

Party Wall Act 1996

The Party Wall Act 1996 provides a model for preventing and resolving problems that can arise in relation to party walls, boundary walls and excavations near neighbouring buildings. If you are the owner of the home that is proposing to have work done then you must give adjoining owners notice of your intentions in the way set down in the Act.

This 1996 law serves to facilitate your legal affairs and support the interests of your neighbours.

When do I need a Party Wall Award?

Basically, any structural work that needs to be done on the foundations or walls within the boundaries of your neighbours property will require a party wall award. It will protect you from false or even malicious claims from your neighbours and from expensive legal costs. If you don't have the award in place and damage is caused - your neighbours could then take you to court and not having the award in place will be a black mark against you before you even start any defence.

There are different party wall notices:

Section 1: where you want to build on the boundary line.

Section 2: where you want to work on an existing party wall or party fence wall (garden wall).

Section 6: where you want to excavate within 3 metres of your neighbour and deeper than their foundations.

All party wall notices:

- Need to be in writing. Avoid the temptation to have an over the fence "it'll be ok" type conversation.
- The name and address of all parties should be included on the award. If there are two owners of the property, for example Mr and Mrs Bell, they must both be named.

- Be signed by the building owners or their representative.
- Dated on the day it was hand delivered or posted.
- Be served on all adjoining owners as defined in the Act, whether they are leasehold or freehold.
- Give all details of planned works and start dates.
- If a notice is served under section 6 for adjacent excavation then it must be accompanied by the plans showing the site and also the depth of any excavation. It must also state whether the building owner intends to underpin, or otherwise strengthen the foundations of the adjoining owners' building.

You can contact our team for any additional information, including those mentioned in this guide, using our **FREEPHONE: 0808 1699964**.