

Cunningham Lindsey



[REDACTED]

Rosbury Properties Limited
c/o Mr Eric Bergsagel
Flat 4, 33 Broadhurst Gardens
London
NW6 3QT

27/03/2018

Dear Sirs

Subsidence Insurance Claim - Flat 1/2 & 5, 33 Broadhurst Gardens, London, NW6 3QT

Following the recent site investigations and receipt of results I am now able to make a final diagnosis on the cause of damage, sufficient to recommend measures that are likely to prevent the damage from getting worse.

As can be seen in the attached Engineering Appraisal Report, it is my view that the damage has been caused by root exacerbated clay shrinkage subsidence. I have reported my findings to your insurers and their instructions are awaited.

Normally in cases such as this the property will stabilise if the damaging influence can be removed. In this case, my recommendation is for the Cypress (Conifer & Fir) and Birch trees in your rear garden to be removed. We are collecting information to support the Conservation Area application and this will be submitted as soon as we have all the necessary information / evidence. This will need to include monitoring data and we have instructed CET Property Assurance to carry out level monitoring. We trust that they will contact you to make arrangements to take readings.

If the claim is accepted and once we are satisfied that the repairs may proceed we will instruct Oriel Services Ltd, a sister company, to administer the remedial works to your property. Oriel Services Ltd will appoint a contractor approved by your insurer.

We will visit your property with the contractor to produce a Schedule of Works and we will contact you to arrange this visit. A copy of the Schedule of Works will be sent to you. The contractor will provide you with their terms and conditions which will enable insurers to make payment direct to Oriel Services Ltd. The contractor will request your policy excess payment of £1,000.00 prior to agreeing a commencement date for the works.

[REDACTED]



We would also advise that the Construction (Design & Management) Regulations 2015 require the appointment of a Principal Designer and Principal Contractor to manage health and safety during the design and construction stages of your repair respectively. Cunningham Lindsey will carry out the Principal Designer duties and the Oriel contractor will be the Principal Contractor subject to your agreement. Please sign and return the attached authorisation form to allow us to progress this for you. If you require further information relating to the Regulations please refer to the Association for Project Safety, at www.aps.org.uk/guidance.

ACTION PLAN

Given all of the above, I consider that the dates below are realistically achievable leading to the conclusion of your claim. They may be subject to policy liability considerations and to circumstances beyond our control. Later dates are generally dependent on earlier dates being achieved.

Action	Target Date
End of mitigation	December 2018
Start of repairs	March 2019
Anticipated finalisation	May 2019

It is not anticipated that the damage or the repairs will make the property unsuitable for living in. Consequently, the tenants/you should not need to vacate the property during the claim. To clarify, I do not consider a valid claim for loss of rent/alternative accommodation should arise in the circumstances. However, please inform us immediately if the situation changes so we can provide you with guidance and assistance.

I trust that the information within this letter and the accompanying report has provided a helpful overview of how your claim is now likely to progress. Once you have had an opportunity to consider this information, please do not hesitate to contact Martin Putman in the first instance if there are any matters that you wish to discuss.

I would ask that you quote our reference [REDACTED] when responding in writing or by telephone.

Yours sincerely

Gavin Catheline MCIQB
Building Consultant


Martin Putman
Claims Technician



Enc. Engineering Appraisal Report; Instruction mandate to act as Principal Designer



Instruction to act as Principal Designer

To: **Cunningham Lindsey**
From: **Rosbury Properties Limited**
For the Attention of: **Martin Putman**
CL Ref: 

I/We instruct you to act as Principal Designer on this project in accordance with The Construction (Design and Management) Regulations 2015.

If joint Policyholders, both parties to sign.

Signed..... Signed.....

Date..... Date.....