

Tonbridge & Malling Borough Council

Memorandum

From	Bill Parkinson EHHS	To	Martin Guyton LSBU
Our ref	EHHS/COM/BP	CC	Peter Wright – Director of Leisure Phil Beddoes - CEHO (Operations)
Ext	6195	Date	21 st March 2006

Re: Maintenance & Cleaning of ductwork at the Leisure Centres

1. Background

It would appear that regular cleaning of the ventilation ductwork at the leisure centres has not taken place since at least 1991 and in the case of Tonbridge Swimming Pool, not at all since it was opened in 1996.

In an attempt to rectify this and to determine the scale of the problem to be addressed Envirocure Limited, air and water hygiene consultants, were engaged by the LSBU to carry out assessments of the ventilation systems at all three facilities.

Their report of the 29th June indicated high levels of dust and where sampled, high bacterial levels. Total cost of cleaning and disinfection of the systems was estimated at in excess of £47,000. There is no current budgetary provision for this work and means of progressing the work have since been investigated. This report considers a possible way forward.

2. Legislative requirements

The Council has a number of legal obligations in connection with the cleaning and maintenance of ventilation systems. These reflect that the Centres are workplaces and are also frequented by a large number of people who are not at work but who are affected by those work activities:

- The “common duty of care” under the Health & Safety at Work Act 1974 to provide a safe place of work and to protect those who may use or visit the premises.
- The Management of Health & Safety at Work Regulations 1999 requires risk assessments of all work activities likely to cause a risk to health or safety and to put into place effective measures of controlling risks such as cleaning and maintenance.
- The Workplace (Health, Safety and Welfare) Regulations 1992 require effective ventilation to be provided - where this is by mechanical means the system must be maintained, including cleaned, in efficient working order.
- The Control of Substances Hazardous to Health Regulations 2002 requires specific risk assessments of those substances, including dust and pathogenic bacteria, that may be hazardous to health and to implement effective controls to minimise exposure.
- The Fire Precautions (Workplace) Regulations 1997 (as amended) imposes a requirement to assess fire precautions and to put in place any necessary measures to reduce the risk of fire.

- The Occupier's Liability Act 1984 imposes a duty of care on an occupier of premises to prevent risk to others of injuries including those affecting the health of any person exposed.

In addition there is the possibility of civil action by any affected person and the requirements of the Council's insurers to meet all of it's legal obligations, particularly where there is an increased risk of fire such as kitchen extraction systems where dust and grease may be an issue.

3.Action taken

Risk assessments have been carried out at Larkfield Leisure Centre, The Angel Centre and Tonbridge Swimming Pool by Envirocure Limited acting on behalf of the Council and the significant findings recorded as legally required. These have indicated significant amounts of dust within all three ventilation systems and a build up of dust and grease in the kitchen extraction systems. Where measurements could be taken these have generally shown that deposits are thicker than the limits quoted in the recognised guidelines of the Heating and Ventilating Contractors Association (TR/19). Bacterial analysis of some of the ductwork also indicated high levels of bacteria within the system.

A quotation for the work has been obtained from Envirocure as follows:

• Larkfield Leisure Centre	£16,470
• Angel Centre	£16,370
• Tonbridge Swimming Pool	<u>£14,354</u>
Total	£47,194

To reflect the urgency of the works required to the kitchen extracts to meet both the insurer's requirements and that of Environmental Health on food safety grounds, cleaning of these parts of the systems has already been carried out.

In recognition of the significant costs involved a quotation of £2,870 has been obtained for further bacterial sampling to identify the types of bacteria colonising the systems and another of £2,990 for merely disinfecting the ductwork were the other work not to proceed.

4. Issues to be considered

Clearly as the ventilation has not been cleaned for a long time and the assessments have indicated the need for a thorough clean of all three systems remedial work needs to be undertaken. This will reduce the possibility of health risks arising to both the staff working at these premises and to the many visitors to the facilities. In so doing the Council will meet both its legal and moral obligations and will demonstrate its commitment to provide a safe environment.

Again, given the lack of any previous cleaning, it would be prudent to clean all three systems immediately and to instigate a regular schedule of cleaning for the future, coupled with a preventative maintenance schedule.

Were this not possible the question of phasing of the work arises and with it any implications from the delay in completing the work. This is a matter of risk assessment and

the question of what is reasonably practicable as recognised by health and safety legislation. The equation allows, amongst other things, the cost of the work to be balanced against the perceived level of risk. Given the high costs, the lack of any complaints about air quality and the general nature of the ventilation (as opposed to local exhaust ventilation for the control of specific hazards) it could be argued that it would be reasonably practicable to phase the works over a two or three year period.

With regard to the additional quotations for sampling and disinfection of the systems if cleaning is not to proceed, it is my opinion that little will be gained by this. A separate Legionella assessment of each Centre is due to take place shortly and the presence of such bacteria in a dry ventilation system is considered low risk. Equally, disinfection of the systems will do nothing to remove the deposits of dust within them.

5. Conclusions

Given the above I would recommend the following:

- 1) Investigate the feasibility of carrying out all identified cleaning in one go. This is the preferred option and will enable the backlog to be cleared and a future rolling cleaning programme to be established and budgeted for.
- 2) In the absence of the complete scheme, to put in place a clear plan of action for phasing the work over a maximum of three years tackling the worst areas first.
- 3) In either case to establish a future programme of testing and cleaning the ventilation systems at a frequency to be determined by an initial examination of each system 12 months after the initial clean.
- 4) Not to proceed with the further sampling and disinfection of the systems.
- 5) Introduce a preventative maintenance programme for the ventilation systems to meet the legal obligations.
- 6) Obtain further competitive quotations for the work.