

Retender of Asbestos Removal Services

To: Strategy and Resources Committee

Meeting Date: 11th July 2023

From: Executive Director of Finance and Resources

Electoral division(s): All

Key decision: Yes

Forward Plan ref: 2023/069

Outcome: The current Cambridgeshire County Council (CCC) Asbestos Removal Services framework will finish on the 9th February 2024. This framework is essential to the management of asbestos throughout the CCC property portfolio including all Schools where the authority have a legal responsibility. The CCC Asbestos Management policy (reviewed and passed by the Health and Safety Executive (HSE)) dictates that CCC will manage all asbestos in house to ensure the risk level is managed correctly and the CCC meets its statutory responsibilities under the Control of Asbestos Regulations (2012). The current expected value is 250k per year and the framework (6 Contractors) is for three years with a fourth year as optional. The framework (6 Contractors) will be used to generate income due to the ability to allow other authorities and partners to have access at 1.5% of their total spend or via a Service Level Agreement.

Recommendation: The Strategy and Resources Committee is recommended to:

- a) agree re-procurement of the Asbestos Removal Services Framework (1st January 2024 to 31st December 2027; and
- b) delegate authority to the Executive Director of Finance and Resources to appoint a contractor after a competitive procurement process and complete all necessary contractual documents in accordance with Council procedures in consultation with the Chair and Vice-Chair of Strategy and Resources Committee.

Officer contact:

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Member contacts:

Names: Councillors Lucy Nethsingha and Elise Meschini
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1. Background

- 1.1 CCC still have a large Property portfolio, particularly in Schools, that still has asbestos containing material. This is due to the construction age of many of our buildings being between the 1950's to 1990's. Although asbestos in good condition, is not harmful, and the current Cambridgeshire portfolio is well managed by CCC Property Compliance Team with the current Asbestos framework, it is essential we have the appropriate qualified Asbestos Removal Contractors (minimum 3 years HSE license) to ensure we meet our obligations of the Control of Asbestos Regulations (2012) and maintain the current high standards in managing asbestos.
- 1.2 The reprocurd framework will also be able to be accessed and utilised to address any asbestos related issues within CCC Maintained schools, and County Farm Rural Estate and others in line with the responsibilities within relevant lease agreement and service level agreement.

2. Main Issues

- 2.1 The importance of having fully licensed contractors to a high standard and managed directly by CCC is to ensure we recognise our responsibility as corporate landlord for an area that is highly sensitive, particularly in the education sector which is already subject to a national Health & Safety Executive (HSE) inspection. The framework approach advised (6 contractors) will give greater potential for savings, which has been evidenced on several previous tenders.

3. Alignment with ambitions

- 3.1 Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes

There are no significant implications for this ambition.

- 3.2 Travel across the county is safer and more environmentally sustainable

There are no significant implications for this ambition.

- 3.3 Health inequalities are reduced

There are no significant implications for this ambition.

- 3.4 People enjoy healthy, safe, and independent lives through timely support that is most suited to their needs

There are no significant implications for this ambition.

- 3.5 Helping people out of poverty and income inequality

There are no significant implications for this ambition.

- 3.6 Places and communities prosper because they have a resilient and inclusive economy, access to good quality public services and social justice is prioritised

There are no significant implications for this ambition.

- 3.7 Children and young people have opportunities to thrive

There are no significant implications for this ambition.

4. Significant Implications

4.1 Resource Implications

There are no expected significant implications within this category.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

The procurement will be managed in compliance with the Council's Contract Procedure Rules. The process will be led and supported by members of the Procurement and Commercial Team.

We are planning an open tender process to be advertised on the Find a Tender Service (FTS) as this is correct and legal procedure to set up a framework agreement.

The requirement will be split into 2 Lots, with a 2nd lot to incorporate demolition services. Lot 1 will be for Asbestos Removal services only, with 6 framework providers; Lot 2 will be for Asbestos Removal and Demolition Services, with 4 providers.

We have already engaged with Pathfinder Legal to inform them of this upcoming re-procurement process and requested legal support to draft framework contract Terms & Conditions, to ensure there are no delays.

4.3 Statutory, Legal and Risk Implications

The provision of asbestos management on the Council estate is required to ensure that the Council meets numerous statutory obligations in relation to Health & Safety particularly the Control of Asbestos Regulations (2012). Failure to provide such services could lead to enforcement or legal action being taken against the Council.

4.4 Equality and Diversity Implications

There are no significant implications within this category.

4.5 Engagement and Communications Implications

There are no significant implications within this category.

4.6 Localism and Local Member Involvement

There are no significant implications within this category.

4.7 Public Health Implications

There are no significant implications within this category.

4.8 Climate Change and Environment Implications on Priority Areas:

4.8.1 Implication 1: Energy efficient, low carbon buildings.

Neutral

4.8.2 Implication 2: Low carbon transport.

Neutral

4.8.3 Implication 3: Green spaces, peatland, afforestation, habitats and land management.

Neutral

4.8.4 Implication 4: Waste Management and Tackling Plastic Pollution.

The Asbestos waste will be removed to a specialist waste site and a waste consignment note provided as evidence of the disposal in line with the Control of Asbestos Regulations (2012).

4.8.5 Implication 5: Water use, availability and management:

Neutral

4.8.6 Implication 6: Air Pollution.

Neutral

4.8.7 Implication 7: Resilience of our services and infrastructure and supporting vulnerable people to cope with climate change.

Neutral

Have the resource implications been cleared by Finance? Yes

Name of Financial Officer: Stephen Howarth

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the Head of Procurement and Commercial? Yes

Name of Officer: Clare Ellis

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or Pathfinder Legal? Yes

Name of Officer: Emma Duncan

Have the equality and diversity implications been cleared by your EqIA Super User?

No

Name of Officer: Not applicable

Have any engagement and communication implications been cleared by Communications?

No

Name of Officer: Not applicable

Have any localism and Local Member involvement issues been cleared by your Service Contact? No

Name of Officer: Not applicable

Have any Public Health implications been cleared by Public Health?

Yes

Name of Officer: Jyoti Atri

If a Key decision, have any Climate Change and Environment implications been cleared by the Climate Change Officer?

Yes

Name of Officer: Emily Bolton

5. Source documents

5.1 Source documents

Health and Safety at Work Act (1974)

The Control of Asbestos Regulations (2012)

Cambridgeshire County Council Asbestos Management Policy (2023)

5.2 Location

[Asbestos - HSE](#)