

JMT – 1st March 2017

INSTALLATION OF SELF-CLOSING DEVICES ON FLAT ENTRANCE DOORS FOR DISCUSSION

1. Introduction

The TMO's Health & Safety Committee has recently undertaken a review of the TMO Fire Safety Policy & Strategy as this was originally drafted in 2013. In particular, there is a requirement to ensure that this continues to comply with legislation and to reflect best practice. Additionally, effective controls must be in place for the fire risks we face and lessons learned from fires within our own stock and fires elsewhere must be taken on board. Further, it is also important to consider London Fire Brigade's requirements and to reflect in the policy how we intend to best meet these.

2. Fire safety requirements for flat entrance doors

The original TMO Fire Safety Policy & Strategy recognised the need for flat entrance doors to be nominally fire-rated and for all replacement doors to meet current standards and be self-closing and provide 30 minutes of fire resistance. (This now applies to all flat entrance doors with the exception of those that open directly onto the street.) However, in discussions with the LFB following the Adair Tower fire it has been made clear that they require us to be significantly more pro-active about both -

- the retro-fitting of self-closing devices to nominally fire-rated flat entrance doors where these are not currently present AND
- the regular inspection and maintenance of all self-closing devices to ensure they remain connected and functioning correctly.

The LFB have confirmed their view that a self-closing device is a "fire safety system" as defined by Regulatory Reform (Fire Safety) Order and as such "Article 11 of this legislation places an onus on the Responsible Person to monitor fire safety systems in place and article 17 requires you to maintain fire safety systems."

We have emphasised our concern that even regular inspections and maintenance (where access is readily available) will not ensure that all devices remain operational as we cannot control residents who either deliberately choose to disconnect / disengage or do not report defects to enable us to instigate any necessary repair. The Inspecting Officers response to these concerns was as follows -

" I understand that residents may cause problems but if you put a system in place to monitor and maintain and the doors and the residents are not co-operative you have shown due diligence and the residents then become responsible under 5 (iii) and Article 22 with regards to co-operation and communication. It might be appropriate to remind residents of this and the fact that the self closer on their own front door is not for their protection but for their neighbours."

3. LFB Notices of Fire Safety Deficiencies

If, whilst undertaking an audit, the LFB consider there are deficiencies which require attention but which are not significant enough to warrant an Enforcement Notice, they will issue a Deficiency Notice. These documents have no legal standing but the LFB do include a timeframe within which they expect landlords to comply. Further, in the event of non-compliance there is the possibility that these could be escalated and an Enforcement Notice served.

Since the fire at Adair Tower the TMO have received nine Deficiency Notices. Five of the nine Notices were issued in relation to different staircases at the same block (Balfour House) and were largely raising concern about storage of items in the communal areas. We have adopted a “managed use” policy in relation to communal storage at this block and we believe the LFB Inspecting Officer was assessing against a “zero tolerance” policy. This, therefore, highlighted inconsistencies in approach and so we have undertaken recent training with Estate Staff to better clarify what level of storage would be considered acceptable. (A photographic guide is also being produced to assist staff.)

One Deficiency Notice raised concern that relates to the design of the walkway at Barandon Walk since it was enclosed some years ago with glazed atria – this has not been highlighted on any previous LFB audits and there is no clear solution but investigations are currently in-hand with the Fire Risk Assessor and the Assets & Regeneration Team.

A further Notice has challenged whether there is currently enough evidence to allow a stay put strategy to be adopted at the converted block at 9 Colville Square. The possibility of undertaking more invasive compartmentation surveys at the block is being investigated.

The final two Deficiency Notices – both received in recent months - include reference to self-closing devices in their schedule of deficiencies and require installation and / or maintenance of self-closing device. Specifically -

- Lonsdale House, Portobello Court Estate – “it was found that no system was in place to monitor the condition of the self-closing devices on flat front doors”
- Grenfell Tower, Lancaster West Estate - “several doors checked at time audit did not self-close”

At both these locations all tenanted flat doors had been replaced with fully compliant self-closing, fire- rated doorsets in 2013/14.

4. Self-closing policy of other social housing landlords

The TMO has contacted a number of similar organisations seeking information on their policy with regard to self-closing devices. All respondents to date (includes CityWest, Haringey, Notting Hill Housing etc.) have confirmed that their policy is to ensure that all flat entrance doors are fitted with self-closers. However, approaches to inspection / maintenance of these devices are much less clear.

5. Self-closers and leaseholder doors

It is accepted that under the terms of the current lease responsibility for flat entrance doors and associated door furniture, closing devices etc. are demised to the leaseholder. Therefore, it is proposed that a letter is drafted by Legal Services to advise all leaseholders of the LFB's requirement for flat entrance doors to have self-closing devices.

6. Self-closers and tenant doors

It will be necessary to adopt a clear documented procedure to maximise access to tenanted dwellings to fit these devices and to ensure that action can be taken to obtain access where it is unreasonably withheld. Legal Services have been consulted on the detail of this. procedure would be required

7. Costing of a self-closer installation programme

Our Fire Risk Assessor considers it likely that at least 50% of the stock already has self-closing devices fitted, however, accurate information on the precise location of all of these doors is not currently available.

The possibility of adopting an installation programme has been investigated and indicative costings are set out below –

Programme	Cost
1. Installation Programme for total stock Based upon the following assumptions – 100% inspection 75% installation 10% No Access	£619K
2. Inspection / Maintenance Programme Based upon the following assumptions – 60% doors fully compliant 20% doors required closer to be repaired / adjusted 20% doors requiring closers to be replaced 10% No access	£288K