



# Building Act 1984

## 1984 CHAPTER 55

### PART III

#### OTHER PROVISIONS ABOUT BUILDINGS

##### *Defective premises, demolition etc.*

#### **82 Notices under s. 81**

- (1) A notice under section 81(1) above may require the person to whom it is given—
- (a) to shore up any building adjacent to the building to which the notice relates,
  - (b) to weatherproof any surfaces of an adjacent building that are exposed by the demolition,
  - (c) 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,
  - (d) to remove material or rubbish resulting from the demolition and clearance of the site,
  - (e) to disconnect and seal, at such points as the local authority may reasonably require, any sewer or drain in or under the building,
  - (f) to remove any such sewer or drain, and seal any sewer or drain with which the sewer or drain to be removed is connected,
  - (g) to make good to the satisfaction of the local authority the surface of the ground disturbed by anything done under paragraph (e) or (f) above,
  - (h) to make arrangements with the relevant statutory undertakers for the disconnection of the supply of gas, electricity and water to the building,
  - (i) to make such arrangements with regard to the burning of structures or materials on the site as may be reasonably required—
    - (i) if the building is or forms part of special premises, by the Health and Safety Executive and the fire authority, and
    - (ii) in any other case, by the fire authority, and
  - (j) 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

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*Status: This is the original version (as it was originally enacted).*

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of the demolition, as the local authority may consider reasonably necessary for the protection of the public and the preservation of public amenity.

- (2) No one shall be required under paragraph (c), (e) or (f) of subsection (1) above to carry out any work in land outside the premises on which the works of demolition are being carried out if he has no right to carry out that work, but, subject to section 101 below, the person undertaking the demolition, or the local authority acting in his default, may break open any street for the purpose of complying with any such requirement.
- (3) Before a person complies with a requirement under paragraph (e), (f) or (g) of subsection (1) above, he shall give to the local authority—
  - (a) at least 48 hours' notice, in the case of a requirement under paragraph (e) or (f),  
or
  - (b) at least 24 hours' notice, in the case of a requirement under paragraph (g),and a person who fails to comply with this subsection is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (4) This section does not authorise interference with apparatus or works of statutory undertakers authorised by an enactment to carry on an undertaking for the supply of electricity, gas or water.
- (5) Without prejudice to the generality of subsection (4) above, this section does not exempt a person from—
  - (a) the obligation to obtain any consent required under section 67 of Schedule 3 to the Water Act 1945 (interference with valves and other apparatus) or section 68 of that Schedule (alterations to supply pipes and other apparatus),
  - (b) criminal liability under any enactment relating to the supply of gas or electricity, or
  - (c) the requirements of regulations under section 31 of the Gas Act 1972 (public safety).
- (6) Section 99 below applies in relation to a notice given under section 81(1) above.