

# The Facts for Professionals

## Asbestos in commercial buildings

### The Law

The Control of Asbestos Regulations 2006 requires employers to prevent exposure of employees to asbestos. Further legal obligations fall under The Construction (Design & Management) Regulations 2007 (CDM) and The Management of Health & Safety at Work Regulations 1999.

### Why is asbestos dangerous?

Breathing in air containing asbestos fibres can lead to asbestos related diseases, mainly cancers of the lungs and chest lining. Asbestos is only a risk to health if asbestos fibres are released into the air and breathed in. Past exposure to asbestos currently kills around 4,000 people a year in the UK.

### Who is at risk?

Anyone who uses the premises, who disturbs asbestos that has deteriorated or been damaged and is releasing fibres, can be at risk. Contractors who drill, saw or cut into the fabric of the premises are particularly at risk if asbestos containing materials (ACMs) are present.

### Who has the duty to manage asbestos?

The duty holder is the person who has the responsibility for the maintenance and repair of the premises, either through a tenancy agreement or because they own the premises. The duty holder must find out if there is asbestos in the premises, keep up-to-date records of the location and condition of asbestos, assess the risk from the material, have a plan to manage the risk, put the plan into action, periodically review the plan and set up a system to provide information to anyone who is liable to work on or disturb the material.

### How do you comply with your duty?

Firstly you must find out if asbestos is present. Asbestos may be present if the building was constructed/refurbished before 1 January 2000. Surveying and sampling for asbestos is the best way to identify asbestos or indeed prove that the building is free of asbestos.

An Asbestos Management Survey is the most common survey which involves a visual inspection and surface sampling of suspected asbestos. A more in-depth Asbestos Refurbishment/Demolition Survey is required if construction or demolition activities are going to take place. This involves a more invasive survey to expose normally hidden parts of the building's fabric.

### What if asbestos is present?

The condition and potential risk from the asbestos should be evaluated. If the material is in poor condition the duty holder will need to have them either sealed, enclosed or removed. Any removal must be undertaken by a licensed contractor.

### Asbestos left in place

An asbestos register should be prepared and kept available at the premises clearly recording where the asbestos is and its condition. Asbestos should be clearly labelled with a warning sign. All contractors who carry out work on the premises should be made aware if asbestos is present. A permit-to-work system is a good way to achieve this.

### Regular monitoring and review

The legislation requires that the asbestos management plan be regularly reviewed. Asbestos left in the building should be inspected every 6-12 months and the condition documented to ensure that it is not deteriorating.

### Vital Property Solutions

Vital provides Asbestos Management Surveys and Asbestos Refurbishment/Demolition Surveys across the UK and Ireland. We provide a fast and cost effective service for investors, occupiers and their professional advisers.

Call us on 0845 111 7700 for advice,  
quotations and bookings.

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# VITAL Property Solutions

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We are the trusted asbestos survey partner for landlords, asset managers, occupiers, surveyors and solicitors across the country.

### Case study

#### Bedford Square, London

A 20,000 sq ft period office building occupied by our client, The Architectural Association. We undertook an Asbestos Management Survey at very short notice and provided associated consultancy services. The offices were being converted into the new AA School of Architecture.



For advice, quotations and bookings call our friendly team on:

**0845 111 7700**

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