The issues addressed in the Précis and Case Study relate to an Internal Review of requests for documents under Freedom of Information Act; Environmental Information Regulations; and Data Protection Act which predicates upon dangerous carbon monoxide and other noxious, gaseous emissions in public sector housing during the period 09 November 2011 through the present time caused by Chester & District Housing Trust Ltd. (the Trust) negligence and non-compliance with current health and safety regulations also neglect by Homes and Communities (HCA) also Health and Safety Executive (HSE) to adequately regulate dangerous health and safety conditions in public housing.

[Carbon Monoxide Emissions]


Précis

The issues escalated due to Sanctuary Housing Association comprising Chester & District Housing Trust (the Trust); Cheshire West & Chester Council; Homes and Communities Agency (formerly Tenants Services Authority); and Health and Safety Executive conspiring in a cover up of misconduct in public office during proceedings related to near bankruptcy of the Trust allegedly caused by its lack of due diligence in an ill-considered amalgamation with Cosmopolitan Housing Group. Moody's decision to downgrade the credit ratings of 26 housing associations predicated upon the financial problems faced by Cosmopolitan and the time it took to safeguard its corporate future.

[Kangaroo Courts]

The Trust and Cosmopolitan have now reverted to their provenance as separate entities funded by Sanctuary Housing Association (Sanctuary Group) with headquarters in Worcester. The bailout
cost Cheshire West & Chester Council and its taxpayers a substantial loss of assets; however, the acquisition moves the overall responsibility out of the generally corrupt political arena where irresponsible public sector officials and regulators conspired in a plethora of alleged criminal offenses.

Lack of regulation by HSE and HCA contributed to the financial burden which resulted in harassment and abuse of tenants to cover up denial of repairs and gas servicing over an extended period which caused health and safety risks. Sanctuary has given no indication that it will address those issues and officials have ignored correspondence which brought alleged criminal activity to their attention.

The Trust admits that gas heating appliances in at least a thousand premises require replacement to conform with regulations. That will cost an estimated £1,000,000.00 for the purchase of new appliances plus the cost of installation which takes two engineers at least a day at each location.

Hidden additional expenses relate to correction of structural carbonation and installation of inspection hatches to bring buildings and flues into compliance with HSE regulations which will add £-millions to the overall cost. Hence, the reason for capping gas supplies and denying inspection of premises by independent qualified structural engineers which would have disclosed the magnitude of portending financial problems and have an adverse affect on refinancing negotiations.

Like all foxes at the first sound of barking, several Trust officials, councillors and regulators have gone to ground. The culprits have hidden or sequestered themselves from public view while under investigation and Sanctuary has continued the existing aura of secrecy supported by propaganda.

Current complaints to the Information Commissioner address evasion and contextomy in handling requests under Freedom of Information Act, Environmental Information Regulations and Data Protection Act during the subject period: allegedly, in a conspiracy to cover up issues which predicate upon dangerous carbon monoxide and other noxious, gaseous emissions in public sector housing caused by non-compliance with current health and safety regulations.

HCA and HSE inspectors evaded their responsibility to inspect or consult with complainants. Consequently, the dangerous conditions still exist and elderly tenants have suffered health and safety risks for more than two years during which time some of them had no gas heating or hot water for extended periods during the coldest winters on record.

The Trust, Health & Safety Executive and Homes and Communities Agency in a consort with Cheshire West & Chester Council tried to hide the facts about gas health and safety risks by violating Freedom of Information Act 2000; Environmental Information Regulations 2004; Data Protection Act 1998 and laws in para materia. By that, they granted impunity to public sector
officials by denying access to documents and information that could indict them. To that effect, councillors and their lawyers held a series of secret courts and declared themselves not guilty.

[Code of Conduct Complaint]

The issues now await a decision on a series of internal reviews by the Information Commissioner prior to filing common law complaints which involve conspiracy to commit misconduct in public office and other offences that violate Criminal Law Act 1977.

Case Study

This position paper does not address conditions at a single leased property in a landlord/tenant dispute as Health and Safety Executive would have the public believe. Instead, a fully investigated three-year case study of carbon monoxide emissions revealed a string of health and safety risks in properties within the regulatory remit of HSE and HCA which they chose to ignore. The study showed conditions serious enough to portend fatal consequences in hundreds of social housing premises and revealed thousands of properties that do not comply with current HSE gas regulations nationwide.

The subject property had no gas inspection in accordance with HSE regulations for more than two years. Attempts by the Tenant to mitigate the damage at his own expense have been sabotaged by the landlord to cover up HSE and HCA failure to investigate fraud and neglect attributed to Sanctuary Housing Association (Sanctuary Group) comprising Chester & District Housing Trust. That construes as multiple misconduct in public office by public sector regulators.

[Retroactive Preemption and Stitch-Up]

A new survey among 4,300 private sector tenants (published 09 May 13) shows an estimated 900,000 people in England now at risk from gas safety hazards. YouGov an international, online market research agency that offers research and market intelligence reports conducted the survey for Shelter, a registered charity that campaigns to end homelessness and bad housing in England and Scotland.

The law requires landlords in both public and private sectors to carry out a gas safety check every year to identify possible problems including faulty appliances that could lead to gas leaks or carbon monoxide poisoning. One in 10 private sector tenants did not have that mandatory gas safety check during 2012 according to the survey. Separate research by British Gas found 15% of private landlords unaware of their legal responsibilities.

By law, landlords must maintain gas fittings and flues in good order and have gas appliances and flues checked by a registered gas engineer for safety once during each period of 12 months. They must also keep a record of the safety check for 2 years and issue a copy to each existing tenant within 28 days of inspection and to any new tenants before they move in.

When a flue fault exists in combination with an appliance that does not operate correctly and has improperly placed vents to the outside of the building or vents in need of repair or replacement,
dangerous levels of carbon monoxide release into living accommodation. When breathed by tenants, those emissions stop the blood from bringing oxygen to cells, tissues, and organs.

When a fire or heater burns gas in an enclosed space, it gradually uses oxygen and replaces it with carbon dioxide (CO2). If the amount of carbon dioxide in the air increases, then it prevents the fuel from burning entirely and the appliance emits poisonous carbon monoxide. Inhaling those emissions can cause loss of consciousness and death in a short time.

In extreme cases, large volumes of noxious gases (which includes second-hand tobacco smoke) breathed by tenants with existing respiratory or other medical conditions can kill them within minutes without warning. This situation particularly applies to elderly tenants.

**Relevant Personal Information - Credibility Statement**

This statement obviates disinformation, libel and slander disseminated by John Denny, Paul Knight, Robert Thompson CW&CC *et alia*, Chester & District Housing Trust and Stephen Mosley MP: behaviour that effectively construes as misconduct in public office.

First published in 1944, the veracity of the author's published work has never received a legal challenge. He has spent sixty years as an investigative journalist and graphic designer, including twenty years as a new media industry CEO and systems designer-consultant also thirty years as a post-graduate professor teaching computer industry executives working on post-graduate degrees or doctorates in journalism, law, and graphic design.

In 1992, he founded Contra Cabal (one of the first and largest non-profit electronic magazines to appear on the Internet) for which he develops the site, writes articles, designs pages and produces graphics. He has written hundreds of web articles on corporate, trade union, senior and academic abuse also institutionalized racism.

After a grammar school education, an apprenticeship in Fleet Street, London and military service he formed a group of four public relations companies in London which specialized exclusively in modular construction and precast building techniques. Later in US, he became chief executive of several corporations in the US communication industry and designed one of the first word processing systems in 1973.

Employed as a corporate chief executive officer for 23 years and as a senior administrator and professor at private and public sector universities in the US for 25 years, he has read UK and US law since 1947. His current research and conclusions base upon 33 years experience of UK and US Freedom of Information Acts and State laws in pari materia.

He worked as communications consultant to Wilem Frischmann, CBE, FICE, FIStructE who joined C J Pell & Partners (1958) becoming a partner (1961) and Chairman (1968). Considered as one of the foremost engineers of his generation, Frischmann gained his reputation on technically ground-breaking developments predominantly Centre Point, Tottenham Court Road/Oxford Street, London (at that time the tallest building in London and the first with precast concrete construction) and on several other notable building projects.
He also worked as communication consultant to developers, architects and engineers in the UK building industry prior to moving to US in 1962 and gained extensive experience in the building of concrete structures during the 1950s and 1960s. He acted for about fifty building developers and contractors which culminated in a modular construction exhibit at Crystal Palace in 1962 to introduce the ten centimeter (4") module into the building industry.

He organized a second modular presentation at the building exhibition in London as the result of his close working relationship with the Royal Institute of British Architects through his association with architect Mark Hartland Thomas, a member of the Festival of Britain Presentation Panel, where he introduced A4 DIN sizes into general use in the building and printing industries.

Prepublication Notice

Individuals featured in Contra Cabal receive prior notice in accordance with codes of ethics agreed among journalists. Several of those codes have international legal precedent. They provide an opportunity to mitigate damage and to refute statements that could negatively affect reputations or cause investigation or prosecution for alleged illegal acts.

Under the mitigation doctrine, the law places an obligation on journalists to take reasonable action to reduce the effect of breaches of law. Mitigation rules apply to damages or costs in an action for tort or for breach of contract. It does not matter if the issues classify as civil or criminal.

The notices give them an opportunity to challenge with substantiated evidence any charges affecting their ethical or moral character. For public accountability, the author encourages them to respond in open exchange before a deadline. Individuals mentioned incidentally receive a copy of the notice as a courtesy. Journalists must report the truth no matter whom they offend and with disregard for the consequences of publication. Accurate reporting predicates a higher purpose and the common good.

The author does not solicit personal opinions and informs individuals that they should address only matters of fact. The notices declare personal or conflicting interests that relate to topics or to opinion especially when the content draws upon advocacy, experience, conclusion, or interpretation and advise of a responsibility to gather information and develop public awareness about wrongdoing and violation of codes of conduct.

Primarily, the articles expose malfeasance and misuse of public funds also abuse of elderly tenants by landlords, trust officials and law enforcement agencies. Named individuals neglected to adhere to their duty of care. Some maliciously damaged others and their reputations by libel, slander, assault, or other unlawful acts.

No person receives immunity from investigation. Anything published results from investigation, verification and validation which takes into account violations of law or breach of established rules and ethical practices.
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Professor Emeritus, Chairman and Chief Executive Officer  

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