

FAQ's

NON DOMESTIC EPCs



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WHAT ARE ENERGY PERFORMANCE CERTIFICATES?

Energy Performance Certificates (EPCs) are required by the European Performance of Buildings Directive (EPBD) on all non-domestic buildings from the beginning of 2009.

WHY DO WE NEED EPC'S?

EPC's have been introduced as a method of helping building owners and occupiers to be aware of the energy efficiency of their buildings. It is anticipated that the recommendations report produced with the EPC will encourage building owners and occupiers to ensure that their buildings become more energy efficient. Future proposals may make these recommendation reports mandatory.

WHAT DOES AN EPC MEASURE?

The EPC provides an indication of the current CO₂ emissions from a building and the certificate is banded from A to G. The certificate will also provide an indication of the potential emissions on an annual basis and also an indication of the current energy consumption of the building. In addition, there will be a list of recommendations to improve the energy efficiency of the building.

WHEN IS AN EPC REQUIRED?

An EPC is required to be provided by a building owner or landlord at the time of sale or letting of the property. We understand that this also includes the assignation or sub-letting of properties to new tenants. The EPC is required at the time of the preparation of particulars for the property or viewing of the property, whichever is first. EPC's are required from 4th January 2009 even if the property has been on the market prior to this.

We are advised that there are no transitional arrangements regarding the necessity for an EPC, however we recently asked Scottish Building Standards, what the position is if a property is marketed before the 4th January, and the date of entry is after the 4th January, and were advised that "If the sale has reached a stage where an offer has been made and effectively the property removed from the market an EPC is not required after 4 January. We are of the view that the 'prospective' buyer stage has progressed."

If however marketing requires to be recommenced, an EPC will be required.

WHO NEEDS AN EPC?

Building owners and landlords will require EPC's on the sale or letting of the property. EPC's are also required on the assignation or sub-letting of a leasehold interest to a new tenant. We understand that a sale to a sitting tenant and lease extensions/renewals are exempted, at the present time from the EPC requirement.

WHAT DOES THE EPC MEASURE?

The EPC takes into account the size of the building, the construction of the building and the services within the building, including heating, hot water, ventilation, cooling and lighting. It is generally described as an asset rating and does not take account of non-fixed heating systems. A comparison is provided to a notional building of the same type, to current energy standards.

HOW LONG IS THE EPC VALID FOR?

At the present time the EPC is valid for a period of 10 years, however it is possible that this period will be reduced in the future if current proposals are enacted.

WHAT DO I DO WITH THE EPC?

We understand that the EPC will require to be registered in accordance with the requirements of the EPC Regulations 2008 however proposals are currently at an early stage. At the present time the EPC should be available within the property and further copies are likely to be required by professional advisors. Once the registration procedure is active we understand that it will be incompetent of an Energy Assessor to release an EPC to a client until it has been registered with the body responsible for registration.

HOW CAN SPEIRS GUMLEY HELP YOU?

In response to the expected demand for EPC and energy efficiency advice Speirs Gumley have set up a commercial energy assessment division, headed by William Mair, a Chartered Building Surveyor of 20+ years who is also a qualified Energy Assessor. Should you wish to discuss any matter in relation to Energy Performance Certificates please do not hesitate to contact William on 0141 302 1273 or by email wmair@speirsgumley.com.