

CDM Coordinator for CDM Regs.
Constr. (Design & Management)

cdmm

(UK)

Limited

Our Ref: AM/AM/PS/101-594

Date: 20th August 2008

Mr Harry MacKay
Wilburn Homes Ltd
Unit 6 Dalfaber Industrial Estate
Aviemore
Inverness - Shire
PH22 1ST

Dear Sir,

Braes of Balnagowan, Steading

Further to our discussions regarding the above project, and having read the information sent to us via yourselves and the Condition Report on the building from HGA, I must now comment as follows:

Since its introduction in 2007 the new CDM Regulations it is my duty as the CDMC to ensure that all design parties take responsibility for the decisions that they make. As the client you have engaged a Structural Engineer who has compiled a report that indicates to me that it is unsafe for any workforce on this building to do anything other than demolish the structure. Having come from the Contracting side of the industry as a Project Manager, I would have to agree with this report in that if the walls are deteriorated to the extent within the report and with no foundations to support them, that a suitable supporting structure for the walls would actually make the underpinning of the foundation virtually impossible. Therefore, I can see no feasible alternative but to demolish the structure and start again.

It would appear from comments from the public and the Planning Department that we will require to insist on the design issues outlined by the Planning Department be covered by their own Method Statements and Design Risk Assessments.

As Chapter 124 of the ACOP states under Regulation 11 Health & Safety considerations have to be weighed alongside other considerations including costs, aesthetics, build ability and maintainability and require designers to weigh the various factors to reach reasoned professional decisions.

Paragraph 125 – Designers are required to avoid foreseeable risks so far as is reasonably practicable taking due account of other relevant design considerations. The greater the risk the greater the weight that must be given to eliminating or reducing.

I would therefore conclude that as far as our role as the CDM Co-ordinator goes and having discussed this with the Health & Safety Executive, we must stand by the HGA Report and ask for full demolition of the building.

Yours faithfully,


Arthur Murray
Director

c.c. Mr Mark Myles, MBM Planning & Development

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