



# Building Act 1984

## 1984 CHAPTER 55

### PART III

#### OTHER PROVISIONS ABOUT BUILDINGS

*Defective premises, demolition etc.*

#### 77 **Dangerous building.**

- (1) If it appears to a local authority that a building or structure, or part of a building or structure, is in such a condition, or is used to carry such loads, as to be dangerous, the authority may apply to a magistrates' court, and the court may—
  - (a) where danger arises from the condition of the building or structure, make an order requiring the owner thereof—
    - (i) to execute such work as may be necessary to obviate the danger or,
    - (ii) if he so elects, to demolish the building or structure, or any dangerous part of it, and remove any rubbish resulting from the demolition, or
  - (b) where danger arises from overloading of the building or structure, make an order restricting its use until a magistrates' court, being satisfied that any necessary works have been executed, withdraws or modifies the restriction.
- (2) If the person on whom an order is made under subsection (1)(a) above fails to comply with the order within the time specified, the local authority may—
  - (a) execute the order in such manner as they think fit, and
  - (b) recover the expenses reasonably incurred by them in doing so from the person in default,

and, without prejudice to the right of the authority to exercise those powers, the person is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

- [<sup>F1</sup>(3) This section has effect subject to the provisions [<sup>F2</sup>the Planning (Listed Buildings and Conservation Areas) Act 1990] relating to listed buildings, buildings subject to building preservation [<sup>F2</sup>notices] and buildings in conservation areas.]

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*Status: Point in time view as at 28/07/2022. This version of this provision has been superseded.*

*Changes to legislation: Building Act 1984, Section 77 is up to date with all changes known to be in force on or before 23 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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#### Textual Amendments

- F1** S. 77(3) inserted by [Housing and Planning Act 1986 \(c. 63, SIF 15\)](#), s. 40, [Sch. 9 para. 6\(2\)](#)
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 67\(3\)](#)

#### Modifications etc. (not altering text)

- C1** S. 77 applied (with modifications) (07. 08. 1991) by [S.I. 1991/1773](#), art. 8(2)(3), [Sch. 2](#). S. 77 applied (with modifications) (10. 01. 1992) by [S.I. 1991/2913](#), art. 8(2)(3), [Sch. 2](#). S. 77 excluded (20.9.2000) by [2000 c. vii, s. 45\(4\)](#)
- C2** S. 77: certain functions transferred (07. 08. 1991) by [S.I. 1991/1773](#), art. 8(1)(3), [Sch. 2](#). S. 77: certain functions transferred (10. 01. 1992) by [S.I. 1991/2913](#), art. 8(1)(3), [Sch. 2](#).

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