



DATE / REF

20/10/2020  
MEF/9504

ADDRESS

THE WHITEHOUSE  
BELVEDERE ROAD  
LONDON SE1 8GA

CONTACT

TEL 020 7202 1400  
FAX 020 7202 1401  
MAIL@GIA.UK.COM  
WWW.GIA.UK.COM

Dear Sirs,

**Re: Reinstatement of 2-8 Rutland Gate Adjacent to the Basement Flat, 1-3 Princes Gate – Third Party Considerations**

I write in connection with the anticipated future refurbishment of 2-8 Rutland Gate and following on from the letter dated 21st September 2020 from C C Land UK.

GIA are a specialist firm of Surveyors specialising in party wall and neighbourly matters. We have been appointed by the owners of 2-8 Rutland Gate to administer the party wall Act and manage the other neighbourly matters that will be associated with any future works to reinstate 2-8 Rutland Gate into beneficial use as a single family home.

**Schedule of Condition**

As advised in C C Land UK's 21st September 2020 letter, some internal surveys and investigative works are planned to take place within 2 – 8 Rutland Gate to better understand it's existing condition and determine the level of repair and refurbishment that the building will require.

Prior to the commencement of these investigative works, we would be most grateful if you would be prepared to permit access to your property to prepare a detailed schedule of condition.

The purpose of seeking your permission to access your property is to ascertain the present condition of your property prior to the commencement of the works. The Schedule will be treated in confidence and act as a reference document in the unlikely event that any damage is believed to have been occasioned by the works.

The Schedule will be based on a visual inspection and will not require any finishes or furnishings to be disturbed or moved. We would like to take photographs of general areas and any pre-existing defects, although we can avoid photography of any sensitive areas at your request. In relation to the external elevations, these can be recorded by way of a visual inspection from the ground. Naturally, the Schedule will be prepared at the sole cost of my client, treated with upmost discretion and be for the use solely of the project team, and a copy will be provided to you for your own records.

I would estimate that the schedule could be recorded in no more than 1.5 hours. As such, I would be grateful if you could allow me to access your property, or if the property is tenanted if you may provide us with agents details or site based personnel with whom access arrangements can be made along with details of any special security requirements.

We would like to prepare the Schedule of Condition over the next 4 weeks and I look forward to hearing from you with the necessary information in order that this can be progressed.

## Party Wall etc. Act 1996 – If property is within 6m

Whilst we do not believe that the properties share a Party Wall, they do stand directly adjacent to each other at the boundary. The location of your flat within 1-3 Princes Gate means that the procedures of the Party Wall etc. Act 1996 will still be invoked, but only in relation to any proposed excavation works that maybe required as part of the refurbishment works.

In such an event party wall notices will be served to the Freehold and all Leaseholder interests in 1-3 Princes Gate where their leasehold demise is within 6 metres of any such excavations. At this stage we are many months away from serving notice under the Act but for assistance I have set out the procedure for response below.

Once notices have been served, each notice recipient will be entitled to respond to the notice in one of three ways. Broadly, these are:

- To consent to the notice and allow the works to proceed;
- To dissent and appoint GIA in the capacity of Agreed Surveyor to administer the Act impartially for both parties; or
- To dissent and appoint an independent Surveyor to represent their interests under the Act.

The most common response is to appoint a Surveyor, although it is hoped that if an independent Surveyor is to be appointed, each of the interests in 1-3 Princes Gate will elect to appoint a single Surveyor between them in order to simplify the process and reduce professional fees. The above response options will be repeated on the covering note accompanying the notices which will, in accordance with the Act, clarify that responses are required within 14 days.

The Schedule of Condition noted previously will also be used for annexure to any necessary party wall agreements.

### Summary

My client and their entire professional team remain committed to being a considerate neighbour. We hope that we can work together to ensure that the affect of any works adjacent to your property can be carefully managed to mitigate any nuisance as far as is reasonably possible.

We appreciate that you may wish to receive your own professional representation in relation to the schedule of condition and other matters, and in this regard I can confirm that my client undertakes to meet the reasonable pre agreed professional fees of your advisors in relation to the schedule of condition and other neighbourly matters set out above.

Please would you contact our Team Secretary, Maddie Burnham, on 020 7401 5399 or [Maddie.burnham@gia.uk.com](mailto:Maddie.burnham@gia.uk.com) in order to arrange a suitable time and date for one of our surveyors to attend and record the Schedule of Condition.

Yours faithfully,  
For and on behalf of GIA



**Mark Fisher**  
Associate Partner



