

Total Demolition Ltd
92, Seymour Chambers
London Road
Liverpool
L3 5NW

12-Jan-2026

Our Ref: 2025/50139

Dear Sir/Madam

Building Act 1984 (As Amended) – Section 81 Counter Notice
Our Application: 2025/50139
Description: Demolition for Redevelopment of a Car Park
Location: Riverbank Court, Wakefield Road, Aspley, Huddersfield, HD5 9AA

I acknowledge receipt of your demolition notice received on 30-Dec-2025.

I can confirm that in accordance with the requirements of the above legislation, a Counter-Notice in accordance with The Building Act 1984 Section 81 is attached below outlining the required additional information for acceptance.

I would advise you that you should make enquiries with my planning colleagues about whether planning permission is required for the proposed demolition works and you should await their decision prior to any works being undertaken on site. Contact 01484 414746 with regard to any planning submissions or enquiries.

We value your feedback and are committed to improving the quality of our Building Control service.

Please take a few moments to complete our short questionnaire, which should take no more than 5 minutes.

All responses are anonymous, and no personal information is collected. Your views are important to us and will help shape the service we provide.

You can access the questionnaire by visiting: <https://www.kirklees.gov.uk/building-regulations-feedback>

Alternatively, you can scan the QR code below to access the survey directly.

Yours faithfully,

Roger Anderson
Senior Building Control Surveyor



DEMOLITION OF BUILDINGS

Building Act 1984 - Notice under Section 81

(Local Authority's Powers to Service Notice about Demolitions)

Address: Riverbank Court, Wakefield Road, Aspley, Huddersfield, HD5 9AA

Nature of Works: Demolition for Redevelopment of a Car Park

I acknowledge the receipt of your notification of demolition of buildings validated by Building Control on 30-Dec-2025.

The demolition works described above and the conditions relevant thereto shall be executed within a period of 6 months from the date of this notice to 12 July 2026.

In pursuance of its powers under the above mentioned Act, Kirklees Council (hereinafter called 'the Council') hereby give notice that the Council require you to comply with the following conditions in respect of the demolition of the above building. These are set out below.

1. Before demolitions are commenced arrangements shall be made with the relevant statutory undertakers for the disconnection of any gas, water and electricity supplies.
2. Prior notice of the starting date of demolition works shall be given to the Building Control Manager.
3. Before demolitions are commenced, the Highway Services shall be informed if the work will involve disturbance of a highway or footpath, or the erection of scaffolding over a highway or footpath.
4. All necessary precautions shall be taken for the safety of pedestrians in streets, and persons using any adjoining land or building(s). Unless adequate alternative arrangements are made for the safety of the public, satisfactory hoardings must be provided along the footpath in any highway on which the premises abut or adjoin, and scaffolding adequately tied back to the building with closed boarding must be erected at each floor level as the building is demolished, in order to protect users of the highway from falling debris.
5. The whole of the building shall be taken down to a depth of 200mm below ground level adjacent to each part thereof (except chimney breasts or walls left as buttresses for the support of adjoining buildings or highways).
6. Adequate precautions must be taken to shore up any building adjacent to the building to which the notice relates.
7. Adequate precautions must be taken to weatherproof any surfaces of an adjacent building that are exposed by the demolition.
8. All cellars shall be solidly filled with materials from demolition other than timber or perishable materials, and any cellars or voids under the highway shall be hand packed or otherwise filled and consolidated to such a manner as to prevent subsidence.
9. The site shall be covered with a layer of earth, crushed stone, ashes or other suitable material, 150mm in thickness and not higher than the level of the backline of any adjoining footpath, and be left in a clean and tidy condition.

10. All existing drains/sewers on the site shall be cut off at the boundary of the property or, where they connect to a sewer crossing the site, at their junction with the sewer, and securely plugged with a properly fitting stopper set in mortar composed of one part of cement to two parts of clean sharp sand in the collar of sound pipe.
11. All gullies, water closet pans and other drainage appliances shall be cut off and effectively sealed.
12. Not less than forty eight hours notice shall be given to the Council's Building Control Manager before the sealed drains are covered up and twenty four hours notice before the surface of the ground disturbed by the above work is restored.
13. After the expiration of the above mentioned forty-eight hours notices, or after inspection of the sealed off drains by the Council, the ends of the drains shall be surrounded with concrete composed of one part of cement to six parts of aggregate to a thickness of not less than 150mm.
14. The site shall be maintained in a clean and tidy condition at the expense of the owner.
15. Any damage caused to an adjacent building by the demolition or by the negligent act or omission of any person engaged in it should be repaired and made good at the contractor's expense.
16. Any such arrangements with regards to the burning of structures or materials on the site should be agreed by the Health & Safety Executive and the Fire Authority in the case the building forming or forming part of Special Premises. In the case of other buildings, any such arrangements should be agreed with the Fire Authority.
17. Environmental Health Recommendations

Hours of Work:	Mon to Fri	07.30 – 18.30
	Sat	08.00 – 13.00
No working/demo work on Sun or Bank Holidays		
18. All practicable measures shall be undertaken to mitigate the generation and dispersion of dust resulting from the demolition activities.
19. The lighting of fires on site is strictly prohibited under all circumstances (close proximity to road).

The issuing of this counter Notice and Conditions **DOES NOT CONFER ANY TOWN AND COUNTRY PLANNING PERMISSION WHICH MAY ALSO BE REQUIRED**. You should contact the Planning Department separately for further advice.

DATED: 12-JAN-2026

Roger Anderson
Senior Building Control Surveyor

IMPORTANT: - PLEASE READ THE NOTES OVERLEAF

NOTES

Appeals against a Notice under Section 81 of the Act

Appeals are to a magistrates court by way of complaint for an order, and must be made within twenty-one days of the date on which the notice was served.

Section 83 and 102 of the Act set out the grounds and procedures for making an appeal.

if the person required by this Notice fails to execute the works within the time limited by this Notice, the Local Authority may themselves execute the works and recover from that person the expenses incurred by them in doing so.

Subject to the provisions of Section 101 of the Act, this Notice does not authorise any person to undertake works in respect of conditions made under Section 82(1)(c),(e) or (f) of the Act, in land outside the premises on which the works of the demolition are being carried out, if he has no right to carry out that work.

DETACH AND RETURN

APPLICATION NO: 2025/50139

DEMOLITION at: Riverbank Court, Wakefield Road, Aspley, Huddersfield, HD5 9AA

I have read and understand the aforementioned notes for guidance and acknowledge receipt of formal notice under Section 81 (Local Authority Powers to serve Notice about demolition) dated 12-Jan-2026 the conditions of which I have noted.

Commencement Date of Demolition: _____

Signature: _____

Date: _____

Name: _____

Position: _____

On behalf of: _____

Address: _____

Return to:

Building Control
PO Box 1720,
Huddersfield,
HD1 9EL

A MESSAGE TO DEMOLITION CONTRACTORS

FROM

The Health and Safety Executive (HSE)

You have duties to secure the safety of yourself, your workers and the public during demolition work. HSE enforces health and safety law and can help you by providing you with advice and information.

The Construction Design and Management Regulations 1994

(CDM)

CDM applies to all demolition work.

The set out what needs to be done by all parties to manage the work.

In brief, CDM requires:-

the **client** to appoint a **Planning Supervisor** and a **Principal Contractor** - this could be you.

the **Planning Supervisor** and **Principal Contractor** to be **competent**

a **Health and Safety Plan** to be drawn up *before* work starts

projects to be **notified** to the HSE by the Planning Supervisor if they may last more than 30 days or involve more than 500 person days of work.

The Construction (Health, Safety and Welfare) Regulations 1996

(CHSW)

CHSW applies to everyone involved in demolition work.

CHSW sets out some steps you should take to reduce and control risks during work on site.

Controlling the risks

You need to think about the risks to workers and the public *before* work starts. You should aim to avoid putting anyone at risk. If risks cannot be avoided then all steps should be taken to minimise them. HSE's leaflet, "5 steps to risk assessment", available free from HSE Books tel. 01787 881165, provides further advice.

HSE's comprehensive booklet, "Health and Safety in Construction" (HS(G) 150, (ISBN 0717611434) available on sale from HSE Books and good booksellers, provides essential guidance to help you.

DEMOLITION - Notes for Guidance of Applicants

& Acknowledgement of Receipt of Notice

1. Access

The demolition contractor should arrange with the local authority to provide suitable access to the site.

2. Advice

Any advice relating to the conditions may be obtained from the Building Control Office.

3. Asbestos

Where asbestos compounds are encountered during demolition care must be taken to remove it in accordance with the relevant safety codes. The Health and Safety Executive and Environmental Health Department should be informed immediately.

For more information, please see the Health and Safety Executive (HSE) Asbestos guidance

4. Commencement of Work

Twenty four hours' notice of actual commencement or re-commencement should be given to the council in addition to the relevant period of notice (i.e. 6 weeks) or receipt of a Section 81 counter notice.

5. Completion of Works

Any requirements set out in the Section 81 notice served by the council must be carried out before the contractor vacates the site. Failure to comply may result in a conviction and fine not exceeding level 4 on the standard scale (£2,500).

6. Cranes

When using cranes for demolition, care should be taken to make sure that the jib is not likely to come in close proximity of overhead electric wires and if necessary suitable barriers should be erected at ground 'level' to prevent such an occurrence, or restricted arcs of travel established.

7. Dangerous Practices

Overloading of any part of the building by debris or materials should be avoided.

8. Demolition Ball

The use of a demolition ball is prohibited except with the written consent of the building control manager on behalf of the council.

9. Dust

The demolition works should be periodically sprayed with water to reduce the amount of dust and the contractor shall take all reasonable steps to prevent any nuisance occurring.

For more information, please see the Health and Safety Executive (HSE) Construction dust guidance.

10. Enclosure

If it is intended to make a temporary closure of any street, express consent must be obtained from Highways. It should be noted that the required period of notice for a road closure is 4 weeks unless reduced by the agreement of Highways.

11. Explosives

Should be handled and used only by or under the control of a person competent in their use. Details of warning, publicity and protection, must be agreed with Building Control, Fire and Police in advance of demolition, with not less than 7 days' notice. Use of explosives must be notified to, and agreed with, the Health and Safety Executive as to method of application.

12. Fire and Smoke

No burning will be permitted on site without the express consent of the Environmental Health Department and the West Yorkshire Fire Service. The deliberate burning of buildings will not be permitted as a means of demolition in any circumstances. If bonfires are permitted, care should be exercised in burning timbers, etc. in built up areas and consideration given to the prevailing wind as some materials, such as rubber and linoleum give off offensive smoke. All fires should be properly extinguished before the personnel leave the site or an appointed fire watchman should remain on the site for at least one hour after all fires have been extinguished. Extra care should be taken to ensure that no burgeoning fires are left when burning equipment (e.g. oxy-propane torches) have been used.

13. Fire Risk

All precautions should be taken to prevent the risk of fire or explosion caused by gas or vapour. Oxygen, acetylene and liquefied petroleum gas containers should be handled with care and stored and used away from source of heat.

14. Flooding, Culverts and Watercourses adjacent to or crossing the site

Care must be taken to guard against the risk of flooding from severed culverts or watercourses crossing or adjacent to the site. Protective measures are to be taken to protect culverts and embankments from damage.

15. Gantries

Any gantry extending over the public footpath must be to the approval of Highways, Area Manager.

16. Highway Encroachment

Where any hoarding or walkway will encroach on a highway the demolition contractor must consult with the Highways Service before this is erected and a licence under Section 169 of the Highways Act 1980 may be required before the erection of scaffold/hoarding encroaching the highway.

17. Hoarding and Scaffolding

Suitable hoarding may be required to be erected to enclose the site during demolition and scaffold erected along the frontage abutting the highway and other such places as may be required, the site should also be left in a safe condition at the close of each day's work.

18. Insurance

Demolition contractors should arrange suitable public liability insurance.

19. Maintenance of Access

Regard should be had to the need to maintain convenient and safe access to the adjacent properties.

20. Noise

Noise should be minimised as far as possible by the fitting and use of devices wherever practicable. The stated hours of working and use of equipment may also be determined by the councils public protection section using Control of Pollution Act powers (BS 5228-2:2009 gives guidance).

21. Notice

Any person undertaking demolition must comply with the requirements contained in any Section 81 Notice served by the Council.

22. Safety including out of hours

A person carrying out demolition operations should make sure that any building which is partly demolished (and the site thereof) is so far as is reasonably practicable, properly secured or closed against entry at all times when demolition operations are not in progress and that the building or structure is left in a safe condition at the close of each day's work. (If this clause is not complied with, action may be taken by Building Control when necessary under Section 78 of the Building Act 1984, i.e. Dangerous Building - Emergency Measures), and costs incurred recovered from the owner. Ensure that all contractors and site operatives are fully competent to undertake the demolition works. For more information on safety, please see the Health and Safety Executive (HSE) Demolition guidance .

23. Services

The demolition contractor is responsible for arranging with the statutory undertaker for the disconnection of all water, gas and electricity service prior to work commencing.

24. Site Treatment

On completion of demolition, the site shall be cleared, levelled (fenced when necessary).

25. Storage

Gas cylinders and similar containers, whether empty, in use, or spare, should be stored in a safe place since if they become involved in a fire any resulting explosion may cause injury to persons and damage property.

26. Tanks

The Health and Safety Executive (Factory Inspectorate) and West Yorkshire Fire and Rescue Service should be informed of any storage tanks which have contained any explosive or flammable materials before any demolition work is commenced.

27. Vermin

The Environmental Health Department should be given the opportunity to inspect premises for requirements in respect of vermin.

28. Water Services

The demolition contractor shall give at least forty-eight hours' notice of intention to remove, disconnect or seal any sewer or drain in or under the building to be demolished. At least twenty four hours' notice must be given before making good the surface of the ground disturbed by the removal or sealing of any sewer or drain under this section.

29. General

Where shoring is necessary, this should be so designed and constructed that it is adequate for the purpose and an experienced person should ensure that it is placed at the appropriate time. The shoring should be checked for effectiveness as the demolition proceeds. The original survey will have indicated whether it is necessary for permanent support or weatherproofing or both to protect the adjoining building. Where grubbing out foundations or reducing to new levels adjacent to existing buildings not being demolished, care must be taken to ensure that the support to the remaining foundations or land is not disturbed. Precautions should be taken to prevent water penetration to adjoining buildings. Where a watertight basement has been built in ground having high standing water table level, the basement should be filled with material to prevent flotation.

All operatives engaged in demolition and supervision should be adequately trained and familiar with the guidance given in BS 6187:2011 Code of Practice for demolition and their responsibilities under Part 1 of the Health and Safety at Work Act 1974.

Please note: Planning permission may be required pursuant to Section 51(1) of the Town and Country Planning Act 1990 ("The TCPA"). You are advised to contact the Local Planning Authority prior to commencement of work.