

**HOUSING AND HOMELESSNESS SERVICES PORTFOLIO HOLDER DECISION –
26 APRIL 2023**

GAS SAFETY POLICY FOR HOUSING (LANDLORD SERVICES)

1. INTRODUCTION

- 1.1 This report introduces a revised Gas Safety Policy for Housing (Landlord Services), which considers changes in national guidance and gas safety management arrangements following changes in job roles and resources within the Housing Service.
- 1.2 To ensure the Council maintains its responsibilities toward the safety of tenants and other residents it is important to have a robust procedure to enforce the servicing of gas installations and capping of supplies as an interim measure. Section 9 of the policy details the Council's approach to enforcement and welfare support to tenants who may be caught by the procedure, or who may request to have their supply capped.
- 1.3 The updated Gas Safety Policy for Housing (Landlord Services) is attached at Appendix 1.

2. BACKGROUND

- 2.1 There are 4,564 NFDC owned domestic dwellings with a domestic gas installation, and 404 dwellings served by 21 communal boiler plant rooms, and 4 further boilers serving tenants communal facility space.
- 2.2 In October 2019, Cllr Cleary, the Portfolio Holder for Housing Services approved the Gas Safety Policy for Housing 'Landlord' Services, following the support and recommendation of the Housing and Homelessness Scrutiny Panel on 18 September 2019.
- 2.3 This Policy details the Council's responsibilities in discharging its statutory gas safety duties and functions across its Housing property portfolio, to ensure that those visiting, working, or living in such buildings are adequately protected from the risk of gas escape, explosion, fire, or carbon monoxide poisoning.
- 2.4 From April 2023 a new Social Housing Regulatory Regime begins with the introduction of 22 new Tenant Satisfaction Measures, one of which will monitor the Council's performance against servicing gas installations prior to the anniversary service date.
- 2.5 The Policy has now been reviewed to ensure that it remains fit for purpose, reflects current guidance and internal changes, and a review of modern-day resident welfare needs.

3. THE GAS SAFETY POLICY FOR HOUSING (LANDLORD SERVICES) KEY COMPONENTS

- 3.1 Regulation 36 of the Gas Safety (Installation and use) Regulations 1998 (as Amended) states that landlords are legally responsible for the safety of their tenants in relation to gas safety. By law landlords must:

- Repair and maintain gas pipework, flues and appliances in safe condition.
 - Ensure an annual gas safety check on each appliance and flue.
 - Keep record of each safety check.
- 3.2 The policy reflects recent changes to the legislative and regulatory duties of the Council as Landlord and defines roles and responsibilities to align with the current organisational structure.
- 3.3 The policy expands its scope to cover interim and permanent capping of gas installations, and where a tenant requests their installation to be capped due to affordability issues. Such requests will only be considered in exceptional circumstances following a welfare review and approved by joint agreement of both the Housing Maintenance and Compliance and Housing Estates Service Managers. Any property where a decision is reached to approve capping, will be subject to an ongoing annual welfare check and gas safety inspection to prove the gas installation is still capped.
- 3.4 The policy sets out the responsibilities across the whole of Housing Services and deals with the Council's commitment to an independent 3rd party accredited quality assurance assessment programme.
- 3.5 It is proposed that the revised Gas Safety Policy for Housing (Landlord Services) be adopted by way of a Portfolio Holder decision.

4. CONCLUSIONS

- 4.1 This Gas Safety Policy supports the Council's commitment to ensuring that the risk of gas escape, explosion, fire, or carbon monoxide poisoning is kept as low as reasonably practicable, and that gas burning appliances are serviced and inspected at annual intervals.
- 4.2 The Council's Corporate Health and Safety Team received a copy for early consultation and the revised Policy was presented to the Housing and Homelessness Overview and Scrutiny Panel on 15 March 2023.
- 4.3 Gas safety training of staff who have duties under the revised policy is underway and it is proposed that the revised Gas Safety Policy for Housing (Landlord Services) is adopted on 1 May 2023 or as soon as reasonably practicable thereafter.

5. FINANCIAL IMPLICATIONS

- 5.1 An annual budget funded by the HRA is required to implement and support this policy and this will be agreed as part of the Council's annual budget setting process.

6. CRIME AND DISORDER IMPLICATIONS

- 6.1 There can be serious implications for housing providers not dealing with their gas safety responsibilities, including criminal sanctions in the most serious cases.

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 There is likely to be an impact on tenants who have not engaged with the gas servicing process for their domestic property. This could be for several reasons but could be linked to mental health or other vulnerabilities. It may be necessary to commence legal proceedings and/or cap the gas supply to the property leaving the home without heating/hot water and cooking facilities.
- 7.2 A welfare assessment is proposed to be carried out in all cases such cases which determines what additional support the tenant may need to engage with the process, or to provide the necessary health and well-being support following any capping of the gas supply.

8. ENVIRONMENTAL IMPLICATIONS

- 8.1 There are none directly associated with this report.

9. RECOMMENDATIONS

- 9.1 That the revised Gas Safety Policy for Housing (Landlord Services) be approved and adopted from 5 May 2023 or as soon as reasonably practicable thereafter.

10. PORTFOLIO HOLDER ENDORSEMENT

I have agreed to the recommendation of this report.

Sign: Cllr Edward Heron

Date: 26 APRIL 2023

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Background Papers:

[Housing and Homelessness Overview and Scrutiny Panel - 15 March, 2023](#)

Date on which notice given of this Decision – 26 April 2023

Last date for call in – 4 May 2023