



Derry City & Strabane  
District Council

Comhairle  
Chathair Dhoire &  
Cheantar an tSraitha Bain

Derry Cittie & Strabane  
Destrict Coouncil

Ref: FOI / 2005

10 September 2018

Email:

Dear

## **Freedom of Information Act 2000 Request Fire Doors Fitted In Properties Under Your Management**

I refer to your FOI request and respond as follows:

### **Request:**

1. Can you detail how many fire doors have been installed in properties under your management that have been supplied by the following companies:  
Manse Masterdor  
Masterdor Limited  
Specialist Building Products Limited, trading as Permadoor  
Solar Windows Limited  
Birtley Group Limited, trading as Bowater by Birtley
2. Have you taken any action to remove fire doors supplied by these companies since the Ministry for Housing, Communities and Local Government announced these five suppliers have now been identified as failing to meet requisite fire performance standards.  
<https://www.gov.uk/government/news/action-to-address-recent-fire-door-issues>
3. Have any doors supplied by these companies been removed before the announcement.

### **Response:**

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice.

#### **Derry**

C/o Council Offices  
98 Strand Road  
Derry  
BT48 7NN

#### **Strabane**

C/o Council Offices  
47 Derry Road  
Strabane  
BT82 8DY

+44 (0) 2871 253 253  
info@derrystrabane.com  
www.derrystrabane.com

f Derry City & Strabane District Council  
@dcscouncil

Section 17(5) of the Freedom of Information Act 2000 requires the Council when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000. Section 12 of FOIA allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to either comply with the request in its entirety or confirm or deny whether the requested information is held. The estimate must be reasonable in the circumstances of the case. The 'appropriate limit' is currently £450 for Council. The relevant Regulations which define the appropriate limit for section 12 purposes are The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 SI 2004 No 3244 (known as the 'Fees Regulations').

Regulation 4(3) of the Fees Regulations states that a public authority can take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- (i) determining whether the information is held;
- (ii) locating the information, or a document containing it;
- (iii) retrieving the information, or a document containing it; and
- (iv) extracting the information from a document containing it.

Under those regulations Council can calculate the time spent on each of these permitted activities at £25 per hour (thus if the activity(s) takes more than 18 hours Council will be in excess of the 'appropriate limit') and Council is of the opinion that it would be unable to complete this enquiry within the appropriate legislative cost limit.

The information requested is not held in a readily accessible format. As outlined above, the Council was formed under the Local Government Act (Northern Ireland) 2014 effective 1 April 2015. In terms of the capital projects we manage, fire doors are not supposed to be specified by use of named manufacturers in our tender documents. This is due to the stipulations in public procurement regulations that prohibit such restrictive practices.

Instead, Council would use performance specifications and leave it to the main contractor to produce the required evidence to our design team that the contractor's nominated supplier's product complies with the performance specification requirements. The name of the door supplier and the product installed is captured in the Health & Safety File produced by the contractor at the completion of the works. The manual search through the individual project Health & Safety files, and the extraction and scanning of any available information would take much longer than the 18 hours permitted in the appropriate limit.

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I can advise however that Council have in place a property inspection regime whereby all Council buildings are inspected on a planned basis and that as part of this process fire doors are inspected for compliance and safety purposes. Where defective or non-compliant doors are discovered these are replaced.

If you are dissatisfied with our response you have rights of review and appeal; these rights consist of two review processes.

Firstly our internal review procedure is available by contacting:

John Kelpie  
Chief Executive  
Derry City and Strabane District Council  
98 Strand Road  
Derry BT48 7NN  
Tel 028 71253253 or email [john.kelpie@derrystrabane.com](mailto:john.kelpie@derrystrabane.com)

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
CHESHIRE SK9 5AF  
Tel: 0303 123 1113 (local rate) or email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

I would advise however, the Information Commissioner has indicated that a review will not be undertaken unless the Council has first had an opportunity to re-consider its decision.

Yours sincerely

**Derry**

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