

The complaint

Ms H and Mr S have complained about repairs Lloyds Bank General Insurance Limited (Lloyds) arranged following works carried out on their driveway after they made a claim under their home insurance policy.

What happened

Ms H and Mr S made a claim under their home insurance policy with Lloyds for damage caused by an underground drain. Following the findings, Lloyds said Ms H and Mr S didn't have a valid claim.

Ms H and Mr S complained about the exploratory works that were carried out by contractors appointed by Lloyds and the condition their driveway was left in afterwards.

Lloyds arranged for the holes that had been cemented over to be rectified. After the rectification repairs, Lloyds agrees there is still a colour mismatch between the new and old cement. But it says it has acted reasonably and in line with the policy.

Ms H and Mr S want Lloyds to meet the costs to replace their driveway.

Our Investigator reviewed photos of the driveway and found that it had other signs of damage and previous repair, and in her view was reaching the end of its natural life. So although she agreed there was a colour mismatch between the old and new cement from the works, she didn't think Lloyds should meet the costs to replace the driveway.

Ms H and Mr S disagreed. Mr S says the first set of repairs used a similar colour cement but the wrong texture. The second set of repairs has used the wrong colour, is an eye sore and worse than the first repairs which they had complained about. Mr S acknowledges there is a crack down the middle of the drive which the Investigator highlighted, but he doesn't agree the driveway was nearing the end of its natural life.

He says the original works to drill holes into the driveway were unnecessary.

The Investigator explained that in cases similar to this, she would consider an independent professional opinion as to the repairs carried out by Lloyds – as Lloyds say they are acceptable and as close a match as they can achieve with available materials – and the age of the cement. So she asked Mr S if he had any supporting evidence to show that a long lasting repair outside of what Lloyds had done could be achieved.

The Investigator explained that from the information available, her view remained unchanged. But if Mr S obtained new evidence, he would need to submit that to Lloyds to consider first. Then, if he remained unhappy he could raise a new complaint.

Mr S said he doesn't have any new evidence to provide. He wants an ombudsman to decide.

What I've decided - and why

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

I haven't seen any evidence to show that Lloyd's decision to reject the claim was unreasonable. A contractor appointed by Lloyds carried out excavation works to investigate a drain downstream of the rainwater gully pipe at Mr S and Ms H's home. These works were

conducted under the driveway of the home. The findings were that a soak away pit should have been installed further away from the property than it was- and the unstructured soakaway had reached the end of its natural life and required replacing.

I've looked at the photos provided and can see there is a colour mismatch between the old and new materials following the excavation works. But I don't think this means Lloyds should meet the costs to replace the driveway in full. Lloyds says it believes the mismatch will fade over time. I think the available information reasonably shows that Lloyds has carried out necessary works and repairs to match as closely as possible with available materials. I haven't seen anything of equal weight to contradict what Lloyds says.

I understand Mr S and Ms H will be disappointed. But this means I'm not asking Lloyds to do anymore.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms H and Mr S to accept or reject my decision before 6 February 2024.

Geraldine Newbold **Ombudsman**