



# Party Wall etc. Act 1996

## 1996 CHAPTER 40

### *Rights etc.*

#### 7 **Compensation etc.** **E+W**

- (1) A building owner shall not exercise any right conferred on him by this Act in such a manner or at such time as to cause unnecessary inconvenience to any adjoining owner or to any adjoining occupier.
- (2) The building owner shall compensate any adjoining owner and any adjoining occupier for any loss or damage which may result to any of them by reason of any work executed in pursuance of this Act.
- (3) Where a building owner in exercising any right conferred on him by this Act lays open any part of the adjoining land or building he shall at his own expense make and maintain so long as may be necessary a proper hoarding, shoring or fans or temporary construction for the protection of the adjoining land or building and the security of any adjoining occupier.
- (4) Nothing in this Act shall authorise the building owner to place special foundations on land of an adjoining owner without his previous consent in writing.
- (5) Any works executed in pursuance of this Act shall—
  - (a) comply with the provisions of statutory requirements; and
  - (b) be executed in accordance with such plans, sections and particulars as may be agreed between the owners or in the event of dispute determined in accordance with section 10;

and no deviation shall be made from those plans, sections and particulars except such as may be agreed between the owners (or surveyors acting on their behalf) or in the event of dispute determined in accordance with section 10.

#### 8 **Rights of entry.** **E+W**

- (1) A building owner, his servants, agents and workmen may during usual working hours enter and remain on any land or premises for the purpose of executing any work in

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*Changes to legislation: There are currently no known outstanding effects for the Party Wall etc. Act 1996, Cross Heading: Rights etc.. (See end of Document for details)*

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pursuance of this Act and may remove any furniture or fittings or take any other action necessary for that purpose.

- (2) If the premises are closed, the building owner, his agents and workmen may, if accompanied by a constable or other police officer, break open any fences or doors in order to enter the premises.
- (3) No land or premises may be entered by any person under subsection (1) unless the building owner serves on the owner and the occupier of the land or premises—
  - (a) in case of emergency, such notice of the intention to enter as may be reasonably practicable;
  - (b) in any other case, such notice of the intention to enter as complies with subsection (4).
- (4) Notice complies with this subsection if it is served in a period of not less than fourteen days ending with the day of the proposed entry.
- (5) A surveyor appointed or selected under section 10 may during usual working hours enter and remain on any land or premises for the purpose of carrying out the object for which he is appointed or selected.
- (6) No land or premises may be entered by a surveyor under subsection (5) unless the building owner who is a party to the dispute concerned serves on the owner and the occupier of the land or premises—
  - (a) in case of emergency, such notice of the intention to enter as may be reasonably practicable;
  - (b) in any other case, such notice of the intention to enter as complies with subsection (4).

## 9 Easements. **E+W**

Nothing in this Act shall—

- (a) authorise any interference with an easement of light or other easements in or relating to a party wall; or
- (b) prejudicially affect any right of any person to preserve or restore any right or other thing in or connected with a party wall in case of the party wall being pulled down or rebuilt.

**Changes to legislation:**

There are currently no known outstanding effects for the Party Wall etc. Act 1996, Cross  
Heading: Rights etc..