



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET – 5 FEBRUARY 2026</b>
Subject	<b>ASBESTOS MANAGEMENT POLICY</b>
Wards affected	All
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Summary/Purpose	Submit Asbestos Management Policy to the Council for approval.
Annexes	Annex A - C-HSP-03 Asbestos Management Policy Annex B - Sustainability Impact Assessment – Asbestos Policy Annex C – Asbestos – Publica Guidance V1.6
Recommendation(s)	That Cabinet resolves to: 1. Approve the attached Asbestos Management Policy.
Corporate priorities	<ul style="list-style-type: none"><li>• Good transparent public services</li></ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Consultation with those identified as having responsibilities within this Policy.



## **1. EXECUTIVE SUMMARY**

**1.1** To support the delivery of the Health and Safety Work Plan and ensure the Council's compliance with statutory requirements, a review has identified that the current asbestos guidance lacks sufficient clarity and detail regarding the allocation of responsibilities for managing asbestos and asbestos-containing materials. To eliminate any risk of misinterpretation of regulatory obligations, the Council will replace the existing guidance with a comprehensive policy. This policy will clearly set out the Council's duties – both as an employer and as a property owner – in controlling and mitigating the risks associated with asbestos and asbestos-containing materials.

## **2. BACKGROUND**

**2.1** The Health and Safety (H & S) Team have identified the need to update some existing documentation within the H & S Management System as it does not currently provide sufficient clarity to ensure effective compliance. There are no identified issues with asbestos in the Council's buildings currently. In older buildings where asbestos has been identified, the condition and management of the asbestos will be routinely monitored. When in good condition and left undisturbed Asbestos does not present a risk. It is important the Policy is sufficiently detailed, with clarity on responsibilities and duties to ensure compliance is maintained. To address this, a new Health and Safety Management Plan is being developed, comprising a comprehensive suite of documents. This plan will strengthen and ensure that employees, councillors, contractors and members of the public remain safe when on Council premises, working on its behalf, or engaging with its services. It also promotes consistent and effective safety measures across all activities.

**2.2** The Health and Safety Management plan will consist of 52 different areas of consideration, supported by policy and guidance documents, templates and advice for managers and employees of the Council.

**2.3** The Corporate Health and Safety Team have begun by reviewing existing documentation relating to building compliance, with the preparation of policy and guidance documents to support relevant stakeholders and managers to fulfil their legal duties and obligations.



**2.4** The new policy establishes mandatory standards that must be followed, clearly defining roles, responsibilities, and arrangements to ensure consistency and accountability. While guidance is generally advisory in nature, a policy is a formal statement of intent and commitment. It demonstrates that the organisation is fulfilling its legal duties under the Health and Safety at Work etc. Act 1974 and associated legislation.

### **3. ASBESTOS MANAGEMENT POLICY**

**3.1** This document lays out the Council's legal obligation under the Control of Asbestos Regulations 2012 to manage and control Asbestos-Containing Materials, throughout all buildings and land owned and/or managed by the Council, where the legal responsibility lies with the Council.

**3.2** The policy outlines the risks presented by asbestos, the legal and regulatory framework, roles and responsibilities of key individuals, requirements for asbestos monitoring and management documentation, and training needs. The policy also provides information regarding the emergency procedures should there be a suspected release of asbestos fibre where persons may become exposed.

**3.3** The policy includes templates for monitoring and management documentation, based upon the Health and Safety Executive's Approved Code of Practice, as appendices.

### **4. ALTERNATIVE OPTIONS**

**4.1** The Council could decide not to update its documents and continue to rely on guidance rather than having a comprehensive policy however that presents risks that the Council is not fully compliant with legal requirements and people are at risk of being exposed to asbestos.

### **5. FINANCIAL IMPLICATIONS**

**5.1** Most of the measures required to comply with the Control of Asbestos Regulations 2012 are already in place, and adequate resources is already allocated for ongoing compliance. However, there may be a need to undertake new Asbestos Management Surveys for some Council owned buildings that are not managed by third parties.



- 5.2** All required management surveys have now been identified, and orders totalling £5,260 have been raised. Sixteen surveys were required in total, with costs varying depending on building size, ranging from £160 to £925 per survey. These costs are expected to be met from existing budgets in 2025/26.
- 5.3** Some resource will be required to meet the training needs of Designated Asbestos Control Representatives, for whom either the P402 or P405 qualification is mandatory. A full course costs approximately £1,000 and a refresher approximately £280, and these costs are expected to be met from existing training/Continuing Professional Development budgets.
- 5.4** It is also expected that the Duty Holder undertakes a "Duty to Manage" course, while the iHasco Asbestos Awareness Course will be available through the current package available to all staff with no additional cost.

## **6. LEGAL IMPLICATIONS**

- 6.1** This policy facilitates compliance with legislation, there are clear legal, both criminal and civil, implications should the Control of Asbestos Regulations 2012 not be complied with.
- 6.2** Failure to comply with the Control of Asbestos Regulations 2012 can carry unlimited fines and up to 2 years imprisonment. In cases where death from workplace exposure to asbestos fibre is attributable through negligence, Corporate Manslaughter charges can also be brought.

## **7. RISK ASSESSMENT**

- 7.1** Previously, broad guidance was issued regarding the management of asbestos within premises under the control of Cotswold District Council. However, this guidance is now considered insufficiently detailed to enable risks to be properly assessed. This guidance has not specified the roles and responsibilities of individuals within the Council, set out the legal and regulatory frameworks of compliance or given the Asset team a structure by which to ensure appropriate management of this significant premises compliance risk.



## **8. EQUALITIES IMPACT**

**8.1** This policy protects everyone equally, regardless of whether they hold protected characteristics or not. Without suitable management and control Asbestos and asbestos-containing materials present a real risk to all those who use or visit Council controlled premises. A properly implemented asbestos management plan mitigates this risk to its lowest possible level.

## **9. CLIMATE, BIODIVERSITY AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

**9.1** The implementation of this policy will not have any sustainability implications, please see Annex B for sustainability Impact Report.

## **10. BACKGROUND PAPERS**

**10.1** The previous Asbestos Guidance is included as Annex C.