

Tom Little
(Camden)



Mr I Paul
7 Fallowfield
Stanmore
Middlesex
HA7 3DF

16 April 2012

Our Ref: MG2348
Contact: Joanna Chapman
Direct Dial: 08702 416 180 ext 231
Email: Joanna.chapman@marishalthompson.co.uk

Dear Mr Paul,

PLEASE DO NOT IGNORE THIS LETTER IT IS IMPORTANT

Subsidence Damage at:- 2 Netherhall Gardens, London, NW3 5RR

We have been asked to write to you by LTSB, building insurers for the above property. The owner has reported damage to their property and the insurer's Engineer is satisfied this is caused by shrinkage to the clay soil below the property and that this shrinkage is caused by or made worse by the roots of vegetation.

We enclose an Arboricultural Report which identifies that vegetation under your control is contributing to the subsidence damage. Your ownership of the property has been verified by undertaking a Land Registry search, if you believe this information is no longer correct, please advise as soon as possible so that we can direct our correspondence to the correct party.

You will see from the enclosed Arboricultural Report the works the Arboriculturalist believes are necessary to resolve the problem. Once the vegetation is managed in line with these recommendations it is the Engineer's expert opinion that the problem caused by the vegetation detailed will be resolved and the damage can be repaired.

To resolve this problem please take the following steps by completing the reply paid postcard – you DO NOT need to put a stamp on:

1. Confirm that the details in the Arboricultural Report are correct and that the vegetation is on your land.
2. Confirm that you are prepared to take the remedial steps recommended in the report.

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INVESTOR IN PEOPLE

Registered Office Marishal Thompson & Co (Environmental) Ltd: Bank Chambers, 29 The High Street, Ewell, Epsom, Surrey, KT17 1SB

We do not recommend carrying out the work yourself as it is hazardous and requires a professional tree surgeon who will also be able to advise you on suitable re-planting options. We are able to assist you by obtaining quotes for the work from contractors in your area who have been vetted by us and are on our panel of approved contractors. If you would prefer to instruct a contractor direct please let us know when the work is completed.

You may also wish to seek independent advice on the effects of the proposed work on your own building and to notify your building and contents insurers with a copy of this letter.

We would be most grateful if, in the first instance, you would contact us on the telephone number listed to discuss the contents of this letter and allow us to address any queries or concerns that you may have or that the issues outlined in the letter may have raised.

We are obliged to advise you that following your initial contact and our subsequent discussions, should you decide not to undertake the recommended vegetation management works the likely result will be further damage to the property leading to more extensive repairs being required such as underpinning. We need to inform you that you do have a legal obligation to abate a nuisance caused by something situated on your land, once it has been brought to your attention, in this case vegetation roots causing damage.

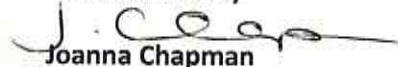
In the event of your refusal to co-operate and the vegetation listed under your ownership goes on to cause further damage then our client reserves the right to take legal action to recover their costs, associated with this further damage and subsequent necessary repairs, from you.

If you have passed this matter to your insurers to investigate on your behalf please notify us of the details of your insurer and policy number so that we can take up discussions with them direct.

We would like to stress that this letter is sent on behalf of the property's insurer and not at the request of the homeowner, it should in no way affect good neighbourly relations.

Thank you in advance for your help in resolving this problem, we look forward to receiving a call from you at your earliest convenience so that we can attempt to progress this matter in a timely manner allowing the necessary repairs to be undertaken to the damaged property without undue delay.

Yours sincerely



Joanna Chapman

Mitigation Department
Marishal Thompson & Co.

Enc. Arboricultural Report