

## Asbestos in local authority premises – background to the survey

### Labour Research Department May 2022

The LRD was commissioned by the TUC to gather information in support of its Asbestos Removal Campaign. We wanted to find out to what extent English councils have asbestos in any of their premises, and in which of their premises it has been found.

### Key findings

- In a sample survey of English local authorities, completed between July and October 2021, only one had already removed asbestos from all its premises. Among 31 (out of 41) councils that were willing or able to identify asbestos-containing premises or say how many they have, at least 2,690 premises had asbestos in them, not counting schools and houses. Many of these have public access.
- Lack of comprehensive centralised records – of the kind needed for any systematic program of asbestos removal – was clearly part of the problem. Those that did not provide any information on their premises with asbestos either could not say, or said the time needed to collate the requested information would exceed the requirements of the Freedom of Information rules. In the absence of a central register, authority staff would have to go back to individual asbestos management reports to identify the premises requiring action (which in turn depends on whether they have been surveyed).
- The fact that some authorities are taking steps to improve their centralised record-keeping, and were able and willing to provide the information requested, could mean they are readying themselves for a more comprehensive removal programme. However, an added complication is that there are plenty of council-owned premises for which the tenant or an arms-length body is regarded as the duty-holder.

### Results in more detail

A sample of 42 authorities was created from publicly available data, weighted to select approximately 1 in 3 Counties, 1 in 6 Metropolitan authorities, 1 in 5 London authorities, 1 in 7 Unitary authorities and 1 in 12 District authorities.

37 authorities provided a substantive response, either a reasonably full or more partial one, or by saying they were unable to respond, or refusing to respond (giving their reasons). As one authority said it had not received the FOI request, that's a response rate of 90%. 3 councils acknowledged our inquiry and promised to respond but had not done so by the time that the research was concluded; in some cases they appeared to be having difficulties assembling the requested information.

Authorities were asked either to identify the number of premises they had with asbestos or to provide a list of those premises (some authorities provided both). The survey reveals that among 31 councils there were at least 2,690 premises of all kinds (not counting schools and housing) that still had asbestos in them at the time. Refusals were usually on cost grounds (e.g. where information was not yet centralised), although Wigan rejected most questions in the belief that the information would be "used to make claims against the Council".

The types of premises still containing asbestos proved to be varied but included buildings in parks and open spaces; premises run on an arms-length basis (for example, leisure centres); and premises let to tenants where the council is not the duty holder (or shares that duty). Many of the premises with asbestos have public access, but others are closed, empty or un-used. The lack of comprehensive centralised records was a clear problem for a number of authorities (exacerbated in some cases by council mergers) but some were actively taking steps to centralise and update their records.

A summary of the number of premises with asbestos at the time of the survey is given in Table 1. A simple comparison with the overall number of premises (excluding schools and houses) was only available for a limited number of cases, and caveats applied (see Table 2). A summary of responses by region is provided in Table 3. The survey sample was made up of varying numbers of authorities from different English regions<sup>1</sup> the priority having been to ensure coverage of councils of different types. A description of the sample is set out in Table 4.

### Table 1: How many premises with asbestos

The table summarises what was known about the number of premises with asbestos at the time of the survey.

Council	Type	Premises with asbestos
Adur District Council	District Council	77
Allerdale District Council	District Council	6
Barrow-in-Furness Borough Council	District Council	39
Bolton Council	Metropolitan District Council	48
Brent	London borough	9
Brentwood Borough Council	District Council	17
Broxbourne Borough Council	District Council	at least 20
Buckinghamshire County Council	Unitary authority	at least 542
Central Bedfordshire Council	Unitary authority	166
Chorley Council	District Council	0
Cotswold District Council	District Council	45
Dorset Council	Unitary authority	at least 329
Gosport Borough Council	District Council	16
Hillingdon	London boroughs	66
Hounslow	London boroughs	6 corporate & 48 open spaces (54)*
Lancashire County Council	County Council	152
Lincolnshire County Council	County Council	128
Maldon District Council	District Council	38
Merton	London borough	48
Mole Valley District Council	District Council	15
Newcastle Upon Tyne City Council	Metropolitan District Council	63
North Tyneside Borough Council	Metropolitan District Council	45
Reading Borough Council	Unitary authority	49

<sup>1</sup> including Selby in Yorkshire and the Humber (no substantive response received)

Rutland County Council	Unitary authority	27
Somerset County Council	County Council	77
Staffordshire County Council	County Council	147
Teignbridge District Council	District Council	91
Wandsworth	London borough	112
Wirral Borough Council	Metropolitan District Council	69
Wolverhampton City Council	Metropolitan District Council	176
Worcestershire County Council	County Council	69
<i>Information based on responses from 30 councils * numerical total not included</i>		<i>Total: at least 2,692</i>

## Table 2: Quantifying the incidence of asbestos

The table indicates some of the qualifications or caveats applying to the numbers in Table 1 (more detail is provided in Table 3).

- Allerdale: 6 properties with asbestos out of 12 but “unsure” about leisure centres
- Barrow-in-Furness: 39 properties with asbestos out of 43
- Bolton: 48 properties with asbestos out of 376 for which it is the duty holder
- Broxbourne: possibly 20 properties\* with asbestos out of 141 (118 for which it is duty holder) \* aspects of the council’s response unclear(see page 4)
- Buckinghamshire: at least 675 contain some asbestos (out of 750 including 133 schools)
- Gosport: 16 properties with asbestos out of 75
- Hillingdon: 66 properties with asbestos out of 216 “sites” (114 for which it is duty holder)
- Lancashire: 152 properties with asbestos out of 193
- Mole Valley: 15 properties with asbestos out of 15
- North Tyneside: asbestos “previously found” in 45 out of 91 NTC-owned premises
- Rutland: 27 properties with asbestos out of 55
- Somerset: 77 properties with asbestos out of 128
- Wandsworth: 510 premises but 148 excluding 362 commercial, 112 with asbestos

## Table 3: Responses from the regions

The table provides a summary of responses received (these were provided in a variety of formats and with varying levels of detail).

### EAST MIDLANDS

#### Rutland County Council (Unitary authority)

Total premises 55; premises where asbestos found: 27

Response summary: table showing a total of 55 premises (not listing HRA garages or plant rooms; buildings classed as whole unless separate party wall including services) of which 27 have asbestos (in some cases suspect but not tested due to accessibility). There are 2 properties that are used by the authority where it is not a duty holder, and potentially some council-owned property where there is a deemed shared responsibility or tenant’s primary responsibility.

#### Lincolnshire County Council

List provided, premises where asbestos found: 128

Response summary: Not all questions were answered on cost grounds but a table was provided containing the details of all 128 LCC non-school properties known to contain asbestos “where we have some responsibility for asbestos management” (along with information on schools). The authority pointed out that although it aims to independently inspect the condition of the asbestos on an annual basis this is not always possible, however, the tenants of each building are also responsible for routine inspections.

## **EAST OF ENGLAND**

### **Suffolk County Council**

Response summary: the authority provided a link to its on-line land and buildings list (<https://www.suffolk.gov.uk/land-and-building-assets>) which lists 2409 premises – many of them educational. But other questions were refused on cost grounds: the time involved would exceed 18 hours as it would be necessary to go through each individual asbestos management report "as this is not stored centrally".

### **Broxbourne Borough Council (District Council)**

Total premises 141; premises where asbestos found at least 20 (see below)

Response summary: the council has 141 buildings overall (excluding houses and schools), 118 for which it is the duty holder (the duty holder is the leaseholder in leaseholder agreements). However the number that have had asbestos surveys was given as 51. Although the response said "3" had asbestos present overall, the spreadsheet also indicated that asbestos was present at 1 leisure centre, 16 community/other leisure buildings and 3 administrative buildings. That aspect of the response was queried but clarification was not received so it is difficult to conclude how many of the authority's premises have asbestos.

### **Brentwood Borough Council (District Council)**

List provided; premises where asbestos found 17

Response summary: Spreadsheet of 17 varied premises, 13 open to the public, with date of current risk assessment ranging from September 2016 to January/February 2021. They included burial ground chapels, a civic building and offices (the town hall), community halls/hub, leisure centres, operational depots, a plant nursery used by a charity, a public car park, and public changing rooms at playing fields.

### **Maldon District Council**

List provided; premises where asbestos found 38

Response summary: a spreadsheet was provided indicating 38 buildings with asbestos present, mostly with public access, and including the original survey dates, comments and a date of last inspection. In certain identified cases the duty to inspect lies with the leisure-management company or leaseholder.

### **Central Bedfordshire Council (Unitary authority)**

List provided; premises where asbestos found 166

Response summary: partial refusal on grounds of cost as it has “at least 55 buildings which contain asbestos (not including farms buildings)” but the authority provided a list of 166 buildings with asbestos, indicating building type and separately counting multiple premises at certain locations. These buildings were described as having had a re-inspection of asbestos within the last year and with a “Frontline system” management plan reviewed each year.

## **LONDON**

### **Islington**

Response summary: refused on cost grounds, the authority suggested narrowing the request.

### **Hillingdon**

Response summary: the authority provided totals based on "sites", some of which have multiple buildings. Out of 216 sites it is duty holder for 114, 102 had surveys (12 sites built after 2000 do not), asbestos found and being managed in 66 (63 with public access), 43 had plans written or reviewed after 01/01/2019. With details provided for social care facilities (24), libraries (17), community centres (12), leisure centres (5) and admin buildings (1), most sites were not accounted for in any more detail.

**Brent**

List provided; premises where asbestos found: 9

Response summary: the authority responded using the LRD template table within an email (not as an attachment) with 9 premises named. It was unaware of any local authority-owned premises for which the authority is not the duty holder, or local authority-used premises for which someone else is the duty-holder.

**Hounslow**

Lists provided; properties under review in many cases

Response summary: the authority provided a list of around 25 corporate properties of which 6 appear to have some indication of asbestos. In addition there are 8 leisure centres or libraries where the duty holder is Lampton Leisure, which were all under review (all libraries with known ACM's were undergoing new asbestos re-inspection surveys / risk assessments and management plans at the time of the inquiry). A separate spreadsheet for parks and open spaces identified 48 out of a total of 71 buildings that contain ACM's and a programme of new asbestos management/ refurbishment/demolition surveys was also underway. A copy of the council's 2021 asbestos management policy was also provided as part of its response.

**Merton**

List provided; premises where asbestos found: 48

Response summary: LB of Merton Corporate Sites - Asbestos Containing Materials spreadsheet, 48 premises with use, access and dates. The authority owns many commercial properties that are let to and occupied by tenants, where management responsibility lies with these tenants.

**Wandsworth**

Total premises 510 (but including 362 commercial premises for which duty-holder status was not given) Excluding those commercial premises the council was duty-holder for 148 buildings (excluding schools and housing) including 30 admin, 30 leisure centres, 12 libraries, 56 community centres and 20 social care sites. Of those, 112 have asbestos including 92 low/very low risk where it was left in situ. Removed from 8, 12 being planned for removal.

**NORTH EAST****North Tyneside Borough Council (Metropolitan District Council)**

Total NTC-owned premises (excluding schools and housing) 91 (89 where the council is the duty-holder), asbestos previously found 45 (6 with public access) out of 68 with a survey present and 66 with a management plan (44 reviewed since 1 January 2019).

The premises types with asbestos present are cemeteries, childcare, children's home, community, countryside parks, depots, industrial premises, libraries, museums, offices, outdoor education, public toilets, recreation grounds and sports facilities.

**Newcastle Upon Tyne City Council (Metropolitan District Council)**

List provided; premises where asbestos found: 63

Response summary: a list of 63 premises was provided (many of them stated as "no NCC staff on site" instead of last management plan date). There are numerous premises where the authority is not the duty holder e.g. Urban Green Trust which manages all parks buildings, and other trusts running leisure facilities.

**NORTH WEST****Lancashire County Council**

Total premises with buildings 193; premises where asbestos found: 152

Response summary: a comprehensive text-based answer indicated that 152 out of 193 premises with buildings contain asbestos. Lancashire was referred to in Burnley's response as "the provider for the area".

**Allerdale District Council**

Total premises 12 (but see below); premises where asbestos found: 6

Response summary: 6 premises with asbestos out of 12 excluding housing and schools (but "unsure about the leisure centres"); 46 let properties where the authority may be the duty-holder (including multi-let buildings within the 12, e.g. town halls) and 74 where the leaseholder is the duty holder.

#### **Barrow-in-Furness Borough Council**

Total premises 43 (list also provided); premises where asbestos found: 39

Response summary: Out of 43 premises excluding housing and schools asbestos was found in 39, the same number as the total surveyed (35 with access to the public). The authority listed the 43 premises indicating the 13 with an AMP.

#### **Burnley Borough Council**

The authority referred to Lancashire County Council as "the provider for the area".

#### **Bolton Council** (Metropolitan District Council)

Total premises 376 (but see below); premises where asbestos found 48 (but see below)

Response summary: statistics were given for combined assets without land, broken down by community, education, non-educational, heritage and investment properties: 578 in all but Bolton is only the duty holder in the case of 376; 48 with information on asbestos (but information on leisure centres was not available).

#### **Wigan Borough Council**

Total premises 103

The authority rejected most questions on the grounds that "the Council believes that the information requested would be used to make claims against the Council". It gave the total number of premises where it is the duty holder as 103. It added that there are 44 council-owned assets for which the lease holder has full statutory responsibilities (to include asbestos management as the duty holder); and there are no properties leased by the council for which other persons are the Duty Holder.

#### **Chorley Council** (District Council)

Response summary: "No council buildings have asbestos within them. Surveys carried out in 2018/19 identified the last remaining items of asbestos which have been removed"

#### **Wirral Borough Council** (Metropolitan District Council)

List provided; premises where asbestos found 69

Response summary: the council's response was provided as a spreadsheet with premises name, usage, public access, whether open or closed, and dates for the last asbestos risk assessment and review.

### **SOUTH EAST**

#### **Buckinghamshire** (County Council)

Total premises 750 but that includes 133 directly maintained schools (making a non-school total of 617). At least 675 still contain some asbestos (no matter how small the amounts). The non-school/non-housing total with asbestos was not given (but must be at least 542).

Non-school premises owned by the council (which became a unitary authority on 1 April 2020, merging 5 formerly independent councils) include 26 libraries, 8 community centres, 9 leisure centres, 24 social care buildings and 22 administrative centres of various sizes.

All premises have asbestos logs in place. The Authority has carried out 230 fresh asbestos surveys since 1 January 2019. All premises have a management plan in place. All of the Authority's buildings are accessible to its own employees while about 700 are at least partially accessible in some way to the public.

Wherever possible, especially where more easily accessible, such as plant rooms, asbestos has been removed but where it has often used in construction and inaccessible— such as floor ducts for heating pipework – it has not been possible to remove so it is encapsulated.

Where asbestos is still present it is only retained under strictly controlled circumstances. It will only be possible to completely eradicate asbestos from every building when they are eventually demolished and replaced with new structures due to its inaccessibility in some instances.

The Council is the Duty Holder legally for all of these premises but for some buildings this duty is devolved in lease arrangements to external providers.

#### **Gosport Borough Council (District Council)**

Total premises 75; premises where asbestos found: 16

Response summary: 75 premises, 43 where the council is the duty holder, 46 surveyed, 16 where asbestos found, 46 had a management plan, 67 had public access.

#### **Mole Valley District Council**

Response summary: 15 premises (5 with public access), all of which have been surveyed and found to contain asbestos, with a management plan (7 administrative buildings, 2 leisure centres, 1 community centre and 5 others). There are no premises (excluding housing and schools) the council owns for which it is not the duty holder, and none it uses for which someone else is the duty holder.

#### **Kent County Council**

Refused on cost basis: the authority does not hold the data in the format requested/it would involve an extensive interrogation of the Council's records across teams within each of the directorates.

#### **Adur District Council**

List provided; premises where asbestos found: 77

Response summary: the council's spreadsheet lists 77 assets that still have managed asbestos in them with 2020/2021 re-inspection dates. With leased-out properties for which they are not the duty holder, leases have individual/varying terms in respect of responsibility for asbestos. To help ensure that new tenants are aware of their responsibilities a tenant handbook is being prepared which will act as a prompt/reminder of the checks they should be carrying out.

#### **Reading Borough Council (Unitary authority)**

List of premises given; premises where asbestos found: 49

Response summary: the authority provided a web link to a 2021 Corporate Sites Asbestos Records page, which identified 49 properties with ACMs, 9 of them empty.

### **SOUTH WEST**

#### **Somerset County Council**

Total premises 128; premises where found 77

Response summary: its initial response letter indicated that the council was duty holder for 128 premises, 77 containing asbestos, whereas a spreadsheet provided with the response lists 1,588 land and/or building locations. A supplementary response confirmed that reviews are undertaken and management plans in place.

#### **Dorset Council (Unitary authority)**

Total premises 737, asbestos found in at least 329.

Response summary: The council was working towards moving all information to a central register as part of the new property database, so the information it was able to provide was incomplete. As things stood at the time of the inquiry its central register indicated at least 329 properties with asbestos, for which it is the duty-holder in 240 cases but not in 89 cases. Within the overall list of 737 properties that left 408 where it had no information in its central register, for 37 of which it was the duty holder. It added that all of the sites that require asbestos registers will have them at site level, but it just did not have that recorded in the database.

#### **Plymouth City Council**

Total premises approximately 2,500

Response summary: refusal based on cost, in essence, it has 2,500 'premises' of which circa 150 are buildings, but others which are not buildings might also contain asbestos (this figure only covers premises listed under Facilities Management, it does not include the commercial properties which are managed under the Land and Property team). Records are kept at the premises/buildings, and each record would need to be inspected in order to provide the requested information.

#### **Cotswold District Council**

List of premises with asbestos given: 45

Response summary: the authority provided its Cotswold District Council Property Asbestos Register 2020, containing 45 property names and other details.

#### **Teignbridge District Council**

List provided; premises where asbestos found: 78

Response summary: the list identifies 78 premises but some are multiple buildings (eg public toilets) hence the total could equally be recorded as 91. The list also indicates public access, survey and review dates.

#### **Bournemouth, Christchurch and Poole Council (Unitary authority)**

Response summary: the authority was currently unable to provide a centralised response as it had recently evolved from three legacy councils and was working to bring together assets information. It said the majority of buildings prior to 2000 contain asbestos but differing surveys had been undertaken/management plans in place.

### **WEST MIDLANDS**

#### **Staffordshire County Council**

List provided, premises where asbestos found: 147

Response summary: the spreadsheet lists 147 properties with function, public access details and survey/inspection dates.

#### **Worcestershire County Council**

List provided; premises where asbestos found: 69

Response summary: the council's spreadsheet lists 69 premises, indicating use, access, risk assessment and management plan dates, and whether a tenant is the duty-holder.

#### **Wolverhampton City Council**

List provided, premises where asbestos found: 176 (including 94 with public access).

Response summary: premises uses range from car park (1) to cemeteries and crematoria (5), children's centres (6), community centres and hubs (15), day centres (3), depots (2), industrial (28), leased in (1), leased out (15), libraries (10), markets (3), museums/galleries/theatres (9), offices/admin buildings including the civic centre (10), parks/park buildings/playing fields (14), public conveniences (2), residential homes (3), resource centres (4), shops (7), sports centre and pools (1) and a training centre. 35 others were vacant, some due for demolition. The list included premises leased on a full repairing lease (for which the council is not the duty holder) and premises occupied or leased by the authority but owned by others. All asbestos management plans were currently being reviewed, during the implementation of a new asbestos management system.

### **Table 4: The sample**

The table provides more information about the sample used for the survey and the response rates achieved.

Authorities in England (as counted in the survey)	In total	In the 41 – excludes one council that said it had not received the request	In the 31 - excludes some councils who did not provide the requested information e.g. on cost or availability grounds	Not in the 42 sample
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County	26	8: Kent and Lancashire, Somerset and Worcestershire, Buckinghamshire and Staffordshire, Lincolnshire and Suffolk [31% sampled]	6: Lancashire, Somerset and Worcestershire, Buckinghamshire and Staffordshire, Lincolnshire [75% response]	18
Metropolitan	36	6: Wirral and Wigan, Bolton and Newcastle, North Tyneside and Wolverhampton [17% sampled]	5: Wirral, Bolton and Newcastle, North Tyneside and Wolverhampton [83% response]	30
London	30	6: Islington and Brent, Hounslow and Hillingdon, Merton and Wandsworth [20% sampled]	5: Brent, Hounslow and Hillingdon, Merton and Wandsworth [83% response]	24
Unitary	52	7: Dorset and Bournemouth, Central Bedfordshire and Plymouth, Reading, Darlington and Rutland [13% sampled]	4: Dorset, Central Bedfordshire, Reading, and Rutland [57% response]	44
District	176	14: Mendip and Teignbridge, Chorley and Broxbourne, Burnley and Cotswold, Selby and Allerdale, Gosport and Brentwood, Adur and Barrow-in-Furness, Mole Valley and Maldon [8% sampled]	11: Teignbridge, Chorley and Broxbourne, Cotswold, Allerdale, Gosport and Brentwood, Adur and Barrow-in-Furness, Mole Valley and Maldon [79% response]	162
Other	2	0 [0% sampled]	0 [n/a]	
All	322	41 [13% sampled]	31 [76% response]	