

Report To: Cabinet

Date of Meeting: 4 October 2021

Report Title: 2 - 12 Battle Road - Dangerous Structure

Report By: Andrew Palmer, Assistant Director Housing and Built Environment

Key Decision: Yes

Classification: Public

Purpose of Report

Following a report of a dangerous structure at 2 – 12 Battle Road, this report informs Cabinet of the latest position regarding the ongoing demolition of the structure and urgent safety work to be undertaken to ensure the demolition work can resume to completion.

Recommendation(s)

Cabinet to consider and recommend to Council to approve:

- 1. the additional safety work to the structures above the rear retention wall of Battle Road; and**
- 2. the additional increase in the budgeted costs from £325,000 to £525,000 (to include a contingency margin of 20% for inflationary costs of materials and unforeseen minor variations to the agreed safety work) as recommended in this Report. Without this additional work, the demolition of 2-12 Battle Road cannot be completed**

Background Summary and Update

1. An Order under section 77 of the Building Act 1984 was issued by Brighton Magistrate Court on 18 May 2020 against all owners and responsible persons of the structure in Battle Road to take appropriate action. No action was taken by the owners, within the timescale of the Order, either to make the structure safe or to remove or demolish the structure at risk of collapse. Given the risk of collapse and danger to both residents and members of the public, Hastings Borough Council had no alternative but to remove the dangerous structure or to make it safe. The professional view and advice given was to remove the structure.
2. A temporary safety wall was constructed by East Sussex County Council Highways (ESCC), after minor operational delays, to ensure the structure would not collapse and cause injury, harm, or damage. The temporary safety wall was installed in May 2021 and is required to remain in place until the structure is demolished and removed. This work is continuing to cause disruption to nearby residents and members of the public as Battle

Road remains a one-way system northbound only, restricting road users of south bound travel into Hastings and access to nearby businesses and shops. The one-way system and associated diversions onto Paynton Road are causing continued disruption. There is a need for the demolition work to complete at the earliest opportunity to reopen Battle Road and ease ongoing disruption to nearby residents, members of the public and road users.

3. Best Demolition contractors (BDL) secured the site and commenced clearance on 24 May 2021 with an agreed 12-week contract completion where the site would be handed back to ESCC Highways for the safety wall to be removed and the road to be resurfaced and reopened for normal two-way traffic operations.
4. Initial clearance of the internal elements and utilities in units 2-6 Battle Road made it clear that units 8-12 Battle Road would need to be supported for contracting staff to enter and clear the units and to access roof slab terrace and associated staircases. BDL, noting that the safety wall was positioned close to units 8-12 where the risk of collapse was at its most likely position, evidenced by the movement of the front wall and roof slab, requested permission from ESCC to install supportive scaffolding to units 8-12 Battle Road but were declined due to possible enhanced risks to the safety wall.
5. Due to the denied permission, worked temporarily ceased 14 June with a submitted 4-week delay notice. Enhanced safety assessments on the front wall and roof terrace movement were forwarded to ESCC Highways who then granted permission to 'prop' against the temporary safety wall to enable demolition staff to enter 8-12 Battle Road and clear the internal element. Work resumed on 18 July 2021 and the structure was supported by additional scaffolding for health and safety mitigation allowing contractors to assess the rear retaining wall and roof terrace slab.
6. A structural inspection of the rear retaining wall by core drilling was completed after floors and stud walls and secondary wall brickwork were removed. Apart from a slight brickwork bulge to the wall in numbers 8-12 Battle Road units, the Structural Engineers assessment stated that the rear retaining wall would not be compromised when the structure is removed. A comprehensive assessment of the roof terrace slab was also completed, and highlighted evidence of historic encroachment of the rear garden boundaries of the adjoining properties on Silverlands Road onto the roof terrace between 50cm and 75 cm overhang. Removal of the roof terrace would place the boundary walls of these properties at positive risk of collapse into the demolished structure void.
7. In consequence, urgent additional schedules of work were needed to be planned to enable the structure to be demolished whilst supporting the rear garden boundaries to prevent them from damage and collapsing during the demolition of the roof terrace slab.
8. Demolition works had therefore to be temporarily stopped on 1 September to allow quotations for the support work to be completed at the earliest opportunity.
9. BDL have secured the site and will continue to be a presence but no further demolition works can be completed until the required additional works and resulting increase in budgeted costs have been approved.
10. The overhang encroachment by the rear garden boundaries and the slight bulge in the retaining wall could not have been evidenced until the demolition work had started to remove the internal secondary walls and ceilings. The overhang was only established after drilling through the roof terrace at the building line into the structure once it had been



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cleared of all elements and utilities.

11. The additional support works will consist of pillars of either steel or blockwork from concrete foundations at the foot of the rear retaining wall elevating vertically to the garden overhangs. The pillars would then support a series of beams underneath the garden overhangs to keep them in place.
12. The material options are subject to supply chain difficulties, lead in times and additional project costs. Material options would need to consider the availability and completion timelines.
13. The demolition works will, due to delays and supply chain difficulties (outside the control of Hastings Borough Council or the Demolition contractor) have a completion date in spring 2022. The handover of the safety wall and Road to ESCC Highways will be subject to planning for the safety wall to be removed and the road to be resurfaced and road markings to be renewed.

Legal implications

14. The Council continues to engage the services of a Party Wall Surveyor to establish and evidence if, during the demolition works, that damage has been caused to nearby residential properties due to the works.
15. The Council are reviewing legal options for the recovery of the costs of the demolition and associated works.

Financial implications

16. As approved at previous Cabinet meeting, there is currently a budget of £325,000 for the demolition works. However, with the identification of additional safety work and ongoing delays to the demolition work, there will be cost overruns requiring additional budget approval which would include a 20% contingency.
17. Officers have considered the options and are aware of the current supply chain difficulties for brick and blockwork. There is a supply backlog for brick and blockwork with current quotas and supply being allocated to major national housebuilders. The only viable option for the additional support work is to install the steel pillars and associated support beams as it is not experiencing the supply restrictions to other industries. The steel option had an estimated cost of £136k plus VAT and would be completed by early spring 2022. Supply chain difficulties could be exacerbated by any further disruption from fuel supplies and Covid-19 restrictions and further delays would incur additional costs.

Risk assessment

18. Due to the busy nature of the adjacent road and sidewalk and the construction of the building being such that a collapse is likely to be of a catastrophic nature the risk of harm is considered very high. Hence the early and urgent intervention by the Council to ensure the safety of local residents and members of the public.
19. The demolition work has revealed additional works and safety issues to the structure and associated retaining walls. The roof terrace slab has come away from the rear retaining wall with evidence that the existing internal support steel beams are corroded and unable to offer meaningful safety support, demolition of the structure is now the only option to make the site safe.



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20. The existing road and traffic restrictions on Battle Road will remain until the structure has been demolished and removed. Officers are working closely with County Council to look at any possible options to ease these restrictions.

Conclusion

21. The demolition work has identified additional safety work that is necessary to complete the demolition and requires an increase in funding to include a contingency margin of 20% for inflationary costs of materials and unforeseen minor variations to the agreed safety work.

22. The additional work will extend the contract completion date to early Spring 2022. The preferred material option (Steel) has a shorter installation timeframe, is more readily available in the current supply chain market and is cost effective.

Wards Affected

Silverhill

Policy Implications

Reading Ease Score:

Have you used relevant project tools?: Yes

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	Yes
Risk Management	Yes
Environmental Issues & Climate Change	No
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	Yes
Local People's Views	Yes
Anti-Poverty	No
Legal	Yes

Additional Information

Officer to Contact

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