The Right Honourable Norman Lamb MP  
Science and Technology Committee  
House of Commons  
London  
SW1A 0AA  

25 September 2019  

Dear Sir Norman  

We thank you for your letter of 9 September 2019 in relation to the Science and Technology Select Committee’s work on Japanese knotweed and the built environment and provide our assessment of the Government’s response in relation to mediation.  

You state that the Government have not accepted the recommendation for mediation guidance on disputes related to Japanese knotweed on the basis that they believe there is already a route to resolution for homebuyers whose sale is affected by Japanese knotweed through the Property Ombudsman and Property Redress Scheme, therefore nothing further is needed. We would suggest that the Government is incorrect in their assessment that these bodies provide effective resolution of the disputes discussed in your Select Committee’s report. The Property Ombudsman is, as far as we are aware, a service to provide alternative dispute resolution in relation to disputes between consumers and property agents, it covers estate agents, letting agents and property management companies. As we understand, the Property Redress Scheme is another scheme offering redress in relation to issues with estate agents, letting agents and property management companies.  

As set out in the report, most disputes homebuyers have in relation to Japanese knotweed are with neighbouring landowners, property surveyors, property sellers and, to a lesser extent, property developers and solicitors. Although we have come across a couple of instances involving complaints against estate agents, these have probably comprised less than 1% of the disputes we have been involved in. Therefore, unless these schemes are fundamentally changed, they would not offer redress for the vast majority of affected homeowners.  

Yours faithfully  

Charles Lyndon  

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