

Date: 15 January 2016
My Ref: 2016/B/00095/DS
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The Company Secretary
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Building Control
Development and Environment
North Somerset Council
Town Hall
Weston-super-Mare
BS23 1UJ

DX 8411 Weston-super-Mare

Dear Sir/Madam

BUILDING ACT 1984 SECTION 77

Whereas you are the owner of premises known as:

Birbeck Pier , Birbeck Island, Birbeck Road, Weston-super-Mare, BS23 2BN

AND WHEREAS it appears to North Somerset Council (Hereinafter called "the Council"), that part of the said structure is in such a state as to be dangerous, the Council requires you within **21 days** from the date of this informal notice to take such steps as are necessary to remove the danger.

Nature of Danger: - Partial structural collapse and falling debris

Failure to remove the danger may result in the Council applying to the Magistrates Court for an order under Section 77 of the Building Act 1984.

If at any time the circumstances deteriorate and the danger becomes immediate the Council have powers under Section 78 of the Building Act 1984 to take emergency action to recover the cost.

DATED 15 January 2016

Michael Newson
Senior Area Surveyor

(The provisions of Section 77 are attached)



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Town Hall, Weston-super-Mare BS23 1UJ



PROVISIONS OF SECTION 77

- (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:-
 - or,
 - (i) to execute such work as may be necessary to obviate the danger
 - (ii) if he so elects, to demolish the structure, or 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an order restricting its use until a Magistrates Court being satisfied that any necessary works have been executed, withdrawn or modifies the restriction.
- (2) If the person on whom the 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 a 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.

	<p>evidence that the current owners have sought this specialist advice.</p> <ul style="list-style-type: none"> ○ Submit a separate request for planning permission if demolition works to the North Jetty required land based access.
13 August 2018	NSC fitted dangerous structure signs at various locations around the site
21 August 2018	NSC fitted dangerous structure signs at various locations around the site

Current position (September 2020)

North Somerset Council Planning Enforcement team have invested significant officer time and resources in order to resolve these specific issues. As of September 2020 there is no evidence of any further action in respect of these specific issues and no application relating to these specific issues has been received by North Somerset Council.