

RECOMMENDATIONS TO CABINET 12 JANUARY 2016 FROM THE ENVIRONMENT AND COMMUNITY PANEL MEETING HELD ON 6 JANUARY 2016

EC21: SMOKE AND CARBON MONOXIDE REGULATIONS

The Strategic Housing Manager presented the Cabinet report which noted the new duties placed upon the Council in relation to the Smoke and Carbon Monoxide Alarm (England) Regulations. The report outlined the impact of the regulations, the role of the Council as enforcing authority and the power to impose a penalty charge of up to £5,000 in cases of non-compliance. The Strategic Housing Manager explained that the approach to deal with the penalty charge was consistent with the Council's general enforcement approach and information, advice and guidance would be provided to landlords. The Council also had a stock of alarms which they had been giving to landlords for free.

The Chairman thanked the Strategic Housing Manager for his report and invited questions and comments from the Panel, as summarised below.

The Chairman felt that owner and occupiers of properties should be encouraged to ensure that adequate alarms were installed in their properties.

In response to a question from Councillor Bubb, the Strategic Housing Manager explained that high risk properties were regularly inspected and the inspecting officer would carry out a check to ensure that the appropriate alarms were installed. Housing Services had also asked Visiting Officers to check when they were conducting visits.

Some work on raising awareness amongst landlords had already commenced, with the issue being raised at a recent landlord's forum.

Councillor Mrs Collop referred to page 24 Regulation 4.3 and asked who would be liable if the tenant damaged or removed the alarm. The Strategic Housing Manager explained that if the landlord had fitted the alarms and they had been wilfully damaged the landlord should not be liable unless they were aware that the alarms were not in working order and had not taken any action.

Councillor Mrs Bower referred to elderly and vulnerable people and felt that they may not be aware of the regulations and the Strategic Housing Manager agreed to take the comments on board.

The Vice Chairman informed those present that she had previously attended sessions run by the fire service on the importance of alarms.

The Portfolio Holder for Housing and Community, Councillor Lawrence commented that this report dealt with the duties placed on private landlords. He explained that alarms were cheap to purchase and easy to install. He explained that he met with Care and Repair regularly to raise awareness of the importance of alarms in the properties of elderly and vulnerable people. The Portfolio Holder informed the Panel that it was a Building Regulation that new properties had alarms hard wired into the electrical system.

In response to a question from Councillor Squire, the Strategic Housing Manager confirmed that information had been shared with letting agencies regarding the new regulations.

Councillor Mrs Fraser explained that she was unaware that wood burners were a Carbon Monoxide risk. The Strategic Housing Manager explained that the act only excluded gas appliances and focused on open fires and solid fuel, which could cause a Carbon Monoxide risk if the chimney or flue became blocked.

The Assistant Director informed the Panel that Careline installed smoke alarms and tested them once a year. Careline also held records of whom had a smoke alarm installed and when the batteries needed replacing.

The Chairman requested that consideration be given to promoting the importance of smoke and Carbon Monoxide Alarms, not only to private landlords, but to the wider public. The Portfolio Holder for Housing and Community suggested that an item could be published in the Members Bulletin.

RESOLVED: The Environment and Community Panel support the recommendations to Cabinet as set out below:

- (i) Cabinet note the report.
- (ii) Cabinet recommend the approval of the statement of principles in relation to determining the amount of the penalty charge as detailed in Appendix A to Council.