

Our Ref: KAB/H01039.2
FINCHAM

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KAB

Dear Dr Fincham Haines

RE: Flat 2 Commonside Court Streatham High Road

Please find enclosed a copy of the environmental report in respect of your property.

The Environment Act 1995, which came into force in April 2000, creates a potential liability for the owner of contaminated land or property located in contaminated land.

Where the original polluter cannot be found, the property owners or even occupiers will be liable for the costs of clean up. Depending on the type of land and pollution concerned, the costs of cleaning up contaminated sites can run into tens of millions of pounds. In addition, property owners who fail to clean up their land when ordered to do so could face additional unlimited fines.

We would advise you to bear in mind that the environmental report which we have undertaken does not involve a physical inspection of the property. The type of report commissioned searches through the relevant registers and sources of information to help provide a breakdown of past and present uses of the property and also polluting incidents or land uses within the vicinity. This does not mean that the property is free from environmental hazards.

If you have any doubt or suspicion that the property may be contaminated or affected by hazardous substances, whether because of its present condition or its historic use, you should seek a more detailed environmental site investigation. This would involve a physical inspection of the land by a specialised environmental consultant who could undertake ground tests and sampling. This has the distinct advantage that it relates directly to the ground at your site, rather than information contained in databases which could be outdated or erroneous. If you would like us to organise this type of search for you, then please contact us to discuss the potential costs and feasibility of doing so.

In any case, we would strongly advise that you bring the results of the enclosed environmental report to the attention of your surveyor for his independent verification of the contents. In turn, if your surveyor is concerned about any particular aspect of the report, then the issue may need to be referred to a specialist environmental surveyor. This is because your surveyor may be unable to fully advise on these environmental aspects. In any case, your surveyor may not have sufficient insurance cover to indemnify you against the possible costs of clean up action and fines following any negligence on the part of the surveyor.

Lastly, we would like to draw your attention to the possibility of taking out insurance for peace of mind to cover the possible clean up costs should the site be contaminated. There are various policies to cover all sites. Should you like to discuss this possibility, then please do not hesitate to contact us.

We would particularly draw your attention to the following provisions of the Environmental Search.

1. Subsidence – The search reveals that the property is within an area which is at an above average risk of natural subsidence. This does not necessarily mean that the property has or will suffer from subsidence but this possibility cannot be discounted. At the very least this should be drawn to the attention of your buildings insurer.

2. Flooding – The search reveals that the property is within an area which is liable to surface water / pluvial, coastal or river flooding. The details are contained in the search report. At the very least this should be drawn to the attention of your buildings insurer. We would advise that a separate specific flood risk search is obtained. Please confirm if you would like us to order this search for you.

3. Past Industrial Uses – The search result contains references to past industrial uses which include the following :-

Electrical sub station facilities, potential tanks, motor vehicles maintenance and repair, factory or works. All of which may potentially have caused contamination of the land surrounding the property.

We would comment that we are not qualified to advise on environmental matters and how they could affect the property. To this end, you should consider the environmental report yourself thoroughly and assure yourself that you have no concerns over the issues raised.

Please confirm in writing that you are happy to proceed with this matter.

Yours sincerely

Stephensons Solicitors LLP

