

REDDITCH BOROUGH COUNCIL

**EXECUTIVE  
COMMITTEE**

**26<sup>TH</sup> May 2010**

**FINANCIAL REPORT ON THE CAPITAL BUDGET PROVISION FOR 2009/10,  
2010/11 AND 2011/12 FOR ASBESTOS REMOVAL**

Relevant Portfolio Holder	Cllr B Clayton, Portfolio Holder for Housing, Local Environment and Health
Relevant Head of Service	Liz Tompkin, Head of Housing Services
Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 To report on the actual expenditure and overspend for Asbestos removal in 2009/10;
- 1.2 To request additional capital funding for Asbestos removal in 2010/11.

**2. RECOMMENDATIONS**

The Committee is asked to **RECOMMEND** that:-

- 1) **funding of the shortfall in the Asbestos Removal Capital contract budget 2009/10 in the sum of up to £120,000 be approved;**
- 2) **up to £175,000 additional Capital funding for Asbestos Removal for the years 2010/11 and 2011/12 be approved;**
- 3) **funding from the Housing Revenue Account for the cost of borrowing for the above bids estimated at £15,500 for 2010/11 and £28,000 for 2011/12 be approved; and**

**to RESOLVE that, subject to the Council's approval of the budgetary implications, as specified separately above, and consequent adjustment of the Capital Programme**

- 4) **approval be given to incur up to the expenditure detailed in 1 and 2 above for the purposes detailed in the report, in accordance with Standing Order 41.**

**3. BACKGROUND**

- 3.1 Following the introduction of the Control of Asbestos Regulations in 2006 and the stringent requirements, in particular regarding the disposal of

asbestos, it was agreed that this work would be put out to tender in order that the Council could employ a Licensed Asbestos contractor.

- 3.2 Removal of asbestos involves the use of disposable workwear, respiratory protective equipment, specialist vacuum cleaners and asbestos waste containers. The disposal of asbestos is a clearly defined and regulated process requiring a Waste Carriers Licence and stringent safety procedures are in place during the disposal process. Asbestos can only be disposed of at licensed disposal sites.

**4. KEY ISSUES**

- 4.1 Asbestos fibres can cause cancer and lung diseases.
- 4.2 We have many Council homes that have airing cupboards and Artex coated ceilings/walls containing asbestos. Asbestos was used as a heat and fire retardant material for such uses as to form a boiler plinth below a central heating boiler, insulation for the inside of an airing cupboard and within Artex providing a fire retardant covering to ceilings and walls.
- 4.3 Asbestos only becomes a dangerous material if it is damaged or disturbed e.g. if an Artex coated wall becomes damp and we need to remove the Artex coating this would need to be done in a controlled manner because of the asbestos particles contained within. Sometimes it is difficult to determine whether Artex is present so for health and Safety reasons the area will be tested by the Contractor and if positive the specialist process of removal begins.
- 4.4 Only qualified personnel can carry out removal and disposal of asbestos and Redditch Borough Council does not have suitably qualified staff or the necessary equipment required to carry out this work. Towards the end of the current contract we will examine the possibility of bringing this work in-house but costs to provide this service will be high.
- 4.5 We have a duty of care to our tenants to ensure that asbestos within their homes is managed and dealt with appropriately. It is essential that the removal of asbestos is carried out as soon as is practicable for the safety of both the Council's in-house tradesmen / Contractors who carry out repair works to properties and also for the safety of our tenants.
- 4.6 Findings of asbestos that are classed as notifiable e.g. asbestos insulation boards found in airing cupboards, have to be notified to the Health and Safety Executive.

**5. FINANCIAL IMPLICATIONS**

Changes in the control of asbestos in particular relating to the removal and disposal of asbestos have increased costs significantly as all works must now be carried out by a Licensed Contractor. When budgets were first agreed for asbestos removal the scale of works and costs were underestimated due to lack of knowledge about the impact/cost the new regulations would impose.

At the start of the financial year, floor tiles were considered to contain a very low level of asbestos so were being removed/repared by R&M and Void Operatives. However two Officers from the Capital team attended an Asbestos training course in August 2009 and it was highlighted that although the asbestos content in floor tiles is very low they should only be removed by competent personnel in a controlled manner to ensure the safety of all employees and tenants.

Whereas we had been able to remove and replace individual damaged tiles we now have to replace all floor tiles within a room (if they are known to contain asbestos). We did not become aware that this would increase costs significantly until the beginning of 2010 when the budget went into overspend. We moved money from non essential Decent Homes work to top up the budget but unfortunately we still overspent. It is accepted that we should have reported this before the end of the Financial year.

**6. LEGAL IMPLICATIONS**

The Council has a duty to carry out repairs and maintenance to its housing stock which includes the control/removal of asbestos. The Health and Safety Executive's Control of Asbestos regulations came into force in 2006 and guidance was issued to ensure that compliance with the regulations was adhered to. Since the regulations have come into force additional measures have been suggested to avoid contamination by either the workforce or occupants of buildings/houses containing asbestos.

**7. POLICY IMPLICATIONS**

The contract for Asbestos Servicing was procured by Redditch Borough Council, using the Standing Order 46 tendering and procurement policy, in 2007 and is in force until 2012

**8. COUNCIL OBJECTIVES**

- 8.1 Providing a safe and cleaner and greener environment for our tenants and the residents of Redditch

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

- 9.1 The risk of not controlling/removing asbestos from our properties would contravene the Control of Asbestos Regulations and could put both our staff and tenants health at risk.

**10. CUSTOMER IMPLICATIONS**

- 10.1 We have a duty of care to our tenants to ensure that asbestos within their homes is managed and dealt with appropriately

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

- 11.1 None

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

- 12.1 The removal of damaged asbestos is a requirement by the Council in order to adhere to the Health and Safety Executive's Control of Asbestos regulations

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

By removing damaged asbestos and replacing it with high quality safe and environmentally friendly materials we are working towards improving the environment and sustainability of our Council properties. The Asbestos Contractor's Environmental Policy advises they use environmentally friendly materials wherever possible.

**14. HUMAN RESOURCES IMPLICATIONS**

- 14.1 None.

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**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

15.1 None.

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF  
CRIME AND DISORDER ACT 1998**

16.1 None.

**17. HEALTH INEQUALITIES IMPLICATIONS**

17.1 None

**18. LESSONS LEARNT**

18.1 None.

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

19.1 Tenants will not be consulted about asbestos removal as this is a legal obligation which we have to adhere to.

**20. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	yes
Chief Executive	no
Executive Director (S151 Officer)	no
Executive Director – Leisure, Cultural, Environmental and Community Services	no
Executive Director – Planning & Regeneration, Regulatory and Housing Services	no
Director of Policy, Performance and Partnerships	no
Head of Service	no
Head of Resources	no

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Head of Legal, Equalities & Democratic Services	no
Corporate Procurement Team	no

**21. WARDS AFFECTED**

All Wards

**22. APPENDICES**

None.

**23. BACKGROUND PAPERS**

None.

**AUTHOR OF REPORT**

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