

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Title of meeting:	Cabinet for Housing and Preventing Homelessness
Subject:	The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022.
Date of meeting:	30th September 2022
Report by:	James Hill - Director for Housing, Neighbourhood and Building Services
Author:	Meredydd Hughes, Assistant Director Building Services
Wards affected:	All Wards

1. Requested by

1.1 The report was requested by Councillor Darren Sanders, Cabinet Member and Portfolio Holder for Housing and Preventing Homelessness.

2. Purpose of Report

2.1 The purpose of this report is to set out the response and approach of Portsmouth City Council to meet the requirements of the 2022 amendments issued by the UK Government to the Smoke and Carbon Monoxide Alarm regulations of 2015.

3. Recommendations

a. That the Cabinet notes the actions within the report, which are listed in Section 5, the progress made to date, and future plans for delivery.

4. Background

4.1 The [Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#) came into force on 1 October 2015. It then became a statutory requirement for private landlords to have smoke and carbon monoxide alarms installed in their properties.

4.2 More recently, following the tragic events of Grenfell and the focus on Building Safety, the UK Government held a consultation on the proposal to extend the requirements for smoke and carbon monoxide alarms into the social housing sector

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to be in line with Scotland. This consultation took place between November 2020 and January 2021.

4.3 In late 2021, the Government Department for Levelling Up, Housing and Communities (DLUHC) published their response to the Smoke and Carbon Monoxide consultation, which presented some key changes that will affect all social housing providers.

4.4 The regulations have been updated to the [Smoke and Carbon Monoxide Alarm \(Amendment\) Regulations 2022](#).

4.5 These new requirements on smoke and carbon monoxide alarms in the social rented sector and new requirements on carbon monoxide alarms in the private rented sector, come into force on 1 October 2022.

4.6 From that date, all relevant landlords must:

- Ensure at least one smoke alarm is equipped on each storey of their homes where there is a room used as living accommodation.
- Ensure a carbon monoxide alarm is equipped in any room used as living accommodation which contains a fixed combustion appliance (excluding gas cookers).
- Ensure smoke alarms and carbon monoxide alarms are repaired or replaced once informed and found that they are faulty.

4.7 The regulations do not stipulate the type of smoke or carbon monoxide alarms (such as mains powered ('hard-wired') or battery powered) that should be installed.

- It is however recommended that landlords choose the type of smoke alarms based on the needs of their building and their tenants, and that those alarms are compliant with British Standards BS 5839-6. Where battery powered alarms are selected, alarms with 'sealed for life' batteries rather than alarms with replaceable batteries are the better option.
- Landlords should make an informed decision and choose the type of carbon monoxide alarms based on the needs of their building and their tenants, and that those alarms are compliant with British Standards BS 50291. Where battery powered alarms are selected, alarms with 'sealed for life' batteries rather than alarms with replaceable batteries are the better option.

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5. Actions by Portsmouth City Council

Smoke Alarms

- 5.1** Portsmouth City Council has been installing hard wired smoke alarms internally on each storey of its social housing stock as part of its repairs service since 2010. The latest amendment to the smoke and carbon monoxide alarm regulations confirms this good practice is already in place.
- 5.2** Building Services have in place a programme with our service providers of testing annually any existing smoke alarms installed, replacing alarms in the 10th year of their lifetime, and installing new or replacing defective alarms as part of the day-to-day repairs service.
- 5.3** Portsmouth City Council has installed smoke alarms and where applicable on more than one storey to 100% (14,239 properties) of its Housing stock.
- 5.4** All the following opportunities are used to undertake the above:
- At the request of the resident
 - Every scheduled gas servicing appointment.
 - At any scheduled appointments with service provider electricians.
 - At every void property. The regulations require checks to be made by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy.
 - Every new build property.

Carbon Monoxide Alarms

- 5.5** Minister Eddie Hughes confirmed in a letter dated 29th July 2022 to all Council Leaders in England that following approval by the House of Commons and the House of Lords, on 27th June 2022, that the Smoke and Carbon Monoxide Alarm (Amendment) regulations 2022 were now law and effective from the 1st of October 2022. Landlords are expected to be compliant with the regulations from that date.
- 5.6** Portsmouth City Council has recorded the installation of carbon monoxide alarms in our properties since 2019 but ahead of the legislation becoming effective, we have instigated a planned programme of installs in partnership with our three service providers. We will be installing new battery/hard wired alarms at every appropriate opportunity.
- 5.7** We are using the following opportunities to install and test carbon monoxide alarms:
- Every Scheduled gas servicing appointment and gas related repair



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- At any scheduled appointments with service provider electricians
- At every void property
- At every new build property
- Kitchen and bathroom replacement works
- Every relevant opportunity and repair appointment
- Resident demand via the Repairs Support Team

5.8 To date the number of carbon monoxide alarms fitted to Portsmouth City properties with a fixed combustion appliance (excluding gas cookers) is 4,379 which is 32.7% of all applicable properties (13,400)

5.9 The autumn 2022 edition of House Talk will include an article outlining the requirement to install carbon monoxide alarms, how we are doing this, how residents can self-test the alarm, what to do if it sounds, how to report a carbon monoxide alarm repair and how to request a carbon monoxide alarm to be fitted.

5.10 The anticipated cost of installing carbon monoxide alarms to all HRA domestic properties is estimated to be between £500,000 and £700,000.

5.11 The funding for the budget necessary to implement the checking and installation of smoke alarms has been budgeted for within this year's HRA repair and maintenance programme.

5.12 The funding for the installation of carbon monoxide alarms to all our properties will be an in-year budget pressure for this year's HRA repairs and maintenance budget and Officers will manage existing budgets to accommodate this spend.

5.13 Portsmouth City Council report our progress on the installation and check of smoke and carbon monoxide alarms through our quarterly Governance and Audit Standard Committee (GASC) reporting process.

6. Director of Finance's Comments

6.1 The cost of servicing smoke alarms is already included within the Housing Revenue Account (HRA).

6.2 The carbon monoxide alarms were not part of the approved capital programme in March 2022, and therefore the cost of this will be met from the brought forward major repairs reserve balance. It is estimated that the cost of this could be in the region of £500,000 to £700,000.

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Signed by James Hill - Director of Housing, Neighbourhood and Building Services

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022	Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022.
Letter from Minister Hughes (dated 29 th July 2022)	Appendix A