



PD/BIS FFSR/071014

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Dear Terry

**Consultation on 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**

Thank you for the opportunity to comment on the proposed amendments to the furniture testing regime in the UK.

Home Retail Group (consisting of the operating companies of Argos, Homebase and Habitat) is a major force in retailing in the UK, and sources directly a large amount of upholstered furniture from both EU and non EU countries.

We therefore operate both as a retailer and as an importer of furniture.

Our response to the consultation questions is set out below.

- 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?**

Making furniture greener

We have seen predictions that estimate that on some materials there can be a reduction in FR, but on other materials the amount of treatment will need to increase to pass the new test.

Currently we have not carried out an exhaustive review of our range and the materials that are used to try and estimate whether the changes will have a positive or negative effect. This depends on the fabrics that we use and how they will perform under the new tests.

At this stage it is impossible therefore to speculate on the net effect of these changes, whether less FR material will be required overall or more.

Save money to industry

This is clearly a difficult question to answer, as it depends on many variables.

As indicated above we have yet to assess whether the materials in use will remain fit for purpose under the new regime, whether they will require additional FR treatment or whether the amount of FR could be reduced.

The one off testing required to gather this information will be a cost to us, and the results will dictate whether there is an ongoing cost to the business, with regards to additional FR treatment or alternative materials being sourced.

The new provision with regards to the proximity of component parts will incur costs – there is potentially a cost having to treat materials previously outside scope of the regulations, which could be mitigated by a long term cost in redesigning products to “design out” the issue of accessibility of these components.

Clearly any increased costs may be offset by savings with not testing to the cigarette test in the future.

Making products safer

The safety of our customers is paramount, and as a responsible business diligent compliance to mandated requirements is important.

We completely support the objective of ensuring product is safe and also applaud the objective of ensuring clarity and consistency in the testing regime – if variations in the results of product testing can be eliminated through the testing regime, then that is to be welcomed – manufacturers need to be clear as to whether their product complies or not.

The UK currently has a robust regulatory regime with regards to furniture safety, we believe these proposed changes continue to deliver this.

It's impossible to be certain as to whether these changes will make product “safer”.

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

We have no specific comments on the rationale set out in paragraphs 19 - 22

3. Do you think that proposed changes are viable (paragraphs 23 – 29)

The proposals are certainly viable, clearly we would look to the test house community to ensure they are able to provide the necessary support to retailers and importers through the provision of testing to the new requirements.

We would raise the question of the “hole” test and whether the proposed test is practical again we would look to the test houses to ensure they take a consistent approach to the

application of his test, particularly with regards to how to measure the hole created in a uniform manner.

4. What are your views on the inclusion of currently unregulated materials

As stated above we are committed to ensuring the product we sell is safe, so if there is evidence that materials previously excluded from the regulations need to be included and this will drive up safety we will support that.

It will however challenge the assertion that this is a cost cutting measure if more materials are brought within scope.

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

See the response to question 1.

The overriding benefit of any change to these regulations will be to ensure there is simplicity and consistency. In particular any issues of ambiguity or uncertainty are removed. That should be one of the stated objectives along with safety, cost and environmental impact.

6. What is your view on BIS reasons for bringing forward the changes?

We would emphasize again the caution about this being mooted as a cost saving exercise when these savings are not assured.

7. General rating of the proposals

	5	4	3	2	
Right Problem identified			X		
Range of options wide enough			X		
Preferred options well chosen			X		

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

No

Cost related Questions

- 1. Is the assumption in the cost of testing above right in your view? Could you provide evidence supporting your arguments?**

We have no specific data available as to the cost implications to Home Retail Group created through the need to assess compliance with the new requirements and if necessary re-specify materials used (with the associated costs)

It is clear that there will be savings on some products where less treatment will be necessary, and some additional costs where materials will not comply with the new requirements requiring additional treatment or re specification with different material.

We anticipate initial costs associated with a range review, testing current materials used to assess their compliance and costs associated with the re specification and/or redesign of product prompted by the 40mm test.

After that we would anticipate that with some fabrics being reduced in FR, some requiring more FR, no need to cigarette test this should be cost neutral.

- 2. Do you have any evidence that could help to refine this cost estimates?**

Covered in Q1

- 3. Are there any other costs not included here that should be included? Please provide evidence supporting your arguments**

No

- 4. 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?**

We think that an 18 months transition period would be adequate to sell through existing stocks, and commence manufacturing to the new standards.

The only issue this will raise is making changes at the appropriate time to minimise any cross over i.e. having old stock that was placed on the market before the changes came into force.

I would suggest a two stage approach with a date when it becomes a requirement to only manufacture to the new requirements and date by which all stock made to the old requirements must be sold by.

It would be permissible to sell stock that complied with either set of requirements in the period between the two dates.

- 5. 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?**

We currently have no data that separates the costs associated with cigarette testing.

- 6. Do you agree with the range of cost savings above? What are the cost savings most likely to be for your company?**

We are working on this being a cost neutral change.

- 7. Are there any other methodologies you think would be more appropriate?**

No

- 8. 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.**

We include garden furniture with our upholstered furniture and we do not sell or source caravan upholstered furniture.

- 9. Do you agree with the assumptions above towards calculating the total amount of treated fabric? Please provide evidence supporting your arguments.**

We have no input regarding the overall amount of fabric in the UK

- 10. Are there any other unquantified costs or benefits? If possible, please provide evidence supporting your arguments.**

There will be internal costs associated with making these changes – visits to suppliers and supplier's facilities in China to renegotiate terms, and specifications and to audit factories to ensure that necessary changes are implemented.

We would probably implement surveillance testing within the first year/two years to ensure that changes have been implemented.

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

We have no view on the impact on SMEs

- 12. Are the familiarisation cost savings in time between option 2 and 4 an accurate reflection of the difference? Please provide evidence supporting your arguments.**

No view on this

13. Do the cost saving time profiles reflect the timings of cost savings your business expect to see?

No view on this

I hope this input is useful to the consultation process.

Yours Sincerely

Redacted