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.

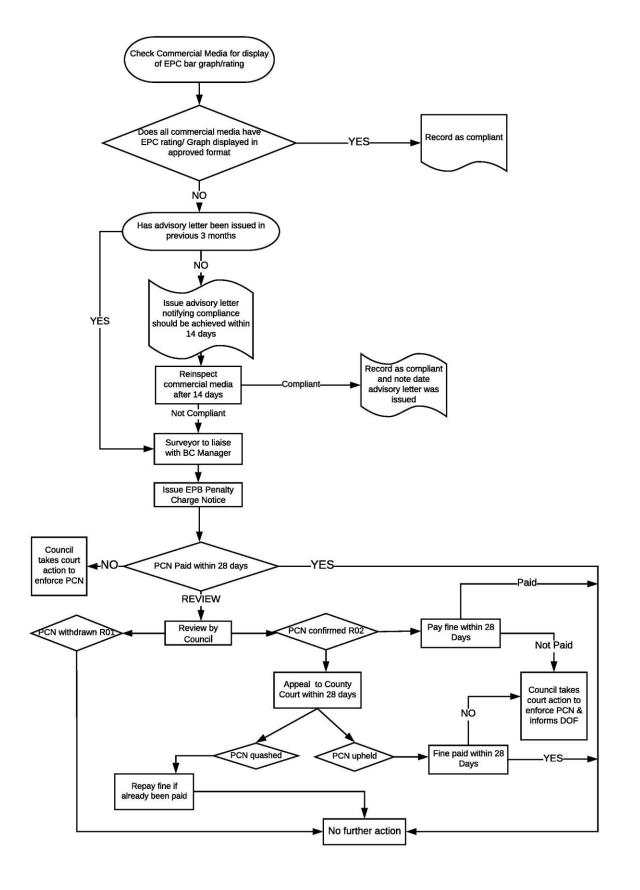
6) If after a review the Penalty Charge Notice is confirmed by the enforcement authority, the recipient may appeal to the County Court against the Penalty Charge Notice. The County Court will uphold or quash the notice.

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

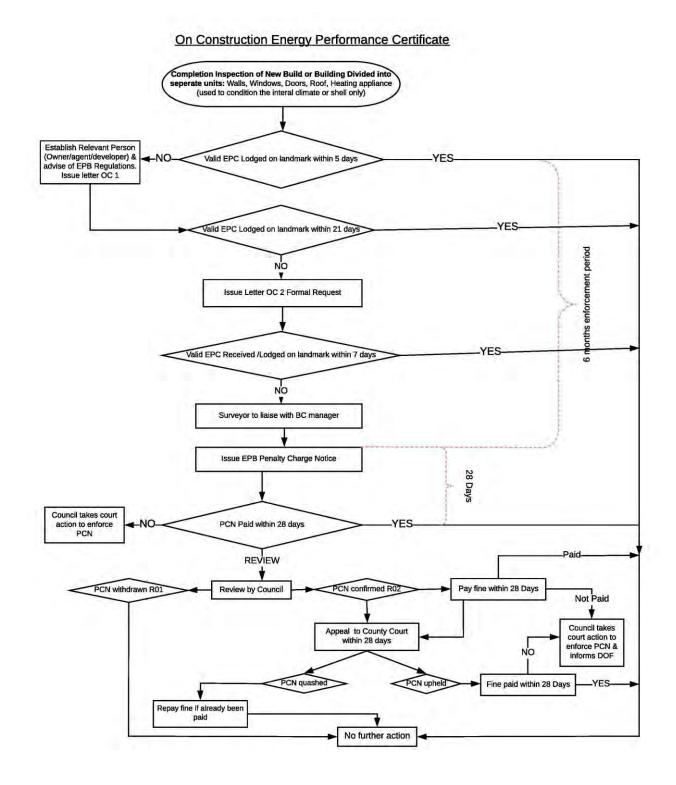
(c) Where you appeal to the county court following confirmation on review, 28 days from the day on which the appeal is either withdrawn or determined.

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

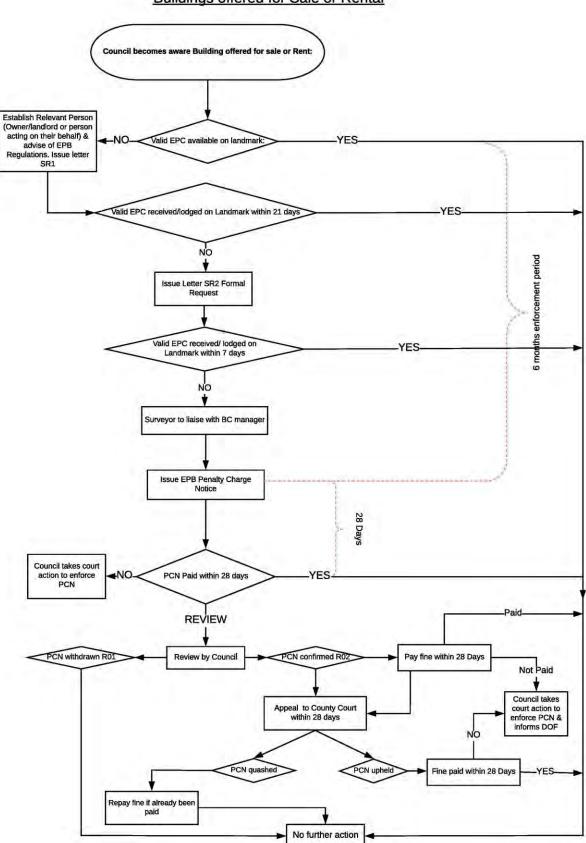
(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(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

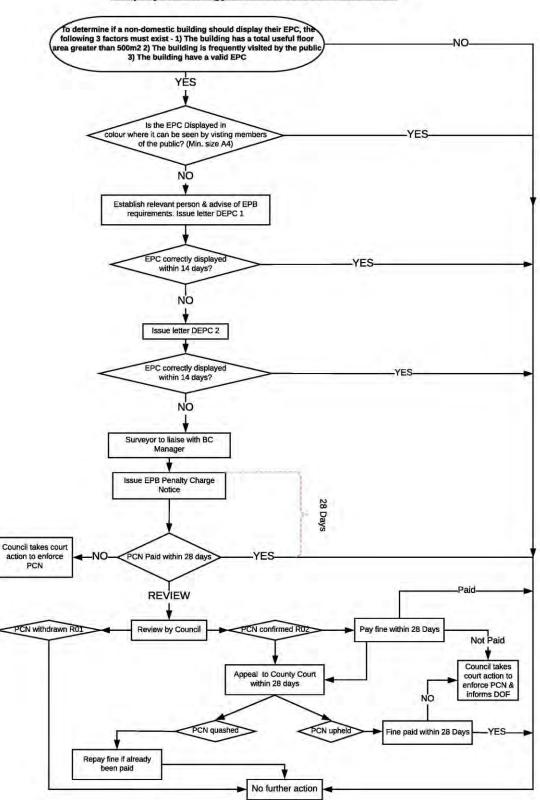
(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(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

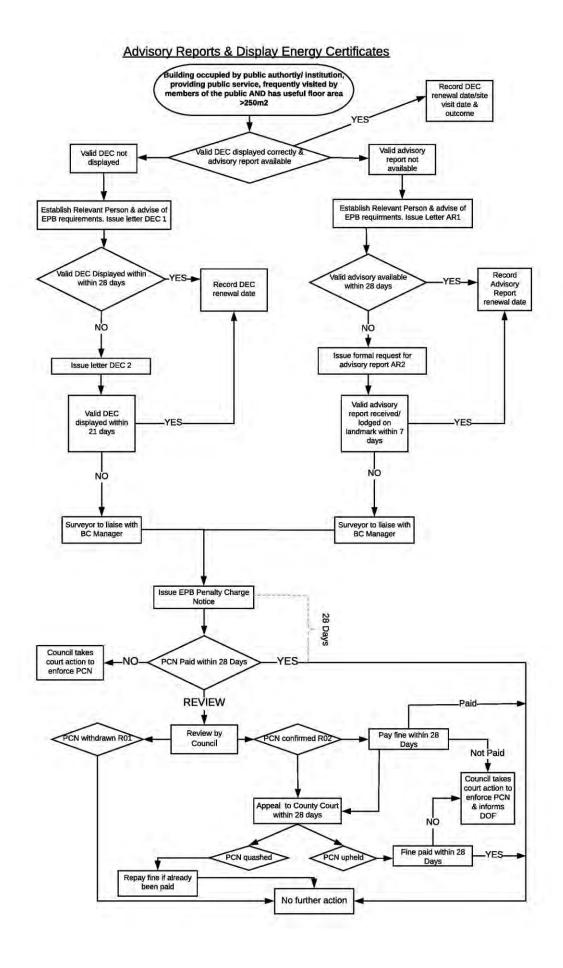
(b) Where a review has been requested, 28 days from the day after any confirmation of the penalty charge; or

(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.

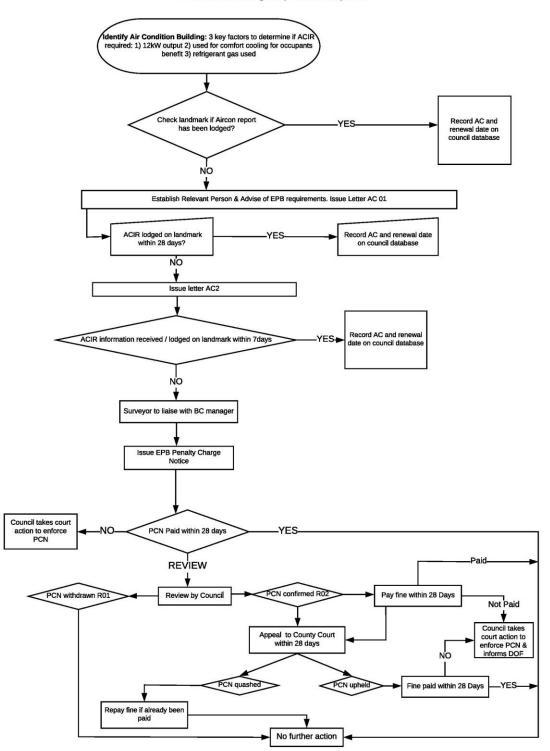
If the penalty charge notice is withdrawn or quashed we will repay any amount previously paid as a penalty charge in pursuance of the notice.



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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

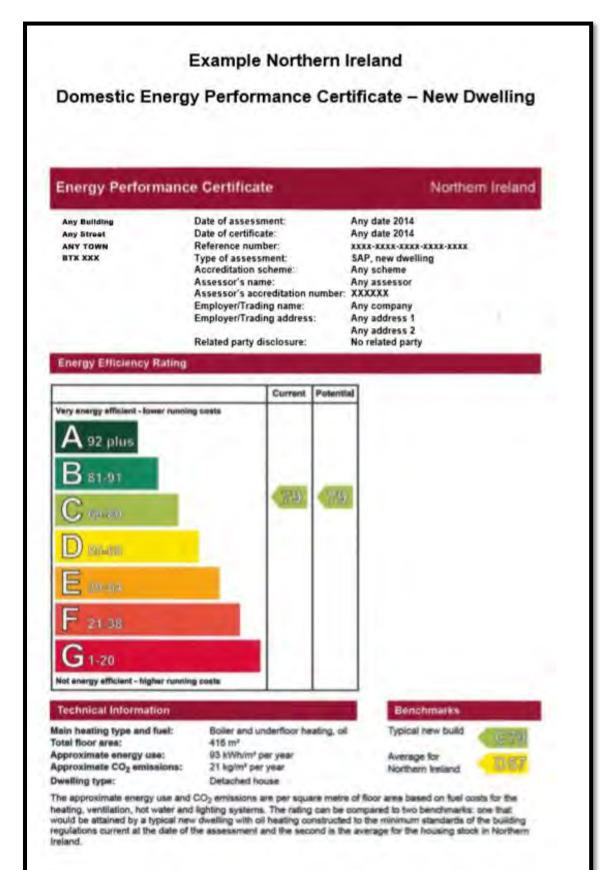
A review has been carried out of the penalty charge notice and the Council has decided to confirm the penalty charge notice as of the date of this letter.

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.

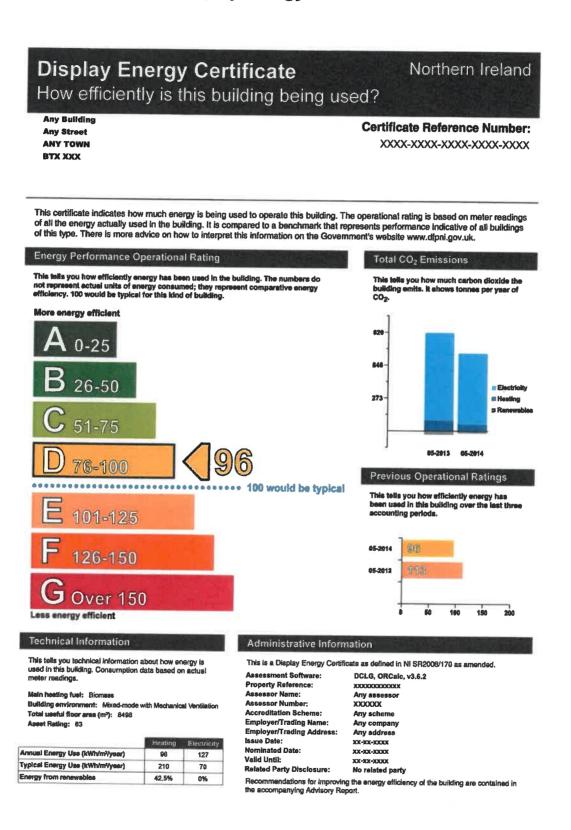
If within 28 days you do not pay the penalty charge notice or appeal the review decision to the county court, council may take legal action through the small claims court to recover the penalty charge notice.

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

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

<b>ENERGY ASSESSOR DETAILS</b>	
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 <sup>2</sup> ):	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	<b>Potential impact</b>
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

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#### 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					<b>0</b>
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 <sup>2</sup> Occupant density /m	<del>83</del> 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			

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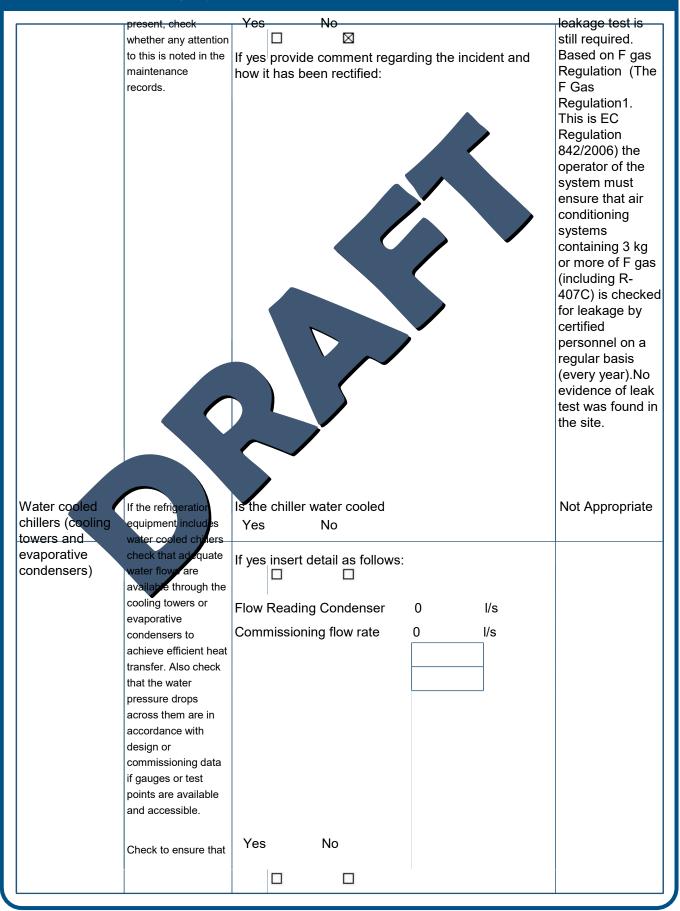
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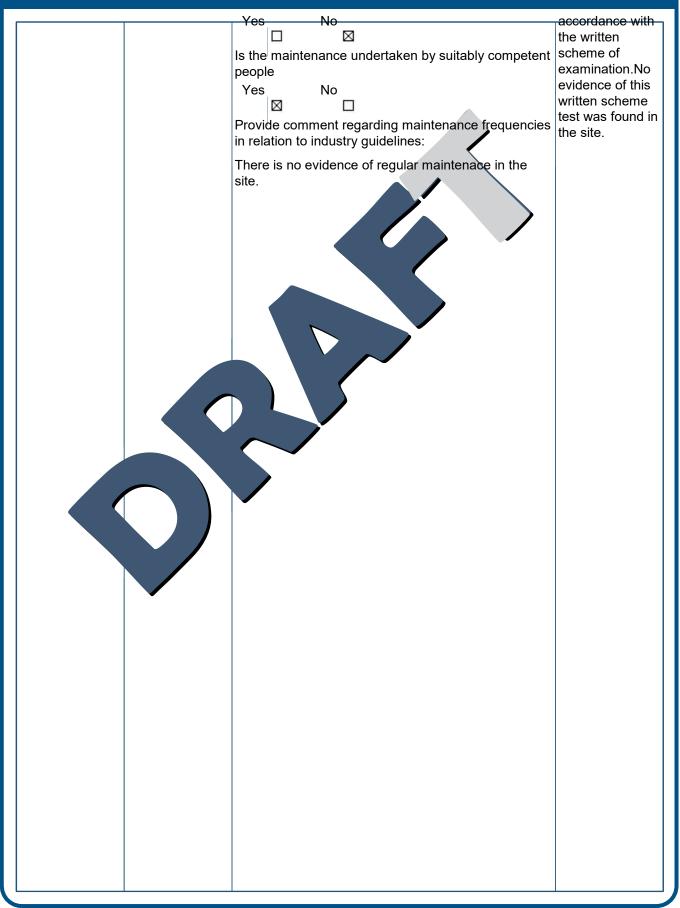






	the water is treated		
	and regularly		
	checked to ensure		
	that there is no		
	Legionella risk. See		
	HSE L8		
D			
Regular	Record whether	Are there records of regular maintenance	As the building
Maintenance	there is evidence of a		doesnt have any
	regular inspection		logbook
	and maintenance		preparing 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 <del>pr</del> 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 <del>ip</del> 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 <sup>i</sup> 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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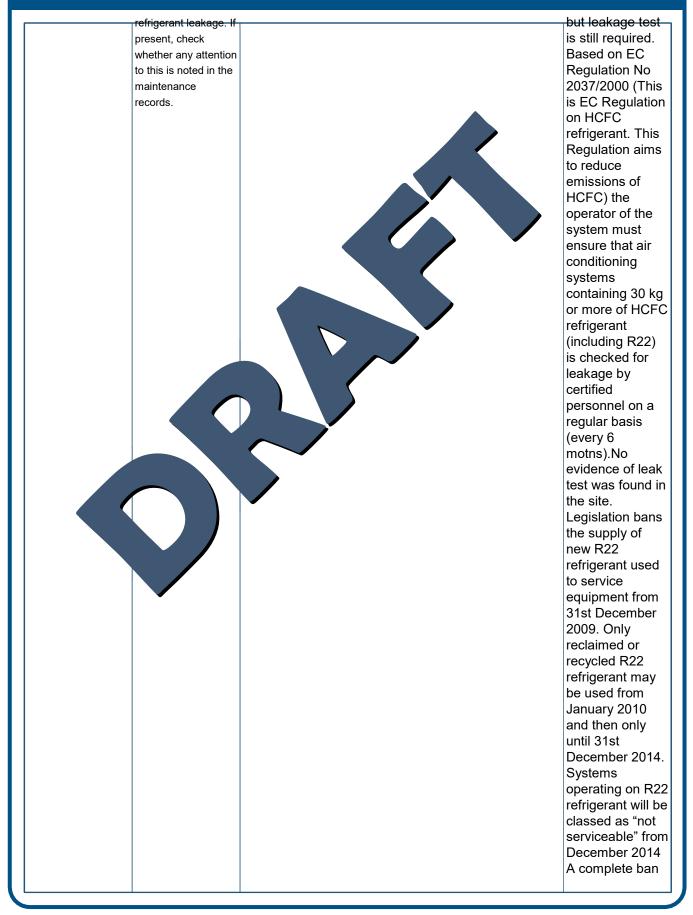
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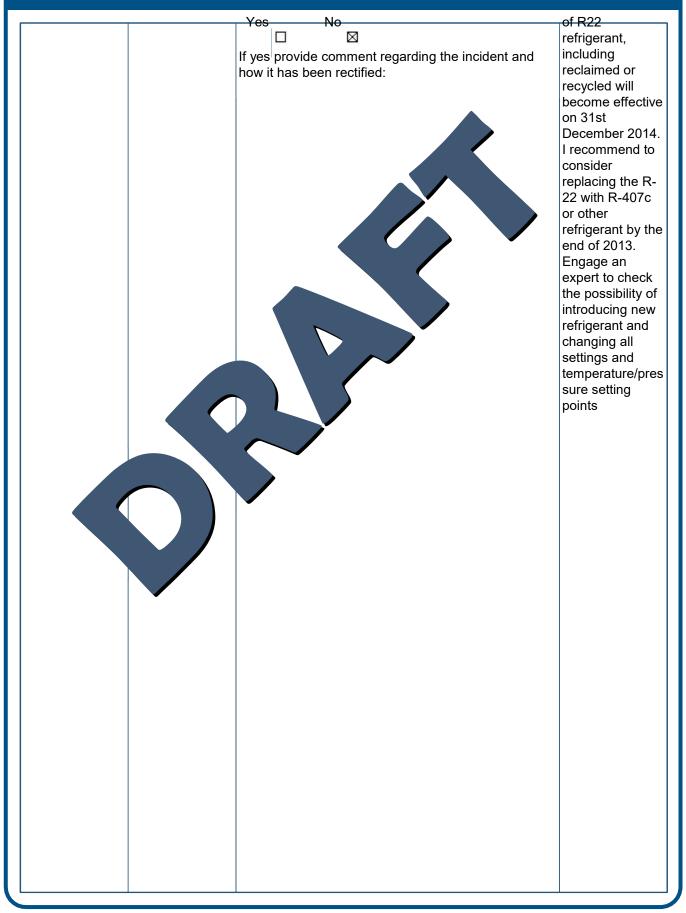
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Water cooled chillers (cooling towers and	If the refrigeration quipment includes water cooled chillers	Is the chiller water cooled Yes No □ □	Not Appropriate
evaporative condensers)	check that adequate water flows are available through the	If yes insert 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.

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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		





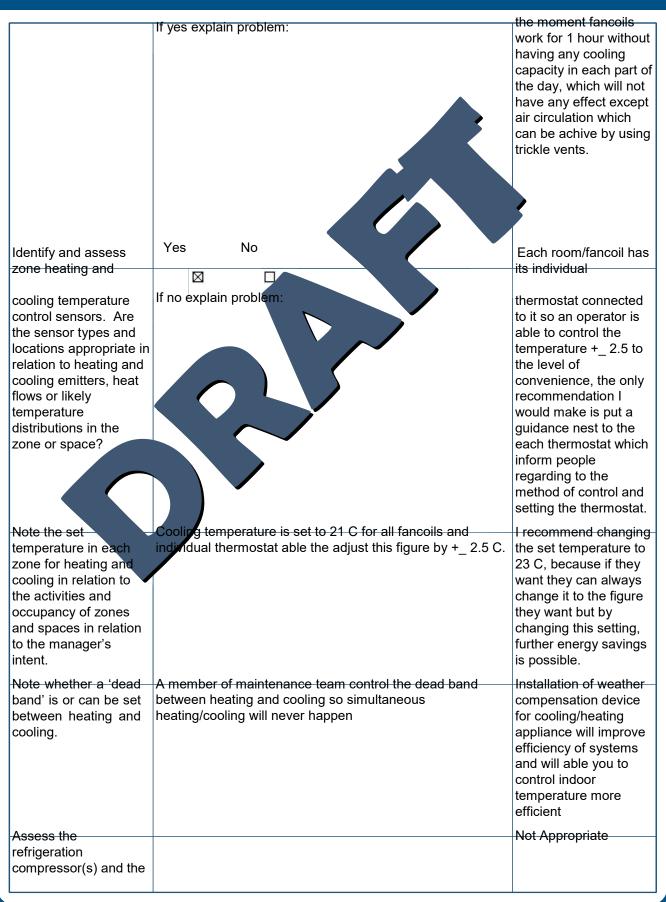
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#### **System Controls**

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.