



Party Wall etc. Act 1996

1996 CHAPTER 40

Construction and repair of walls on line of junction

4 Counter notices

- (1) An adjoining owner may, having been served with a party structure notice serve on the building owner a notice (in this Act referred to as a “counter notice”) setting out—
 - (a) in respect of a party fence wall or party structure, a requirement that the building owner build in or on the wall or structure to which the notice relates such chimney copings, breasts, jambs or flues, or such piers or recesses or other like works, as may reasonably be required for the convenience of the adjoining owner;
 - (b) in respect of special foundations to which the adjoining owner consents under section 7(4) below, a requirement that the special foundations—
 - (i) be placed at a specified greater depth than that proposed by the building owner; or
 - (ii) be constructed of sufficient strength to bear the load to be carried by columns of any intended building of the adjoining owner,or both.
- (2) A counter notice shall—
 - (a) specify the works required by the notice to be executed and shall be accompanied by plans, sections and particulars of such works; and
 - (b) be served within the period of one month beginning with the day on which the party structure notice is served.
- (3) A building owner on whom a counter notice has been served shall comply with the requirements of the counter notice unless the execution of the works required by the counter notice would—
 - (a) be injurious to him;
 - (b) cause unnecessary inconvenience to him; or
 - (c) cause unnecessary delay in the execution of the works pursuant to the party structure notice.