



BRIEF ENCOUNTER

Don't even think about taking out the fire doors

Q After we bought our house, we had it extensively repaired, redecorated and built a small extension.

When the builders replaced some of the doors on the ground floor, they put in spring-loaded fire closers — even though we don't have them anywhere else in the house. The door closers are very stiff and we would like to remove them. Are we allowed to do so?

A It is fairly obvious that you should not remove fire safety features from your home, but there are at least three legal reasons why you should not do so.

First, when your builders installed the fire door closers, they almost certainly did so because the work required building regulation approval by the local authority. Fire doors with closers are a means of complying with Approved Document B of the Building Regulations 2000. Any removal of the door closers would be a "material alteration" under the building

regulations and would need formal building regulation approval. Works carried out without building control approval can lead to a fine or other action taken by the local council.

Second, removing the closers will probably breach the insurance policy for your house. Check the conditions of your policy very carefully to see what they say. Most insurers require policyholders to take all reasonable precautions to prevent accidents, loss or damage.

Third, you owe a duty of care to visitors not to act negligently under both common law principles and under the Occupier's Liability Act 1984. If a visitor was injured by a fire that was contributed to by the removal of the door closer, your actions would almost certainly breach these obligations. You run the risk of paying heavy damages for personal injury with a strong possibility that the insurer would refuse to cover you.

Don't therefore even think of removing the door closers.

Mark Loveday

The writer is a barrister at Tanfield Chambers. E-mail your questions to: brief.encounter@thetimes.co.uk