

## **Report to the Cabinet**

**Report reference:** C-048-2020/21  
**Date of meeting:** 03 December  
2020



**Portfolio:** Housing & Community – Cllr Holly Whitbread  
**Subject:** Asbestos Policy 2020.  
**Responsible Officer:** Kurtis Lee (01992 562681).  
**Democratic Services:** Adrian Hendry (01992 564246).

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### **Recommendations/Decisions Required:**

- (1) That, following consultation with the Councils Leadership and Senior Management Teams and Corporate Health and Safety Officers and endorsement by the Tenant and Leaseholder Panel the Councils Asbestos Policy 2020 be adopted; and**
- (2) The aims of the Policy Statement, to effectively manage all asbestos containing materials in Council owned and managed properties in such a manner as to minimise the risk of any person being exposed to asbestos fibres be approved; and**
- (3) That, the targets of the Asbestos Management Plan and the Asbestos Register detailed in the Asbestos Policy 2020 be approved.**

### **Executive Summary:**

On 21<sup>st</sup> September 2020 consultation was undertaken with the Councils Leadership and Senior Management Teams and Corporate Health and Safety Officers who considered a draft Asbestos Policy 2020 on asbestos containing material located in Council owned and managed properties.

Following consultation, Epping Forests Tenant and Leaseholder Panel at its 14<sup>th</sup> October 2020 meeting considered the draft Asbestos Policy 2020 and recommended its endorsement to Cabinet.

Its adoption is a key decision as the Asbestos Policy 2020 sets out the lines of responsibility, principles and guidelines that the Council will apply in the management, removal and disposal of asbestos containing material.

### **Reasons for Proposed Decision:**

An approved Asbestos Policy 2020 will provide detailed arrangements and procedures that the Council will use to ensure compliance with the Control of Asbestos Regulations 2012, identifying the lines of responsibility around a robust framework of measures minimising the risk around asbestos and asbestos containing material in Council owned and managed properties.

## **Other Options for Action:**

Not to follow the recommendations of the Tenant and Leaseholder Federation and not endorse the Asbestos Policy 2020.

## **Report:**

1. The Asbestos Policy 2020 sets out how the Council will manage, so far as reasonably practicable, all asbestos containing materials falling under its control in such a manner as to minimise the risk of any person being exposed to asbestos fibres. The policy identifies the roles and responsibilities of persons who have a responsibility for implementing the requirements and objectives that are outlined in the policy.
2. The policy recognises the Councils 'duty to manage' asbestos containing material located in the non-domestic elements of its housing stock and its operational properties to protect anyone using or working in Council owned or managed properties from the risks to health that exposure to asbestos causes. The policy has set out a clear Asbestos Management Plan with actions that ensure the Councils 'duty to manage' asbestos containing material will be met with;
  - the priorities of the Asbestos Management Plan clearly set out;
  - a set of Asbestos Management Plan Targets;
  - a Communication Plan based around an Asbestos Register;
  - how the Councils tenderers and contractors are informed about asbestos containing material;
  - how procedure for undertaking maintenance works on Council owned and managed properties;
  - an Emergency Procedure following an un-controlled asbestos fibre release;
  - information on suspected or asbestos containing material available to Council tenants and residents of Council owned and managed properties.
3. Full consultation with the Councils Leadership and Senior Management Teams and Corporate Health and Safety Officers of the Asbestos Policy 2020 ensures the aims and objectives of the Asbestos Management Plan are understood and acted upon at all management levels within the organisation.
4. The policy also details how the Council will meet its 'duty to ensure' that any work carried out by Council employees or its contractors on Council owned or managed properties is undertaken in compliance with the Control of Asbestos Regulation 2012.
5. To comply with the 'duty to ensure' the Council shall, as far as reasonably practicable, identify the location of all asbestos or suspected asbestos containing materials and ensure that the risks posed are suitably risk assessed and that adequate control measures are implemented to ensure that asbestos fibres are not released.
6. The Asbestos Management Plan includes the procedure for maintaining an up to date Asbestos Register which records the details of, the location and the condition of asbestos or suspected asbestos containing material on Council owned and managed properties.
7. Asbestos data is recorded on the Asbestos Register and referenced against each Council owned or managed property, this allows property specific information on

suspected and asbestos containing material information to be made available to Qualis Management, staff, external contractors, tenants of Council properties and other persons who may potentially disturb or damage asbestos or suspected asbestos containing material when undertaking work in a Council property.

8. The Asbestos Management Plan details how the Asbestos Register is accessed and information on suspected and asbestos containing material is made available and communicated to Qualis Management the Councils housing repairs contractor, all employees, contractors, subcontractors, consultants, Council tenants and staff.
9. Tenants and residents of Council owned and managed properties are provided with facts about asbestos, the probable location of asbestos or suspected asbestos containing material, how to manage it and how to get advice contained in the Councils 'Asbestos in the Home' booklet shown in Appendix 11.1 of the Asbestos Policy 2020.
10. The policy will be reviewed annually by the Service Manager – Property Maintenance or if new legislation or guidance is published, or existing legislation or guidance is updated.
11. A formal review of the Asbestos Policy 2020 will be undertaken in consultation with the Epping Forest Tenants and Leaseholders' Panel in five years.

#### **Resource Implications:**

The resource implications of implementing the work on asbestos containing material products in accordance with the Asbestos Policy 2020 is funded from a combination of budgets for Asbestos Removal, Void Asbestos Removal and Asbestos Surveys which are currently allocated within the existing Capital Programme 2020-21 is £222,000. Expenditure will be limited to the existing Asbestos Removal budget within Capital Programme 2020-21.

Revenue Expenditure on asbestos testing is estimated at £4,000.00 per annum for next five years the sum identified within the Housing Revenue Account.

The staffing resource implications associated with asbestos management, asbestos inspections, maintaining the Asbestos Register and communications with tenants, occupiers and contractors are undertaken within existing staffing structure.

#### **Legal and Governance Implications:**

The Asbestos Policy 2020 will provide detailed arrangements and procedures that will ensure compliance with the Control of Asbestos Regulations 2012.

The policy will ensure that works that involve the removal or encapsulation or other activities that will lead to the release of asbestos fibres, regardless of asbestos type, will only be carried out by organisations licensed to carry out such works by the Health and Safety Executive.

#### **Safer, Cleaner and Greener Implications:**

Safer, ensuring the removal and disposal of asbestos containing material from Council owned and managed properties is carried out in line with current Health and Safety Legislation.

Safer for the Council ensuring information on suspected and asbestos containing material is made available and communicated to Qualis Management the Councils housing repairs

contractor, all employees, contractors, subcontractors, consultants, Council tenants and staff.

**Consultation Undertaken:**

Consultation of the draft Asbestos Policy 2020 was undertaken with the Councils Leadership and Senior Management Teams, Corporate Health and Safety Officers and endorsed by the Tenant and Leaseholder Panel.

**Background Papers:**

None

**Risk Management:**

The Asbestos Policy 2020 reduces the risk of an uncontrolled asbestos fibre release by identifying and providing information on asbestos or suspected asbestos containing material to people who come in contact with the product.

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The priority for the removal of asbestos containing material work is based on the identification of asbestos in the building elements of the home rather than the individual characteristics of the occupants.