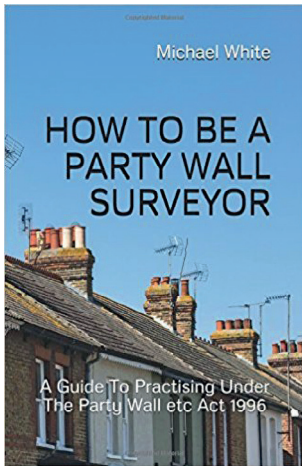
Review

Simon Pole finds this book to be an easy read on what is a heavy subject. It contains helpful guidance for any engineers considering taking on the role of party wall surveyor.

How to be a party wall surveyor: a guide to practising under The Party Wall etc Act 1996



Author: Michael White
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As the title suggests, this book is aimed primarily at practising building surveyors, but there is some useful content for structural engineering designers. Some of our members also act as party wall surveyors, and in this regard the book is particularly useful.

The book explains most aspects of The Party Wall etc Act 1996, which aims to provide a low-cost and simple dispute-resolution tool for works to, and adjacent to, party walls and boundaries in England and Wales. The legislation increasingly impacts on the work of structural designers, but the Act is not well known among structural engineers and other design professionals.

The author, Michael White, is a Chartered Building Engineer and a Fellow of the Chartered Association of Building Engineers (FCABE); he works in private practice as a party wall surveyor in Surrey.

The book is a fairly informal read of 200 pages, but includes significant appendices of case law and typical awards, so the remaining pages are a fairly quick and easy read. The book is aimed primarily at graduate surveyors and provides helpful guidance in a refreshingly informal and honest way, often criticising those surveyors who do not act impartially or professionally.

We are reminded that there are no qualifications to be a party wall surveyor and anyone who is not a party in the dispute can, in theory, fulfil the role.

The most frequently encountered engineering scenarios where party wall notices arise are simply explained with diagrams similar to those in other well-known publications on the same topic. The majority of the book is aimed at the process of serving notices and resolving disputes and, in this regard, apart from general interest, the book is only relevant to engineers providing the role of party wall surveyor.

An engineer's training, together with the inherent technical knowledge, is ideal for the role of party wall surveyor, providing the role is not conflicted with design duties on the same project. In this regard, we must remind ourselves of the conflicts of interest which can easily arise if acting as a designer on one hand and an independent 'adjudicator' between neighbours on the other.

The book is rather light on two important areas where structural engineers frequently seek guidance. The first of these is the role of the advising engineer, where, as engineer, we advise the adjoining owner's surveyor on matters where the developer's engineer might compromise the rights of the adjoining owner or cause them unnecessary inconvenience (damage). The book calls this role a 'checking engineer' and refers to the role of 'commenting on the adequacy of the design', which infers a Building Regulations-style review and is misleading in my opinion.

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Secondly, the book does not explain the process of how surveyors, with help from engineers, identify the areas under dispute – specifically, how the rights of the adjoining owner are either preserved or compensated under Section 7 of the Act. It is this which would be of most value to engineers.

Overall, the book is a light read on a heavy subject and contains very helpful guidance for any engineers considering the role of a party wall surveyor when not conflicted as a design engineer. The engineering content for design engineers is generally the same as in most other textbooks. The author offers a refreshingly frank account of the surveyor's role and is to be commended for constantly seeking improved standards wherever possible. He is very encouraging of graduate surveyors and engineers to learn the bones of this very important piece of legislation.

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Simon Pole is Principal of Pole Structural Engineers in London (Pole.co.uk), a Fellow of The Institution of Structural Engineers and a Charted Building Surveyor, specialising in the structural aspects of the Party Wall legislation, and has written and lectured widely on the subject.