

BUILDING CONTROL

NOTICE OF DEMOLITION

The Building Act 1984

North West Leicestershire District Council
Council Offices
Whitwick Road
Coalville
Leicestershire
LE67 3FJ

For Official Use Demolition Notice No.

Phone: (01530) 454692/693 **Fax:** (01530) 454690 **E-mail:** building.control@nwleicestershire.gov.uk

1. Property Details

I hereby give **6 weeks** notice of the intended demolition of building(s) or part(s) of building(s) under Section 80 of the Building Act 1984.

Address.....

.....Post Code.....

Description of work.....

Please supply a site plan, showing the building(s) which is/are to be demolished.

Date of demolition (If known).....

2. Owners Details

Name.....

Address (if different from above).....

.....Post Code.....

2. Agent Details (if applicable)

Name.....

Address.....

.....Post Code.....

3. Demolition Contact (or other person that will carry out the demolition)

Company Name.....

Address.....

.....Post Code.....

Contact name.....Contact Tel No.....

Statutory Undertaker

If any services of any statutory undertaker are to be disconnected due to the demolition, then a copy of the notice must be presented to the particular statutory undertaker(s), i.e. in respect of the disconnection of:

- Gas supply
- Electricity supply
- Water supply

Section 81 - Notice Content

The Demolition Notice served under Section 81 of the Building Act may require all or any of the following works:

- To shore up any building adjacent to the building to which the notice relates.
- To weatherproof any surfaces of an adjacent building that is exposed by the demolition.
- To repair and make good any damage to an adjacent building caused by the demolition or by the negligent act or omission of any person engaged in it.
- To remove material or rubbish resulting from the demolition and the clearance of the site. Important Note: the disposal of hazardous waste is subject to its own legislation. Further information can be obtained by contacting:
The Local Authority Environmental Health department – 01530 454545
The Environment Agency – 0845 933 3111
- To disconnect and seal, at such points as the Local Authority may reasonably require, any sewer or drain in or under the building.
- To remove any such sewer or drain, and seal any sewer or drain with which the sewer or drain to be removed is connected.
- To make good to the satisfaction of the Local Authority the surface of the ground disturbed by anything done under paragraphs e) or f) above.
- To make arrangements with the relevant statutory undertakers for the disconnection of the supply of gas, electricity and water to the building.
- To make such arrangements with regard to the burning of structures or materials on the site as may be reasonably required.
- If the building is or forms part of special premises, by the Health and Safety Executive and the Fire Authority, and in any other case, by the Fire Authority, and
- To take such steps relating to the conditions subject to which the demolition is to be undertaken, and the condition in which the site is to be left on completion of the demolition, as the Local Authority may consider reasonably necessary for the protection of the public and the preservation of public amenity.
- Consider adjacent properties in relation to noise whilst demolition works are carried out. Further information relating to noise nuisance can be obtained from the Environmental Health department on 01530 454545.

Demolition - Building Act 1984 Sections 80-83

IMPORTANT NOTE: The notice referred to above is NOT an approval notice to commence demolition. There may be other legislation relating to the demolition which has to be complied with.

- The Building Act 1984 Section 80
- Town & Country Planning Act 1990
- Planning (Listed Building and Conservation Areas) Act 1990
- Health & Safety at work etc Act 1974
- Management of Health and Safety at Work Regulations 1992
- Construction (Design and Management) Regulations 1994
- The Highway Act 1980 sections 168-173

Commencement of Work

Please note it is an offence under Section 80 to commence work if the Council has not served notice under Section 81 or 6 weeks have lapsed.

4. Who you need to Notify

I confirm that a copy of this notice has been given to the following:

1. Adjacent occupier(s)

Name

Address

..... Post Code

Name

Address

..... Post Code

Name

Address

..... Post Code

Please provide names and addresses of any other adjacent occupiers on a separate sheet and attach it to this form.

National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA
01926 416000

East Midlands Electricity
Pegasus Business Park
Herald Way
Castle Donington
Derby
DE74 2TU
01332 393500

Severn Trent Water
Leicester Water Centre
Gorse Hill
Leicester
LE7 7GU
0800 783 4444

5. Check list and signature

- I have completed all the relevant questions
- I have included a site plan
- I have sent a copy of this notice to all adjacent occupiers
- I have sent a copy of this notice to TRANSCO, East Midlands Electricity and Severn Trent Water

In return you will receive a notice under Section 81 of the Building Act 1984 specifying the steps to be undertaken during the demolition. Copies of this will be sent to adjacent occupiers and authorities, including fire and water. Demolition works must not commence until you have returned this form and you have received the Demolition Notice.

Name Signature Date

Please return this completed form to: David Darlington, Building Control Manager, North West Leicestershire District Council, Whitwick Road, Coalville, Leicestershire, LE67 3FJ

DEMOLITION

Owners wishing to demolish a building must give notice to the Council under Section 80 of the Building Act 1984. The authority has a duty to respond within 6 weeks of receipt of notice however we endeavour to respond within 14 days with a notification detailing actions that the owner will need to carry out, such as shoring up adjacent buildings and clearing the site. The following information provides a comprehensive guide to what action is required relating to demolition works:

Intended Demolition

Any person who intends to carry out the demolition of:

- A building greater than 1750 cubic feet (approx 50m²)
- The demolition is of an internal part of any occupied building, which is intended to remain occupied.
- The building is a greenhouse, conservatory, shed or prefabricated garage, even if the building forms part of a larger building.
- Certain agricultural building, unless it is near or touching another building that is not an agricultural building.
- A demolition order under the Housing Act 1985 has been served.

Must inform the local authority in the form of a **Notice of Intended Demolition** (Appendix A). Legally no one can start demolition work unless the Local Authority has been notified. The notification must specify the building to which it relates, and the work of demolition intended to be carried out.

Failure to recognise an appropriate notice in such circumstances may prevent the Local Authority from serving a 'Demolition Notice'. The person notifying the Local Authority must send a copy of the notification to:

- The occupier of any building adjacent to the building to be demolished;
- Any public gas supplier in whose authorised area the demolition is taking place;
- The public electricity supplier in whose authority area the building is situated, and;
- Any other person authorised by a licence to supply electricity.

Demolition may legally commence after the authority has issued a Demolition Notice under Section 81, or if the authority has failed to issue a Demolition Notice within six weeks of the date of service of the notice of intent. Where demolition has commenced without pre-notification to the Local Authority, an offence will have been committed and this could result in a conviction in the Magistrates Court. However, this does not prevent the authority serving its Demolition Notice and instigating proceedings for a fine.

Interpretation of Terms in Section 81 the Building Act 1984

'Relevant Period' - The notice served by the Local Authority must be issued within 'the relevant period'. Where a person proposing demolition has served notice upon the Local Authority under Section 80, the period is six weeks.

'Adjacent Premises' - The 'owner' and 'occupier' of adjacent premises must be served with a copy of the Section 81 notice. It is important that this is served on the relevant persons so that those who may be affected are aware of the situation.

The Town & Country Planning Act, and other relevant legislation

Works involving demolition may also require consent under the Town & Country Planning Act 1990 (as amended). Different types of demolition e.g. a small porch and a large warehouse, will involve different rules and procedures. For further information contact the Development Control team on 01530 454545.