

complaint

Mr and Mrs H complain about British Gas Insurance Limited's (BG) proposed settlement of their Homecare insurance claim. My references to BG include its agents.

background

Mr and Mrs H have a blocked drain at their property. BG accepted the claim and its contracted engineer attended. Tree roots have broken through the drain and the roots need to be cut. Mr and Mrs H say the engineer told them the damaged pipe could be fixed by either digging up the old pipe and replacing it with a new one or inserting a fibreglass liner inside the existing pipe from the drain.

BG doesn't dispute Mr and Mrs H's policy covers 'repairing and unblocking drains to restore flow'. But it said cutting the roots to unblock the drain was the only repair covered by the policy. The lining was a preventative measure for roots not to damage the pipe again so not covered by the policy.

Mr and Mrs H complained to us. They want BG to cover the fibreglass liner work its engineer recommended as the best method to repair the pipe.

Our investigator recommended BG install the fibreglass liner under the policy.

BG disagrees and wants an ombudsman's decision. It accepts that unblocking the drains by cutting the roots only resolves the immediate blockage and lining the drain is needed otherwise the drain will probably become blocked again. But it says the key part of the policy cover is 'to restore flow' and once flow has been restored its repair under the policy is completed.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I uphold this complaint. I'll explain why.

BG cutting back the roots from the drain will unblock the pipe and restore water flow. But I don't think just cutting back the roots can fairly be considered to be a repair that meets BG's policy obligation of 'repairing and unblocking drains to restore flow'.

Removing the roots but leaving a hole in the pipe isn't repairing the damage to the pipe. And BG accepts that without the fibreglass liner it's likely the roots will grow back into the pipe causing another blockage.

I think the fair and reasonable outcome of this claim is for BG to repair the pipe. BG's engineer gave Mr and Mrs H two options for the repair of the pipe. He quoted the cost for the fibreglass liner as £540. The other option would be for BG to dig up and replace Mr and Mrs H's patio which has recently been redesigned and laid. Under the policy BG has to cover up to £1,000 for it to gain access and make good each repair.

On the evidence I have the carbon fibreglass liner option is the easiest and cheapest method for BG to repair the pipe. BG hasn't disputed that method is the most cost effective.

my final decision

I uphold this complaint.

I require British Gas Insurance Limited to remove the tree roots from the drain and install the fibreglass pipe liner to settle Mr and Mrs H's claim.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs H to accept or reject my decision before 29 April 2019.

Nicola Sisk
ombudsman