



Operational Officer Decision Record

Where the decision has a financial value of between £100k - £350k and does not have a **significant** impact on two or more wards

1. Subject and details of the matter (to include reasons for the decision and detail of any previous cabinet decision)

The former YMCA building has been repeatedly vandalised and reportedly set on fire on several occasions, causing concerns to the amenities of the area, public safety and the surrounding environment. Given the unsafe condition of the structure and the presence of hazardous materials, this creates additional safeguarding and welfare concerns.

Statutory Action

Sections 77 and 78 of the Building Act 1984 give local authorities powers to intervene where dangerous buildings or structures pose a threat to public safety, including by securing, repairing or demolishing them. Following consultation with the emergency services and consideration of the structural assessments, it was considered unlikely that there would be sufficient time to serve a Section 77 notice and proceed through the Magistrates' Court.

Building Control served a notice under section 78 requiring the buildings to be demolished because of their structural instability and the significant risk to the public.

The decision is being treated as an operational officer decision because it falls within the relevant officer delegation, is within the operational officer decision threshold

(100-350k), does not have a significant impact on two or more wards. Former YMCA, Peaks Lane, Grimsby

2. Decision being taken

That the Director of Economy, Environment and Infrastructure in consultation with the Leader of the Authority approve the works to be carried out in default, with an estimated value of £330,512, pending final confirmation of security and officer time. This includes cost of demolition, site security and all other oncost accrued by the Local Authority in enforcing this matter in default of the notice served.

3. Anticipated outcome(s)/benefits

The Council will carry out the demolition works in default.

Demolition will begin as soon as practicable following the safe removal of asbestos-containing materials. Contaminated waste will be removed from the site, while the remaining non-hazardous demolition debris will be left in place once the immediate public safety risk has been addressed.

The Council has taken legal advice on the recovery of its costs. Under section 107 of the Building Act 1984, the expenses properly recoverable from the owner, together with applicable interest, will constitute a statutory charge on the premises from completion of the works. The Council will have the statutory powers and remedies available to enforce that charge and will consider its options to enforce the sale of the land once clear, to recover the monies spent without delay.

4. Details of any alternative options considered and rejected by the officer when making the decision

Owner-led demolition

The initial notice gave the building owner the opportunity to carry out the demolition. After the notice was served, the owner confirmed that they were unable to undertake the works.

No action by the Authority

The option of not carrying out the works in default was also considered. This was rejected because it would leave a significant and ongoing risk to public safety.

5. Background documents considered (web link to be included or copies of documents for publishing)

[Building Act 1984 Section 78](#)

[Building Safety Act 2022](#)

6. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

7. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

No conflicts declared.

8. Monitoring Officer Comments (Monitoring Officer or nominee)

The proposed course of action is consistent with the Council's powers under section 78 of the Building Act 1984. Building Control has determined that the condition of the former YMCA building presents an immediate danger to the public and that the urgency of the situation does not allow sufficient time to pursue the section 77 Magistrates' Court process. The service of a section 78 notice places the Council under a practical obligation to take such steps as are necessary to remove the danger identified.

As reflected, where the owner has failed to undertake the required works, the Council is entitled to carry out works in default and recover its reasonable costs from the owner, including by way of a charge against the land. Given the evidence of structural instability, fire damage, unauthorised access and asbestos-related risks, the legal risks associated with inaction are likely to be greater than those arising from intervention. There are no significant legal implications preventing the decision proposed

9. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The proposed works are estimated to cost approximately £330,512 and will require the Council to incur expenditure in advance of any recovery from the landowner. Whilst the intention is to recover the full costs incurred through the Council's statutory powers, including the registration of a charge against the land, there remains a risk that recovery may be delayed, partial or, in the worst case, unsuccessful depending upon the owner's financial position and the future value of the site.

Given the immediate public safety risks identified, the financial risks associated with intervention must be balanced against the potentially significant liabilities that could arise from inaction. The service should ensure that all costs associated with the works are robustly recorded and that appropriate arrangements are in place to maximise recovery from the landowner. Any unrecovered costs will need to be managed within the Council's overall financial framework and monitored through the revenue budget process.

10. Human Resource Comments (Head of People and Culture or nominee)

No HR implications

11. Risk Assessment (in accordance with the Report Writing Guide)

If unexpected costs are encountered this will be captured through land charge and recovered on sale.

If works do not proceed there is a potential risk associated with airborne asbestos affecting neighbouring properties, including the hospice. Whilst establishing causation and proving any direct impact may be difficult in practice, the risk has been assessed as moderate. Any decision not to intervene should be supported by a robust and evidence-based justification. Cost alone is unlikely to provide a sufficient basis for inaction, and wider considerations relating to public safety and risk management should be taken into account.

12. If the decision links to a previous one taken by Cabinet, has the Cabinet Tracker been updated?

N/A

13. Decision Maker(s):

Name: Carolina Borgstrom

Title: Director of Economy,
Environment and Infrastructure

Signed: REDACTED

Dated: 29/09/2026

**14. Consultation carried out with
Portfolio Holder(s):**

Name: Cllr Oliver Freeston

Title: Leader of the Council and
Portfolio Holder for Strategic Renewal,
Delivery and Place Leadership

Signed: REDACTED

Dated: 30th September 2026