



5 Baldwin Terrace

London N1 7RU

Mr Chris Stark  
151 Buckingham Palace Rd  
Victoria  
London SW1W 9SZ

11<sup>th</sup> September 2019

Dear Mr Stark,

We, the undersigned, believe there is a once-in-a-lifetime opportunity to help shape the regulation of buildings in the UK to support the transition to a low-carbon economy. Collectively, we represent a broad range of stakeholders with an understanding of carbon dioxide emissions from buildings.

Part L of the Building Regulations, which sets the legal requirements for energy efficiency in domestic and non-domestic buildings, is wholly based on modelling carbon dioxide emissions. Despite increasing complexity in the modelling of proposed buildings over the past two decades, carbon dioxide emissions from new buildings are not falling nearly fast enough to meet our national carbon-reduction targets. There are also well documented 'performance gaps' that mean that new buildings almost always emit more carbon dioxide than the modelling would suggest, sometimes two or three times as much, and this cannot be checked under Building Regulations because they have no locus beyond the completion and handover of the building.

The Building Act currently prevents moves to assess actual CO<sub>2</sub> performance because it limits the scope of Building Regulations beyond Practical Completion. However, the Building Act will almost certainly require changes to deliver the proposed radical overhaul of the regulation of buildings and fire safety set out in "Building a Safer Future". The proposed Gateway 3 replaces Practical Completion with a new requirement to demonstrate that the building is 'Safe to Occupy'.

Fire is not the only safety criterion for a building. The ability of occupants to heat their homes cost effectively in winter, and to avoid the use of energy for cooling in summer, also affect health and safety. Greater aggregate carbon dioxide emissions from our building stock pose an even greater longer-term threat to our safety.

We therefore propose that one element of the Building Safety Certificate addresses 'Climate-Safety'. This should be a part of the new regulations, and would require that over a period of 12-24 months

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the building owner would be required to demonstrate, using real data from energy bills to measure annual carbon dioxide emissions, that each new building meets the energy efficiency and emissions requirements of the regulations. This will be a key step towards new buildings contributing to the Government's commitment to reduce economy-wide emissions to zero by 2050.

If a building fails to meet the operational energy and emissions requirements of the Building Safety Certificate, then there will be a requirement to make it comply.

We also propose that the Building Safety Certificates proposed for existing buildings should address energy and emissions as one aspect of their long-term health and safety. Preparing the safety case for these existing buildings should include assessing the energy use of each building and should identify potential energy efficiency improvements. Where the safety case suggests refurbishment work is needed, then the opportunity to consider improving the energy and emissions performance of the building should be addressed.

There are obvious links between fire safety, CO<sub>2</sub> performance, protecting vulnerable people at home and abroad, health, and wellbeing. We have a unique opportunity to intervene in the Government's consultation about reforming the Building Regulations and the CCC should use its position as the Government's Advisor on Climate Change and urge it to act now.

Yours sincerely,

George Martin, Interim Chair  
Building Performance Network

Alongside the following co-signatories:

#### Associations and Representing Bodies



Gary Newman, Executive Chair



Andrew Chalk, Director of Operations

CIBSE's Young Energy Performance Group Nathan Jones, Co-chair

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Lynne Sullivan OBE, Chair



Bean Beanland, Chairman



Sarah Kostense-Winterton, Executive Director



Jon Bootland, Chief Executive

The UK Passive House Organisation

Organisations supporting this letter (in alphabetical order)



Rod Hughes, Director



Sue Riddlestone, Chief Executive and Co-founder



Paul Weston, Director



Thomas-Emanuel Hoepfner, Director

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Luke Smith, Managing Director

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Built Environment Asset Management (BEAM)  
Centre, GCU (Glasgow Caledonian University)

Dr Keith Baker



Jason Palmer, Director



Jason Palmer, Director



Ian Preston,  
Head of Household Energy Services

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**CULLINAN STUDIO**

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Andy Tindale, Managing Director



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**GALEA**STUDIO.

Andrew Galea, Director and Founder

**Glen Dimplex**  
HEATING & VENTILATION



Shaun Hurworth, Head of UK Channel  
Marketing

 Greengage

Tom Gwillam, Associate

 gridIMP

Richard Ryan, Commercial Director

Hopkins Architects

Andrew Morrison, Director

**Hydrock**



Josh Bullard, Technical Director

**20** YEARS  
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KensaContracting | KensaHeat Pumps | KensaUtilities

*Celebrating 20 years*

Richard Freeborn, External Affairs Director

**kW**  
energy  
CONSULTANTS

James Kirkwood, owner



LEEDS BECKETT UNIVERSITY  
LEEDS SUSTAINABILITY  
INSTITUTE

Prof Chris Gorse, Director of the Leeds  
Sustainability Institute

**MAX FORDHAM**

Joel Gustafsson, Partner, Principal Engineer

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Jonathan Murton, Director



Jose Hernandez, Director



Darryl Matthews, Managing Director



Shelley Davis, Director



Thomas Claffey, Director



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Individuals supporting this letter (in alphabetical order of employer where given)

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William Mair,	Ashlar Consulting Ltd
Peter Courtenay, Senior Engineer, Energy Modelling	Bouygues UK
David Brown, Principle Engineer	Bryden Wood
Colin Goodwin	BSRIA
Andrew Lane, Director	Building Analysis & Testing Limited
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Ross Boulton, Senior Engineer	BuroHappold Engineering
Ewan French, Graduate Engineer	BuroHappold Engineering
Jonathan Gregg, Senior Engineer	BuroHappold Engineering
David Kingstone, Associate Partner	BuroHappold Engineering
Neil Shankland, Senior Engineer	BuroHappold Engineering
Imogen White, Senior Engineer	BuroHappold Engineering
Carole Tracey	Carole Tracey
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Phil Jones, Previous chair of the CIBSE Energy Performance Group (15 years), Previous chair of the CIBSE CHP & District Heating Group (15 years)	CIBSE
Mike Carter, Design Manager	City of Edinburgh Council
Andrew Knapp	ColesKnapp
Elizabeth Wrigley, Director	Core Connections
Alicja Kreglewska, Principal Energy Consultant	Create Consulting Engineers
Hershil Patel, Head of Energy, Operations Group	Department of Education
Paul Barton, Director	DesignCO2 Ltd
Prof Tadj Oreszczyn, Professor of Energy and Environment	Director of the RCUK Centre for Energy Epidemiology (CEE), UCL Energy Institute
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Emeka Efe Osaji	Energy Globe Ambassador to UK
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Usama Sapru, Senior Energy Consultant, Upstream Sustainability Services	JLL
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Philip Kite, Consulting Director	Ramboll
Thomas McCosker, Sustainability Engineer	Ridge and Partners LLP
David Terry, Partner	S B Consultancy
David Jenkins, Associate Professor	School of Energy, Geoscience, Infrastructure and Society, Heriot-Watt University
Lisa Ann Pasquale	Six Cylinder Ltd
Maryam Ya-Alimadad, Mechanical Design Engineer	Sudlows
Katherine Holden, Executive Engineer	Sweco
Juan Garcia, Energy Consultant	TEAM (Energy Auditing Agency Ltd)
Vitaliy Troyan, Senior Energy and Sustainability Consultant	TFT
Beverly Quinn, Environmental Engineer	TÜV SÜD Real Estate
Saasia Ansari, Junior Consultant	Verco
Leah McCabe, Consultant	Verco
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Quinten Babcock MCIBSE

Peter Hill MCIBSE

Mark Key

Samantha Suppiah

### Note on the organisation of this letter

The Building Performance Network (BPN) is an independent, not-for-profit organisation, operating in all building related sectors. It works to bring together individuals and organisations with an interest in improving building performance in operation. It is founded on the principles of integrity and robustness to ensure that it remains credible and authoritative.

It is open to all, not just the existing Building Performance Evaluation industry.

The BPN has the following key objectives:

- Bring people together with an interest in building performance
- Understand how building performance data is collected and analysed to ensure members have reliable data on which to base their decisions
- Move forward the practice of building performance evaluation to make it accurate and useable for the sector
- Share and make members aware of a wide range of studies undertaken in the UK, creating a data-sharing platform to move the building performance agenda forward
- Use data to influence change in policy, procurement and practice.

The current letter was informed by discussion at an event held by the BPN on 3<sup>rd</sup> July 2019 in Oxford, an event that was open to anyone interested in building performance evaluation. The invitation to join us in signing this letter was an open one.

For further information on the BPN please visit our website [building-performance.network](https://building-performance.network), or contact us on [info@building-performance.network](mailto:info@building-performance.network).

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