

Dangerous Structure Legislation

Under the Building Act 1984, The Local authority is under an obligation to ensure that any dangerous structures within the district are removed promptly. This may involve dealing with dangers such as loose slates, unstable yard walls, broken glazing and more unusually damage from explosion and storm damage.

This legislation is enforced by the Building Control Section.

Once a danger has been reported then the officer will visit to see whether or not a danger really does exist. If there is an immediate danger, the surrounding area will be cordoned off by the officer. Next the owner will be contacted and issued a notice under section 78 of the Building Act 1984 requiring urgent action to be taken. If the owner does not comply with the order within a reasonable time, then the local authority can have the work carried out themselves and recover the costs from the owner at a later date.

In some circumstances the danger may not pose an immediate threat to the public but there may be a need for the danger to be removed in the short to medium term. Under section 77 of the Building Act 1984 the local authority can apply to the magistrates courts for an order to be served on the owner of a building or structure to have the danger removed.

Through this legislation, the Local Authority can only request that enough work be carried out to remove the danger. It cannot ask for work to be reinstated or additional structures to be erected.