

**NOTICE TO LOCAL AUTHORITY BY PERSONS PROPOSING TO UNDERTAKE THE DEMOLITION OF A BUILDING**

Section 80 The Building Act 1984

This notice must be completed and sent together with a site plan and demolition method statement to: **North Worcestershire Building Control, Parkside, Market Street, Bromsgrove, Worcs, B61 8DA**, and copies sent by you to the other persons and bodies listed in section 5 below, six weeks before demolition starts. The Council will then arrange for the conditions (a Section 81 Notice) to be sent to you. You must not start demolition work until you receive the conditions from the Council, or until the six weeks expires whichever is the earlier.

<b>1</b>	<p><b>Details of person or company proposing to undertake demolition work</b></p> <p>Name .....</p> <p>Address .....</p> <p>.....Postcode .....Tel: .....</p>
<b>2</b>	<p><b>Location of building which work relates</b></p> <p>Address .....</p> <p>.....Postcode .....Tel: .....</p>
<b>3</b>	<p><b>Proposed demolition work</b></p> <p>Description: .....</p>
<b>4</b>	<p><b>State means of drainage from building</b></p> <p>a) Foul Water discharging to: .....</p> <p>b) Surface Water discharging to: .....</p>
<b>5</b>	<p><b>Copies of this Notice must be completed and sent by you with a <u>site plan</u> and a <u>method statement for demolition</u> to:</b></p> <p>a) The Occupier of adjacent buildings</p> <p>b) Gas Company</p> <p>c) Electric Company</p> <p>4) Sewerage/Water Company</p>
<b>6</b>	<p><b>Is it proposed to burn any structures or materials on the site during the course of the demolition work? .....</b></p>
<b>7</b>	<p><b>Expected date of commencement.....</b></p>
<b>8</b>	<p><b>Expected date of completion .....</b></p>
<b>9</b>	<p><b>Future use of site .....</b></p> <p>I serve notice on the Council under Section 80 of the Building Act 1984 and confirm that I have sent copies of this notice with a site plan to the organizations or persons in Section 5 listed above.</p> <p>Signature.....Date.....</p> <p>Address.....</p> <p>On behalf of.....</p> <p>Address of owner.....</p>

Notice to local authority of intended demolition

- 80 - (1) This section applies to any demolition of the whole or part of a building except
- (a) a demolition in pursuance of a demolition order or obstructive building order made under Part IX of the Housing Act 1985, and
  - (b) a demolition
    - (i) of an internal part of a building, where the building is occupied and it is intended that it should continue to be occupied,
    - (ii) of a building that has a cubic content (as ascertained by external measurement) of not more than 50 cubic metres, or, where a greenhouse, conservatory, shed or prefabricated garage forms part of a larger building, of that greenhouse, conservatory, shed or prefabricated garage, or
    - (iii) without prejudice to sub-paragraph (ii) above, of an agricultural building (within the meaning of any paragraphs 3 to 7 of Schedule 5 of the Local Government Finance Act 1988), unless it is contiguous to another building that is not itself an agricultural building or a building of a kind mentioned in that sub-paragraph.
- (2) No person shall begin a demolition to which this section applies unless
- (a) he has given the local authority notice of his intention to do so, and
  - (b) either
    - (i) the local authority have given a notice to him under section 81 below, or
    - (ii) the relevant period (as defined in that section) has expired.
- (3) A notice under subsection (2) above shall specify the building to which it relates and the works of demolition intended to be carried out, and it is the duty of a person giving such a notice to a local authority to send or give a copy of it to
- (a) the occupier of any building adjacent to the building,
  - (b) the British Gas Corporation, and
  - (c) the public electricity supplier (as defined in Part I of the Electricity Act 1989) in whose authorised area (as so defined) the building is situated and any person authorised by a licence under that Part to supply electricity to the building;
- (4) A person who contravenes subsection (2) above is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Local authority's power to serve notice about demolition 81 - (1) A local authority may give a notice under this section to

- (a) a person on whom a demolition order or obstructive building order has been served under Part IX of the Housing Act 1985,
  - (b) a person who appears to them not to be intending to comply with an order made under section 77 above or a notice given under section 79 above, and
  - (c) a person who appears to them to have begun or to be intending to begin a demolition to which section 80 above otherwise applies.
- (2) Nothing contained in a notice under this section prejudices or affects the operation of any of the relevant statutory provisions, as defined in section 53(1) of the Health and Safety at Work, etc., Act 1974; and accordingly, if a requirement of such a notice is inconsistent with a requirement imposed by under the said Act of 1974, the latter requirement prevails.
- (3) Where
- (a) a person has given a notice under section 80 above, or
  - (b) the local authority have served a demolition order or obstructive building order on a person under Part IX of the Housing Act 1985, a notice under this section may only be given to the person in question with the relevant period
- (4) In this section and section 80 above, "the relevant period" means
- (a) in a case such as is mentioned in subsection (3)(a) above, six weeks from the giving of the notice under section 80 above, or such longer period as the person who gave that notice may in writing allow, and
  - (b) in a case such as is mentioned in subsection (3)(b) above, seven days after the local authority served a copy of the demolition order or obstructive building order in accordance with Part IX of the Housing Act 1985, or such longer period as the person on whom the copy was served may in writing allow.
- (5) It is the duty of the local authority to send or give a copy of a notice under this section to the owner and occupier of any building adjacent to the building to which the notice relates.
- (6) It is also the duty of the local authority to send or give a copy of a notice under this section
- (a) if it contains such a requirement as is specified in section 82(1)(h) below., to the statutory undertakers concerned, and
  - (b) if it contains such a requirement as is specified in section 82(1)(i) below.
    - (i) to the fire authority, if they are not themselves the fire authority, and
    - (ii) to the Health and Safety Executive, if the premises are special premises.
- (7) In this section and section 82 below., "special premises" means premises for which a fire certificate is required by virtue of regulations under the Health and Safety at Work etc. Act 1974.

\* Copy of section 82 available on request – [b.control@bromsgrove.gov.uk](mailto:b.control@bromsgrove.gov.uk)