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DB/51/26

DANGEROUS BUILDING NOTICE

Building (Scotland) Act 2003

Notice under Section 29 and 30 requiring owner to reduce or remove the danger constituted by a building

To: Ms Samantha Allan

Address: Sent by email and by recorded delivery to 26 Benbuck View, Coalsnaughton, Tillicoultry, FK13 6DN

As owner of
26 Benbuck View, Coalsnaughton, Tillicoultry, FK13 6DN

Clackmannanshire Council has considered the available technical evidence relating to the ongoing and sustained ground movement affecting the land upon which your building relies. The Council has also been advised that defects have been observed within the building's fabric which are consistent with a structural response to ground movement.

When considered in the context of the ongoing ground movement affecting the wider site, together with the uncertainty regarding its future extent, and potential effects on the building, there also remains a risk of further deformation of the structure. Continued ground instability may exacerbate the existing defects and lead to progressive deterioration, potentially causing damage to principal load-bearing elements and, ultimately, structural instability or failure.

It appears to the Council, therefore, that the above building constitutes a danger that requires to be reduced or removed, and the Council requires that the undernoted steps must be undertaken to secure compliance with this notice.

1. Investigations into the ground movement affecting the above building (currently being carried out by the Mining Remediation Authority (MRA)) must be completed to establish the cause of the ground movement and the effects on the above building's structure and stability; to establish the full extent of remedial works required to be carried out to ensure that no danger exists to persons in or about the above building or to the public generally.

2. To complete all remedial works and repairs identified by the investigations (or where identified demolition), to ensure that no danger exists to persons in or about the above building or to the public generally.

3. The above building should remain secure, and access prohibited to any members of the public or residents until steps 1 and 2 have been completed.

A building warrant is not required, but upon completion of the works, the owner is required to submit a completion certificate to Clackmannanshire Council (as verifier), certifying that the works have been completed in accordance with the requirements of this Dangerous Building Notice.

The following further steps must be undertaken:

1. Steps 1 and 2 must be commenced at the date of this Notice.
2. The works contained in Steps 1 and 2 should be completed no later than 12 months from the date of this notice.

Signed: Dated: 10th September 2026

Jacob Muff
Team Leader Planning and Building Standards
for Clackmannanshire Council

NOTES

1. Any applicant aggrieved by the requirements of this Notice may, within 21 days of the date of the Notice, appeal to the Sheriff.

2. Later dates may be substituted where there is an appeal, until the appeal is withdrawn or finally determined.

WARNING

If you fail to carry out the work specified in this Notice you may be guilty of an offence under the Building (Scotland) Act 2003 and liable on summary conviction to a fine. In addition, the Local Authority may carry out the work itself and claim from you as a debt any expenses reasonably incurred by it in doing so.

Address to which you should send any correspondence:

Planning & Building Standards Team Leader
Kilncraigs
Greenside Street
Alloa
FK10 1EB
Telephone: 01259 450000
E-mail: buildingstandards@clacks.gov.uk