THE BRITISH STANDARDS INSTITUTION HAS PUBLISHED A CODE OF PRACTICE FOR DEMOLITION (BS.6187-1982). THE CONDITIONS CONTAINED IN THIS CODE SHOULD BE OBSERVED WHEN CARRYING OUT THE DEMOLITION WORK.

BUILDING ACT 1984

Proposed demolition of: Braxells Farmhouse Braxells Farm Winchester Road

TAKE NOTICE that, in pursuance of Section 81 of the Building Act 1984, the Southampton City Council (hereinafter referred to as "the Council") requires you to take the following action in respect of the demolition of the aforesaid building or part of a building:-

(a) to shore up any building adjacent to the building to which the notice relates;

(b) to weatherproof any surfaces of an adjacent building which 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 paragraph (f) of this subsection;

(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;

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

AND FURTHER TAKE NOTICE that the Council requires you, to take the above-mentioned action immediately following demolition, or not more than SEVEN days after the completion of the demolition, as appropriate.

DATED: 6th April 2022



Building Control Partnership Manager

An appeal may be made to a magistrates' court against the requirements of this notice on any of the grounds set out in Section 102 of this Act.

(a) that the notice or requirement is not justified by the terms of the section under which it purports to have been given or made;
(b) that there has been some informality, defect or error in, or in connection with, the notice;
(c) that the authority have refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary;
(d) that the time within which the works are to be executed is not reasonably sufficient for the purpose;
(e) that the notice might lawfully have been served on the occupier of the premises in question instead of on the owner, or on the owner instead of on the occupier, and that it would have been equitable for it to have been so served;
(f) where the work is work for the common benefit of the premises in question and other premises, that some other person, being the owner or occupier of premises to be benefitted, ought to contribute towards the expenses of executing any works required.

The time during which any such appeal may be brought is 21 days from the service of this notice

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Building Act 1984
Sections 81 and 82 - Powers of Local Authority in Relation to Demolitions

(1) A notice under Section 81 of this Act may require the person undertaking the demolition to take action under all or any of the paragraphs (a) - (j) listed in the notice itself.

(2) No-one shall be required under paragraph (c), (e) or (f) in (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 the provisions of Section 101 of this Act, with respect to the breaking open of streets, 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 requirements.

(3) Before a person complies with any requirement under paragraph (e) or (f) in (1) above, he shall give at least 48 hours' notice to the local authority, and before he complies with paragraph (g) of (1) above, he shall give at least 24 hours' notice to the local authority; and a person who fails to comply with this subsection shall be 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 out an undertaking for the supply of electricity, gas or water.

(5) Without prejudice to the generality of (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 (which relates to interference with valves and other apparatus) or Section 58 of that Schedule (alterations to supply pipes and other apparatus); or
(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) The provision of Section 102 of the Act with respect to appeals against and the enforcement of notices requiring the execution of works shall apply in relation to any notice given under Section 81 of this Act.

(7) Among the grounds on which an appeal may be brought under Section 102 of this Act against such a notice shall be:-

(a) in the case of a notice requiring an adjacent building to be shored up, that the owner of the building is not entitled to the support of that building by the building which is being demolished, and ought to pay, or contribute towards, the expenses of shoring it up; and
(b) in the case of a notice requiring any surfaces of an adjacent building to be weatherproofed, that the owner of the adjacent building ought to pay, or contribute towards, the expenses of weatherproofing those surfaces.

(8) Where the grounds on which an appeal under the said Section 102 is brought include any ground specified in (7) above, the appellant shall serve a copy of his notice of appeal on the person or persons referred to in that ground of appeal, and on the hearing of the appeal the court may make such order as it thinks fit in respect of the payment of, or contribution towards, the cost of the works by any such person, or as to how any expenses which may be recoverable by the local authority are to be borne between the appellant and any such person.

NB: Demolition work may invoke proceedings under The Party Wall etc Act 1996. If you are uncertain of your position you are advised to consult a surveyor.