



To: Executive Councillor for Housing: Cllr Catherine Smart
Report by: Bob Hadfield Head of Estates & Facilities
Relevant scrutiny committee: Housing Management Board
Wards affected: All Wards

Gas Safety Certification for Leasehold dwellings in flat blocks Non - Key

1. Executive summary

- 1.1 This report sets out gas safety concerns relating to pre 2004 leasehold properties within flat blocks in the city. A low-cost option is being recommended to address these concerns and for minimising the risk of a gas related incident occurring. Leases prior to 2004 do not contain a requirement for a Leaseholder to provide the Landlord with a gas safety certificate.
- 1.2 It is known that of the 940 Pre-2004 leases 540 Leaseholders sub-let properties and therefore become landlords with a statutory duty to ensure any gas appliances/flue ways are annually inspected/serviced and provide their tenant with a copy of gas safety certificate.

2. Recommendations

The Executive Councillor is recommended:

To consider and approve the following low cost option

- 2.1 Estates and Facilities generate and send out a letter (appendix1) to all leaseholders outlining Gas Safety requirements with the option to enter into a private agreement between the Councils approved sub-contractor Compton & Parkinson to have their gas supply and appliances inspected, checked and serviced at a competitive price that has been negotiated between the Council and Contractor.

- 2.2 There are at present 400 Leasehold flats that we have no knowledge of gas maintenance history. These will receive letters first as they pose potential significant risk.
- 2.3 Every Leasehold dwelling 1079 in total will receive the gas Safety letter on an Annual basis.

3. Background

Gas safety requirements

Under the Gas Safety (Installation and Use) Regulations 1998 Landlords if letting a property equipped with gas appliances have three main responsibilities

1. Maintenance of installation: pipework, appliances and flues must be maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer's instructions. If these are not available it is recommended that they are serviced annually unless advised otherwise by a Gas Safe registered engineer.
2. Gas safety checks: at intervals at a minimum of no more than 12 calendar months in accordance with the Gas Safety(Installation and use)regulations 1998, checks must be carried out on every gas appliance/flue way. A gas safety check will make sure gas fittings and appliances are fit for purpose and safe to use.
3. Records: a record of the Landlords annual gas safety check must be provided to a tenant within 28 days of the check being completed or to new tenants before they move in. Landlords must keep copies of the gas safety record for two years.

Current situation

The council has maintained a 100% track record for the provision of Landlord's gas safety certificates to rented properties in management for the last 10 years. However this situation is not the case for leasehold properties, as these are to all intents and purposes private dwellings. The Council has at present 1079 leasehold properties within its stock.

Requirements set out in Leases

Leases issued prior to 2004 contain no requirement for leaseholders to provide an annual safety certificate to the Council whereas leases drafted after 2004 do so. This means in practice that the safety status of approximately 400 properties is unknown as they are not sub-let and evidence of regular gas maintenance has not been forthcoming.

The risk posed by these properties is considered to be significant as an incident in any leasehold property could severely impact on all other households within the same block of flats and also cause major structural damage in the event of an uncontrolled explosion.

Officers have been therefore examining approaches, which would result in comprehensive assurance that all the buildings under management are safe. It should also be noted also that the Council self-insures for losses incurred under a £250,000 annual threshold.

Guidance has been sought from industry body CORGI Technical Services who provide clients, including many local authorities, housing associations and private landlords support with their gas safety obligations and continued improvement. CORGI has been consulted on the Councils pro-active approach to leaseholders.

Having considered a range of options the only one that appears to fully meet requirements with certainty of risk reduction and management is for the Council to promote the use of an approved contractor to carry out inspection and issue a gas safety certificate whereby the Leaseholder has a direct agreement with the heating contractor and a copy of the certificate will be provided to the Estates and Facilities team where records will be updated.

Where Leaseholders do not engage in the recommended gas inspection we cannot force it upon them. We the Council can however evidence that we have sent a recommendation Letter outlining the risks and the opportunity for a Leaseholder to engage in the inspection/service offered.

Where a leaseholder sub-lets they are legally required to provide an annual landlord gas safety certificate to their tenants.

4. Implications

(a) Financial Implications

Minimal Funded from existing budget
Cost involves stationary and officer time
Annual letter generated and sent 2nd class business £360

(b) Staffing Implications

No staffing implications identified

(c) Equal Opportunities Implications

None as open to all

(d) Environmental Implications

- Low negative impact

(e) Procurement

N/A

(f) Consultation and communication

CORGI Technical Services

Leasehold representative

The Information letter will be added to the council's website for Leaseholders

(g) Community Safety

N/A

5. Background papers

N/A

6. Appendices

Appendix 1 Leaseholder Gas Safety Letter

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Chris Brown Estates & Facilities
Author's Phone Number: 457354
Author's Email: Chris.brown@cambridge.gov.uk

Address details

DRAFT

Date

Dear *Leaseholder name*

Gas Safety and Leaseholders

As you will be aware it is very important if you have a gas supply and gas appliances that they are checked regularly. This is to ensure they are operating safely. These checks are for your own safety and for the safety of others.

Many leases require the leaseholder to provide a copy of an Annual Gas Safety record to demonstrate to the Council that appliances have been checked and are safe to use. The Council, as the owner of the freehold of the block that your home is in, has a "Duty of Care" to residents and visitors to the block.

The Council strongly recommend where it is not a requirement of the lease, the Leaseholder should provide a copy of the landlord gas safety record to

Leasehold Services,
City Homes North,
171 Arbury Road,
Cambridge, CB4 2YG

IF you have let your property to a tenant you **MUST** comply with the requirements of the law and part of this will be a legal obligation to have and provide a copy of the annual gas safety record.

The Council, working in conjunction with our approved local heating contractors Compton & Parkinson are now able to offer you the opportunity to have your gas supply and appliances annually checked and serviced at competitive rates.

This would be a private agreement between you and Compton & Parkinson.

The cost to Leaseholders would be as follows.

Gas Boiler Service: £66.00 Inc VAT Includes gas certificate
Back Boiler Unit: £84.00 Inc VAT Includes gas certificate
Gas Safety Check: £54.00 Inc VAT Includes gas certificate

Please note: on a back boiler unit it is not possible to do a safety check only as the fire front has to be removed therefore the cost would be £84.00 Inc VAT Includes gas certificate.

If you would like more details about the scheme, or want to arrange a gas safety inspection and / or a service of gas appliance/s please contact

Compton & Parkinson TELEPHONE: **01223 880080**

Compton & Parkinson Ltd: Nil Desperandum: Fulbourn Road: Cambridge: CB1 9AN
Tel: 01223 880080 e-mail: info@comptonparkinson.co.uk

IF you are already having your gas appliances checked annually and serviced this must be by a **Gas Safe Registered engineer.**



Before you let ANY gas engineer into your home to work on your gas appliances, check the front and the back their Gas Safe ID card. If they don't show this to you when they arrive, **ask to see it.**

Further information on Gas Safety, Carbon Monoxide and Landlord responsibilities can be found on the Health & Safety Executive website.



<http://www.hse.gov.uk/gas/domestic/faqlandlord.htm>

Yours Sincerely

Chris Brown

Heating Engineer
Estates and Facilities
Cambridge City Council

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