |
| Torminal I In | it Equipment Ins | spection | | |
| | | | | |
| Unit Identifier | FANCO | E E/102 | | |
| Systems Served | d from two supp | bly grilles/feed from chiller one | | |
| cooling plant | | \sim | | |
| | | | | |
| Manufacturer(s) TRANE | | | | |
| Year systems in | stalled 200 | | | |
| Location | in the fal | se ceiling close to area 2349 | | |
| Areas / System | s Served Reception | on-second floor | | |
| | | | | |
| Note below any | discrevancy betwee | n information provided by client and on site informati | on collected: | |

HF0B04DWH5L2

| ltem | Guidance notes | Inspection Notes | Guidance Recommendatio n |
|------------|--|------------------|--|
| Insulation | Visually inspect the route and condition of the cooling system pipe work serving local areas. Check that pipe work or ductwork (or both) is appropriately | | Engage a member of your maintenance team to fix the insulation |



| | insulated. | Yes 🛛 No 🗆 | |
|--------------------|---|---|---|
| | insulated. | | |
| | | Is ductwork adequately insulated? Yes D No 🛛 | |
| | | | |
| | | If no provide detail: | |
| | | The insulation around duct was loose | |
| Unit Condition | Visually check the | Are the terminal units in good working order? | The filter was |
| | condition and operation of indoor | Yes 🛛 No 🗆 | blocked-Engage a memebr of |
| | units. | If no provide comment recurding condition: | your maintenance team to replace or clean the filter |
| Grilles & Air Flow | | Are diffusers /grilles clean and in good order? | Not Appropriate |
| | openings, grilles or diffusers, and route | Yes No | |
| | by which air is | If no provide comment regarding condition: | |
| | extracted from the spaces. | | |
| | | | |
| | Note whether these appear to provide | Good distribution | |
| | good distribution. | \sim | |
| | Check that chilled and hot water are not | Are chilled and hot water being supplied to terminals | |
| | being supplied to | | |
| | terminals simultaneously | | |
| | | Issues arising from facilities manager's records | |
| | occupants find the air delivery | | |
| | arrangements unacceptable – for | | |
| | example check the | | |
| | complaints log (if it is available) | | |
| Diffuser | Assess the | Are air supply grilles positioned well in relation to | Not Appropriate |
| Positions | positioning and geometry of air | extract openings? Yes ⊠ No □ | |
| | supply openings in | | |
| | relation to extract openings. | If no provide comment: | |
| | | | |
| | | | |
| | Observe if partitioning or | | |





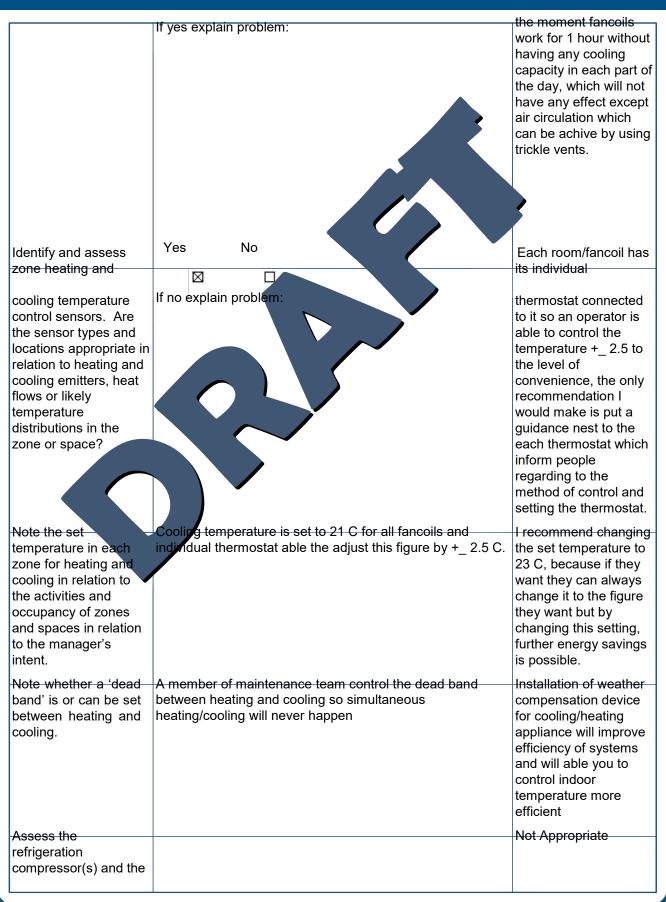
0

System Controls

Number of Units

| System Controls | | |
|---|---|---|
| Unit Identifier | 1Q241/242 | |
| Item / Guidance notes | Inspection Notes | Guidance Recommendation |
| Assess zoning in relation to factors such | Yes 🛛 No 🗆 | At the moment we have ability to control |
| as local levels of internal gain, orientation and exposure to solar radiation. Is the zoning appropriate? | If no explain problem: | floors by floors as an one big zone, and individual fan coil (s) by room thermostat, It would be energy efficient if we can divide each floor to two parts and control them separately. |
| Note the current indicated weekday and time of day on controllers or BMS against the actual time. | The time and the date are correct. | Not Appropriate |
| Note the set on and off periods (for week ay and weekend if this facility is available with the timer). | At the moment Fancoils start and stop is 7am-7pr chiller start stor is 8am-6pm | Fancoils start and stop is 7am-7pm and chiller start stop is 8am-6pm I recommend to to change chiller time to 6:30 am- 6:30 pm as at the moment fancoils might work for 1 hour without having any cooling capacity in each part of the day, which will not have any effect except air circulation which can be achive by using trickle vents or even |
| Is there a shortfall in timer capabilities? | Yes No | openable windows. At the moment Fancoils start and stop is 7am-7pm and chiller start stop is 8am-6pm I recommend to to change chiller time to 6:30 am- 6:30 pm as at |







| method of refrigeration | | |
|---------------------------|---|------------------------------|
| capacity control. | | |
| Assess means of | It is been achive by using VCD (volume control | I recommend using |
| | damper)installed in all ventilation ducts and branches. | supply grills with |
| controlling air flow rate | . , | adjustable vanes, as it |
| through air supply and | | give flexibility to |
| exhaust ducts. | | occupier of the |
| exhaust ducts. | | building/maintenance |
| | | building/maintenance |
| | | guy to adjust air flow |
| | | |
| | | directions. |
| | | |
| | | |
| | | towards right directions. |
| | | |