

PRACTICAL GUIDE

Responsibilities of managing asbestos in church buildings

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1.0 Introduction

This paper sets out the requirements of the Control of Asbestos Regulations 2012 (CAR 2012) which are an update of the previous regulations from 2002 and 2006. The Regulations set-out the duties necessary to manage asbestos in non-domestic premises.

2.0 Asbestos is dangerous!

Although asbestos was banned in 1985 and it is now illegal to use asbestos in the construction or refurbishment of any premises, many thousands of tonnes of it were used in the past (up to 1999) and much of it is still in place. As long as it is in good condition and is not being or going to be disturbed or damaged there is no risk. But if it is disturbed or damaged, it can become a danger to health, because asbestos fibres are released into the air and people can breathe them in, leading to asbestos-related diseases, mainly cancers of the lungs and chest lining.

You are most likely to come across asbestos in these materials:

Higher Risk	Lower Risk
Sprayed asbestos and asbestos loose packing - generally used as fire breaks in ceiling voids	Some ceiling tiles
Moulded or preformed lagging - generally used in thermal insulation of pipes and boilers	Certain textured coatings such as Artex
Sprayed asbestos - generally used as fire protection in ducts, firebreaks, panels, partitions, soffit boards, ceiling panels and around structural steel work	Asbestos cement products, including corrugated sheets in roofing and wall cladding & gutters, rainwater pipes and water tanks
Insulating boards used for fire protection, thermal insulation, partitioning and ducts	Bitumen roofing material
Millboard, paper and paper products used for insulation of electrical equipment. Asbestos paper has also been used as a fire-proof facing on wood fibreboard	Vinyl or thermoplastic floor tiles and acoustic pad under kitchen sinks

3.0 The Asbestos Regulations

Regulation 4 of CAR 2012 sets out the duty to manage asbestos in non-domestic premises. The Regulation states that “duty holders”, being the owners and occupiers of non-domestic premises, who have maintenance and repair responsibilities for those premises, have a duty to assess them for the presence and condition of asbestos by carrying out a survey. Where asbestos is present the duty holder must ensure that the risk is assessed within a Register. The risk must then be managed by using an Asbestos Management Plan.

The Health & Safety Executive (HSE) produce the following guidance documents which may be helpful for further reading on this topic:

- A Comprehensive Guide to Managing Asbestos in Premises – HSG 227
- A Short Guide to Managing Asbestos in Premises – INDG 223

4.0 Asbestos Survey and Management Plan

If you are a duty holder of a non-domestic premises, to ensure compliance with Regulation 4 of CAR 2012, you must ensure that the premises has a current Asbestos Survey and Management Plan in place. If there is no plan in place you should instruct a survey to be carried out by a competent and qualified surveyor. Church Growth Trust can carry out these surveys, so please do get in touch if you would like to discuss this with us.

The Survey and Management Plan produced will note the location of known and assumed asbestos containing materials (ACMs). Those that are known ACMs will have been physically sampled by the surveyor and sent off for laboratory testing to confirm the presence of asbestos, the results of which should be noted within the document.

The Management Plan should include a material assessment for each ACM, noting the product type and current condition, and should note recommendations for on-going actions that should be followed to safely manage any asbestos present within the building.

5.0 Implementation of the Management Plan

Following the survey, the duty holder of the premises must then implement the Management Plan and maintain an Asbestos Register for the building. This will include responsibilities, firstly ensuring any actions highlighted with regards to the condition of present ACMs are carried out, such as per the typical points as set-out below:

- If the ACM is in good condition, it is usually safer to leave it in place and manage it.
- If the ACM is in poor condition or is likely to be damaged or disturbed, it may be recommended to be repaired, sealed, enclosed, or removed.
- If the asbestos can be made safe by repairing it or enclosing it to prevent further damage, the area should be marked after it has been repaired and make sure it is on your list of asbestos locations.
- The Management Plan should contain a plan noting where asbestos is present or suspected to be present. All ACMs should be labelled within the building for clarity. It may also be helpful for the Management Plan to note any materials which have been confirmed not to contain asbestos, but that could be mistaken for being ACMs.
- If ACMs need to be sealed, encapsulated, or removed, remember you will need to employ a licensed contractor if the materials are high risk (e.g., pipe insulation and asbestos insulating panels). If the materials are lower risk (e.g., asbestos cement sheets and roofing) then an unlicensed but competent contractor may carry out this work. Further details on non-licensed work with asbestos is available on the HSE website (see below).

- You should always ask to see the licenced contractors Waste Carrier Licence. All asbestos waste should be double bagged in heavy-duty polythene bags and clearly labelled with the label prescribed for asbestos before it is transported to a disposal site. The waste can only be disposed of at a site licensed to receive it. Your local authority will have information on licensed sites in the area.

In addition to carrying out any actions required initially, the duty holder must then periodically assess the condition of any ACMs to ensure that their condition does not deteriorate (and as such pose an increased risk), keep the Management Plan up to date, and must also ensure that any contractors being brought to the premises to carry out works are made fully aware of the Asbestos Management Plan.

6.0 Refurbishment and Demolition Survey

Separate to the Management Survey as described in section 4.0, should it be the case that there is the intention for major refurbishment or demolition works to be undertaken at your non-domestic premises, then you as the duty holder will need to ensure that a Refurbishment and Demolition Survey is carried out (previously called a Type 3) survey. In simple terms this survey is more comprehensive with the purpose of identifying all ACMs for removal prior to the refurbishment works being undertaken. Church Growth Trust does not carry out this type of survey.

7.0 Useful addresses

HSE Information Services

Caerphilly Business Park
Caerphilly CF83 3GG
HSE's Infoline Tel: 0845 345 0055
Web: <https://www.hse.gov.uk>

The Royal Institution of Chartered Surveyors

12 Great George Street
Parliament Square
London SW1P 3AD
Tel: 024 7686 8555
E-mail: contractrics@rics.org
Web: <http://www.rics.com>

Asbestos Removals Contractors Association (ARCA)

Unit 1, Stretton Business Park 2
Brunel Drive
Stretton
Burton-upon-Trent
Staffordshire, DE13 0BY
Tel: 01283 566467
Email: info@arca.org.uk
Web: <http://www.arca.org.uk>

Asbestos Control and Abatement Division

TICA House
Allington Way
Yarm Road Business Park
Darlington DL1 4QB
Tel: 01325 466704
<http://www.tica-acad.co.uk>

United Kingdom Accreditation Service

2 Pine Trees
Chertsey Lane
Staines-upon-Thames, TW18 3HR
Tel: 01784 429000
E-mail: info@ukas.com
Web: <http://www.ukas.com>