

## 1. FENCING OF SWIMMING POOL EXEMPTIONS

### 5 STRATHEAN AVENUE – NON-COMPLYING HINGED DOORS

The Committee had before it a report from the Building Enforcement Officer regarding an exemption for a non-complying hinged door, pursuant to the Fencing of Swimming Pools Act 1987.

The Committee **resolved** that the application be approved subject to the following conditions:

- (i) Building consent being applied for the proposed fence as per Plan B.
- (ii) The first closing door (of two) being able to be locked in the closed position and the second closing door being fitted with a self-closing and latching device, such devices being positioned at least 1.5m above the floor.
- (iii) That the applicant be advised that the remainder of the immediate pool area must be fenced in accordance with the Fencing of Swimming Pools Act 1987 and amendments and that the applicant's attention be drawn to clause 8(3) of the Act quoted below for the benefit of determining his/her obligations under the Act:

*“Every person who has possession of the property on which any pool to which this Act applies is situated shall ensure that the pool is not filled or partly filled with water at any time when the person knows or could reasonably be expected to know that any obligation imposed by this section on that or any other person is not being complied with.”*