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Cunningham Lindsey United Kingdom

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Lindsey

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15 JUN 2009

SPH Housing
St Richards House
110 Eversholt Street
London,
NW1 1BS

5/6

5 June 2009

Our Ref: STHPA/LC/2626331

Dear Sirs

Tree related subsidence at 1, 3, 5 Agar Grove, London, NW1 9SL

We write with reference to the above properties.

We have been instructed by the buildings Insurers to deal with a subsidence claim to the above properties.

A letter was originally sent to St Pancras & Humanist Housing Association on 23rd January 2008, copy enclosed for your convenience, regarding trees that were implicated as they may cause damage in the future to the properties surrounding them. These trees are marked as T1, T2, and T3 on the attached site plan.

We write now to confirm that roots emanating from the elder tree were found near the foundations of the above property, we enclose a copy of the root ID report for your perusal. The damage has continued and we write to you to kindly request that the trees are removed as soon as possible as they are now causing a nuisance under the Tort of Nuisance and yourselves, as the tree owner has a legal duty to mitigate the damage being caused by the root encroachment.

We do not wish to seek a financial recovery for the costs of repair but will do so if the trees are not removed by the end of July.

We look forward to receiving your earliest response.

Yours faithfully
FOR CUNNINGHAM LINDSEY


Lynsey Conway CERT CII (Claims)

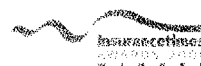
Customer Support

Direct dial: 01727 817846

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Registered Office: Apex Plaza Forbury Road Reading Berks RG1 1AX www.cunninghamlindsey.co.uk



23 January 2008

Our Ref: 38165/2626331/Singellos
Your Interest: Stratford Villas, London
Title No LN20346

St Pancras & Humanist Housing Association
St Richards House
110 Eversholt St
London
NW1 1BS

Dear Sirs

Re: Tree related subsidence at 1 Agar Grove, London NW1 9SL

We are arboriculturists appointed by Cunningham Lindsey on behalf of building insurers of the above property in connection with a claim for subsidence damage.

During a recent site visit it was noted that there are two Ash trees and an Elder tree situated within land under your control at Stratford Villas (Land Registry title No LN20346). Although the trees have not been implicated in current damage we consider that, given their size, species and close proximity to 1 Agar Close it is possible that they may cause damage to the property in the future. In order to mitigate against any risk to the property we have recommended that the two Ash trees and Elder tree be removed. We attach a copy of our site plan for your information and ask that you note that the trees in question are referenced as T1 Ash, T2 Elder and T3 Ash.

We do not wish to enter into lengthy correspondence with yourselves regarding this matter and merely wish to advise you of the potential for the trees to cause subsidence damage to your neighbour's property in the future. You may of course wish to obtain your own advice in relation to our recommendations and undertake what action you deem appropriate. You may also wish to pass a copy of this letter to your liability insurers as this may be a condition of the policy.

We trust that the above information is of assistance.

Yours faithfully

Lucy Bidgood
Claims Handler

OCA UK Limited

Email: lucy.bidgood@oca-arb.co.uk
DDI: 01206 224788

Copy: Cunningham Lindsey (St Albans)
Ms Singellos

Enc: District Land Register & Plan (LN20346)
Site Plan

COPY