

# Procedure: gas safety in domestic and commercial properties

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## Procedure: gas safety in domestic and commercial properties

This document describes the council's current policy and outline procedure on gas safety within domestic and commercial properties. It is intended for Lambeth Borough Council's staff, external consultants and contractors who undertake works involving gas appliances and pipework and covers arrangements for the annual gas safety checks of the landlord's gas appliances, ancillary flues along with the regulation and issue of the landlord's gas safety check record.

Most carbon monoxide (CO) related fatalities are preventable. A good gas servicing and planned maintenance programme is vital to ensure the risks of gas related incidents is reduced fatalities. Apart from CO, other significant risks are fire and explosions associated with gas leaks.

This document is intended to:

- Reduce the likelihood of death or injury from explosion, fire or CO poisoning
- Ensure that the council's statutory obligations are met
- Increase awareness of the importance of gas safety

## 1. General

1.1	<p>The London Borough of Lambeth has a legal obligation to ensure that all gas fittings, appliances and flues are inspected and serviced within a 12 month period of the last inspection.</p> <p><u>The Gas Safety (Installation and Use) Regulations 1998 (GSIUR)</u> places a duty on landlords (i.e. London Borough of Lambeth and tenant managed organisations) to maintain all gas appliances, flues and pipe work they are responsible for in a safe condition. Landlords have a legal obligation to ensure that all gas appliances and flues provided in their properties are checked within 12 months of the previous Gas Safety Check.</p> <p>The London Borough of Lambeth Housing Management must ensure that all remedial action required is carried out using a gas installer who is registered with Gas Safe or class of persons approved by the HSE.</p> <p>The exact procedure for carrying out the works are detailed in the gas servicing contracts for both domestic and communal gas appliances servicing and maintenance contracts.</p>		
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## 2. Roles and responsibilities

2.1	<p>Overall responsibility remains with the Chief Executive of the London Borough of Lambeth, who has responsibility as the 'Landlord' within Section 36 (Duties of Landlords) of the Gas Safety (Installation and Use) Regulations 1998 (GSIUR). This responsibility is delegated to Lambeth Housing through the Strategic Director Neighbourhood and Growth.</p> <p>London Borough of Lambeth Housing Management will therefore comply with its legal duties, in particular under Section 36 (Duties of Landlords) of the GSIUR and in doing so will be guided by best practice.</p>		
2.2	<p>Housing Management – Technical Services will:</p> <ul style="list-style-type: none"> <li>• Identify and manage the risks associated with gas safety in residential properties, including gas supplies fed from Lambeth owned bulk gas supplies.</li> <li>• Appoint competent persons to assist in providing a gas service</li> <li>• Provide relevant gas safety information and maintain dialogue with relevant parties</li> </ul>		

	<ul style="list-style-type: none"> <li>• Ensure that gas fittings, appliances, associated pipework and flues are maintained in a safe condition</li> <li>• Ensure that each appliance is checked for safety within 12 months of being installed and at intervals of no more than 12 months since the last check for safety</li> <li>• Ensure that all safety checks, inspections, maintenance operations and repairs are carried out by competent, trained and properly accredited persons holding current membership of the Gas Safe Register</li> <li>• Ensure that written records are kept giving details of all appliances checked, including details of which appliances were checked, what checks were completed, the date(s) of checks, and details of any defects identified and remedial actions required/taken</li> <li>• Keep a written copy of checks for a period of not less than two years</li> <li>• Provide a copy of the written record to the tenant within 28 days of the check and provide a copy of the most recent check to any new tenant</li> <li>• Management will invite contractors to monthly strategic meetings. These meetings will be high level and will look at performance issues surrounding the contract</li> <li>• Invite contractors to monthly operational meetings to discuss all levels of operational performance and review the statistics for servicing. All meetings will be minuted and where any performance concerns cannot be resolved they will be escalated to the monthly strategic meetings. (See Appendix A for a sample agenda).</li> </ul>		
2.3	<p>Contractors will:</p> <ul style="list-style-type: none"> <li>• Offer four appointment slots during weekday, 08:00-10:00, 10:00-13:00, 13:00-16:00 and 16:00-20:00. On Saturdays the last two slots will not be offered</li> <li>• Keep appointment and arrive on time</li> <li>• Give the resident enough time to get to the door</li> <li>• Introduce themselves and provide proof of identity or use any special passwords that may have been set up by the resident</li> <li>• Be polite and respect the resident and their home</li> <li>• Listen carefully and be helpful</li> <li>• Leave a calling card if the nobody is present, providing contact details</li> </ul>		

### 3. Procedures

3.1	<p>Arrangements</p> <p>Implementation of these arrangements is effected through:</p> <ul style="list-style-type: none"> <li>• Clear contractual conditions for term gas contractors</li> <li>• Specific requirements relating to the Gas Safety Regulations within terms of engagement / appointment of consultants for design and technical services and in Planning Supervisor appointments</li> <li>• Appointment of an independent gas consultant who will check the records of competency of the gas fitters carrying out work, will undertake physical checks of 5% of the work undertaken, will check 5% of gas safety records issued for accuracy, will investigate any claims of CO leakage and act as the councils gas specialist as required</li> <li>• Maintenance of a register (known as the 'Lambeth Gas Service Plan') which includes all the known properties with appliances, (boilers, gas fires and gas carcasses). However it must be noted that cookers are the responsibility of the resident</li> <li>• Regular reviews of the Gas Service Plan to ensure all tenanted homes in Lambeth, which have individual gas heating or gas carcasses, are listed. These reviews will include periodic mailing to all properties not on the Gas Service Plan seeking up-dated information</li> <li>• The Council insurers will inspect installation within all Council communal boiler houses annually</li> <li>• The completion and regular review of a Gas Safety Case and the monitoring, inspection, replacement and maintenance of gas network and boiler plant.</li> </ul>		
3.2	<p>Gas safety case</p> <p>Housing Management - Technical Services are responsible for managing Lambeth owned gas networks, known as the Lambeth Gas Safety Case as required under the Gas Safety (Management) Regulations 1996.</p> <p>The sites listed below are included in the Lambeth Gas Safety Case:</p> <ul style="list-style-type: none"> <li>• Witchwood House &amp; Black tree Mews, Gresham Road (SW9 – Central Brixton NHO) (network renewed 2014)</li> <li>• Southwyck House (SW9 – Central Brixton NHO) (Network renewed 2016)</li> <li>• Kennedy House (SE11 – Vauxhall NHO) (Network renewed 2014)</li> </ul>		

	<ul style="list-style-type: none"> <li>• Penwith Manor Estate (SE11 – Penwith Manor EMB) (Network renewed 2016)</li> <li>• Falmouth House (Network renewed 2016)</li> <li>• Highland Road (Network renewed 2014)</li> <li>• Knights Walk (SE11 – Waterloo and Kennington NHO)</li> <li>• Fitch Court (SW2 – Central Brixton NHO)</li> <li>• Denby Court (SE11 – Ethelred TMO)</li> </ul> <p>For more information, refer to the Lambeth Gas Safety Case.</p>		
3.3	<p><a href="#">Independent consultants</a></p> <p>Lambeth Housing Management engages independent gas consultants to carry out invasive inspections to gas appliances at a prescribed rate in each contract area. The independent consultant employed by Lambeth Housing Management is to undertake inspections of the contractors’ gas servicing and maintenance work in tenanted properties, including all associated documentation and reporting. Independent consultants will report back to the Housing Management Technical Services with their findings and recommendations. The contract with the independent gas consultant ensures that the gas contractors are competent and the relevant processes and procedures are in place.</p> <ul style="list-style-type: none"> <li>• Lambeth Housing Management will maintain at least a 10% technical post-inspection.</li> <li>• The independent consultant will be Gas Safe registered and carry out a full technical post inspection. They will randomly sample CP12s from each area up to the prescribed amount.</li> <li>• The independent gas Consultant will produce on a regular basis: <ul style="list-style-type: none"> <li>○ Reports on their inspections will indicate whether or not the servicing has been carried out to the required standard. In order to do this, they will effectively repeat the stages that the servicing engineer has already carried out.</li> <li>○ Information on the quality of the CP12s</li> </ul> </li> <li>• Any issues should be raised with the gas contractor at the monthly contract meetings. Any failures identified by the independent gas consultant should be addressed.</li> <li>• The independent gas consultant will carry out ‘responsive’ technical post inspections as instructed.</li> <li>• The independent gas consultant may at any time to be requested to investigate a CO report.</li> </ul>		
3.4	<p><a href="#">Access Procedure</a></p>		

Under the Gas Safety (Installation and Use) Regulations 1998, Housing Management Technical Services (HMTS) has a responsibility as the landlord to ensure that gas appliances and fittings are serviced and maintained in a safe condition. Housing Management technical and gas serving team will instruct contractors to carry out gas appliance servicing and Landlords Safety Checks to ensure that gas appliances and fittings are in a safe condition. This duty does not extend to tenants' own appliances.

The following process will be followed to gain access to complete the works:

Action	Days from previous stage	Total Days	Days to Anniversary of Gas Check
1. Contractor 1st lettered appointment	0	0	-42
2. Contractor 2nd lettered appointment	14	14	-28
3. Contractor 3 <sup>rd</sup> lettered appointment	7	21	-21
4. Court letter with court date hand delivered to resident	7	28	-14
5. Court attendance/Warrant granted	14	42	0
6. Forced entry date agreed with Contractor	7	49	7
13. Forced entry completed	7	56	14

3.5

#### Gas carcass testing procedure

Lambeth Housing Management gas servicing team have the responsibility as landlord to carry out gas safety checks on the gas pipework within the properties even where there are no landlord gas appliances or gas meter within the dwelling. The common situations are where the tenant has a gas cooker but gas appliances within the dwelling do not provide heating and hot water. Housing Management's Technical Services department and TMO's shall therefore organise a programme of gas carcass testing.

Lambeth Management Gas servicing team has considered expert advice and practice in other boroughs and agreed that gas carcass test should be checked on a programme every year as a minimum. The programme should be based on a risk assessment philosophy.

	<p>Contractors will follow the process timeline laid out above when seeking access to properties to carry out gas carcass testing.</p> <p>Gas riser pipework up to the meter is generally the responsibility of Southern Gas Network. The Council is responsible for pipework within the dwelling beyond the gas meter. Housing Management may be asked to assist Southern Gas Network to gaining access to carry out checks to fulfil their responsibilities. (See 3.3 for risers where the Council is responsible for the gas network.)</p>		
3.6	<p><b>Leaseholders</b></p> <p>The obligation to carry out the gas safety check in respect of a gas appliance in a leaseholder’s property lies with the leaseholder and not with the Council. Where such a safety check shows a problem with an obstructed chimney flue then the leaseholder should advise the Council and the Council will arrange for appropriate work to be carried out to the flue.</p> <p>As the freeholder, the London Borough of Lambeth will maintain the structure of the building. When a leaseholder engages a Gas Safe registered gas installer to carry out a gas safety check, any problems with the flue would be identified. Housing Management would respond to concerns arising from such inspections, but is not legally required proactively to check such flues.</p> <ul style="list-style-type: none"> <li>• Leaseholders are required by their lease to look after any gas appliances in their dwelling.</li> <li>• London Borough of Lambeth is prepared to respond and intervene if necessary where we have information that an appliance in a leaseholder’s property may be dangerous. The Leasehold Management Guide 2.11-2.12, sets out what action a housing officer should take in this situation; the gas contracts include a schedule of rates item to be used to pay the contractor to attend with the council.</li> <li>• The London Borough of Lambeth will publicise to leaseholders their responsibilities under the lease and the gas safety (installation and Use) Regulations 1998 – and the responsibilities they have as landlords where they are sub-letting.</li> <li>• Room sealed appliances projecting directly from the boiler to the exterior of the property are the responsibility of the leaseholder.</li> </ul> <p>A contactor can provide a service at no more than 10% over the price agreed in their contract, a repair and servicing service to all leaseholders within the neighbourhood areas. The service must be advertised and promoted to all leaseholders at least once a year in a newsletter. Housing Management is not liable for any costs arising from this service (gas contractual clauses, section 64).</p>		

3.7	<p><b>Subletting</b></p> <p>Lessees who sublet their homes for a term of less than 7 years must also fulfil the landlord’s statutory obligations. They must:</p> <ul style="list-style-type: none"> <li>• Maintain all gas appliances, installation pipe work and flues they are responsible for, in a safe condition</li> <li>• Arrange for gas appliances and flues to be checked for safety within 12 months of the last gas safety check</li> <li>• Ensure that work is carried out using a Gas Safe registered installer</li> <li>• Keep a record at the premises of all safety checks carried out for at least 2 years following the gas safety check</li> <li>• Ensure their sub-tenants receive a copy of the gas safety check record within 28 days of the inspection</li> <li>• Issue a new sub-tenant with a copy of the current gas safety check record before they take up occupation for the first time. The onus is on the lessee to comply with these statutory requirements, however, the Council, as a responsible landlord, will point out these implications/liabilities to lessees.</li> </ul>		
3.8	<p><b>Voids</b></p> <ul style="list-style-type: none"> <li>• The Voids team will advise Technical Services immediately they become aware that a property has become void and where keys are stored.</li> <li>• Technical Services will check records to determine if the property has a gas heating installation, only a gas carcass or no gas installation.</li> <li>• If the property is identified as having no gas installed Technical Services will advise the Voids team of this and no further action will be taken. If during the voids process the Voids team discover gas present or arrange to have gas/gas heating installed then they are to advise Technical Services who will take action as required.</li> <li>• If the property is identified as having individual gas central heating: <ul style="list-style-type: none"> <li>○ Technical Services will raise a ‘Test and Turn Off’ order on Northgate as SoR INDGAS03 with ‘reason’ set to VOID.</li> <li>○ The contractor will attend, check the system for faults, make the system safe and advise of any works required. A certificate will be issued and the works order completed to reflect the date of the test.</li> <li>○ Where works are approved they are to be completed during the void process and varied to the Test and Turn Off’ order.</li> <li>○ As soon as the void is let the Voids team will inform Technical Services who will raise a ‘Turn on and Re-</li> </ul> </li> </ul>		

	<p>commission' as SoR IGAS03PLND this time with 'reason' set as Planned.</p> <ul style="list-style-type: none"> <li>○ The contractor will attend the property, complete the re-commission and issue a certificate. The works order will be completed to reflect the date of the re-commission.</li> <li>● Where the property is identified as only having a gas carcass installed: <ul style="list-style-type: none"> <li>○ Technical Services will check the property records to see if there is an outstanding order for a pressure test. If an order exists the contractor will be instructed to attend as at the earliest possible time, cap off all outlets (including removal of the cooker bayonet fitting) and carry out their pressure test and issue a certificate.</li> <li>○ If there is not an unused test order, Technical Services will raise a pressure test order as SoR CB06PLND for the contractor to attend carry out the works and issue a certificate.</li> <li>○ When the void is completed and re-let no action will be required by either Technical Services or the Gas Contractor.</li> <li>○ Any gas cookers left in properties must be removed during the voids process. The contractor will remove any gas bayonet connections and cap the pipework on their first visit to site.</li> <li>○ The contractor must carry out any minor repairs needed at the time of the visit and advise the Housing Area Office of the outcome.</li> <li>○ Lambeth Housing Management gas team requires the above check(s) on all voids where there is a gas supply, regardless of whether the property has been let for a short period or a full service has recently been carried out. This also includes where mutual exchanges have taken place.</li> <li>○ The housing area office must also ensure that they do not re-let a void with a gas appliance that discharges products of combustion in to an open flue (most commonly a gas fire or back boiler floor standing boilers) if: <ul style="list-style-type: none"> <li>▪ The void is allocated on the basis of someone sleeping in the same room as the appliance and</li> <li>▪ The appliance doesn't have a safety control device (only fitted to gas fires routinely since January 1996)</li> </ul> </li> </ul> </li> <li>● In bedsits any appliance that is not room sealed must be less than 14 kilowatts and must have the safety control. The potential complication is that under the Lambeth's allocation policy, a 1-bed void could end up being let on the basis that someone will be sleeping in the lounge.</li> </ul>		
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	<ul style="list-style-type: none"> <li>• To ensure that there is no risk of a property being let in contravention of the regulations, the void gas check must include: <ul style="list-style-type: none"> <li>○ Removal or Replacement of any gas fire without the safety control for a gas fire with the safety control where there is no adequate central heating system (Install C/Heating decent homes requirement)</li> <li>○ Notification by the contractor to the NHO or TMO of any other non room sealed appliance</li> </ul> </li> </ul>		
3.9	<p><b>New tenants</b></p> <p>The neighbourhood must give new tenants a copy of a new landlord gas safety record. This is a statutory requirement and must be completed before the tenant takes up occupation for the first time. Gas safety certificates are handed to the tenant at the point when the 'turn on and test' or commissioning of the gas services are completed by the gas contractor. This normally take place after the tenancy sign-up has been carried out and the keys handed over to the new tenant. The new tenant should also be advised to keep it until it is replaced at the following servicing. This will also apply where mutual exchanges have taken place.</p>		
3.10	<p><b>Squatters</b></p> <p>The Council carries out no repairs for squatters and therefore does not have any responsibility.</p>		
3.11	<p><b>Unauthorised occupants</b></p> <p>It is appropriate to carry out works to properties occupied by unauthorised occupants that affect their health and safety. Under the contract the contractor should service and repair appliances in such properties at no extra cost.</p>		

#### 4. Statutory framework

- [The Health and Safety at Work etc. Act 1974](#)
- [The Management of Health and Safety at Work Regulations 1999](#)
- [The Gas Safety \(Management\) Regulations 1996](#)
- [Reporting of Injuries, Diseases and Dangerous Occurrences Regulations \(RIDDOR\)](#)
- The Landlord and Tenant Act 1985
- The Building Regulations
- The Housing Act 1985
- The Housing Act 2004

## 6. Monitoring and audit

This document will be reviewed every year, or as and when there are changes to any legislation and national policy governing this area of work.

<b>Revision</b>	<b>Date</b>	<b>Description of changes</b>	<b>Author</b>
1.0	15 June 2012	Initial Release	
2.0	16 August 2016	General Updates	L. Sampson
3.0	6 October 2016	Full review and reformat	G Statham
3.01	10 October 2016	Document reviewed and comments inserted	P Scott
3.02	13 October 2016	Document modified to included comments	G. Statham
3.03	12 April 2017	Final check	P. Scott
3.04	5 <sup>th</sup> May 2017	Corporate Health and Safety	J igbokwe
3.05	13 <sup>th</sup> June 2017	New Style	Dr L Boardman
		<b>Review</b>	
		January 2018	