Editorial

Like many not-for-profit organisations, The Faculty of Party Wall Surveyors operates as a Company Limited by Guarantee. Such a company does not have shareholders, but has members who are guarantors instead of shareholders. The main advantage of being a limited company is that we are granted limited liability. This means that Member’s assets are separate from the organisations activities and members will not be required to contribute to address losses incurred through the activities. Limitation of liability takes the form of a guarantee from its members in case the company is wound up and in this instance is £1.

The Board of Directors meet quarterly and whilst we have met elsewhere across the country it is most cost effective to meet in London.

The Directors, mostly regional chairmen, give their time freely, the exception being Nicky Castell who has overall responsibility for administration and the daily running of the office. Nicky is the Faculty’s only paid full time employee.

The main office typically gets about fifty phone calls a week from member surveyors seeking support and assistance and the general public seeking advice.

Members will be familiar with the Faculty’s website. The find a surveyor section is an excellent service for Members and the public alike. Members can request their details are included in the lists for other geographical areas. The Department for Communities and Local Government, in the event they are required to appoint a Third Surveyor, use our listing on the website and we are in regular touch with the Government on party wall issues.

The Faculty produces various publications, Misunderstandings & Guidance, The Third Surveyor and of course, the Party Wall Surveyor newsletter, which you are reading now!

The Faculty Board meet on a quarterly basis and the Department Heads consisting of Administration; Promotion & Marketing; Training & Education; Membership; Business Development; Forums; and Disciplinary table their proposals for continuing to improve how the Faculty runs.

The Annual Dinner has become a fixed event in the calendar and on this occasion we are holding a House of Lords luncheon on Friday 6th July 2012. The response to holding this luncheon has been excellent and we are sure it will be a memorable and successful event. More details can be obtained from the Administration office on 01424 883300 or by email nicky@fpws.org.uk

If you are interested in becoming more involved with the Faculty, either nationally or locally, please let us know.

Dr. Paul Chynoweth

Paul Chynoweth HonFPWS received his Doctorate in the Summer of 2011 for his research thesis “Neighbourly matters surveying practice: A Critical Examination of a Specialist Legal Aspect of the Professional Knowledge Base of Chartered Building Surveyors”. This will be of interest to all surveyors with an interest in party wall matters and will shortly be available for downloading at http://ethos.bl.uk

We would urge that you obtain a copy of Paul Chynoweth’s thesis which covers not only party wall matters but other neighbourly issues such as rights of light.

Paul Chynoweth has been a significant influence on party wall practice for many years. He established and administers the party wall and rights to light online forum at www.partywallforum.co.uk, which encourages debate of neighbourly matters, and has recently established a group of the professional networking website LinkedIn at www.partywalls.co.uk

Many will know Paul as author of The Party Wall Case Book; considered to be one of the most important books on the subject and certainly one that practising party wall surveyors should have on their bookshelf.

Paul was made an Honorary Fellow of the Faculty in July 2011 in recognition of his commitment to the profession and specifically party wall matters.

The Faculty would like congratulate Paul and extend their gratitude for his continuing contribution to education in this specialist field.

The opinions expressed by writers of articles (even with pseudonyms) and letters appearing in this publication are those of the respective authors and do not necessarily represent those of The Faculty of Party Wall Surveyors.

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Regional Forum Dates

Next forum dates are to be confirmed as we have only recently undertaken several events.

**EAST ANGLIA & LONDON (East)**
DATE: TBC 2012  
TIME: TBC  
VENUE: TBC  
CONTACT: Philip Antino 01245 492495 phil@apaproperty.com

**EAST & WEST MIDLANDS**
DATE: TBC 2012  
TIME: TBC  
VENUE: The Red Lion, Warstone Lane, Jewellery Quarter,  
Hockley, Birmingham, B18 6NG  
CONTACT: James Jackson 0121 233 3380  
r.windorandcousurveyors@btconnect.com

**LONDON (North)**
DATE: TBC 2012  
TIME: TBC  
VENUE: Kings Head Pub, Winchmore Hill, N21 1BB  
GUEST SPEAKER: Alistair Redlar FRICS  
CONTACT: Richard Garry 020 8886 0400  
r@garry.uk.net

**LONDON (South)**
DATE: TBC 2012  
TIME: TBC  
VENUE: TBC  
CONTACT: Simon Price 0207 736 7311  
post@pricepartnership.co.uk

**NORTH EAST**
DATE: TBC 2012  
TIME: TBC  
VENUE: The University & Literary Club, 20 Berkeley Square,  
Clifton, Bristol, BS8 1HP  
CONTACT: Andrew McAllister 0117 944 4419  
info@mcallisterassociates.co.uk

**NORTH WEST**
DATE: MARCH 2012  
TIME: TBC  
VENUE: The University & Literary Club, 20 Berkeley Square,  
Clifton, Bristol, BS8 1HP  
CONTACT: Andrew McAllister 0117 944 4419  
info@mcallisterassociates.co.uk

**SOUTH EAST**
DATE: FEBRUARY 2012  
TIME: TBC  
VENUE: RICS 7 St Andrew's Place, Cardiff, CF10 3BE  
CONTACT: Philip Beck 01874 713133  
admin@htbconsult.co.uk

**SOUTH WEST**
DATE: FEBRUARY 2012  
TIME: TBC  
VENUE: RICS 7 St Andrew's Place, Cardiff, CF10 3BE  
CONTACT: Philip Beck 01874 713133  
admin@htbconsult.co.uk

Training Events

**TWO-DAY COURSES**
These courses are suitable for Surveyors, Engineers, Estate Managers, Property Developers, Architects and Architectural Technologists, Building Control Officers and all those with a responsibility for dealing with commercial or residential properties. They are for those that have little experience in party wall matters but would like to become proficient with the workings of the Party Wall etc. Act 1996.

On successful completion of the 2-day course delegates will be eligible to apply for full membership of the Faculty, subject to interview and completion of two party wall awards (one as an agreed surveyor and one as BO’s Surveyor or AO’s Surveyor) from a set of instructions and plans supplied with seminar paperwork.

**NEXT COURSE:**
London  
5th & 6th December 2011  
at CIAT Offices, City Road, London.

Cost is £390. Please contact: Nicky Castell on 01424 883300 or by e-mail nicky@fpws.org.uk for further information.

A two-day ‘Certificate in Party Wall Studies’ course is run by the Association of Building Engineers (ABE) in conjunction with the Faculty at the following locations:

**THIRD SURVEYOR COURSE**
London  
6th March 2012  
at CIAT Offices, City Road, London.

Any member that has good experience can attend the course and if members are considering upgrading to fellow status, they should be aware that you have to attend this course to be considered. Cost is £225.

**REFRESHER COURSE**
TBC  
2012 TBC  
Half-day talking through common misunderstandings and taking questions from the floor and other half of the day discussing recent case law and its impact on the Act.  
Cost is £180. Please contact: Nicky Castell on 01424 883300 or by e-mail nicky@fpws.org.uk for further information.

**BOUNDARY DISPUTES CPD Seminars**
London  
14 March 2012  
Following positive feedback from Members, the Faculty’s working party on boundaries has been working hard to develop a CPD seminar on the subject, similar in format to the successful party wall seminars and including MS PowerPoint presentation etc.  
The date has been arranged for 14 March and further details will be advertised shortly.
In that case under Section 10 of the Act will start.

The Party Wall etc. Act 1996 (“the Act”) imposes specific time periods in relation to the effect of party structure notices and notices for excavation works, and Barrister Fabio Vitiello of Staple Inn Chambers examines how those time limits operate and interact with the necessity of “prosecuting the works with due diligence”.

Time Limits: Duration of the notice’s effectiveness

The time limit imposed by the Act in relation to notices under Section 3(2)(b)(i) and section 6(8)(a), states that the relevant notice “shall cease to have effect if the work to which it relates has not begun within the period of twelve months beginning with the day on which the notice is served.”

So, if a Building Owner were to give a notice exactly two months before the intended date of commencement of the works, the Act would allow a ten-month window during which the works can properly start (from the two months from the date of service till the twelve months from such date of service).

It is in this light that the convenience of serving a party structure notice more than two months before the date in which the works will begin must be considered: as stated above, a notice longer than the statutory requirement of two months will only have the effect of reducing the time window to begin such works to whatever the difference between the time given in the notice and the twelve months from service.

But what does “beginning the work” mean? Any construction (or demolition) work will often involve a planning stage, the compliance with bureaucratic, statutory or planning requirement, hiring of the required personnel and, finally, the physical execution of the work itself.

Clearly, whether the work has begun is something that will need to be considered on a case by case basis, but, it is suggested that the physical commencing the works (as opposed to planning, application for permissions, negotiations, etc.) is what should be considered as the “beginning of the work”, as this would be the literal, and common-sense, interpretation of the words of the Act and would also explain the necessity of “prosecuting the works with due diligence” requirement.

Another important point is that this time limit ceases to apply when a dispute arises either through an express objection to the notice or when a dispute is deemed to have arisen, pursuant to the provisions of Sections 5 and 6(7) of the Act (when no notice indicating the consent is served within fourteen days of the service of the notice) and the procedure under Section 10 of the Act will start.

This is for obvious reasons: the dispute resolution process may lead to a change of the originally proposed work and may take a long time to be completed (also considering the possibility of challenging the award through the Courts).

This was held by the Court of Appeal in Leadbetter v Borough of St. Marylebone (No 2) [1905] 1 K.B. 661, a case dealing with Section 90(4) of the London Building Act 1894 (a provision, effectively, mirroring s.3(2)(b) of the Act), where Mathew L.J stated “there may be an appeal to the county court from the award of the surveyors, or in some cases to the High Court, and a point of law may be raised by means of a case stated for the opinion of the High Court. It is obvious that in such a case a period exceeding six months may necessarily elapse before the work can be begun. In my opinion the contention of the plaintiffs [that the time limit continued to apply, n.d.a] …, is untenable”.

Similarly Cozens-Hardy L.J., stated, in the same case, referring to the situation when a dispute arises: “In that case the rights of the parties under the Act would appear to depend not so much on the party-wall notice as on the award made by the surveyors. I cannot think that the intention was that in that case the whole of the proceedings should become nugatory, unless the award could be perfected, which might involve the stating and decision of a case for the High Court on a legal point, within the period of six months from the giving of the party-wall notice. In my view that is not the true effect of the Act.”

More recently, this principle was restated in Filippi v Jakob [2001] EWCA Civ 827, where leave to appeal a decision from the Central London County Court was refused. In the original decision, Mr Recorder Jackson had indicated (paragraph 17 of the Court of Appeal decision) that the principle of the 1905 case also applied to the more recent legislation, in the specific Section 47 of the London Building Acts (Amendment) Act 1939.

So, the time limit applies only when consent to a notice has been given in writing. Once the time limit has expired, and subject to the inter-relation with the prosecution of work with due diligence, the party structure notice will cease to have effect and any work commenced would be unauthorised and could be stopped with an injunction.

Prosecuting the work with due diligence

The expiry of the twelve-month time limit is not the sole thing that will cause the notice to cease to have effect, since Sections 3(2)(b) and 6(8) state that this happens if:

“the work to which it relates—

(i) has not begun within the period of twelve months beginning with the day on which the notice is served; and

(ii) is not prosecuted with due diligence”
Continued from page 3

Again, whether work is “prosecuted with due diligence” is a question of fact, depending from the circumstances of the case, but is this requirement in addition or in alternative to the compliance with the twelve-months time limit?

Ordinarily, when the legislator uses the word “and” as opposed to “or” in a list, all the items of the list must exist, whilst when “or” is used, all is required is that only one of the items of the list must exist. So, for example, if one looks how Section 3(1) of the Act requires the party structure notice to contain three separate pieces of information and absence of just one of the three above will invalidate the notice. Differently, Section 10 (3) of the Act lists four possible conditions relating to an agreed surveyor, and if only one of those comes into existence, the proceedings to settle the dispute start afresh.

However it is submitted that correctly interpreting the meaning of sections 3(2)(b) or 6(8) is not such a simple exercise in semantics (and perhaps complicated by the use of double negatives in the respective sections). In the author’s opinion, the purpose of these sections is to protect the adjoining owner who has consented to the works in a notice by ensuring that he is provided with ‘certainty’. Accordingly, the adjoining owner should not be faced indefinitely with the prospect of such works starting at some unknown time in the future. Neither should the adjoining owner have to tolerate works that have commenced but are then not progressed purposefully to their conclusion.

It is clear that where the works are not commenced within the twelve month period, the notice will cease to have effect, and new notices will have to be served. No doubt the previously consenting adjoining owner will be more inclined to dispute the notice the next time around.

What then in the case of a building owner who, after serving a notice which is consented to, begins work within the twelve month time period, for example, by merely laying a single brick or excavating a single bucket of soil, but then does nothing else, for months or even years? In this situation, whilst the works have commenced within the twelve months time period, it cannot be said that they have been progressed properly, or ‘prosecuted with due diligence’. Consequently, the notice would again cease to have effect in such circumstances. What constitutes not prosecuting the works with due diligence will of course be a matter of fact and degree, depending upon the nature of the works, the length of the delay between the different phases of the work, and the reasons for that delay.

Conclusion – Practical consideration

To recapitulate, the following can be said in summary about notices served pursuant to sections 3 or 6 of the Act

- The twelve-month time limit, under Sections 3(2)(b)(i) and 6(8) of the Act applies only when written consent to the notice has been provided within fourteen days from the service of such notice.
- If a dispute arises (or, under Sections 5 or 6(8) of the Act, is deemed to have arisen), the twelve-months time limit will cease to apply.

Following consent to the relevant notice, if the work has not begun within the twelve months from service the notice ceases to have effect and any work commenced would be unauthorised and could be stopped by an injunction.

Alternatively, following consent to the relevant notice, and the commencement of works within the twelve months from service, the Building Owner must also ensure that those works are progressed appropriately. If they are not, the notice under which the works are authorised will cease to have effect, meaning that any further works would be unauthorised. On the last point, although, as said above, “prosecuting works with due diligence” would be a question to determine case by case, a simple common sense approach may point to the fact that the Courts, arguably, would not be too impressed with a Building Owner commencing work but then stopping for months, without other explanation than the need to indulge in the good old pastime of watching grass grow...

FABIO VITIELLO Barrister at Law
**HEALTH & SAFETY: Thinking Outside the box**

During a holiday abroad recently (within the EU) I came across a contractor painting the outside of some houses using a cherry picker and happily ignoring the obvious hazards; he was working next to a dock with no edge protection and people where walking below him. To protect himself from the sun the painter was using some floral curtains around the basket and a parasol. I said to my wife that he would never get away with that in the UK to which she replied “what else would he use?”, which is a very good point. A long sleeve shirt and a bit of sun cream would be no use whatsoever. What a practical solution, not only does he protect himself from sunburn but he makes his work environment more comfortable.

We were involved in a large roofing project recently where the CDMC chastised us for surveying a 5 storey roof with no edge protection or safe system of work (according to what was in the HSE guidance notes).

However, no access platforms could be used due to the outreach distances involved and, due to the very large roof, it would effectively have had to be fully scaffolded (APPARENTLY SCAFFOLDERS ARE IMMORTAL!) amounting to tens of thousands of pounds and taking weeks to implement in order to comply with the guidance notes. Without our survey information the project could not be practically tendered.

Far too often we stick with the guidance notes and no end of H&S advice, which steers us in one particular direction without actually thinking of practical solutions, mainly because we are frightened of moving away from what is written for us for fear of liability. What stops us from walking off the roof is the same rule of self-preservation that stops us from walking off a kerb in front of a bus every day. Guidance notes and advice are not rules to be adhered to and a bit of practical thinking now and then would not go amiss.

Unfortunately the floral curtains and parasol would not have helped us with the roof survey.

Neil Cunningham
FFPWS BSc(Hons) MRICS

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**President’s Pen**

A friend of mine died whilst celebrating his birthday recently. The day before he had cooked a fine meal for seventeen of us and was at the top of his game. He died full of song and dance plus a lot of vodka amongst friends and family.

What a great way to go, you may say, I think not. He has left a distraught wife, daughter and grandchildren plus a business that still has to run.

He had a kidney function test that went wrong and left him on dialysis. This compounded a heart condition that is what I believe finally killed him.

I never heard this man complain about his lot. He took responsibility for his actions and did what he thought best without seeking to lay blame if it went wrong. Old school you might say.

How different things are outside of that philosophy. How many people look to lay the blame at another’s feet, or attend endless committee meetings so as to say I never made the decision, the committee did. When taking a phone message only to relay this to another person instead of dealing with their query, amounting to working but not actually achieving anything.

I have received some queries of this nature recently and am exhausted at the time consuming nonsense it has become. So from now on there is a sign above my desk which says “Life’s too short so please don’t waste my time, do it yourself, don’t pass the buck, all I want to do is go fishing, unless you really need my help, and then, of course, I’m here for you”. Heigh Ho life goes on.

Charles Dawson FFPWS FFPWS MRICS FCIOB
Back in February 2010 the FPWS became UK representative members of the European Group of Surveyors (EGoS)

President Charles Dawson together with his wife Penny attended the two day Workshop and General Assembly of the Group and met up with other European members from Republic of Ireland, Greece, Malta, Germany and Turkey.

Other members who were unable to attend but are full members of the group are; Belgium, Spain, Italy and Cyprus. The group also have Observers from Czech Republic, Bulgaria, Serbia, FRYO Macedonia, Albania and Israel all working toward becoming full members.

The European group of Surveyors first came together in 1989 to represent Surveyors who had been left out of the named list of surveyors provided in the European First General Directive.

There were a number of non-chartered surveying organisations in the UK that were not being represented in Europe and upon enquiry it was found that other organisations in other European member states also were not being represented. These organisations came together to form EGoS to provide a home for non-chartered surveyors qualified at the First General Level of Qualification and in 1992 a formal Agreement and Constitution was formed.

The ASI (Architects and Surveyors Institute) were founder UK members of the Group and when they were absorbed into CIOB (Chartered Institute of Building) the CIOB continued to represent surveyors. In 2009 the CIOB left the group to concentrate on Project Management aspects and as a result provided an opening for the FPWS to represent UK surveyors. For the information of the members of the Faculty of Party wall Surveyors the ASI were the instigators of the formation of the Faculty and therefore this association has swung full circle.

The FPWS became full member of EGoS at a ceremony held at the London Bridge Hotel Conference Centre on 27th February 2010 and Charles Dawson signed on behalf of the Faculty the EGoS Constitution in conjunction with the newly elected President of EGoS J. Randolph Camilleri from Malta.

For those members wishing to visit the website of EGoS please log onto www.europeansurveyors.org. There you will find the aims, purposes and constitution of the Group and individual members of the FPWS may, if they so wish, register with EGoS.

EGoS are working together with our European Groups such as CLGE (Council of European Geodetic Surveyors) and AEEBC (Association of European Building Surveyors) on mutual recognition of surveyors’ professional qualification in Europe.

There is also an opportunity for dialogue and obtaining information about each member state requirements for surveyors working in another Members country.

The next General Assembly and Workshop meetings of EGoS are to be held in Cyprus on 9th and 10th December 2011.

Malcolm Lelliott VPFPS, Secretary General EGoS.
Publications

THE THIRD SURVEYOR - A GUIDE
This is Alex Frame’s latest work, which explains the process whereby one arrives correctly at the appointment of a Third Surveyor in an easily digestible and comprehensible manner and then proceeds to explain in clear and concise terms the need for extensive and wide ranging abilities and knowledge necessary for a Third Surveyor to be able to provide advice, guidance and assistance to party wall surveyors, including a section at the end of the book providing an example of a Third Surveyor model award.

MISUNDERSTANDINGS AND GUIDANCE (Second Edition)
This book has recently been updated to include material related to changes in some parts of CPR, the effects of recent case laws, together with further clarification of misunderstandings throughout the book.

Misunderstandings and Guidance and The Third Surveyor are available at a cost of £29.50 each and please note that if both books are purchased, a £5.00 discount will be given.

Both books are a ‘must have’ for all practising party wall surveyors.

Please contact Nicky in the Administration office on 01424 883300 or by email enq@fpws.org.uk for details on how to purchase these books.

New Members

We are very pleased to welcome the following individuals into the Faculty:

ASSOCIATES:
Associate membership is aimed at part time students and less experienced party wall surveyors who are working towards full membership of the Faculty. Please do not hesitate to call upon the Regional Director (see www.fpws.org.uk) in your area should you require help or advice.

UPGRADE TO MEMBER:
Stanley Northover, Silver, London
Colin Chase, Chase & Associates Ltd, Lancashire
June Grinstead, Technical Drawings Ltd, West Sussex

MEMBERS:
Graeme Caird, Crawford & Company, Nottingham
Paul Keenan, Mypartywall, Ireland
Andrew Williams, Andrew R Williams & Associates, Merseyside
Hassan Djaffer, London
James Coyle, Taylor & Company, Essex
Michael Tuck, Bernard Sims, Surrey
Arron Sampson, Bernard Sims, Leeds
Chris Sheppard, Allen, Sheppard & Partners, Worcestershire
Kevin Crew, Kent
Lucy Nylander, NPMC Ltd, Hertfordshire
James Velissarides, Bernard Sims, Surrey
Robert Simpson, Simpsons Chartered Surveyors, Bucks
William Lai, William Lai Consulting Engineers Ltd, Bucks
Robert Hopps, The Hopps Partnership, Essex
Chris Vincent-Bennett, Heathside Consultancy, London
Sam Gulliver, Douglas Moat Practice, Kent
Mark Boobyar, Karesa Developments Ltd, Somerset
Mark Simpson, David Maycox & Co, Herts
Patrick Brady, Essex
Max Brooker, Graysbrook Design (London) Ltd, Surrey
David Garforth, Garforth Structural Design Ltd, Lancs
Andy Parkin, Easy Plan Building Solutions Ltd, Herts
Robert Knowles, Robert Knowles & Co Ltd, Cheshire

FELLOW:
Tony Rellis, Crawford & Company, Birmingham

UPGRADE TO FELLOW:
Clive Callard, Thomas & Thomas, Middlesex
Sunil Parmar, Crawford & Company, Birmingham
John Hayes, Cartwright Professional Services Ltd, London
Ken McHale, KMASS, Hertfordshire

“Love your neighbor as yourself; but don’t take down the fence.”
Carl Sandberg (1878-1967), American writer
**ABC of Party Walls**

**U** is for **UNDERPIN**

This is found in section 2(2)(a) of the Act. The right to underpin a party structure. However it must be seen as the right to underpin the WALL not the foundation which leads us into the argument of the width of the underpinning. See discussion in the Misunderstandings and Guidance Book published by the FPWS.

**U** is for **UNNECESSARY**

We can find such a word used in section 7(1) whereby unnecessary inconvenience must not be allowed. This immediately says that necessary inconvenience is therefore allowed and this should be told to Adjoining Owners by surveyors – i.e. that some necessary inconvenience will occur.

**U** is for **UNLESS**

I pick this word out because we find it in section 4(3) and is in reference to Counter Notices. The Building Owner SHALL comply with the Notice UNLESS he can not for any of the three reasons given.

**V** is for **VERTICAL**

The word is found in section 2(2)(h) whereby any projection can be cut away from an Adjoining Owner’s property in order for a VERTICAL wall to be erected against it. Be careful with this one as it is not always a given right as the projection may be subject to an easement, or the projection may be on a listed building for example. Always check first before acting in haste.

*Series continued in the next issue.*

**Alex Frame**

FFPWS MSc MRICS FCIOB MCMI

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**Forum Feedback**

Barristers Stuart Frame and Fabio Vitiello attended the recent South West (Bristol) Forum on Tuesday 18th October 2011. Fabio presented his article Party Wall etc. Act Notices: Time Limits and "Due Diligence" printed in this edition of the newsletter and Stuart & Fabio fielded questions from Members.

The University & Literary Club is one of the few remaining Gentlemen’s Clubs outside London and is an excellent venue (Women are of course welcome to attend the faculty functions).
About Us
Prior to 1997 procedures covering works to party walls, party structures and certain excavations close to adjoining properties were generally limited to central London; although historically similar legislation covered cities such as Bristol, this had long since fallen by the wayside. Consequently, there were few surveyors practicing in this field.

In 1997 the Government introduced party wall legislation across the whole of England & Wales in the form of the Party Wall etc. Act 1996. It was recognised by a number of experienced practitioners that the shortage of surveyors available to administer this legislation had to be addressed and the Faculty was born out of this national need for education and support for surveyors but also to enhance awareness and provide advice and guidance to the general public.

The objective of the Faculty of Party Wall Surveyors is to promote the highest standards of professional practice in this field of expertise and to expand the knowledge and study of all matters to do with party walls, to encourage the exchange of information and ideas amongst its Members.

We have enjoyed steady and continual growth nationally since our inception and we now benefit from legal support and counsel when required; this is available to all Members. Referrals for appointments as Party Wall Surveyors are also provided to Members via our website.

Influence
Our Members belong to various professional bodies in the construction and property sectors such as RICS, RIBA, ICE, IStructE, CIOB, CIAT and ABE. We maintain strong links with many professional associations and Local and Central Government departments.

The Faculty provides training in a number of formats including a Certificate of Party Wall Studies through the Association of Building Engineers and seminars on the role of the Third Surveyor. Short talks are also offered to professional organisations and Local Government.

Forums
As a national organisation we aim to raise awareness of current developments in the party wall arena and promote dialogue between Members and other practitioners through regular regional forum meetings and seminars.

Publications
The Faculty currently produces the quarterly newsletter 'Party Wall Surveyor' with relevant articles and information keeping Members in touch and up to date with developments. Our website provides a Members Area with a library of case law, legal advice, guidance and templates available for download. The Faculty currently publishes two books by Alex Frame: Misunderstanding & Guidance, and The Third Surveyor.

Membership
The Faculty is a professional examining body, which provides education and support. Details of the examinations and admission regulations may be obtained from the Faculty’s administrative headquarters.

National approved levels of entry provide the standard of acceptance. Progression is by a recognised examination structure. It is expected that an applicant will have had practical training and experience appropriate to his/her grade of membership.

All practising Members are required to ensure the appropriate level of Professional Liability Insurance covering their professional activities is maintained and all Members are bound by our Code of Conduct.

Grades of Membership include Student, Affiliate, Associate, Member & Fellow. The Faculty also offers Honorary Membership or Honorary Fellowship to those individuals it recognises as having made a significant contribution in the field of party walls or related professional activities.

American Cave Conservancy
A New Source of Water for the Red River Gorge Area

Red Herring
Mr Nasty and Mr Nice

Many years ago I attended a party wall matter in West London and during the course of the conversation with my appointing owner he told me of the difficulties that he was having in obtaining a Local Authority grant for a new shop front.

He was most annoyed because whilst his application had been pending for quite some months, his new neighbour had acquired a new shop front grant in a matter of weeks.

Given that I also practice in Town Planning applications and Local Authority Grants etc I foolishly offered to help. He reported that he was getting nowhere with the usual communication routes of letters and telephone calls and now wished to have a meeting in Council Offices and would I come with him to speak on his behalf and offer some professional advice. What could I say but the usual ‘yes of course’.

An appointment was made and we arrived at the Council Offices. My ‘client’ introduced himself as Mr Brown (name hidden for this story) and myself as Mr Frame his advisor.

There were six of us all together sitting in a circle in a very large open plan office and Mr Brown opened the meeting by saying we had come as Mr Nasty and Mr Nice and hoped that we could settle the matter today.

He then stood up and gave a tirade of abuse against the Council and its lack of proper action in this matter. He demanded action today and cited racial discrimination as he was English and of the indigenous race of this country of England whilst his neighbour was from foreign lands yet somehow had ‘jumped the queue’ in obtaining his grant.

We all sat in silence and I noted the blood draining from the faces of the Council Officers. Having completed his discourse he slammed the file down into my lap and said ‘please continue Mr Frame’. He then strode towards the double doors to make his exit, but upon putting his hands upon the door handle pivoted on the balls of his feet, swung around and shouted across the room to us, ‘and by the way I am Mr Nice’. (a total surprise to me, of course).

I cannot describe the look on the Council Officers’ faces upon hearing this and they all stared at me with faces like that of scolded animals cowering in a corner.

I really did not have to say any more other than by saying thank you for the signed application form that they gave to me

He then stood up and gave a tirade of abuse against the Council and its lack of proper action in this matter. He demanded action today and cited racial discrimination as he was English and of the indigenous race of this country of England whilst his neighbour was from foreign lands yet somehow had ‘jumped the queue’ in obtaining his grant.

We all sat in silence and I noted the blood draining from the faces of the Council Officers. Having completed his discourse he slammed the file down into my lap and said ‘please continue Mr Frame’. He then strode towards the double doors to make his exit, but upon putting his hands upon the door handle pivoted on the balls of his feet, swung around and shouted across the room to us, ‘and by the way I am Mr Nice’. (a total surprise to me, of course).

I cannot describe the look on the Council Officers’ faces upon hearing this and they all stared at me with faces like that of scolded animals cowering in a corner.

I really did not have to say any more other than by saying thank you for the signed application form that they gave to me stating that the grant was approved and that a cheque would be sent to Mr Brown within the next seven days, and sure enough the cheque arrived.

The trick may well work again if you want to try it out!!

Alex Frame
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