

## Book Review

### Party Walls The New Law

**Authors**            **Stephen Bickford-Smith  
and Colin Sydenham**

**Publishers**        **Jordans**

**Background**      **Stephen Bickford-Smith:  
Barrister and Arbitrator,  
specialising in property and  
construction**

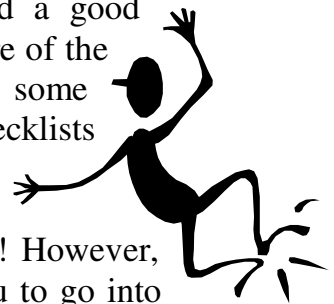
**Colin Sydenham: Barrister**

If you need help and advise with regard to disputes, particularly party walls matters, or you require a structural survey or a schedule of condition or dilapidations report or any other property matters please call 0800 298 5424 for a friendly chat.

#### Overview

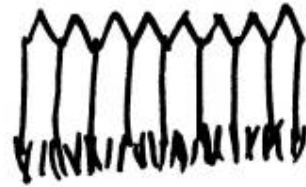
First of all, to be fair, this is a book that we have had in our collection for many years. The book that we are reviewing was published in 1997, when The Party Wall etc Act 1996 was very new. Nevertheless, it was one of our original reference books on party wall matters and we felt it worth reviewing.

We found this a very readable book, albeit that we had a good knowledge of party walls back in 1996. We feel the structure of the book is good and uses diagrams appropriately. It also has some excellent tables in the appendices, which are called the Checklists for Notices, which we have found very useful over the years, particularly in our earlier days. These days our main criticism would be that the size of the font could be larger! However, joking apart, the book is very detailed and really allows you to go into the depth that is necessary when dealing with party wall matters.



## **Format**

The format follows the processing of the Act, how it is used, the rights of the building owner, etc, in a logical format. It looks at each of these areas in great detail, it sets out the whys and wherefores of each section before looking at the case history. Nearly every page has separate headings on it, which enables you to find the areas that you wish to investigate further.



## **Readability**

Whilst we believe this is fundamentally a reference document we feel that the many individual headings within each section help make this a much more readable and useable book and most importantly it also helps you find part of the book that you wish; for example we have just opened the book at chapter 8: The Award, procedures and scope, and looked at the page within and the second page is divided into five separate headings, such as qualifications of surveyors, machinery of appointment, methods of appointing and selection, agreed surveyor and party's surveyor; all very clearly set out, which for us works well.

## **Party Wall The New Law - Chapters**

Table of cases.

Table of Statutes

Table of Statutory Instruments

Chapter 1: Introduction to the Act

Chapter 2: Up casing the Act.

Chapter 3: Rights of building owners.

Chapter 4: Adjacent excavation and construction.

Chapter 5: Special foundations

Chapter 6: Ancillary rights and obligations.

- Chapter 7: Rights of entry.
- Chapter 8: The Award, procedure and scope.
- Chapter 9: The Award, affect and enforcement.
- Chapter 10: Rights of appeal.
- Chapter 11: Financial matters
- Chapter 12: Security for expenses
- Chapter 13: Service of Notices
- Chapter 14: Successors in title
- Chapter 15: Relationships with other areas of law
- Chapter 16: Criminal offences
- Appendices: includes a copy of The Party Wall etc Act 1996 and a checklist of notices.

### **Sample Chapter**

#### Chapter 10: Rights of appeal

This is a chapter that we have rarely looked at over the years that we have been dealing with party wall matters. It identifies the 14 day period for appeal and looks at the extent of the matters which can be raised on the appeal in quite great depth, the mode of appeal, the appeal court, the time limits and the affect of the appeal. It also looks at other methods of challenging an award. It is probably not a chapter you would look at very often.

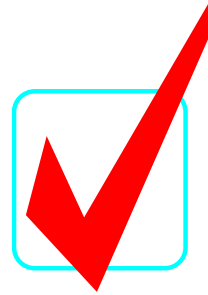


#### Chapter 3: Rights of building owners.

This is a well thumbed section within our copy of the book. It looks at everything from the consent notice, to no consent, to a late consent, or a Section 1. It also looks at rights under Section 2, together with counter-notices under Section 4 and disputes under Section 5.

## **Review Upon Reflection**

This has been a frequently used party wall book of mine over the years. We are not certain whether it has ever been updated, but for us it was a very good building block for our knowledge on party wall matters.



If you need help and advice with regard to party wall matters and want a further chat please call 0800 298 5424 or if you want information on structural surveys, building surveys, engineers reports, specific defects report, structural surveys, home buyers reports or any other property matters please give us a call. Please note we are independent chartered surveyors.

If you have a commercial property then you may be in need of Dilapidations Help so please visit our [www.DilapsHelp.com](http://www.DilapsHelp.com) website and for Disputes go to our Disputes Help site [www.DisputesHelp.com](http://www.DisputesHelp.com).

We hope you found the article of use and if you have any experiences that you feel should be added to this article that would benefit others, or you feel that some of the information that we have put is wrong then please do not hesitate to contact us (we are only human).

The contents of the web site are for general information only and is not intended to be relied upon for specific or general decisions. Appropriate independent professional advice should be paid for before making such a decision.

All rights are reserved the contents of the web site is not to be reproduced or transmitted in any form in whole or part without the express written permission of [www.1stAssociated.co.uk](http://www.1stAssociated.co.uk)