Example letter 3 - Negative Acknowledgement of Party Structure Notice

To *Building Owner* [see note 1]
Of *Building Owner's main address* [see note 2]

The Party Wall etc Act 1996
Acknowledgment of Party Structure Notice

As Adjoining Owner/s under the Act of *Adjoining Owner's building* [see note 6] and having received notice/s dated *date* [see note 7] in respect of proposed works at *Building Owner's building* [see note 3] and without prejudice to any of my/our rights under the Act,

I am / we are not content for the works set out in your notice to go ahead as proposed.

[Only if you wish to add - My/Our objections are:]

If you are still intending to go ahead with work - *** As we are now in dispute under the Act, I/we concur in the appointment of Agreed Surveyor's name [see note 13] to act as agreed surveyor

*** As we are now in dispute under the Act, I/we do not agree with your proposal for agreed surveyor and if you intend to go ahead with the work I/we propose

_____ Insert Surveyor's name
_____ and contact details

as an alternative to act as agreed surveyor or as my/our surveyor if you do not concur.

*** As we are now in dispute under the Act, if you intend to go ahead with the work, I/we shall be appointing:

_____ Insert Surveyor's name
_____ and contact details
to act as my/our surveyor.

*** Delete two of the three options as appropriate.

[Only if the Building Owner has stated a willingness to send further notices and documents required under the Act by email add:] I am/ We are content/not content to receive further notices and documents required under the Act by email. [If content add – My/Our email address is: [email address] see note 14].

Yours sincerely

Signed: _____ Date: _____

Name: _____ Print name/s

Please note all joint owners should sign.
Please also print your name/s and date the letter.

Source: https://www.gov.uk © Crown copyright 2024

Notes on completing example letters

Where work covers more than one section of the Act the example letters may be combined so that all the information required under the Act is provided in one letter.

Where alternatives appear (e.g. I/we), you should write **only** the applicable option.

Where *italics* appear in the text of the sample letters, you should refer to the following notes for guidance:

1 *Building Owner* - This is the owner of the premises where the work is proposed. If the property is owned in joint names both or all names must be given in the notice.

2 *Building Owner's main address* - This is your main correspondence address and may be different to Building Owner's building as at note 3.

3 *Building Owner's building* - this is the address of the premises where the work is proposed.

4 *Adjoining Owner* - If possible give the neighbour's full name/s. If you do not know the name write "The Owner"

5 *Adjoining Owner's main address* -

If the *Adjoining Owner* does not live at the premises e.g. a landlord, the address will be the owner's main address.

If the *Adjoining Owner* is an owner-occupier or if you do not know who is the owner this will be the address adjacent to your premises - i.e. the *Adjoining Owner's building* as note 6.

6 *Adjoining Owner's building* - this is the address of the premises adjacent to that where the work is proposed.

7 *Date* - This is the date your notice is posted or served. You should always date your letter, as this will avoid confusion as to when notice was served.

8 *Title* - If known give the full name/s, otherwise write "Sir or Madam".

9 *Explanatory Booklet* - It is recommended that you provide the web link (https://www.gov.uk/party-wall-etc-act-1996-guidance) for this booklet to your neighbour so that they know why you have written to them.

10 *Date of works* - This **must** be after the end of the notice period, which for Party Structure Notices is two months and for Line of Junction and 3 or 6-metre Notices is one month. If you do not know exactly when your works will start you may wish to add "or thereafter".

11 You may wish to start earlier than the one-month or two-month notice period but can only do so with your neighbour's written agreement. You may wish to add "or sooner with your written agreement".

12 *Attached letter* - It is recommended you prepare a letter for your neighbour to use - based on example letters 2 and 3 for Party Structure Notices, 5 or 7 for Line of Junction Notice or 9 and 10 for 3/6 Metre Notices.

Source: https://www.gov.uk © Crown copyright 2024

13 *Agreed Surveyor's name* - It is recommended that you give the name, address and telephone number of the person you propose to use as the 'agreed surveyor'. However, there is no requirement to appoint surveyor(s) unless a dispute arises. If an agreed surveyor's details are not provided the relevant sentence(s) may be deleted or you may wish to replace with 'details of agreed surveyor to be advised if a dispute arises'.

14 *Email address* -If you are content to receive notices and documents required under the Act by email you will need to confirm your willingness to do so and provide details of your email address. Notices and documents required under the Act can only be sent by email if the recipient states agreement to this, and has not withdrawn that agreement.

15 *Building Owner's signature* - Remember to sign the notice. All joint owners should sign unless one is authorized to sign for all joint owners. It is recommended you also print your name.

16 *(Line of Junction Notice) Description of the wall* - Describe the new wall you intend to build - for example height, length, materials etc. You might wish to add further information for your neighbour's benefit - for example 'forming part of a single storey extension' or include drawings.

17 *(Party Structure Notice) Description of the works* Give full details of the works you propose to carry out that affect the party structure or the adjacent building. If special foundations, defined in section 20 of the Act, are proposed, under section 3(1)(b) then there is a need for plans, sections and details of construction. In cases that do not involve special foundations you still might wish to include drawings for your neighbour's benefit if they are available but this is not essential if works are properly and fully described.

18 (3/6 Metre Notice)

Description of the excavation and works. - A simple description such as "excavate to lay drainage/foundations" will suffice if the drawings clearly show what is proposed.

Drawings. - It is a requirement of the Act that drawings are provided showing the depth of the proposed excavations and the location of any proposed building or structure. It is also advisable for the drawings to show the position of the adjoining building in relation to the excavations.

Safeguarding the Adjoining Owner's foundations. - You are required to tell the Adjoining Owner whether you intend to underpin or otherwise strengthen or safeguard the foundations of his building or structure.

19 (3/6 Metre Negative Acknowledgement)

Specific concerns – There is no obligation to set out what your objections are but it is likely to help resolve matters if you include this.

Source: https://www.gov.uk © Crown copyright 2024

Westville Associates 3 Lingwood, Cobham, Surrey KT11 1DT Call: 01932 864375
info@westvilleassociates.com
Source: https://www.gov.uk © Crown copyright 2024