

13A Winsover Road
Spalding PE11 1EG

28th January 2018

Local Government & Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

Dear Mr Cummings

Reference 17 015 168

Firstly, please accept my apologies for not replying sooner I wasn't aware that I had a time limit to reply to your initial findings. I have re read the investigation comments and my concerns remain the same:

- 1/ The 'travelling fair' clearly caused damage to my property I have photographic evidence which was not able to supply with the initial complaint but have attached to this email
- 2/ The council can not surely just admit no liability as they entered into a contractual agreement with the 'travelling fair' which they no doubt got paid for and surely, they have a duty of care to ensure no damage is caused to any property?
- 3/ The damage caused was as a direct result of the 'travelling fair' reversing a 44-tonne lorry against and obviously into my wall. The car parking spaces of this council car park spaces are not that close to my property

In your response you suggest two courses of action I may wish to consider, firstly I take the 'travelling fair' to court for damage! Secondly I take the council to court, I have contacted my insurance company as you would no doubt appreciate due to the amount involved they would not be prepared to take this course of action, so this leaves me the innocent party having to pay the £300 excess on my buildings cover and a claim which will affect my premiums not only on this property but has to be disclosed with any other insurances I take out, I can not see how this is fair?

When I have had to use the services of the ombudsman's before I understood their role to be impartial and would decide in favour of the individual affected or not and suggest a form of compensation. From what I have read it would appear this is not the case and any further action I take will be at my expense?

I look forward to hearing from you

Yours sincerely



Mr M Di Meglio