



Elmbridge Borough Council
Building Control Division
Civic Centre
High Street
Esher
Surrey
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Office use only
Notice Number:

Demolition Notice

Building Act 1984

This form is to be filled in by the person (or agent) who is responsible for the demolition work. If the form is unfamiliar please consult the office indicated above. Please use block capitals or type your notice.

Details of the developer the demolition work is being carried out for

Name: _____
Address: _____

Postcode: _____ Phone: _____ Fax: _____

Details of any demolition contractor acting for the developer mentioned above

Name: _____
Address: _____

Postcode: _____ Phone: _____ Fax: _____

Address of the building you want to demolish

Address: _____

Postcode: _____

How is the building used at the moment

What date will demolition works start

Any other information

Statement

This notice is only for the demolition work I have described. I have made sure it is in line with Section 80 (2) of The Building Act 1984.

Name: _____ Signature: _____ Date: _____



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TECHNICAL INFORMATION REGARDING DEMOLITION

<p>The Building Act 1984 Section 80</p> <p>Intended Demolition:</p> <p>Any person who intends to carry out the demolition of a building must inform the local authority in writing. 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 to be carried out, but this is not required to be set out on a special form.</p> <p>Failure to recognize an appropriate notice in such circumstances may prevent the local authority from serving a 'counter notice'. The person notifying the local authority must send a copy of the notification to:</p> <ol style="list-style-type: none"> a) the occupier of any building adjacent to the building to be demolished b) any public gas supplier in whose authorised area the demolition is taking place c) the public electricity supplier in whose authorized area the building is situated, and d) any other person authorized by a licence to supply electricity. <p>Demolition may legally commence after the authority has issued a counter notice under Section 81, or if the authority has failed to issue a counter 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 counter notice and instigating proceedings for a fine.</p> <p>Exemptions:</p> <p>Section 80 applies to any demolition of the whole or part of a building except a demolition:</p> <ol style="list-style-type: none"> a) in pursuance of a demolition order made under Part IX of the Housing Act 1985 b) of an internal part of a building which is occupied and which is intended to continue to be occupied c) of a building of cubic content not more than 1750 cubic feet, measured externally (approximately 50 cubic metres) d) of a greenhouse, conservatory, shed or prefabricated garage even if such structure forms part of a larger building; and e) of an agricultural building unless it is near/touching another building that is not itself an agricultural building or a building mentioned in c) and d) above. 	<p>Part Demolition</p> <p>Demolition is often considered to be the complete removal of large structures or a number of linked dwellings. The Act refers to demolition as 'whole or part' of a building. By virtue of this reference the demolition of an unsound wall to a dwelling is controlled by the Act.</p> <p>Section 81</p> <p>Local Authority Counter Notice:</p> <p>Upon receiving notification of intended demolition, the local authority may serve notice on the person intending to carry out the demolition. The notice will contain requirements on how the demolition is to be undertaken. Such a notice may be served upon 'a person' who:</p> <ol style="list-style-type: none"> i is in receipt of a demolition order or obstructive building order under Part IX of the Housing Act 1985 ii appears not to be intending to comply with an order made under Section 77 or notice given under Section 79 of the Building Act 1984; and iii appears to have begun demolition which is not exempt from control. <p>Nothing contained in a notice from the local authority will prejudice any application or operation under Section 53(1) of the Health and Safety at Work etc. Act 1974.</p> <p>Note: Section 80 does not apply to the demolition of a building in pursuance of a demolition order made under Part IX of the Housing Act 1985 but this does not preclude the local authority from giving notice under Section 81 to the person on whom a demolition order has been served under Part IX. This allows the local authority to state how the demolition is to be undertaken.</p> <p>Interpretation of Terms in Section 81</p> <p>Relevant Period</p> <p>The counter 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 relevant period is six weeks. In cases where a demolition order has been served by the local authority under Part IX, the relevant period is seven days. In both cases, the relevant period may be extended provided there is an agreement between the local authority and the person proposing demolition. In both such cases the agreement must be in writing.</p> <p>Adjacent Premises</p> <p>The 'owner'/'occupier' of adjacent premises must be served with a copy of the counter notice. It is important that this is served on the relevant persons so that those who may be affected are aware of the situation.</p>	<p>Statutory Undertaker</p> <p>If any services of any statutory undertaker are to be disconnected due to the demolition, then a copy of the counter notice must be presented to the particular statutory undertaker(s), i.e. in respect of the disconnection of:</p> <ol style="list-style-type: none"> i gas supply ii electricity supply; and iii water supply. <p>The Building Act does not give authorisation to any person to interfere with apparatus belonging to a statutory undertaker. If any unauthorised person interferes with such apparatus, it could result in criminal proceedings.</p> <p>Burning Materials</p> <p>If structures or materials are to be burned on site and the building in question is, or forms part of, a 'special premises' defined under the Health and Safety at Work etc. Act 1974, a copy of the counter notice must be presented to the Health and Safety Executive and the Fire Authority. In other cases a copy of the counter notice must be forwarded to the fire authority.</p> <p>Trade Associations</p> <p>The National Federation of Demolition Contractors is an employers' organisation that exists not only to promote its members but also to ensure the highest standards of safety and good working practices are used by them in the best interests of both the client and the public.</p> <p>The Federation may be contacted at: Resurgam House 1A New Road The Causeway Staines Middlesex TW18 3DH</p> <p>Telephone number: 01784 456799 Fax Number: 01784 461118.</p> <p>The Institute of Demolition Engineers The Secretary P O Box 142 Scunthorpe North Lincolnshire DN17 4RD</p> <p>Telephone number: 01724 798903 Fax number: 01724 798948</p> <p><i>This information has been prepared for contractors and owners, who may be involved in works of demolition.</i></p> <p><i>No responsibility is accepted for actions taken resulting from this information note and it is strongly recommended that appropriate professional advice is sought by those undertaking works of demolition.</i></p>
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