

**Annex 8: Proposed amendments to schedule 5 - the match test -
part 1 and schedule 4 - the cigarette test - of the furniture and
furnishings (fire) (safety) regulations 1988 - response form**

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 7th October 2014.

Please provide answers to any of the questions below, and provide any additional response you believe is appropriate, headed:

Your name:

Redacted

Organisation (if applicable):

J A Milton Upholstery Supplies Ltd

Address:

Ellesmere Business Park

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Ellesmere

Shrops SY12 0EW

01691 624023

Redacted

Please return completed forms to:

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BIS

1 Victoria Street

London SW1 0ET

Telephone: 020 7215 5576

email: terry.edge@bis.gsi.gov.uk

Please tick boxes below which best describe you or your organisation.

	Organisation type
<input type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input type="checkbox"/>	Charity or social enterprise
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Large business (over 250 staff)
<input type="checkbox"/>	Legal representative
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Medium business (50 to 250 staff)
<input type="checkbox"/>	Micro business (up to 9 staff)
<input checked="" type="checkbox"/>	Small business (10 to 49 staff)

	Organisation type
	Trade union or staff association
	Other (please describe):

Please note: in addition to the consultation questions below, we would be very grateful if you could also answer the questions from the Impact Assessment which follow them.

Consultation questions:

Question 1: Do you think this proposal will achieve its aims of: helping to make UK furniture greener, save money to industry and making UK furniture more fire safe?

Comments:

- 1) **Do I think it will make the UK Furniture Industry greener?** Doubtful, because to be sure to abide by the rules most responsible re-upholstery businesses will just use more schedule 3 barrier cloth to be sure they have complied.
- 2) **Do I think it will make furniture safer?** No, because in the market there will be a split element of those businesses who will flout the law in order to be competitive and those who will find the law too complicated to abide by. I also do not believe that it will be possible to police within small companies, as it hasn't in the past,

Questions 2: Do you think that paragraphs 19-22 accurately set out the need for a change to the current match test?

A ☐ Yes ☐ No ☒ Not sure

Comments:

The introduction of FR Foam is essential to change within the tests but by my understanding further measures seem to be making the testing more complicated and tougher but not necessarily safer.

Question 3: Do you think the proposed changes are viable (paragraphs 23-29)?

A ☐ Yes ☒ No ☐ Not sure

Comments:

- 1) Not unless the tests are simplified.
- 2) More time is needed to establish what interliners, especially those used on soft cushions, will pass the new tests. This will result in forcing small

businesses like ourselves to more or less guess on making safe decisions on compliance.

Question 4: What are your views on the inclusion of currently unregulated materials (paragraphs 27-29)?

Comments:

I cannot see how a re-upholsterer, when requested to merely re-cover a piece, can establish how 'protective' the first 40mm of existing inner materials are. It would be impossible to carry out tests to establish this, both physically and from a cost point of view. It could make a simple re-covering job almost impossible from a cost aspect especially if the customer cannot choose a fully protective cover, as the industry has not yet had time to establish if a customer's choice of protective covers will be increased or decreased with these new tests.

Question 5: Do you agree with the benefits BIS believes the changes will bring?

A ☐ Yes ☐ No ☒ Not sure

Comments:

Unable at this stage to make a decision on results so far presented to me.

Question 6: What is your view on BIS's reasons for bringing forward the changes (paragraphs 41-42)?

Comments:

Changes are needed but I am not yet convinced that these proposals have given enough thought to the consequences to smaller companies that are in the bespoke market or re-cover/re-upholstering field.

Question 7: General rating of the proposals.

On a scale of 1 to 5, 5 being the highest, grade your overall approval of the proposals

	5	4	3	2	1
Right problems identified		✓			
Range of options wide enough				✓	
Preferred options well chosen				✓	

Question 8: Do you have any other comments that might aid the consultation process as a whole?

Comments:

My comments are made from the point of view of my business which is in three parts, upholsterers, training school for upholsterers and car trimming and as suppliers of inner materials and fabrics both retail and wholesale.

- 1) A whole industry of small upholsterers and their supporting companies could be badly affected if changes, which are needed in the manufacturing Industry, have not been given enough consideration as to how they will affect small businesses in our field. Not enough consideration has yet been given on whether or not it will lead to higher prices in recovering furniture which will result in more landfill and higher sales of cheaper imports.
- 2) Recently my company undertook an exercise to create a clear guideline for our customers as to the exact compliance of the fabrics that we sell as agents of fabric manufacturers/suppliers. We were forced to abandon the idea as there were very few suppliers, especially in the designer sector, that were prepared to 100% state compliance or non compliance of their fabrics. On the whole, approximate contents of yarns were given which made the 75% natural fibre rule impossible to establish. They would not offer a back coating service to some fabrics refusing to even state that a fabric could or could not be back coated. Surely if they cannot give clear statements of compliance or non compliance then it is no surprise that we, as the end users, are also confused.
- 3) I feel that if we allow these new proposals, in their current form, to be passed it will be even harder for the responsible re-upholsterers and small bespoke furniture makers to comply. The public in general currently have little or no knowledge of the laws regarding the current fire safety standards and I doubt that they will have little more when new regulations are released. Therefore due to the public's affordability of re-covering or reupholstering furniture it will lead to an increase of trade for the less scrupulous business and the decline of business for those of us who try to work within the law.

I cannot comment on the following as my business is not involved directly in having products tested.

Q1: Is the assumption on the cost of testing above right in your view? Could you provide evidence supporting your arguments?

Q2: Do you have any evidence that could help to refine this cost estimates?

Q3: Are there any other costs not included here that should be included? Please provide evidence supporting your arguments.

Q4: Do you agree with the assumption that there will be minimal losses of stock given the transition period? What is your normal turnover of stock?

Q5: Do you agree with the assumption on annual cost savings to UK based companies testing of fabrics for the cigarette test? Could you provide information on the cost of the cigarette testing for your company?

Q6: Do you agree with the range of cost savings above? What are the cost savings most likely to be for your company?

Q7: Are there any other methodologies you think would be more appropriate?

Q8: Do you agree with the cost estimates above? Could you provide alternative estimates? Could you provide estimates of cost savings for upholstered garden furniture and/or caravan upholstered furniture?

Q9: Do you agree with the assumptions above towards calculating the total annual amount of treated fabric? Please provide evidence supporting your arguments.

Q10: Are there any other un-quantified costs or benefits? If possible, please provide evidence supporting your arguments.

Q11: Is this a fair reflection of how smaller businesses will be affected? Please provide evidence supporting your arguments.

Q12: Are the familiarisation cost savings, in time, between options 2 and 4 an accurate reflection of the difference? Please provide evidence supporting your arguments.

Q13: Do the cost saving time profiles accurately reflect the timings of cost savings your business expect to see?

Thank you for your views on this consultation. Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply ☒

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

☒ Yes

☐ No