

## PS5. Gas and Carbon Monoxide

### Further Reading Handout

This is not an exhaustive coverage of the subject, but just a reminder of some of the issues covered in the talks, to help as a mental checklist.

Legislation, guidance and online information is frequently updated, so links quickly become obsolete or broken. We recommend that you check and update these at regular intervals – as the general topics do not change, you may find that searching using the words in the topic headings may bring up new links. **Do NOT take any action based on these notes until you have checked and confirmed the current state and content of the legislation, guidance and local practice.**

#### 1. [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)

##### a) [Guidance -Smoke and carbon monoxide alarms: explanatory booklet for landlords](#)

2. Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended. Approved Code of Practice and guidance came into force on 6 April 2018

Introduce a degree of flexibility to the timing of landlords' annual gas safety checks. This change means that landlords can carry out the annual gas safety check in the two months before the due date and retain the existing expiry date. This avoids landlords waiting until the last minute and not gaining access, or having to shorten the annual cycle check to comply with the law. There is no change to the legal requirement for an annual gas safety check or for maintenance to be carried out.

#### [HSE – Gas Safety Regulations 1998](#)

#### [Landlords safety checks - Gas](#)

Landlords '[A guide to landlords duties: Gas Safety](#)' (Installation and Use) Regulations 1998 as amended Approved Code of Practice and guidance.

[Short term lets - Guidance from Gas safe](#). If a property or room is hired out for less than 28 days at a time, it is permissible to display a copy of the current Landlords Gas Safety Record in a prominent position within the property so a copy does not need to be given to every new occupier

#### 3. [Housing Health and Safety Rating System](#)

- a) [Housing Health and Safety Rating System Guidance for Landlords and Property Related Professionals](#)
- b) [Housing Health and Safety Rating System \(England\) Regs 2005](#) – The Regulations are intended to be read alongside statutory guidance. The Regulations have 3 main elements: 1) prescribe descriptions of hazards for the purposes of the Act, 2) make provision about the manner and extent of inspections 3) prescribe the methodology for assessing hazards.
- c) [Housing Act 2004 - Enforcement power](#)
- d) [Deregulation Act 2015 – unable to serve Sec 21 if HHSRS notice served](#).
- e) [Housing and Planning Act 2016 - Rent Repayment Orders](#)

#### 4. [The Building Regulations 2010 - Combustion](#)

- a) [Fire Safety Approved Document B](#) - Gas service and installation pipes in protected stairways 3.80 Gas service and installation pipes and meters should not be within a protected stairway, unless installed in accordance with the Pipelines Safety Regulations 1996 and the Gas Safety (Installation and Use) Regulations 1998.
- b) [Combustion appliances and Fuel storage systems Approved Document J](#)

#### 5. [Fire Guidance LACORS](#)

[Gas or electric meters and/or distribution boards](#) should ideally not be sited in escape routes. However, it should be possible to relax this providing any gas meter is installed in accordance with the gas safety regulations and any electric meter is installed and sited in accordance with current IEE regulations. It is considered best practice to enclose such equipment in fire-resisting construction.

#### 6. [The Gas Safety \(Installation and Use\) Regulations 1994](#)

##### Gas Meter Housings

13.(1) Where a meter is housed in a meter box or meter compound attached to or built into the external face of the outside wall of any premises, the meter box or meter compound shall be so constructed and installed that any gas escaping within the box or compound cannot enter the premises or any cavity in the wall but must disperse to the external air.

(2) No person shall knowingly store readily combustible materials in any meter box or meter compound.

(3) No person shall install a meter in a meter box provided with a lock, unless the consumer has been provided with a suitably labelled key to that lock.

(4) No person shall install a meter within a meter compound which is capable of being secured unless the consumer has been provided with a suitably labelled key for that compound.

##### [Code of Practice for Meter Asset Managers and Approved Meter Installers Version: 1.0 Effective Date: 01 January 2021](#)

14.3.2 Where known, the MAM should ensure the consumer is made aware of any parts of the meter installation and housing which the consumer owns and advise that they shall ensure that it remains accessible and properly maintained

#### 7. [LPG Installations](#)

Liquefied petroleum gas, or LPG, such as propane and butane. [The HSE provides information on storage, handling and use of these products with information on siting of tanks.](#)

In respect of Caravans and Park Homes guidance is specifically provided by HSE. The responsibility for any investigation of an incident is split between Local Authorities and the HSE but the controlling legislation is the [Gas Safety \(Installation & Use\) Regulations 1998](#).

If the property is let on an AST then the provisions of providing a copy of Gas Safe Certificate to the tenant is no different than any other dwelling.

#### 8. [Oil Tanks](#)

The guidance from HSE covers the design, construction, operation and maintenance of an installation for the storage of flammable liquids in tanks

## 9. [Exeter Smoke Control Areas](#)

In certain areas of the city, you can only

1. burn a fuel which has been tested and shown to be 'smokeless'
2. install a stove that has been designed and shown to operate as 'smokeless'

This also provides a link to [A Practical Guide for open fires and wood burning stoves](#) by DEFRA which gives links for authorised fuels, exempt appliances.

## [Houses in Multiple occupation](#)

- The Management of Houses in Multiple Occupation (England) Regulations 2006, Duty of manager to maintain water supply and drainage
- [The Licensing and Management](#) of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 - Schedule 3)
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 <https://www.legislation.gov.uk/uksi/2007/1903/contents/made>

## [Landlord and Tenant Act 1985](#)

- [Section 10 - Fitness for human habitation.](#)

In determining for the purposes of this Act whether a house or dwelling is unfit for human habitation, regard shall be had to its condition in respect of the following matters—

- repair,
  - stability,
  - freedom from damp,
  - internal arrangement,
  - natural lighting,
  - ventilation,
  - water supply,
  - drainage and sanitary conveniences,
  - facilities for preparation and cooking of food and for the disposal of waste water;
  - in relation to a dwelling in England, **any prescribed hazard**; and the house or dwelling shall be regarded as unfit for human habitation if, and only if, it is so far defective in one or more of those matters that it is not reasonably suitable for occupation in that condition.
- [Section 11- landlord Repairing Obligation](#)

(1) In a lease to which this section applies (as to which, see sections 13 and 14) there is implied a covenant by the lessor—

- (a) to keep in repair the structure and exterior of the dwelling-house (including drains, gutters and external pipes),
- (b) to keep in repair and proper working order **the installations** in the dwelling-house for the supply of water, **gas and** electricity and for sanitation (including basins, sinks, baths and sanitary

conveniences, but not other fixtures, fittings and appliances **for making use of the supply of water, gas or electricity**), and  
(c) to keep in repair and proper working order the installations in the dwelling-house for **space heating and heating water**.