

# HOME HELP

## FLUE SYMPTOMS

**Q** We've lived in a four-bedroom house in the New Forest for 30 years. In March 2014 we had a chimney fire. Our insurance company is Liverpool Victoria. The loss adjuster told us it would take two to three months to finish repairs, and that we should find a holiday let for that period. The company they hired did not start for three months, proceeded to cause a lot of damage in the house, then went bust in December 2014. Liverpool Victoria brought in another company to put right the damage the first company had caused, but the problems are now worse. New chimney pipes were not properly insulated or sealed. Damp appeared all over the house. Dry rot has spread and was not repaired properly; we never had dry rot before the "repairs".

Last spring, five years after the fire, the insurance company said the work was finished. But we can't live there. They didn't fit the new floors properly: they've popped up and formed lumps, so we can't put down furniture. We've been living in another cottage seven miles away: it's by a busy road and the fumes bother my wife and me. We can't sell the Bramshaw house: it's not fit to live in and will have lost value. We can't let it for income and I'm on a basic pension. I am 78 and have had two strokes. Our lovely home is destroyed; we are totally broken. Help!

**John Percival, Hampshire**

**A** I normally advise on claims on new-build homes, but your situation is comparable in many ways. Your emotional trauma is obvious, but the law only offers modest compensation, and claiming it can cause additional trauma. The real value of my advice (or that of another solicitor) would be in helping you get redress for financial loss resulting from inadequate works and incidental damage.

You mention diminution in value, but that would imply it was reasonable to live with the defects, rather than putting them right. Dry rot and continuing deterioration must be dealt with, not compensated by a one-off



Child's play Eddie Murphy in the 2003 film *Daddy Day Care*. But what did his neighbours think?

payout. The first priority is to get detailed surveying evidence and mould analysis to identify the damage and inadequacies for which the insurer is liable, and to inform a scope of works. This would enable you to negotiate effectively with the insurer to get things put right at their cost, or form the basis of a claim for damages if not. Before suing, consider making a complaint to the Financial Ombudsman Service, for which your surveying evidence would be essential to getting an award.

The solicitor's role would be to appoint the right surveyor on the right terms so you had the right evidence, help you negotiate with the insurer and present your complaint to the ombudsman and advise you on court action. Costs are not usually recoverable, but it's worth it if it gets you a substantial award. Try the Law Society's Find a Solicitor ([lawsociety.org.uk](http://lawsociety.org.uk)) service, or ask the HomeOwners Alliance ([hoa.org.uk](http://hoa.org.uk)). New Build Guru ([newbuildguru.com](http://newbuildguru.com)) also has a panel of specialist solicitors and surveyors who could help.

*Geoff Peter, founder, Wingrove Law; [wingrovelaw.co.uk](http://wingrovelaw.co.uk)*

**Liverpool Victoria responds:** We're sorry Mr Percival isn't happy. We know that the original works undertaken by our contractors were not completed to a high enough standard, which is why we've been trying to put things right. While doing the repairs, we arranged for Mr Percival and his wife to stay elsewhere, but our attempts to resolve the problems were delayed by Mr Percival as he wouldn't allow any work to be done unless he was present at his home. So the project couldn't be finished within an appropriate timeframe and, sadly, Mr

Percival decided to commence legal proceedings when no agreement could be reached. Mr Percival is also attempting to claim for things that are not covered by his policy; our position on this has been upheld by the Financial Ombudsman Service. We've offered to settle, and for mediation, but our offers have not been accepted. We are very keen to put things right.

## MINDING HER BUSINESS

**Q** We live on a tiny rural Devon lane, a no-through road for traffic. We moved here in 1992 for the quiet and solitude. A few years ago, our neighbour

started a childminding business at home, and it has grown. The volume and speed of traffic from parents is alarming; if our elderly neighbour were walking in the lane, she wouldn't stand a chance. In summer, the children play and scream in the garden; it's like living next to a playground. We've put up caution signs, and spoken to the childminder. Our local council is no help. What can we do?

**Siobhan Lancaster, Devon**

**A** You mention that the council has been no help. Have you tried contacting its planning enforcement

## NEED HELP FROM OUR EXPERTS?

Email your questions to [homehelp@sunday-times.co.uk](mailto:homehelp@sunday-times.co.uk). Advice is given without responsibility

team? Your neighbour might require planning permission to operate her childminding business, as the scale of it may mean it constitutes a material change of use. This depends on various factors: the number of children she looks after; whether she has employees; and any noise, traffic and amenity implications.

Visit the council's planning page and search your neighbour's address to find out if she secured planning permission. If she has not (or you think she may be breaching its conditions), you can formally request the council's enforcement team to investigate. Such a request usually results in a site visit and a reasoned decision. Warning: given the secluded area and your history of raising concerns, your neighbour will guess who instigated the investigation.

If the council finds that there has been a breach, this should prompt the neighbour to apply for permission (which is subject to conditions) and/or modify how she runs her business. If she carries on as normal, but the council refuses to use its enforcement powers, you could appoint a solicitor to present your case.

*Carina Wentzel, associate, Russell Cooke; [russell-cooke.co.uk](http://russell-cooke.co.uk)*

## BEETLE MANIA

**Q** We are trying to identify a beetle that has taken up residence in our house. It is 2-3mm long, golden brown, found in a bedroom and kitchen, seen in groups, but not a swarm. When crushed they emit an unpleasant odour.

**Michael Scott-Hyde, Newport Pagnell**



**A** *Tribolium castaneum*, the red flour beetle, is found in flour, pasta, nuts, dried beans, cereals, bread, biscuits and other foods. The odour is from glandular secretions, which are possibly an antipredator defence.

This pest is originally from south Asia. They are less common here than they were, thanks to Tupperware, plastic packaging and vacuum cleaners. Find the infestation source in the larder and clear it out. Continue to look for the next few weeks to find any hangers-on. Also check for spilt food in cupboards, behind the bin, under the cooker – even a biscuit behind a radiator is enough to act as a reservoir. If they are in the bedroom, it is possible they are subsisting on crumbs dropped between floorboards, or even from scavenged food from birds' nests in the eaves.

*Richard Jones is the author of House Guests, House Pests (Bloomsbury £9.99); [bugmanjones.com](http://bugmanjones.com)*

## READERS' CLINIC

### IS THERE A KNACK TO CLEANING MIRRORS I DON'T KNOW ABOUT?

**I just move the smudges around.**  
**Ruth, Bath**

**Ann Baker**  
Mix white vinegar, lemon juice (tiny bit) and water in a spray bottle. Use a cloth.

**Sam Martin**  
Hot soapy water and sponge. Scrape it off with an old windscreen-wiper blade.

**Gill Routhorn**  
Wipe with a slightly rough cloth and a diluted soap mix. Remove water with a window blade, then a microfibre cloth.

**Mrs Frankish, East Yorkshire**  
The type of cloth is key. I use a Norwex window cloth with a bit of water.

**Nicholas Turner**  
Use trade glass cleaner (from Screwfix) and a clean cotton cloth.

**Future question**  
That ripen-at-home fruit is so hard. How do I speed up the ripening process?

Send your tips, tricks and questions to [homehelp@sunday-times.co.uk](mailto:homehelp@sunday-times.co.uk)

## TRIED AND TESTED

### TUMBLE DRYERS

**WINNER**  
**Samsung DV90N8289AW**  
**£830;**  
**johnlewis.com;**  
**90/100**  
The most energy-efficient model we've ever tested. It has a generous 9kg capacity and a user-friendly app. Cottons and synthetics came out creased, but dried quickly (a load of cottons took 1hr 40min, synthetics 45min). It also comes with a shoe-drying rack.



**RUNNER-UP**  
**Grundig GTN38267GC**  
**£600; currys.co.uk; 89/100**  
We were impressed with its drying speed (cottons just under two hours, synthetics 40min) and simple control panel. The timer display was unreliable. It dried cottons well and used minimal energy, but synthetics weren't left totally dry.

[goodhousekeeping.com](http://goodhousekeeping.com)