

Party Walls Law and Practice

Fourth Edition

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PREFACE TO THE FOURTH EDITION

The 8 years since the third edition have seen a significant number of reported cases on the provisions of the Act decided in the county court and the Court of Appeal. Obscurities in the drafting of the Act have been judicially considered, sometimes satisfactorily and in other cases with unexpected results. In general, the pace of the development of the law of party walls has undoubtedly quickened, and it has attracted a growing body of specialist practitioners from the legal and surveying professions.

Many of the judgments cited in this work are judgments of the county court and do not therefore have binding status. They may accordingly be vulnerable to criticism such as that expressed by Leveson LJ in *Manuel Heron and TNT (UK) Ltd v Mackrell Turner Garrett* [2013] EWCA Civ 469: 'I deprecate an ever-widening reference to judgments which have no authoritative value and may be no more than examples of the exercise of judicial discretion'. Many of the judgments, however, are judgments of experienced judges specialising in party wall matters and it is suggested that they should accordingly be given more weight than might otherwise be the case.

The structure of the previous edition has been retained, but many detailed changes have been made, too numerous to summarise here.

The Law is stated as at 1 November 2017.

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