

MHCLG - Energy Performance of Buildings: A consultation on changes to The Energy Performance of Buildings Regulations 2012, No. 3118.

PEPA response to proposed amendments to Article 15

The Property Energy Professionals Association (PEPA) represents the six Government appointed Accreditation Schemes that regulate Energy Assessors who produce Energy performance Certificates (EPCs), Display Energy Certificates (DECs) and Air Conditioning Reports.

Air Conditioning Inspections have struggled to gain traction since implementation in 2008; there is little or no policing of the industry with County Councils and Local Councils, all of whom claim that they have neither the responsibility, nor funding, to enforce compliance with legislation. This lack of policing in the sector has led to widespread non-compliance and in many cases system owners and operators are completely unaware of the requirements to have an inspection carried out.

Like many others in this sector PEPA calls to question MHCLG's statement that 163,000 buildings have greater than 12kW of cooling. We have consulted with a number of companies and industry professionals and estimate that this number to be 520,000 buildings. This understandably has an impact on the level of compliance, which we place at no more than 11%.

The inspection of Air Conditioning Systems provides essential information and recommendations to system owners and operators on the refrigerants used in their systems, the impact they have on the environment and how systems should be operated and maintained efficiently.

The Ozone depleting refrigerant gas R22 was phased out of new Air Conditioning systems in 2004 and since January 2015 it has been illegal to use Hydrochlorofluorocarbons (HCFCs), including R22 in the maintenance and servicing of Air Conditioning Systems. Despite this, Air Conditioning Inspections reports show that R22 is still widely used in Air Conditioning Systems and the owners and operators are often unaware of the impact that it could have on the environment and maintenance of their systems.

Over the next few years, the number of banned refrigerants is going to increase and, more often than not, it is the smaller, less than 70kW, poorly maintained systems that operate using these refrigerants. It is essential that the owners and operators of these systems are provided with the information required to plan and implement a maintenance regime, something an Air Conditioning Inspection report already provides.

In November 2017, the UK Government ratified an agreement that will play a major role in preventing global warming by reducing emissions from appliances such as air conditioning units and refrigerators.

The Kigali amendment to the UN Montreal Protocol commits nations to reducing hydrofluorocarbon greenhouse gases (HFCs) by 85% between 2019 and 2036. These harmful greenhouse gases could have risen by up to 11% by 2050 and the United Kingdom is one of the first countries to approve the landmark UN agreement to help prevent that from happening.

"Adopting this ambitious target marks the UK as a world leader in tackling climate change. This deal will reduce global greenhouse gas emissions by the equivalent of around 70 billion tonnes of carbon dioxide by 2050 - the same as more than 600 coal fired power stations would produce during that time.



The UK, along with the rest of the EU, has already begun to phase down HFCs by 79% between 2015 and 2030.

*The Montreal Protocol will result in an additional UK reduction equivalent to around 44 million tonnes of carbon dioxide”- **Michael Gove***

PEPA strongly believes that by amending Article 15 to exclude the most inefficient, least monitored and poorly maintained systems from the inspection process, the UK will be in danger of failing to meet its Montreal Protocol obligations.

As we recover from Covid-19, offices will be re-opening and occupants returning to work in, more often than not, air-conditioned spaces. It has been widely reported that poorly maintained and inefficient air-conditioning systems can have a major impact on the health of occupants and under certain circumstances contribute to the transmission of viruses including Covid-19.

In light of the ongoing pandemic, PEPA strongly believes that by amending Article 15, MHCLG are sending the wrong message to this sector. It seems wrong to dilute the need to inspect air-conditioning systems with the resultant adverse effect on health and safety. We believe MHCLG should be promoting the inspection of systems, driving up compliance, to protect health and maximise energy savings.

In discussions with MHCLG, we understand that in order for the UK to go against the European Directive, Ministers would need to apply to Government to Gold Plate the industry to continue with the trigger at 12kW; however, if this decision was to continue as unconcluded until after post BREXIT (31st December 2020) there will be no European Directive to compare and comply and as such no Gold Plating to be considered. This could allow UK legislation to remain at the 12kW without contestation.