

Project:	Part L Review	Date held:	10 th December 2004
Meeting:	Non-domestic IAG Meeting	Reference:	ESR 35992/202
Held at:	Ashdown House, Victoria Street, London	Made by:	JP/SJI
Present:	See attached attendance list	Distribution:	All Non-domestic IAG members

Item	Action
<p>1. Introduction</p> <p>1.1 Simon Barnes welcomed all those attending the meeting, who are listed in Attachment 1. Ted King (EK) of the ODPM noted that the aims of the meeting were to confirm that all the messages from the consultation had been received and correctly interpreted. It was not intended for this meeting to constitute an opportunity for further informal consultations.</p> <p>2. Report on Paper TWPL(04) P21v2b November 04</p> <p>2.1 Steve Irving (SI) proposed to present his paper question by question with the aim of confirming the meetings agreement, or otherwise, with his analysis. He noted that the content of the paper was based largely on the written comments provided by respondents. The numerical analysis of the questionnaires was provided as an appendix. At times it would appear as though the analysis of the written comments are at odds with the numerical analysis but this is most likely to be a result of the tendency for those with contrary views to express them by making written comments.</p> <p>2.2 The minutes would note if there was 'no comment' or record the discussion as appropriate.</p> <p>3. Overall Strategy</p> <p>3.1 <i>Question 1 Implementation into Law</i></p> <p>3.2 No comment</p> <p>3.3 <i>Question 2 Implementation Time Scale</i></p> <p>3.4 SI noted a comment from the Domestic IAG that linkage to other parts of the Regulations referred to in paragraph 8 of the review document should include Part J which has significant interaction with Part L. Otherwise no comment</p> <p>3.5 <i>Question 3 Structure of ADs</i></p> <p>3.6 General consultee support for separating the ADs into 4 parts was noted and agreed.</p> <p>3.7 <i>Question 4 Strategic Nature of ADs</i></p> <p>3.8 Alan Sylvester (AS) considered that this lack of these had deterred somewhat from the consultation process.</p> <p>3.9 A discussion as to how they would be made available free and downloadable. John Field felt that it would be unlikely if CIBSE documents would be make available for free and Hywel Davies thought that other producers of these second tier documents would not be able to produce them for free. John Tebitt considered that they should be free but Andrew Eastwell pointed out that it is the cost of development that is most significant, not the production costs. He added that BSs are similarly referred to and these are priced documents. AS suggested documents developed by trade associations were likely to be free but would have to be controlled in some way to avoid bias. EK acknowledged the comments and maybe Q4e should be changed to reflect these views. However, his view remained that they should be as 'freely available' as possible, particularly if they were to be seen as a means of compliance.</p> <p>3.10 <i>Question 5 Commentary Column</i></p> <p>3.11 EK reported that this had been raised with some BRAC member and they liked the approach. It will be taken forward to the next BRAC meeting.</p> <p>4. Regulatory Impact Assessment</p> <p>4.1 <i>Question 6 Target Improvement</i></p> <p>4.2 Andrew King noted that Para. 25 states 'Conservatories and buildings < 30m² (e.g. "temporary" classrooms)', whereas typically classrooms are 54m². He also advised that he would provide data to EK on the issue of sustainable portable meetings at the next MPBA meeting with ODPM.</p>	

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4.3 Andrew Warren noticed that there was no reference to targets not being achieved in reality. EK noted this and suggested that a paragraph should be added at this point to emphasis the issues of compliance in non-domestic buildings.	
4.4 <i>Question 7 Cost Benefit Data</i>	
4.5 No comment	
4.6 <i>Question 8 Categories of Risk</i>	
4.7 EK recorded that TIMSA had pointed out at a previous meeting that Para. 31 was not the case, and there is no shortage of materials.	
4.8 AE felt that there could be a problem that the lack the backing of 'authorised' products may cause problems for the businesses of small traders. EK noted that Para. 33 does represent a real concern.	
4.9 Chris Peart pointed out that the manufacturers of 'authorised' products actually trained building control and the trade but with a shift away from elemental compliance this may not happen under this revision. JT thought that the Institutions may take over the role of training designers.	
4.10 AS thought that the difference in standards between the new build and existing buildings may cause confusion.	
4.11 <i>Question 9 Disproportionate Effects</i>	
4.12 SI pointed out the potential problem that may be encountered in designing naturally ventilated and heating only buildings.	
4.13 Rooflights were discussed as it was apparent that a number of issues surround these building elements. Chris Peart noted that the use of U values rather than G values is normal in the industry and also the immediate trade-off of rooflights may not be good for carbon saving because of the loss of valuable daylight. EK said the ODPM are aware of the U/G value issue and it is being addressed.	
4.14 Rick Wilberforce and Derek Hodgson considered that for windows it would be the steel framed rather than aluminium framed that would struggle with the requirement.	
4.15 <i>Question 9 e</i>	
4.16 Sed Berry pointed out that LZCs offer a choice and disagreed with some that consider they have been unduly favoured.	
4.17 <i>Question 9 j</i>	
4.18 AW said that this could be a problem for those who hold large portfolios of high energy consuming buildings such as retail units or offices.	
4.19 <i>Question 9 i</i>	
4.20 AK pointed out the problems of obtaining an asset rating for temporary buildings with a hire period of 18 months.	
4.21 <i>Question 10 Building Control</i>	
4.22 John Byrne felt that the role of the installer should not be forgotten and that maybe a system of tracking purchasers of equipment (such as boilers) should be considered.	
4.23 HD pointed out that if the route of 'self-certification' was to be adopted then it would need an early and clear steer in order to allow time for the market to respond with competent certifiers. This was generally agreed.	
5. ADL2A – new buildings other than dwellings	
5.1 <i>Question 24 Avoiding Excessive Solar Gains</i>	
5.2 Chris Peart reported that a study was being undertaken by De Montford University into the benefits of rooflights and he would appreciate some support from the ODPM to resolve the issue of the daylight benefits of rooflights. EK requested that CP email his request for support.	
5.3 RW pointed out (Para. 98 d) that there is some small difference between the respective ISO and EN standards. EK asked if he could liaise with SI to clarify the situation with the industry.	
5.4 <i>Question 25 LZC</i>	
5.5 EK noted that the document had not yet been up-loaded to the website but this would happen a.s.a.p. The EC Article 14 Committee was pleased with the UK approach to making designers pay more attention to LZC technologies.	
5.6 SB was pleased to see the inclusion but felt that a 15% contribution would be achievable.	
5.7 <i>Question 26 Performance Testing and Commissioning</i>	
5.8 SI reported that the 'tool' will be available for beta-testing by end March 05. EK said that	

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5.9 Paul Davidson of BRE is the contact for this work. Graham Raven asked if the specification for the work is available and SI replied that the basis is the NEN 2916 approach and the brief will be uploaded to the website. EK said that the test version will be tested by the ODPM and others prior to it being announced after the summer 2005 recess.	
5.9 Bernard Pratley asked if the CEN lighting standards would be used and pointed out that often lighting performance is compromised at the end of the design to save money. EK suggested that he contact Paul Davidson and send him a copy of the CEN draft on "lighting energy estimation", to deal with the standards issue but unfortunately the ODPM could do little about the latter.	
5.10 <i>Question 27 Energy Performance Certificates</i>	
5.11 Agreed not an issue.	
5.12 <i>Question 28 Air conditioning Inspection</i>	
5.13 No discussion.	
5.14 <i>Question 29 Target CO2 – Regulation 13</i>	
5.15 No comment	
5.16 <i>Question 30 Seven Step Approach</i>	
5.17 SI observed the need to clarify the target value to be achieved to remove any confusion.	
5.18 BP asked what the lighting value means as it is not clear. SI this is going back to the lighting panel for clarification.	
5.19 <i>Question 31 Worst Acceptable Standards</i>	
5.20 BP The lighting panel had not discussed the 3.75W/m ² /100 lux contained in Table B3, and that the written comments sent to SI on this matter, from LIF, had not been included. BP gave a hard copy of the emailed comments to EK. He also questioned if this is appropriate given changes in controls. EK this comment is noted and will be added.	
5.21 Peter Roberts asked if the airtightness standard of 10m ³ /m ² .h would be changed for the notional building. EK replied that the notional building is 2002 compliant. Peter Grigg observed that for a larger building where testing is not possible it would be difficult to prove any increased performance. SI said he thought that there are few buildings this large and if it was the case other methods of providing evidence of the improvement could be developed. JT suggested that if a claim was made then it should be testable.	
5.22 Mike Duggan pointed out that Table B3 erroneously shows a fan coil unit as 'local ventilation'. He will provide some suitable text for use in this table.	
5.23 AS raised the issue of defining a 'conventional system' when referring to heating as this could also be provided by radiant or warm air systems. A number of issues are of concern relating to these systems, including and the application of seasonal efficiency ratings, multiple units and the use of variable speed drives. There is also a possibility that only condensing boilers will be allowable for replacements.	
5.24 EK agreed that this would be looked at with a view to modifying Para 117c.	
5.25 CP wished to retain a minimum requirement of rooflighting as trading it off reduces the natural light in the building. EK replied that comment would be inserted to this effect.	
5.26 Nick Ralph pointed out that Para 116 referred to comments made under ADL1 (Para 59b) and separate standards for different types of roof construction. Eurisol would like a single standard for both new and refurbishment rather than two values. EK said that this Para would be redrafted to deal with this issue under question 31.	
5.27 <i>Question 32 Quality of Construction</i>	
5.28 Graham Raven requested that a different term to 'robust' be sought when used in the context of Part L rather than Part E.	
5.29 <i>Question 33 Model Designs</i>	
5.30 No comments.	
5.31 <i>Question 34 Definitions</i>	
5.32 JT suggested that Para 125 would require contact with the appropriate 'door' trade organisation. EK said that they are being consulted.	
5.33 PD pointed out that the definition of air conditioning needs to be considered with respect to Article 2 of the EPBD.	
5.34 <i>Question 35 Checklist</i>	
5.35 No comment.	
5.36 <i>Question 36 Appendix C example</i>	
5.37 RW feels some clarification is needed the roof light allowance. There followed some discussion as to whether trade-offs would be allowed in defining the notional building. PR	

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<p>and SI favoured a clear single notional building without trade-offs. EK noted this and agreed that the paragraph would be changed and the 2002 standards emphasised.</p>	
<p>5.38 Q37 Other Comments</p>	
<p>5.39 AW asked if it would be possible to co-opt commissioning engineers to check the specification of installed equipment against the specification. HD pointed out that there are a considerable number of commercial issues relating to commissioning and this may be problematic. MN wondered if BCBs should confirm that the installation matches the specification, including the use of counterfeit goods. EK advised that these issues and the potential for 'value engineering' would be noted.</p>	
<p>5.40 BP noted the requests for sub-metering lighting as in Para 131 but felt that there would be problems with some installations such as free standing up-lighters and lighting integrated into work stations. However, the removal of the lighting control factors in luminaire efficacy calculations needs further discussion.</p>	
<p>ADL2B – work in existing buildings other than dwellings</p>	
<p>5.41 Question 38 Regulation 13 – energy performance standards</p>	
<p>5.42 No comment</p>	
<p>5.43 Question 39 General energy efficiency improvements</p>	
<p>5.44 No comment</p>	
<p>5.45 Question 40 Changes of use</p>	
<p>5.46 No comment</p>	
<p>5.47 Question 41 Levels of improvement</p>	
<p>5.48 GP raised a concern over the replacement of existing rooflights. If the threshold is £8k this may well stop any refurbishment. AS pointed out that the same issue of 'blighting' refurbishment may also apply to boiler plant and prevent the increased use of condensing boilers. DC also added his concern over the risk of adopting this threshold leading to less refurbishment work being undertaken.</p>	
<p>5.49 Question 42 Extension greater than 100m²</p>	
<p>5.50 AW considered that the 100m² limit is arbitrary and too high and will miss significant opportunities a figure of 50m² may be more appropriate. EK this is noted.</p>	
<p>5.51 Question 43 Cost effectiveness calculations</p>	
<p>5.52 No comment.</p>	
<p>5.53 Question 44 Other comments</p>	
<p>5.54 BP asked who had submitted the comment regarding the health and safety implications of lighting controls, which he said, if properly installed will cause no problems.</p>	
<p>6. Future Performance Standards</p>	
<p>6.1 Question 45 Comprehensiveness and frequency of the forward look</p>	
<p>6.2 PD noted a comment from the Domestic IAG about the issue of swimming pool insulation. It was acknowledged that more investigation is required making it unlikely for inclusion in the present revision of Part L but it would be dealt with in the futures paper. This had been agreed with ministers. AW informed the meeting that in Portugal it is proposed to have EPBD certificates for swimming pools and that the number of swimming pools in the UK is increasing. EK is aware of this and the matter is in hand.</p>	
<p>6.3 Question 46 Are the forecasts sufficiently realistic and challenging?</p>	
<p>6.4 MD noted the absence of reference to heat pumps in this section as it was explicitly mentioned in the FETA response.</p>	
<p>6.5 Question 47 Other comments</p>	
<p>6.6 No comment.</p>	
<p>7. Adaptation Strategy</p>	
<p>7.1 Question 67 Comprehensiveness of the conclusions</p>	
<p>7.2 Paul Overall pointed out that the issues relating to the integration of 'planning' with 'building control' would need further discussions with planning colleagues.</p>	
<p>8. Dissemination Strategy</p>	
<p>8.1 Questions 69-72</p>	
<p>8.2 Malcolm Hanna outlined the current thinking on the dissemination strategy that had been determined following direct contact with Associations and Institutions. A further paper giving more detail is to be provided at a later date.</p>	

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9. Implementing the EPBD	
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<p>10. EPBD Methodology</p>	
10.1 <i>Question 62 Asset and Operational Ratings</i>	
10.2 No comment.	
10.3 <i>Question 63 Simplified v detailed methods</i>	
10.4 No comment	
10.5 <i>Question 64 Index rating scale</i>	
10.6 JF there is a CEN proposal for a certificate that is well defined and may be of use. PD this CEN standard allows a degree of flexibility. AC commented that any system should be able to take account of buildings that are net exporters of energy.	
10.7 <i>Question 65 Additional tasks</i>	
10.8 SI reported that meeting had been held to discuss the development of the operational rating.	
10.9 <i>Question 66 Other comments</i>	
10.10 JT wondered if it would be possible to have a tool that worked both in the office to help define the building and then as an on-line tool for compliance.	
10.11 <i>Question 73 General comments</i>	
10.12 Para 211c raised the issue of boiler oversizing and PW pointed out that the EPBD Article 11 deals with energy efficiency. EA suggested that all HVAC can suffer from oversizing and it a problem of poor design.	
10.13 AS added that there is significant potential to save energy in the generation of domestic hot water.	
10.14 CP asked if Para 211b allowed for other aspects of the internal environment to be taken into account. EK commented that daylight factors are included for guidance only.	
<p>11. Programme</p>	
11.1 Next IAG meetings:	
11.2 Domestic 17 th March 2005	
11.3 Non-domestic 18 th March 2005	
11.4 EK outlined the proposed programme in which it is proposed to have a 'minded to' document in March 2005 (following the IAG meetings) and then the main package of documents and supporting information to BRAC in May 2005. This would need that the panels considering Articles 7,8,9 and the lighting group etc. would need to meet before then.	
11.5 Regulatory Documents in place in summer 2005 would come into force at the end of 2005.	
11.6 AW asked if these are formally known as the 2005 or 2006 revisions. EK said that these are the 2005 Amendments.	
11.7 AS asked when the EPBD would come into effect. EK replied that all would come into place in 2006.	
<p>12. AOB</p>	
12.1 There was no AOB, the Date of the next meeting is 18 March 2005 commencing at 1030hrs in Room 6A/B, Ashdown House, 123 Victoria Street, London SW1	
12.2 The meeting closed at 14:15.	
End of items	

Attachment 1 – Attendance List

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