

Environmental Services



15 FAWLEY LIMITED
15 Fawley Road
London
NW6 1SJ

2 October 2019

Our Ref: [REDACTED]
Contact: Paula Christie
Direct Dial: [REDACTED]
Email: [REDACTED]

Dear Sir/Madam,

THIS LETTER IS OF HIGH IMPORTANCE, PLEASE DO NOT IGNORE

Subsidence Damage at: 2 Honeybourne Road, London, NW6 1JJ

We are writing to you on behalf of LBG Insurance, building insurers for the above property. The owner of the above property has reported damage and the insurer's Engineer is satisfied this is caused by shrinkage to the clay soil below the property and this shrinkage is caused by or made worse by the effects 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, Table 6.1, the works the Arboriculturalist believes are immediately 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. Please also note any recommendations applicable to your vegetation in Table 6.2 with regards to potential future damage.

Please note vegetation may be protected by a Tree Preservation Order or situated within a Conservation Area and this would need to be checked with the Local Authority prior to any works being undertaken.

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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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 intend to instruct a contractor direct please let us know when the work is scheduled to be undertaken.

If you decide to instruct your own tree contractor please ensure, where appropriate, stumps are treated to inhibit re-growth. You should note that whilst stump treatment is effective in most cases it cannot be guaranteed and any re-growth should be treated by you as part of normal garden maintenance using proprietary herbicides available at any garden centre. If you require any further information on stump treatment please do not hesitate to ask.

Failure to appropriately manage your remaining stump(s) could lead to regrowth of your vegetation and further occurrences of damage in the future for which you may be liable.

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.

It is our intention to work with you to mitigate the cause of the problem however we need to inform you that you do have a legal obligation to abate a nuisance caused by something situated within your curtilage once it has been brought to your attention, in this case vegetation roots causing damage. We are also obliged to advise you that following our initial contact, and 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. 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 your acknowledgement of our letter and would appreciate your contacting us within fourteen days so that we may progress this matter in a timely manner allowing our Client to arrange the necessary repairs to be undertaken to the damaged property.

Yours sincerely

Paula Christie
Mitigation Department
Enc. Arboricultural Report
Reply paid postcard



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