

Demolition of Building or Structure

The Building Act 1984 section 80 requires anyone intending to demolish all or part of a building (except exempt buildings i.e. smaller than 1750 cubic feet) to notify the local authority. The terms of any notice served by the local authority must be complied with and a person is liable to a fine if work is commenced before receiving the **Counter Notice** under section 81 of the Act, or the relevant period (six weeks) has expired.

An application form can be obtained from the council offices or our website at www.sholland.gov.uk.

The Act requires the notice to be sent, or given, to the following bodies where applicable:-

- a) the owner
- b) the owners of adjacent buildings
- c) The Health and Safety Executive (under CDM Regulation)
- d) Statuary undertakers (disconnection of gas, water, electricity)
- e) And in certain circumstances to liaise with the fire authority and/or police.

The Local Authority has power to serve a Notice (under Section 81 of the Act) about demolition on a person on whom a demolition order has been served, who appears not to be complying with an order, or who appears to have begun demolition. Such Notice must also be sent to the adjoining owners.

The notice requires thought to be given to:-

- Any adjacent buildings needing to be shored up
- Any adjacent building in need of weatherproofing or repair of any exposed surfaces
- Any adjacent building needing to be made good following damage caused by the demolition
- Removal of waste and rubbish from site (covered by the Control of Pollution Act 1990 part 2)
- Disconnection and sealing of drains or sewers
- Burning of materials and rubbish
- Making good to the surface of the ground
- Noise and general nuisance to be controlled (Enforceable by the Environmental Health Department)
- On completion of the demolition the site is to be left protected from the public and prevention of public .

Demolition will also require approval under the Town and County Planning Act 1990 for listed buildings, building in the ground of listed buildings and for works in a conservation area.

The Local Government (Miscellaneous Provision) Act 1982, Section 29, gives the local authority power to protect a building if it is likely to become a danger to Public Health, if the owner is absent, or if the building is unsecured. Sometimes this can be done dually with the Environmental Health Department. This may simply be securing of windows and door or fencing off access to the property or more seriously, the demolition of a dangerous building.