

# Party Wall etc. Act 1996

Bulletin  
June 2009

## Slater Property Consultancy Ltd Chartered Building Surveyors

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### Party Wall Training?

If you are interested in a presentation or training on the Act, we can help. We would be happy to visit your offices and deliver a lunchtime presentation or if you prefer we can offer longer sessions up to half and full day workshops. All delegates receive CPD certificates.

**T: 01672 514707**



Appointing Owner: Swaythling Housing Society  
Site: Phippards Way, Poole, Hampshire  
Appointment: Adjoining Owner's Surveyor  
Scheme: Residential development



Appointing Owner: Leadbitter  
Site: Northey Road, Bodmin, Cornwall  
Appointment: Building Owner's Surveyor  
Scheme: Demolitions & residential development

## Welcome.....

For those of us involved in construction projects, the [Party Wall etc. Act 1996](#) is often seen as an obligation, but it can also be a useful tool. By serving a valid notice, this can remove any doubt about work which can be lawfully undertaken to a party structure or close to neighbouring structures.

From the building owner's point of view, it can also remove a possible means of

frustration by neighbours and in certain situations can permit access on or over neighbouring land.

From the adjoining owner's point of view, it gives entitlement to protection, a reduction of the likelihood of damage and a means of dealing with damage.

There are three types of notice:

- Line of Junction.
- Party Structure.
- Adjacent Excavation.

Line of Junction and Adjacent Excavation notices are one month in duration and Party Structure notices are two months.

Of course, if an adjoining owner dissents, these periods can be exceeded by the time taken to produce and serve an award.

We often advise serving notice as early as possible and allowing contingency time beyond the notice periods to allow for the preparation of any awards.

## Green shoots of recovery?

We hope you agree this bulletin comes at a time of greater buoyancy in the marketplace. Certainly from our part, enquires have increased, workload is up and from our colleagues and clients, we hear positive reports of targets being achieved, increased activity and increased house sales. It goes without saying hopefully this will continue for the benefit of us all and if we can assist with any of your surveying or party wall / neighbourly issues, please contact us - **01672 514707**

Member (and Director) of the Faculty of Party Wall Surveyors  
Member of the Royal Institution of Chartered Surveyors

Registered Address: 130 High Street, Marlborough, Wiltshire, SN8 1LZ  
Registered in England and Wales  
Registered for VAT. Company No 6019712  
Enquiries: 01672 514707  
Slater Property Consultancy Limited also trades as 'The Party Wall Practice'

# Party Wall etc. Act 1996 cont...

## When to serve notice?

In general terms, a building owner needs to serve a party wall notice in order to undertake the following:

1. Work to an existing wall or structure shared with another property;
2. Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property;

3. Excavating within 3 or 6m of a neighbouring property or structure.

You need to serve on **all adjoining owners** which is quite often more than one, even at the same neighbouring address.

Your notices need to be correctly prepared to comply and be enforceable i.e. to permit

you to take advantage of the entitlements provided under the terms of the Act.

Under the Act, 'owner' is defined as people or bodies who are:

- Freeholders;
- Leaseholders for a period in excess of 1 year;
- Under contract to purchase;
- Entitled to receive rent from the property.



Appointing Owner: David Wilson Homes  
Site: Frome Road, Trowbridge, Wiltshire  
Appointment: Agreed Surveyor  
Demolitions & residential development



Appointing Owner: Private Client  
Site: Derby Road, SW14, London  
Appointment: Adjoining Owner's Surveyor  
Scheme: Domestic extension



### We are working in:

- Cornwall
- Devon
- Somerset
- Avon
- Monmouthshire
- Dorset
- Wiltshire
- Gloucestershire
- Berkshire
- Oxfordshire
- Bedfordshire
- N'thamptonshire
- Hertfordshire
- Buckinghamshire
- Greater London
- Essex
- Surrey
- Hampshire

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## Who are Slater Property Consultancy Ltd?

SPC Ltd are chartered building surveyors who specialise in the Party Wall etc. Act 1996.

In addition to typical building surveying activity, we also advise and act in matters relating to the Party Wall Act, we assist resolution of boundary disputes and neighbourly disputes and we organise agreements between neighbours relating to construction work.

From our offices in Marlborough in Wiltshire, we cover the south of England and Midlands.

With regard to the Act, we regularly advise both neighbours in respect of rights and entitlements at the boundary and act as Party Wall Surveyor for both building & adjoining owners, including acting as agreed surveyor plus we

are happy to act as third surveyor.

We conduct professional seminars & presentations on the Act both as training for those who wish to act as Party Wall Surveyors and for those wishing to learn more.

Since 2006 we have sat on the board of the Faculty of Party Wall Surveyors.

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