

Cabinet

Monday 9 August 2010

7.00 pm

Ground Floor Meeting Rooms GO2A & G02B, 160 Tooley Street,
London SE1 2TZ

Supplemental Agenda No. 1

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Date: 6 August 2010

Cabinet Briefing Note - 9 August 2010

Report of Gill Davies - Strategic Director of Environment and Housing

Maydew House - Update on programme of strategic safety work

1. At the Cabinet meeting held on 20th July 2010, the Cabinet were informed that the council is currently undertaking work to comply with the requirements of the Fire Risk Assessment (FRA) on Maydew House.
2. Works to comply with the FRA started on site in early April and works were completed on time on 27th July 2010.
3. Other FRA items are being resolved through housing management actions and low level repairs, in addition to the programme of improvement works within the block.
4. The London Fire Brigade (LFB) and council officers conducted a joint inspection of the completed work on 27 July 2010 and although a formal letter is expected, the inspecting officer has informally confirmed the LFB's satisfaction with the work.
5. If the letter of confirmation is received before the Cabinet meeting, it will be made available to the Cabinet for information.
6. Three items from the FRA remain to be resolved. Two relate to the communal mechanical ventilation system, and involve the cleaning of ductwork and the prevention of smoke and fire travel within the ductwork and between dwellings.
7. The LFB are keen to see what further work is recommended and Council officers are currently working with specialists Exova Warringtonfire to arrive at workable borough wide solutions to this specific issue.
8. The other issue relates to emergency lighting to the stairwell, and the LFB understand that we are planning to install this separately and are satisfied with these proposals.

Gill Davies
Strategic Director of Environment and Housing

Item No.	Classification: Open	Date: 9 August 2010	Meeting Name: Cabinet
Report title:		Maydew House technical response to independent Surveyors report	
Ward(s) or groups affected:		Rotherhithe	
From:		Strategic Director of Environment and Housing	

RECOMMENDATION(S)

1. That Cabinet notes this briefing from the Strategic Director of Environment and Housing.

BACKGROUND INFORMATION

2. The discussions over the future of Maydew House entered the public arena earlier this year, and the issue was highlighted in the local press.
3. Two residents of Maydew House commissioned an external consultants report from A Tarling Esq. The report called into question a number of our intentions in relation to the improvement works programme, asbestos and the condition of the building. This report provides a technical response to the issues raised.

RESPONSE TO THE SURVEY REPORT

4. The response to the report is noted in the following table, with the original comments from Tarling Esq. cited in bold italics with the Environment and Housing response noted directly below.

Report number (per A Tarling report)	Comments received from A Tarling and Environment & Housing response
1.5.1.4	<p><i>Metal ceiling to the corridor with lighting with diffusers – diffusers of this type normally burn without self extinguishing releasing dense black toxic fumes and will drip burning plastic. This is a Section 20 building and there should be no flammable materials in the corridor. I have recovered a broken piece which I will be testing.</i></p> <p>The fittings conform to relevant British Standards and are suitable for the location.</p>
2.1.2	<p><i>Roof repairs are recommended. The roof covering cannot be the original and it is recommended that the files be inspected to ascertain whether the roof covering is still under guarantee.</i></p> <p>Whilst the roof is not leaking at present and the membrane is in generally good condition, the roof has very poor falls and is subject</p>

	to 'ponding' which will in time will degrade it. Our consultants report has assumed roof replacement to correct the issue of the falls and therefore extend the roofs life.
2.5.1.1	<p><i>Due to the presence of gas the Landlord is required to check the structural resistance to explosion in accordance with the following BRE report of 1987. "The structural adequacy and durability of large panel system dwellings" ISBN 0 85125 250 8</i></p> <p>All of our property stock has been inspected externally during 2009/10 by external Chartered Building Surveyors. No defects were recorded in relation to the panels.</p>
2.6.1	<p><i>The windows are replacement PVCu units that are at most 10 years old. I could not see any reason for their replacement.</i></p> <p>The windows were replaced in two phases, the most recent of which was over 15 years ago. The front façade were replaced on phase one and are of a lower standard and are nearing the end of their serviceable life span.</p> <p>In recognition of the other associated works proposed, which requires scaffolding, the window replacement costs is significantly lowered than undertaking this is a one off project at some future point.</p>
2.7.1	<p><i>The hoppers to the rubbish chute that I inspected are modern and not in need of any attention. I cannot see why they should be replaced.</i></p> <p>Our experience shows that the seals to hopper doors often require attention due to minor distortion in the door making a cold smoke seal not achievable.</p> <p><i>The door entry system is working, I met between 20 and 30 tenants and none of them had problems with the system. I cannot ascertain why they should be replaced.</i></p> <p>The system is beyond its expected life cycle and replacing on a planned preventative basis reduces the risk of service failure and represents better value for money for residents.</p> <p><i>The CCTV installation is old but still working although in need of replacing. Whilst the recording media and some cameras may require replacing, this is part of normal ongoing maintenance. The wiring should not require replacing.</i></p> <p>Not replacing the wiring has historically caused part replaced systems to fail to function correctly and limits the scope of the new equipment.</p> <p><i>The final escape door from the fire escape staircase into the concierge has a loose frame and is not sealed between the frame and structure. this must be rectified and the gap fire sealed with mineral wool and intumescent mastic.</i></p> <p>This was not identified in the Fire Risk Assessment (FRA) or Notice of Fire Safety Deficiency (NFSD), as issued by the London Fire Brigade. In fact the FRA noted that the door was being propped open when it needs to remain shut and protect bottom of escape stairs. As such, we can only assume this is a recent defect and we will instigate</p>

	<p>a repairs order to remedy.</p> <p><i>The fire escape door to the exterior at the bottom of the staircase is not labelled. This is the best means of escape as it does not take you into an unvented and potentially smoke filled lobby.</i></p> <p>The lack of general escape signage was picked up in the FRA, but not on the NFSD issued. Signage was done and was found to be in place upon our inspection.</p>
3.1.1.1	<p><i>Remember – the duty is all about protecting yourself and other people from exposure to asbestos fibres by managing any asbestos present in a building properly. It is not about removing all asbestos! If the asbestos is in good condition and not likely to be disturbed, it is usually safer to leave it in place and manage it. Removal may be unnecessary and costly!</i></p> <p>We concur with the comment but would note that the asbestos is highly likely to be disturbed during the course of the work. In particular the rewiring and renewal of services will require working on walls known to contain asbestos.</p>
3.1.3	<p><i>The main aim of the Asbestos Regulations is to reduce the release of fibres to an absolute minimum. Thus where it is possible to encapsulate and protect asbestos based materials from damage, or to undertake work without disturbing asbestos based materials that is what you must do.</i></p> <p>It is not possible to undertake a number of the works programmes without disturbing asbestos based materials. We know this due to previous improvement programmes and we are also mindful of our duty to protect operatives from accidental disturbance of asbestos contaminated materials.</p>
3.1.4	<p><i>The last thing the Act intended was for wholesale disturbance and damage to asbestos based materials.</i></p> <p>We concur but the Act and other legislation puts Southwark under a legal duty of care to operatives</p>
3.1.5	<p><i>If asbestos based materials are being damaged and cannot be encapsulated and protected from damage then, and only then, should it be removed.</i></p> <p>We concur. The asbestos cannot be protected from damage which then requires removal.</p>
3.1.5.1	<p><i>Thus asbestos based floor tiles in excellent undamaged condition should be labelled and protected with a laminate floor or similar. Where carpet is to be applied only the perimeter tiles should be removed to allow for fixing gripper rods . Where sheet vinyl is fitted where removal would damage the asbestos based tiles then all the tiles should be removed.</i></p> <p>The floor tiles will be disturbed where these interface with services and abut walls. Moreover, considering the extent of the other asbestos removals planned, it would not be a good use of resources to leave these in place.</p>
3.1.6	<p><i>It should be noted that metric size vinyl tiles and sheet material</i></p>

	<p><i>is asbestos free. Imperial size floor tiles are asbestos based.</i></p> <p>We do not concur with this view. It is possible to encounter both metric and imperial sized floor tiles that have some element of asbestos contained within.</p>
3.1.7.1	<p><i>The work is non notifiable and does not require specialists to remove. Suitably trained operatives complying with HSE data sheets are required. Respiratory equipment is not required. This is because the asbestos is so well bound up in the tile and the bitumen adhesive that spraying lightly with water prevents release of asbestos fibres.</i></p> <p>We agree that this part of the proposed project is not notifiable. It will however, require specific risk assessments and method statements to be developed. Moreover, the disposal of the removed floor tiles, as noted in Regulation 6 and 8 of the Control of Asbestos Regulations 2006, requires all asbestos to be disposed of by a licensed contractor.</p>
3.1.8.2	<p><i>This HSE document makes it quite clear that the AIB (asbestos insulating board) should not be disturbed and should be protected. this is because the removal of the AIB (asbestos insulating board) would cause a large degree of asbestos fibre release.</i></p> <p>As noted above, it is inevitable that the asbestos will be disturbed by the programme of works, due to the location and proximity of the asbestos to services.</p>
3.3.1	<p><i>Some of the walls may be of AIB (asbestos insulating board). These should not be disturbed and should be protected.</i></p> <p>Some of the walls do contain AIB and will be disturbed during the course of the works.</p>
3.4.2	<p><i>Where the whole flat requires removal of tiling then temporary rehousing should be considered.</i></p> <p>We fully concur.</p>
3.5.1	<p><i>The kitchen replacement and bathroom replacement is part of normal decent homes work and this would not require Rehousing of tenants.</i></p> <p>Under normal circumstances, we would agree. However, due to the design of the blocks (Scissor blocks) it is unrealistic to undertake the works with the resident insitu. A number of partition walls will be removed, including those to the bathroom thus making the property uninhabitable</p>
3.6.6 & 3.6.3.1	<p><i>When I tested the vent to flat thirty two I found that there was no noticeable draw although I could feel a slight draft. If the system is working correctly then a sheet of toilet paper should be held against the vent. I therefore reduce the size of the opening to the size of a 50pence piece and found that, instead of air being extracted, air was being blown into the bathroom.</i></p> <p><i>This is potentially highly dangerous as smoke and extremely hot gasses would enter into the flat in a fire situation.</i></p>

	<p>We have instructed fire engineers Exovia Warrington Fire to investigate and report back on solutions to a number of duct problems. We await their report and recommendations. The improvement programme has taken account of this and will incorporate, as necessary.</p>
4.1.1.9	<p><i>Very often BS 7671 (the 17th edition of the IEE regulations {IEE – Institute of Electrical Engineers}) are cited as the appropriate legal standard to work to. This is only appropriate for new installations or new additions to existing installations but NOT to minor repairs or renewals. These standards / regulations are NOT retrospective for the simple reason that on the day the 17th edition came into force every installation in the UK was non compliant even though they were perfectly safe. In fact there have been revisions to the 17th edition that would render all previous 17th edition domestic properties non-compliant!</i></p> <p>We note that Mr. Tarling has correctly noted the limitations of his report in terms of electrical installations. Our Electrical Engineer has confirmed that BS 7671 is applicable to all work including minor repairs/renewals i.e. replacement of damaged cable's.</p>
4.1.2	<p><i>Whilst the installation does not comply with the British Standard 7671 17th edition of the IEE regulations the wiring in flat thirty two is the original plastic covered cables and essentially safe.</i></p> <p>This assumption cannot be made unless fully tested inline with BS7671.</p> <p>The condition of the "original" cables cannot be considered "essentially safe" without a suitable inspection. There are pre-define tests to identify any deficiencies within wiring, no definitive statement can be made without these tests being undertaken.</p>
4.1.2.1	<p><i>The wiring is not VIR, rubber covered or lead sheathed and will remain functional for the life of the building.</i></p> <p>As previously noted, the assumption that the electrical cable's "will remain functional for the life of the building" cannot be supported without carrying out measured testing.</p> <p>The use of a calibrated test instrument needs to be used and obtained readings are compared with the minimum recommended requirements of BS7671.</p> <p>This forms part of a periodic inspection report and the overall assessment made by a competent person will determine the suitability of the cable's for continued use.</p> <p>The construction of the cable is misleading as PVC insulated cable does not guarantee integrity or safe operation.</p> <p>David Miles and Partners (our M&E consultant) has commented that the electrical systems in the flats being in the order of 45 years old are beyond the expected economical life and whilst safe in operation should any changes be required will need complete upgrade to comply with latest regulations.</p>
4.1.2.2	<p><i>The consumer unit comprises hard wired fuses without a cover.</i></p>

	<p><i>As a result a failing fuse could set fire to papers or flammable materials contained in the consumer unit cabinet.</i></p> <p>A Mantel unit "cabinet" is not designed as a storage cupboard and should not be used for this purpose. The semi enclosed fuses to BS3036 have a suitable cover installed. The mantel unit which in its original condition is a suitable enclosure, being of metal construction. The fuses will have a carrier installed and the consumer unit will have a cover to insulate any live parts. It is not recommended to replace the existing protection devices purely to allow for storage of combustible material</p>
4.1.2.3	<p><i>Whilst the light switch back box is earth bonded there is no earthbonding to the light fittings. The original light rose and pendant bayonet fittings were in plastic and therefore completely safe. Metal fittings installed by the tenants must be earth bonded – this is not the responsibility of the Landlord.</i></p> <p>Ceiling roses of class 2 construction do not require a circuit protective conductor to be connected to the outer casing. Any new accessories connected to final circuits need to be installed by competent persons and be suitable for the location. Accessories of class 1 construction, will have a fly lead terminated to the containment system which is utilised as the circuit protective conductor. During and on completion of this work, a minor works certificate is required to be completed.</p>
4.1.3.1	<p><i>Replace the fuse carriers and hard-wired fuses with Miniature Circuit Breakers (MCBs).</i></p> <p>Semi enclosed fuses are perfectly acceptable under BS7671 and there is no need to change to MCB as a routine procedure.</p>
4.1.3.2	<p><i>Provide earthbonding to the light fittings.</i></p> <p>An acceptable type of circuit protective conductor is provided to all points of utilisation within the installation. The metal containment does need to be periodically inspected and tested to ensure safety for continued use.</p>
4.1.3.3	<p><i>Replace the original light roses and twin flex pendant drops to accommodate earthbonding.</i></p> <p>Earth bonding is not required at an accessory. A circuit protective conductor is required to accessories other than class 2 construction.</p>
4.2.2	<p><i>The domestic hot and cold water plumbing system will, due to its age, require replacing. This can also be undertaken without the need to decant the property.</i></p> <p>Under normal circumstances we would concur. However, due to the proximity of asbestos containing materials and access to the services via these, decanting is required.</p>
4.2.3/4	<p><i>I am surprised that the replacement of the waste plumbing and rainwater downpipes is being considered. Cast iron soil stacks and rainwater downpipes installed in the 1930's and many installed in the Victorian era are still performing perfectly well even where fully exposed to direct sun and freezing weather. If the system is of plastic then, as it is protected from UV within</i></p>

	<p><i>the plumbing should not have failed.</i></p> <p><i>In my experience all that would be required is a pressure jet clean to remove and accumulations of fat and other debris.</i></p> <p>Our maintenance records show that the cast iron pipework has corroded in numerous places. Our experience also shows us that pressure jetting causes further leaks due to the corroded nature of the pipework and the type of jointing material used originally.</p>
4.3.1	<p><i>The annual gas safety certificate is NOT sufficient for a large panel system block.</i></p> <p>Our Gas Safe registered contractor carries out a gas tightness test to this pipe work once a year when they service and inspect the boilers and issues a safety certificate.</p>
4.3.2	<p><i>The gas riser in the refuse chute lobbies appears to be in excellent condition. Further information is required.</i></p> <p>The gas riser leaves the gas meter room passing through a wall in to a ventilated service void to outside it then rises up the building passing through the bin chute rooms and plant rooms on it's way to the roof , these rooms are well ventilated and the pipe is sleeved and sealed where it passes though the floors</p>
5.1	<p><i>From the brief information provided it is my opinion that the proposed asbestos removal would be in breach of the Control of Asbestos Regulations. Only asbestos that is damaged or is likely to be damaged and cannot be sealed or protected should be removed.</i></p> <p>We do not concur with this comment. As asbestos can be reasonable foreseeable to be disturbed during the course of the works, not to remove the asbestos ahead of the main works would place us in a position of non conformity with the Regulations. As such, our intended approach conforms to the Regulations</p>
5.2	<p><i>From the information provided it is evident that the specifier has simply listed every possible conceivable work whether it is required or not.</i></p> <p>All of the works are required. The programme has not been over specified, as advised by our independent consultants.</p>
5.3	<p><i>Without the specifier identifying exactly why each element is, in his or her opinion, required then a sensible decision cannot be reached as to the extent of the required works.</i></p> <p>As noted throughout this report, the rationale for the proposed works has been set out. This will enable timely planned preventative maintenance to be undertaken, as endorsed by the Audit Commission. Better value for money will be achieved via the works packaging and lower reactive maintenance and the resultant disturbance for resident's longer term.</p>

Conclusion

5. As can be seen from the above, there are areas of common ground. However, there are areas of divergence of opinion, most notably on the proposed removal of asbestos and the associated decanting of resident. Our response to these issues remains that the asbestos has to be removed as it is foreseeable that it will be disturbed during the course of the improvement works and that decanting is inevitable due to the locations of the asbestos requiring removal.

INITIAL REPORT ON PROPOSED WORK

AT

**MAYDEW HOUSE
SE16**

**FOR
MELANIE DEVALL
(MAYDEW HOUSE)
&
GERAINT LUMLEY
(MAYDEW HOUSE)**

OUR REF: AET/BS010-016

29TH JULY 2010

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE**1. INTRODUCTION**

- 1.1. I visited MaydeW House on Thursday 29th July during dry warm weather weather.
- 1.2. Any mention of left and right is as viewed from the front of the property.
- 1.3. The property is a large panel system building built in about 1964
- 1.3.1.

1.4. FORM OF CONSTRUCTION:

- 1.4.1. Concrete large panel system with replacement PVCu windows, door entry system to main entrance door and corridor.
- 1.4.2. There are 2 lifts and one fire escape staircase.

1.5. STRUCTURAL ALTERATIONS

- 1.5.1. *The following structural alterations and extensions were noted:*
 - 1.5.1.1. Door entry system
 - 1.5.1.2. Security door blocking the intended smoke ventilation to the corridor
 - 1.5.1.3. PVCu windows
 - 1.5.1.4. Metal ceiling to the corridor with lighting with diffusers –diffusers of this type normally burn without self extinguishing releasing dense black toxic fumes and will drip burning plastic. This is a Section 20 building and there should be no flammable materials in the corridor. I have recovered a broken piece which I will be testing.

2. EXTERNALLY**2.1. ROOF:**

- 2.1.1. Not inspected but any works on the roof will not affect the tenants.
- 2.1.2. Roof repairs are recommended. The roof covering cannot be the original and it is recommended that the files be inspected to ascertain whether the roof covering is still under guarantee.

2.2. CHIMNEYSTACKS AND FLASHINGS:

- 2.2.1. Not inspected but any works on the roof will not affect the tenants

2.3. PARAPETS, PARAPET GUTTERS AND VALLEY GUTTERS:

- 2.3.1. Not inspected but any works on the roof will not affect the tenants

2.4. GUTTERS, DOWNPIPES AND GULLIES:

- 2.4.1. Not inspected but any works on the roof will not affect the tenants

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE

2.5. MAIN WALLS:

2.5.1. Large panel system buildings

- 2.5.1.1.** Due to the presence of gas the Landlord is required to check the structural resistance to explosion in accordance with the following BRE report of 1987. 'The structural adequacy and durability of large panel system dwellings' ISBN 0 85125 250 8
- 2.5.1.2.** The property must be able to withstand an explosive force of 5 psi (34.5Kpa).
- 2.5.1.3.** In addition the property should be reinspected every 10 years to assess the condition of the panels and the ability to withstand such an explosion.
- 2.5.1.4.** This is not covered in any of the reports to date.

2.6. DOORS AND WINDOWS:

- 2.6.1.1.** The windows are replacement PVCu units that are at most 10 years old. I could not see any reason for their replacement.

2.7. COMMON PARTS:

- 2.7.1.** The hoppers to the rubbish chute that I inspected are modern and not in need of any attention. I cannot see why they should be replaced.
- 2.7.2.** The door entry system is working, I met between 20 and 30 tenants and none of them had problems with the system. I cannot ascertain why they should be replaced.
- 2.7.3.** The CCTV installation is old but still working although in need of replacing. Whilst the recording media and some cameras may require replacing, this is part of normal ongoing maintenance. The wiring should not require replacing.
- 2.7.4.** The final escape door from the fire escape staircase into the concierge has a loose frame and is not sealed between the frame and structure. This must be rectified and the gap fire sealed with mineral wool and intumescent mastic.
- 2.7.5.** The fire escape door to the exterior at the bottom of the staircase is not labelled. This is the best means of escape as it does not take you into an unvented and potentially smoke filled lobby.

3. INTERNALLY

3.1. ASBESTOS:

- 3.1.1.** From HSE document “**Managing Buildings? You must manage asbestos**”
- 3.1.1.1.** Remember – the duty is all about protecting yourself and other people from exposure to asbestos fibres by managing any asbestos present in a building properly. **It is not about removing all asbestos!** If the asbestos is in good condition and not likely to be disturbed, **it is usually safer to leave it in place and manage it.** Removal may be unnecessary and costly!

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE

- 3.1.2. From **The Control Of Asbestos Regulations 2006** (in force since 13th November 2006)

Prevention or reduction of exposure to asbestos

11. —(1) Every employer shall—

(a) prevent the exposure of his employees to asbestos so far as is reasonably practicable;

(b) where it is not reasonably practicable to prevent such exposure—

(i) take the measures necessary to reduce the exposure of his employees to asbestos to the lowest level reasonably practicable by measures other than the use of respiratory protective equipment, and

(ii) ensure that the number of his employees who are exposed to asbestos at any one time is as low as is reasonably practicable.

(2) Where it is not reasonably practicable for the employer to prevent the exposure of his employees to asbestos in accordance with paragraph (1)(a), the measures referred to in paragraph (1)(b)(i) shall include, in order of priority—

(a) the design and use of appropriate work processes, systems and engineering controls and the provision and use of suitable work equipment and materials in order to avoid or minimise the release of asbestos; and

(b) the control of exposure at source, including adequate ventilation systems and appropriate organisational measures,

and the employer shall so far as is reasonably practicable provide the employees concerned with suitable respiratory protective equipment in addition to the measures required by sub-paragraphs (a) and (b).

(3) Where it is not reasonably practicable to reduce the exposure of an employee to asbestos to below the control limit by the measures referred to in paragraph (1)(b)(i), then, in addition to taking those measures, the employer shall provide that employee with suitable respiratory protective equipment which will reduce the concentration of asbestos in the air inhaled by the employee (after taking account of the effect of that respiratory protective equipment) to a concentration which is—

(a) below the control limit; and

(b) is as low as is reasonably practicable.

(4) Personal protective equipment provided by an employer in accordance with this regulation or with regulation 14(1) shall be suitable for its purpose and shall—

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE

(a) comply with any provision of the Personal Protective Equipment Regulations 2002[12] which is applicable to that item of personal protective equipment; or

(b) in the case of respiratory protective equipment, where no provision referred to in sub-paragraph (a) applies, be of a type approved or shall conform to a standard approved, in either case, by the Executive.

(5) The employer shall—

(a) ensure that no employee is exposed to asbestos in a concentration in the air inhaled by that worker which exceeds the control limit; or

(b) if the control limit is exceeded—

(i) forthwith inform any employees concerned and their representatives and ensure that work does not continue in the affected area until adequate measures have been taken to reduce employees' exposure to asbestos to below the control limit,

(ii) as soon as is reasonably practicable identify the reasons for the control limit being exceeded and take the appropriate measures to prevent it being exceeded again, and

(iii) check the effectiveness of the measures taken pursuant to sub-paragraph (ii) by carrying out immediate air monitoring.

- 3.1.3. The main aim of the Asbestos Regulations is to reduce the release of fibres to an absolute minimum. Thus where it is possible to encapsulate and protect asbestos based materials from damage, or to undertake work without disturbing asbestos based materials that is what you must do.
- 3.1.4. The last thing the Act intended was for wholesale disturbance and damage to asbestos based materials.
- 3.1.5. If asbestos based materials are being damaged and cannot be encapsulated and protected from damage then, and only then, should it be removed.
- 3.1.5.1. Thus asbestos based floor tiles in excellent undamaged condition should be labelled and protected with a laminate floor or similar. Where carpet is to be applied only the perimeter tiles should be removed to allow for fixing gripper rods . Where sheet vinyl is fitted where removal would damage the asbestos based tiles then all the tiles should be removed.
- 3.1.6. It should be noted that metric size vinyl tiles and sheet material is asbestos free. Imperial size floor tiles are asbestos based.
- 3.1.7. I inspected flat thirty two and flat forty and only located imperial floor tiles in one bedroom. These are damaged but can be removed without the need to remove the tenant from the flat. Removal would take less than a morning and the area is easily protected.

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE

- 3.1.7.1. The work is non notifiable and does not require specialists to remove. Suitably trained operatives complying with HSE data sheets are required. Respiratory equipment is not required. This is because the asbestos is so well bound up in the tile and the bitumen adhesive that spraying lightly with water prevents release of asbestos fibres.
- 3.1.8. **AIB (asbestos insulating board) – millboard**
- 3.1.8.1. Attached at the end of this report is the HSE document “Dealing with asbestos insulating board (AIB), millboard, marine board, insulating blocks, etc
- 3.1.8.2.** This HSE document makes it quite clear that the AIB (asbestos insulating board) should not be disturbed and should be protected. this is because the removal of the AIB (asbestos insulating board) would cause a large degree of asbestos fibre release.
- 3.1.9. **Other asbestos**
- 3.1.9.1.** Much of the asbestos is in plant rooms and elsewhere and unless there is any need for it to be disturbed it should be left well alone and simply protected. It is not known whether the asbestos in other areas is sprayed fibre lagging or rigid board.
- 3.2. CEILINGS:**
- 3.2.1. The ceiling to the corridor has been replaced with a material ceiling. This is fire resistant.
- 3.2.2. I am inform that the ceiling was installed when asbestos based ceilings were removed.
- 3.2.3. The diffusers to the lights require testing for flammability and ability to self extinguish.
- 3.3. WALLS AND PARTITIONS:**
- 3.3.1. Some of the walls may be of AIB (asbestos insulating board). These should not be disturbed and should be protected.
- 3.4. FLOORS:**
- 3.4.1. As noted some of the floors have asbestos based tiling. Where these are not damaged they should be protected as described above. Where minor removal is necessary then it can be undertaken with tenants in occupation.
- 3.4.2. Where the whole flat requires removal of tiling then temporary rehousing should be considered.
- 3.5. JOINERY:**
- 3.5.1. The kitchen replacement and bathroom replacement is part of normal decent homes work and this would not require Rehousing of tenants.

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE

3.6. DAMPNES, CONDENSATION VENTILATION:

- 3.6.1. No dampness and condensation noted at the time of the survey.
- 3.6.2. The ventilation system to the bathroom in flat thirty two is defective and the bathroom ventilation is totally blocked up to flat forty.
- 3.6.3. When I tested the vent to flat thirty two I found that there was no noticeable draw although I could feel a slight draft. If the system is working correctly then a sheet of toilet paper should be held against the vent. I therefore reduce the size of the opening to the size of a 50pence piece and found that, instead of air being extracted, air was being blown into the bathroom.
 - 3.6.3.1. This is potentially highly dangerous as smoke and extremely hot gasses would enter into the flat in a fire situation.
 - 3.6.3.2. It is highly likely that another tenant has fitted an extract fan to their bathroom thus pressurising the duct. It is clear that there are no safety shutters to the extract vent to prevent blowback.

3.7. FIRE PRECAUTION WORKS:

- 3.7.1. These can be undertaken with the tenants in occupation.

3.8. INTERNAL DECORATIONS:

- 3.8.1. Making good decoration can be undertaken with the tenant in occupation.

4. SERVICES

4.1. ELECTRICITY:

Note: The following statements are based upon a basic training in domestic electrical installations. Where faults are noted a report should be commissioned from a qualified Electrical Engineer.

- 4.1.1. Legal Requirements
 - 4.1.1.1. The legislation of specific relevance to electrical maintenance is the Health & Safety at Work Act 1974, the Management of Health & Safety at Work Regulations 1999, the Electricity at Work Regulations 1989, the Workplace (Health, Safety and Welfare) Regulations 1992 and the Provision and Use of Work Equipment Regulations 1998
 - 4.1.1.2. The Health & Safety at Work Act 1974 puts the duty of care upon both the employer and the employee to ensure the safety of all persons using the work premises. This includes the self employed.
 - 4.1.1.3. The Management of Health & Safety at Work Regulations 1999 states:

"Every employer shall make suitable and sufficient assessment of:

 - (a) the risks to the health and safety of his employees to which they are exposed whilst at work, and

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE

(b) the risks to ensure the health and safety of persons not in his employment arising out of or in connection with the conduct by him or his undertaking."

4.1.1.4. The Provision and Use of Work Equipment Regulations 1998 states:

"Every employer shall ensure that work equipment is maintained in an efficient state, in efficient working order and in good repair."

4.1.1.5. The PUWER 1998 covers most risks that can result from using work equipment. With respect to risks from electricity, compliance with the Electricity at Work Regulations 1989 is likely to achieve compliance with the PUWER 1998.

4.1.1.6. PUWER 1998 only applies to work equipment used by workers at work. This includes all work equipment (fixed, transportable or portable) connected to a source of electrical energy. PUWER does not apply to fixed installations in a building. The electrical safety of these installations is dealt with only by the Electricity at Work Regulations.

4.1.1.7. The Electricity at Work Regulations 1989 states:

"All systems shall at all times be of such construction as to prevent, so far as reasonably practicable, such danger."

"As may be necessary to prevent danger, all systems shall be maintained so as to prevent, so far as reasonably practicable, such danger."

"'System' means an electrical system in which all the electrical equipment is, or may be, electrically connected to a common source of electrical energy and includes such source and such equipment"

"'Electrical Equipment' includes anything used, intended to be used or installed for use, to generate, provide, transmit, transform, rectify, convert, conduct, distribute, control, store, measure or use electrical energy."

4.1.1.8. Scope of the legislation

It is clear that the combination of the HSW Act 1974, the PUWER 1998 and the EAW Regulations 1989 apply to all electrical equipment used in, or associated with, places of work. The scope extends from distribution systems down to the smallest piece of electrical equipment.

It is clear that there is a requirement to inspect and test all types of electrical equipment in all work situations.

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE

- 4.1.1.9. Very often BS 7671 (the 17th edition of the IEE regulations {IEE – Institute of Electrical Engineers}) are cited as the appropriate legal standard to work to. This is only appropriate for new installations or new additions to existing installations but NOT to minor repairs or renewals. These standards / regulations are NOT retrospective for the simple reason that on the day the 17th edition came into force every installation in the UK was non compliant even though they were perfectly safe. In fact there have been revisions to the 17th edition that would render all previous 17th edition domestic properties non-compliant!
- 4.1.2. Whilst the installation does not comply with the British Standard 7671 17th edition of the IEE regulations the wiring in flat thirty two is the original plastic covered cables and essentially safe.
- 4.1.2.1. The wiring is not VIR, rubber covered or lead sheathed and will remain functional for the life of the building.
- 4.1.2.2. The consumer unit comprises hard wired fuses without a cover. As a result a failing fuse could set fire to papers or flammable materials contained in the consumer unit cabinet.
- 4.1.2.3. Whilst the light switch back box is earth bonded there is no earthbonding to the light fittings. The original light rose and pendant bayonet fittings were in plastic and therefore completely safe. Metal fittings installed by the tenants must be earth bonded – this is not the responsibility of the Landlord.
- 4.1.3. At most to comply with legislation, rather than the IEE regulations the Landlord should
- 4.1.3.1. Replace the fuse carriers and hard-wired fuses with Miniature Circuit Breakers (MCBs).
- 4.1.3.2. Provide earthbonding to the light fittings.
- 4.1.3.3. Replace the original light roses and twin flex pendant drops to accommodate earthbonding.
- 4.2. PLUMBING AND HEATING:**
- 4.2.1. The heating system has previously been replaced without the need to decant the tenants.
- 4.2.2. The domestic hot and cold water plumbing system will, due to its age, require replacing. This can also be undertaken without the need to decant the property.
- 4.2.3. I am surprised that the replacement of the waste plumbing and rainwater downpipes is being considered. Cast iron soil stacks and rainwater downpipes installed in the 1930's and many installed in the Victorian era are still performing perfectly well even where fully exposed to direct sun and freezing weather. If the system is of plastic then, as it is protected from UV within the plumbing should not have failed.
- 4.2.3.1. In my experience all that would be required is a pressure jet clean to remove and accumulations of fat and other debris.

INITIAL REPORT ON PROPOSED WORKS AT MAYDEW HOUSE**4.3. GAS:**

- 4.3.1. The annual gas safety certificate is NOT sufficient for a large panel system block.
- 4.3.1.1. The ability of the block to withstand the effects of a gas explosion must be taken into account.
- 4.3.1.2. The installation of double glazed PVCu windows would act to increase the pressure required in an explosion before this element fails. Any previous reports on structural adequacy would have immediately become out of date.
- 4.3.2. The gas riser in the refuse chute lobbies appears to be in excellent condition. Further information is required.

5. CONCLUSION

- 5.1. From the brief information provided it is my opinion that the proposed asbestos removal would be in breach of the Control of Asbestos Regulations. Only asbestos that is damaged or is likely to be damaged and cannot be sealed or protected should be removed.
- 5.1.1. The intention of the Act is to ensure that release of asbestos fibres is kept to an absolute minimum
- 5.1.2. Even the HSE documents oppose wholesale removal where it is unnecessary and point out that removal is very costly. The HSE prefer and encourage management of asbestos.
- 5.2. From the information provided it is evident that the specifier has simply listed every possible conceivable work whether it is required or not.
- 5.2.1. Just how anyone can consider window replacement when the existing PVCu windows are approximately 10 years old
- 5.2.2. The specifier should be put to strict proof that the door entry system is in such disrepair that replacement is required.
- 5.2.3. The specifier should be put to strict proof that the CCTV system requires replacing as it should be maintained in full working order in any event as part of normal maintenance.
- 5.3. Without the specifier identifying exactly why each element is, in his or her opinion, required then a sensible decision cannot be reached as to the extent of the required works.

Arnold E Tarling BSc FRICS MCI Arb

6. PHOTOGRAPHS

- 1 TO FOLLOW
- 2

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