

# We're here to help

All your consumer questions answered

Need advice on your consumer rights?



Write to Barry Cashin at Home, SPL Publishing Ltd, Berwick House, 8-10 Knoll Rise, Orpington, Kent BR6 0PS.

## Holiday from hell

**Dear Barry**  
**We've just returned from the holiday from hell: beaches strewn with litter, a hotel with bare wires sticking out of the walls and no hot water for eight out of the ten days. What can we do to get some consumer justice?**  
*Corrine Davies, Fife*

First, telephone the tour company and establish the name of the customer service director, then compose a detailed letter outlining your grievances. You're entitled to compensation for any breaches of contract, brochure misrepresentations and any loss of value caused by the company's failure to provide what you had booked. They must acknowledge your letter within 28 days. If you can't find an ultimate resolution, you could refer the matter to The Association of British Travel Agents (ABTA), tel 020 7637 2444. Bear in mind though that ABTA arbitration decisions are binding and you can't later take the matter to court.

## Choosing a lawyer

**Dear Barry**  
**I need some complex legal work carried out but I've never used a lawyer before. What questions should I be asking when selecting a firm of solicitors?**  
*Sonia Walsh, Cardiff*

First, you should make sure that the firm is a member of the Law Society. After your initial enquiry, the lawyer should then supply you with a letter of engagement, giving the following information:

- Hourly charges and an estimate of the number of hours' work involved, with a set ceiling so that costs don't run too high.
- Details of billing intervals and any other charges which may be incurred.
- All advice given to you verbally should be confirmed in writing and you should receive copies of letters sent by the firm on your behalf.

## Our right of way?

**Dear Barry**  
**Ever since I can remember we've enjoyed access to our garden along a narrow alleyway running alongside a neighbour's property. However, our new neighbours have taken to piling rubbish in the alleyway, making it impassable. A polite word in the ear has been met with short shrift. What can we do?**  
*Moira, Essex*

Check your deeds to make sure that you have what is known as an 'easement' or 'right of way' to use this route. If you do, you have every right to continue to access your rear garden via this alleyway and if your neighbour continues to block it, you can apply for an injunction to stop them. If they ignore a Court Order, they may be held in contempt of Court.



## Mismatching wallpaper

**Dear Barry**  
**I have spent a fortune on 11 rolls of wallpaper. All went well until I got to the last roll and although it's from the same batch, the colour is noticeably different. I took it back to the store but they had no other rolls from the same batch. All they can offer me is a roll from a new batch, but the colour is even further out than before. What can I do?**  
*Sandra Whiter, London SW20*

Technically, not much, as there's normally a disclaimer on the packet to say that

consumers should visually check all rolls for quality before pasting. I would suggest you try the softly, softly approach and attempt to win round the retailer. Ask them to contact the manufacturer on your behalf, telling them how good a customer you are and if they could possibly see fit to either send you a fresh batch of 11 perfect rolls or a selection of rolls from several different batches which may have a better colour match. If the retailer is a good client of the manufacturer, they'll probably win them over in turn and you'll get your new wallpaper.

## GOT A CONSUMER LEGAL PROBLEM AND NEED INSTANT ADVICE?

**Don't panic** – we've got a team of friendly, fully qualified solicitors ready to advise you. Simply call Home's legal helpline on **0906 9060465** any time from 8am to 10pm. You'll be able to speak direct to a lawyer, and calls cost £1.50 a minute – which could save you £££s in legal bills. **Money-back guarantee** – if you're not satisfied with any aspect of your call, you will be given a full refund – so you've got nothing to lose and one call could put your mind at rest, once and for all...

Calls cost £1.50 a minute; maximum call length 30 mins; calls will be charged to your standard telephone bill. Advice given will apply to English law. This service is operated in conjunction with Infogenie Ltd. If you have any queries, call the customer service line on 0870 7397602, 9am-6pm weekdays.