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REPORT TO:	ETWALL JMC	AGENDA ITEM:	11
DATE OF MEETING:	12 <sup>TH</sup> JULY 2004	CATEGORY:	DELEGATED
REPORT FROM:	IAN REID	OPEN	
MEMBERS' CONTACT POINT:	CHRIS MASON 5794	DOC:	
SUBJECT:	MANAGEMENT OF ASBESTOS – ETWALL LEISURE CENTRE	REF:	
WARD(S) AFFECTED:	ETWALL, HATTON, HILTON, NORTH WEST, REPTON & WILLINGTON	TERMS OF REFERENCE:	HCS08

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## 1.0 Recommendations

- 1.1 That the JMC approve the adoption of the District Council's policy for the management of asbestos.
- 1.2 That the Priority 2 & 3 work identified in the asbestos survey be progressed in this financial year.

## 2.0 Purpose of Report

- 2.1 To outline the background behind the need for a policy for the management of asbestos generally and the need to progress the lower priority work identified in the asbestos survey.

## 3.0 Detail

### Background

- 3.1 Asbestos Containing Materials (ACM's) have been widely used for a variety of building purposes since the nineteenth century. It was particularly extensively used as a building material in the 1950s, 60s and early 70s.
- 3.2 The Health and Safety at Work Act 1974 already places responsibilities on employers for asbestos management in the work place in the duty of care they have for employees and others using their premises. Other more recent legislation, such as the Management of Health & Safety at Work Regulations 1999 and the Construction (Design & Management) (Amendment) Regulations 2000 (CDM) have placed further responsibilities on employers in terms of the management of hazardous materials.
- 3.3 The Control of Asbestos at Work Regulations 2002, parts of which came into force on 21<sup>st</sup> May 2004, places specific responsibilities for the management of ACM's on organisations and individuals who have building maintenance responsibilities (duty holders). They must ensure that a survey has been undertaken to assess the presence of asbestos, determine the risk from asbestos if present, prepare a written

plan identifying areas of the premises concerned and implement measures necessary for managing the risk.

- 3.4 It is estimated that nationwide as many as 500,000 commercial and public buildings contain ACMs. It needs to be emphasised that unless disturbed these materials generally pose minimal health risk to people working and visiting these buildings.

#### Survey & Policy

- 3.5 In June 1999, as part of the work to prepare the bid for new facilities at the site, an asbestos survey was commissioned via consultants. This survey identified where ACMs were located and highlighted work that needed to be undertaken on a priority basis. This work is summarised in Annexe A together with definitions for the priorities.
- 3.6 According to the report, work identified as priority 1 was dealt with immediately. It is now proposed, given that the external funding bids for new facilities at the site have been unsuccessful, to implement the priority 2 & 3 findings.
- 3.7 A copy of the District Council's Asbestos Policy is attached at Annexe B.

#### **4.0 Financial Implications**

- 4.1 At time of writing the cost, or a programme for undertaking priority 2 & 3 work is not available. Given the importance of the work it is suggested that at least part of the £10,500 underspend from 2003/04 be used for this purpose.

#### **5.0 Corporate Implications**

- 5.1 None

#### **6.0 Community Implications**

- 6.1 None

#### **7.0 Conclusions**

- 7.1 It is important that the JMC and staff employed at the Centre are clear about responsibilities for the management of ACMs and the actions to take in the event of a dangerous occurrence.

#### **8.0 Background Papers**

- 8.1 Etwall Leisure Centre – Asbestos Survey dated 1<sup>st</sup> June 2004