

Association for Environment Conscious Building



Martin Searle
Chair of the Domestic Heating Services Working Party (EWP2) of the
Part L Industry Advisory Group
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Sept 13th 2004

Dear Martin,

We wish to make the following comments regarding the consultation on condensing boiler exception policy.

- We feel an opportunity has been missed to ensure that all boilers from 2005 are condensing boilers
- We are extremely disappointed that we have not been given a chance to comment on the proposals for exemptions in new build buildings. You will be aware of our position (as stated during the Part L working groups) that there is no case for exemptions in new build as these can be planned out at the design stage.
- We note that representatives of plumbing and heating engineers would have preferred a situation where there were no exemptions, i.e. all boilers on the market are condensing boilers.
- We feel that the argument that “developers will install non condensing boilers in place of electrical resistance heating but will not install condensing boilers” is flawed. Developers are installing direct electrical resistance space heating because it is much cheaper for them to not have to pay for a gas mains onto site and also to not have to run central heating pipework throughout the dwelling. Housing Associations are specifying electric storage heaters despite their poor thermal response and higher running costs for the tenants, because they are concerned about the perceived costs of the yearly gas safety check. In neither of these cases will gas boilers be specified merely because they can be non condensing ones under the exemptions scheme.
- It appears to us from reading this document that the number of exemptions could be in the order of 50% at least, which is hardly what the Government said they wanted to achieve.

With specific regards to the proposals we wish to make the following points. These are as they appear in the document rather than ranked in order of importance.

- We welcome the fact that the assessment can only be carried out by a member of CORGI and that the form allows for the CORGI registration number to be entered.
- We feel that the worksheets to show self certification are a good idea but would welcome some sort of policing to confirm compliance. A possible policing system is that 5-10% of all exemptions are checked by building control to ensure that the procedure is being followed correctly. For the first incorrect exemptions the installer gets a written warning. Any further incorrect exemptions would need some sort of monetary fine. We do not suggest removal of CORGI registration unless gas safety regulations have also been broken.

- It is unclear why a detached house starts with more points than a semi detached or mid terrace
- We would welcome an explanation as to why oil boilers are exempt until 2007
- The worksheet could be improved. If the height above floor is important then the form needs to state to where the measurement is to be made. Presumably it is the flue outlet. Therefore this needs to be stated.
- Also within the worksheet there should be a space for “new boiler”, or original fuel “electric” rather than none. The worksheet assumes that a boiler already exists in the property. It would be clearer if there was a separate sheet for a situation where a boiler will replace existing electrical heating.
- The regulations permit the flue to be 300mm below, above or horizontally to an opening, including openable windows and yet do not allow a flue within 2m of a boundary!
- We suggest that the distance from a boundary to be fixed at 2m is excessive, especially given the point above. 1.5 m would allow most large and medium sized Victorian terraced properties to keep the new boiler in the same place without the need to run a horizontal flue across one wall of the kitchen. There are already many condensing boilers fitted in such a situation with a horizontal flue at high level (i.e. above 2.1 m) without undue disturbance being caused. This is precisely the type of situation where a CORGI registered plumber will have to tell the householder that they cannot install a new boiler with a flue directly out of the top of the boiler to outside (because less than 2m to the boundary) but will have to run a horizontal flue across the kitchen. This will in most cases be within the 1000 allowed points (boiler stays in position, less than 4m of horizontal flue). Therefore the CORGI registered plumber cannot install a new non-condensing boiler in such a situation if that is what the householder wishes. The concern is that the householder will then get a non-registered plumber to carry out the work. This is bad news from two angles, the registered plumber will lose work and the safety of the new installation could be dubious.
- Within the document there are some areas where information in the text does not match the diagrams. These are highlighted within the attached revised document for ease of reference.

We trust that these comments are useful and hope that you will look closely at implementing the points that will mean fewer exemptions, particularly by reducing the distance to the boundary. If you wish for clarification on any point please contact me on ech20@aecb.net or call 020 8800 4157.

Yours sincerely



Cath Hassell
On behalf of the AECB committee