

Building Control Solutions

# Homeowner Guide 6

## Dangerous Structures and Demolitions



# Dangerous Structures and Demolitions

## **The Council has a statutory duty to ensure that:**

- All structures within its district, which are considered dangerous to the public, are made safe as quickly as possible
- Any demolition work undertaken within its district is undertaken with all necessary safety precautions. This should ensure that adjacent properties, where appropriate, are made safe and weatherproof

## Dangerous Structures

### **What is a dangerous building or structure?**

The term 'dangerous structure' not only covers buildings or parts of buildings, i.e. loose slates or tiles, but also garden walls, fences or hoarding. In fact, any built structure which could by its condition endanger the public.

### **What makes a building or structure dangerous?**

Buildings, like people; suffer from an ageing process, which can result in the structure becoming weaker. Buildings or structures can become dangerous as a result of poor maintenance, fire, storm, vehicle impact or explosion.

### **What do I do if I consider a structure to be dangerous?**

You need to report the problem directly to Building Control Solutions. Outside of normal working hours you should ring the relevant Council's emergency number. We will respond within 1 to 24 hours, depending on its urgency.

### **What powers do the Council have?**

All Local Authorities have a duty of care to protect the public from dangerous buildings or structures under Sections 77 and 78 of The Building Act 1984. Ultimately, it is the owner's responsibility to maintain their property.

### **What will the building control surveyor do?**

On receipt of a report, a surveyor will visit the site to inspect the structure, decide whether there is a danger, and if so, whether it is potentially or immediately dangerous. If the structure is considered potentially dangerous, the owner of the property will be contacted and requested to arrange for the structure to be removed or repaired within a reasonable time. Barriers are sometimes required around the dangerous structure in the meantime.

If the structure is considered immediately dangerous and likely to collapse, the Building Control Surveyor will try to contact the owner of the building/property to arrange for a builder to remove or repair the structure as soon as possible; normally on the same day. If the owner is unavailable, unable or unwilling to arrange for the danger to be removed, the surveyor will arrange for a contractor to take the minimum action necessary to remove the danger. The builder's costs are recoverable from the owner of the property.

### **Remember if in doubt ring us**

If you consider that a structure of any type or size may be dangerous, please ring us. We are always happy to inspect and advise at any time. You may be saving someone from injury.

# Demolitions

Building Control Solutions monitors demolition work to ensure Public Health and Safety is maintained.

## Who must give notice?

The owner or the person who intends to carry out the demolition work, informing us of their intentions.

## Then what happens?

You must wait until either:-

- Six weeks has expired, or
- We have served a Counter Notice on you before commencing demolition

## How do I give notice?

Notice must be in writing. It should describe the building, the demolition work, and your name and address. An on-line form is available by visiting our website. You will also need to supply copies of the Method Statement for the demolition work and Asbestos Type 3 Survey Report. A Charge is payable for this application.

## Does this apply to all buildings? - NO

The following are exempt from the need to serve a demolition notice: -

- The demolition of an internal part of a building if the building continues to be occupied
- A building that has an external cubic content of not more than 1750 cubic feet (approximately 50m<sup>2</sup>)
- A domestic greenhouse, conservatory, shed or prefabricated garage
- Certain agricultural buildings. If in doubt, please ask us

## Who do I have to give the notice to?

The owner or demolition contractor must provide the following involved parties with a copy of the same Notice they served on the Council:

**The occupier of any adjacent Building**

**National Grid UK**

**Thames Water**

## What will the surveyor do?

The Building Control Surveyor will visit the site if required. They will also ensure that the appropriate copies of the Counter Notice have been given to those mentioned above as well as the Fire Service, Environment Agency, Health and Safety Executive and Ordnance Survey. The Counter Notice is served under Section 81 of the Building Act 1984.

When giving approval for demolition work to take place, the Council will require the owner/contractor to adhere to certain conditions, these include:

- Adequate shoring, repair and weatherproofing of adjacent building(s)
- Removal of material or rubbish and disconnection, removal or sealing of drainage
- The disconnection of Gas, Electricity and Water supplies
- The burning of materials on site in a controlled manner Building Control Solutions administers these demolition procedures, therefore if you would like further details or wish to obtain the appropriate forms, please contact us on the number below

## **Where is all this documented?**

In the Building Act 1984, Sections 80-82

## **Then what?**

Then you may commence demolition work. You will need to adhere to the conditions on the Counter Notice.

## **Providing guidance**

Please consult our Building Control Solutions team prior to making an application. Our service is there to help if you are in any doubts over requirements or require further information.

## **Visit our website**

For a wealth of information including application forms, guidance on charges and latest news, go to: [www.bcsolutions.org.uk](http://www.bcsolutions.org.uk)

## **Party Wall etc. Act 1996**

Advice should be taken from a suitably qualified surveyor or legal expert on the possible implications of the above Act. Our Homeowner Guide 13 will give you an outline of the Act.

## **Other Approvals**

In addition to Building Regulation approval you may also require Planning Permission in certain circumstances. Listed Building Consent will be required if the building is listed as being of architectural or historical interest. Conservation Area Consent will also be required if the building is in a Conservation Area. Please contact the relevant authority's Development Control team for further advice.





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