**Activity 3: The Party Wall Act**

## Introduction to the Party Wall Act 1996

The Party Wall Act 1996 provides a legal framework to prevent and resolve disputes between neighbours regarding party walls, boundary walls and excavations near adjoining buildings.

It applies when any construction or alterations are proposed that may affect a shared wall or boundary between two properties.

Building owners must follow a process outlined in the Act to ensure both parties understand the proposed work and are protected from any potential damage or disputes.

## Key provisions of the Party Wall Act 1996

The building owner must give formal notice to the adjoining owner before beginning any work on a shared or boundary wall. This notice includes details about the proposed work and must be served at least two months before the work starts.

If the adjoining owner does not agree to the work or fails to respond, both parties must appoint a Party Wall Surveyor. The surveyor will resolve the dispute and agree on how the work can be carried out safely.

Once the Party Wall Notice is served, the adjoining owner has 14 days to respond. If no response is given, it automatically triggers the dispute resolution process with surveyors.

## The Party Wall Agreement

A Party Wall Agreement is a legal document that sets out the details of the planned work on or near a party wall and ensures that both the building owner and the adjoining owner are protected.

The agreement is drawn up after the building owner serves a Party Wall Notice, even if there is no dispute.

Its purpose is to provide a clear framework for the work, including how it will be carried out, access rights and compensation for any potential damage.

This agreement ensures that the work is done fairly and with minimal disruption to both parties.

If the adjoining owner does not agree to the proposed work, both parties appoint a Party Wall Surveyor to help resolve the dispute and draft the agreement.

## Party Wall Act 1996 – Compensation and access rights

If the building work causes any damage to the adjoining owner’s property, the building owner is responsible for paying for repairs. This must be outlined in the Party Wall Agreement.

The building owner may require access to the adjoining owner’s property to complete the work, but this must be agreed upon and documented in the Party Wall Agreement. Access must be respectful and planned to minimise disruption.