



The Party Wall etc Act 1996

This advice is not project specific and you should not rely on it without consulting us.

1. Does The Party Wall etc Act apply to the project?

Are you a **Building Owner** intending to build next to an **Adjoining Owners** property and:

Propose excavations or piling within 6 metres of their buildings; or

Propose repairs or replacement of a party wall; or

Propose changing the height of a shared wall; or

Propose cutting into or away from a party wall;

Propose to re-build or enclose onto a shared party or boundary wall.

The **Act** may well be of assistance to you....

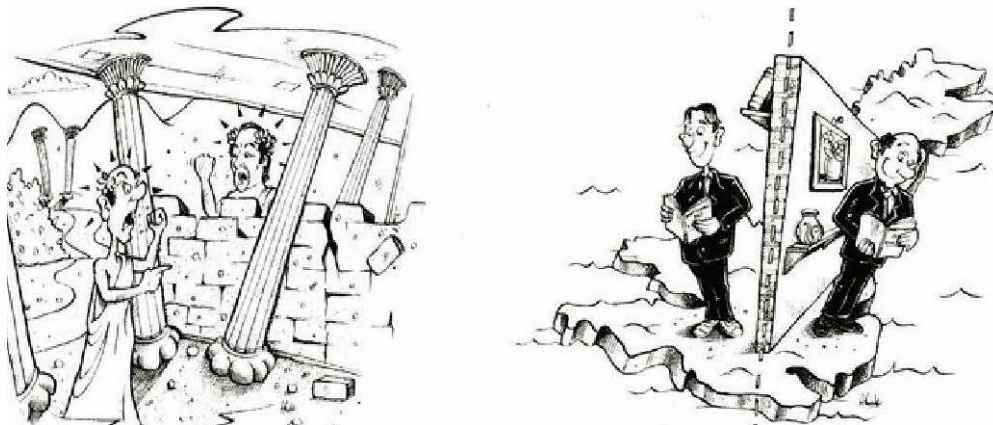
And if you are an **Adjoining Owner** the **Act** protects you from loss

2. Rights given to a Building Owner by the Act

- To build a wall on the line of junction, wholly on your land or by agreement astride the boundary on the land of both owners.
- To underpin, thicken or raise a party wall or party fence wall.
- To make good, repair or demolish and rebuild as necessary through defect of the existing party wall or party fence wall.
- To demolish an inadequate party wall or arch and raise a capable replacement.
- To cut into a party wall for any purpose, or to cut away from a party wall such joining walls, flues or foundations
- To cut away overhanging parts of a neighbours building to raise a new vertical wall.
- To demolish your buildings and thereby expose a party wall, subject to adequate weathering provision.
- To raise or demolish and rebuild a boundary wall / party fence wall as a party wall and enclose onto it.
- To install foundations partly on the land of your neighbour to build a party wall or wall wholly on your land.
- To access the land of your neighbour for works to a party wall where it is a necessity to do so.

Rights given to an Adjoining Owner by the Act

- To be issued with Notice describing the works in advance of the start of the works so that advice can be sought.
- Notice periods are 2 months for work to a party wall and 1 month for excavations near to your buildings.
- You have 14 days from receipt to reply to Notices.
- To have all damage caused by the works made good.
- To accept or refuse notified works that uses reinforced concrete.
- To appoint such professional advisors as is reasonable for you to be properly advised and informed. Commonly this is at the cost of the person desiring the works to be done, although there are rare circumstances of betterment to your buildings where costs are shared.
- To require your foundations to be underpinned or strengthened if the notified works will seriously affect them.
- To keep the use of flues.
- To cut away foundations partly built on your land, if necessary in the future, for your own works.



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Processes

- Are defined by the Act
- A good guide to them is the government booklet which you can download from our web site www.award-associates.co.uk
- If dissent to Notice occurs, Party wall surveyors are appointed to settle disputes under the Act. They are obliged to work fairly.
- Award Associates would be pleased to Act as Party Wall Surveyor for you whether you are a Building Owner or Adjoining Owner. We also act as Agreed Surveyor if all the owners are happy to use the same person.

Organisations

- The Pyramus & Thisbe Club is an excellent organisation which helps the development of party wall surveyor's skills. Their website is on our links page www.award-associates.co.uk

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