Flood & Subsidence Risk

June 2024

Get to know me

I am the Tree Hugging Lawyer

Owner of Tree Law Ltd

Solicitor with 22 years of experience with tree and damage claims

Act for domestic home owners, developers, insurers, local authorities, commercial property owners

Flooding & Subsidence

Someone else’s fault

Repair & solve

Expensive

Worse with climate change

Stressful

Surge events

Postcode risk

Cyclical

Multiple causes

Difficult to insure against

Political

Weather related

Complex legally

Flooding

A property can be at risk of flooding for various reasons:

Flooding from a stream/river/sea
Surface water flooding
Flooding due to sewer systems being over capacity
Escape of water, e.g., from a reservoir
Raised water table
Underground water - sink holes

EXAMPLE

- Flooding from a new build development of houses and apartments built next to a river
- Flooding from a blocked trash screen causing water to back-up from a culvert and into people’s back gardens
- Escape of water from a reservoir which overtopped due to mismanagement of a sluice gate by a local authority
- Flooding due to development leading to exceeded capacity of sewage system

Search...

Information in the purchase process

Insurance companies should have access to up-to-date flood risk data*

Instruct a flood risk report

Do you own investigations, speak to locals!

Does insurance protect risk?

Founded in 2016

April 2022

Flood Re: launched first ‘Build Back Better’ scheme with participating insurers offering up to £10k above the repair costs to finance flood resilience

Subsidence

Tree root induced subsidence where property is built on a shrinkable soil

Clay shrinkable soils

Investigation into postcode risk areas

Good free-source information - e.g., Clay Research Group

Arboricultural input

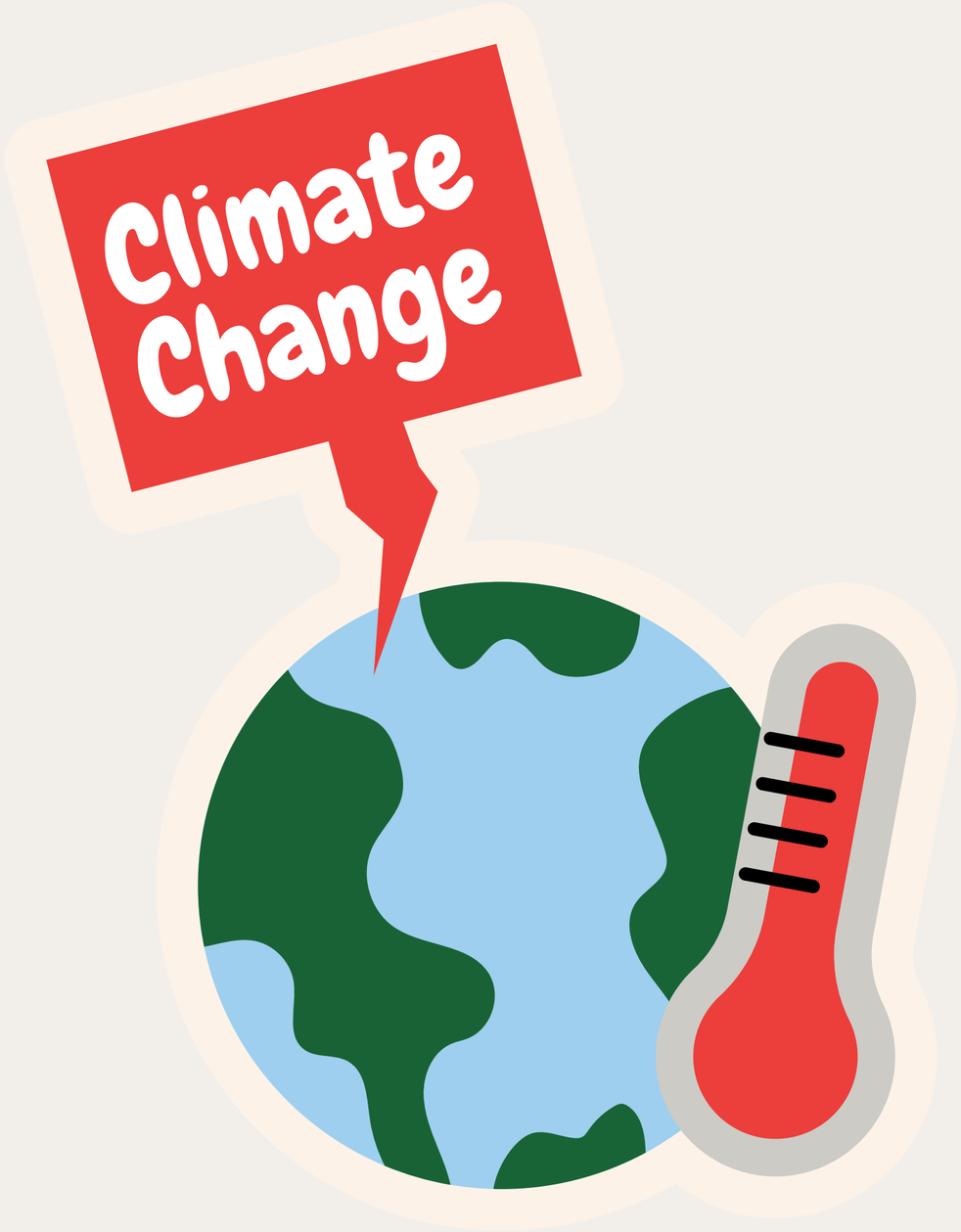
Engineering input when carrying out construction work, e.g., extensions - avoid differential movement

Managing neighbour issues - depends who your neighbour is

Maintain trees, avoid overhanging branches & encroaching roots as far as possible

Actively engage with planning authorities with regard to protections such as TPOs

The law is there to help. Nuisance and negligence is all about neighbours



Climate change is impacting on flooding
and
subsidence risk in terms of frequency,
severity and location

So when assessing risk you need to look forward with a data scientist helping to assess future risk as much, if not more, than looking back at what has happened in the past

Get in touch!

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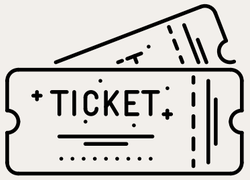

Tree Law conference
17 Sept 24