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Your ref: 13470828//729608

Wednesday, 21 January 2026

Complaints and appeals team
Lancashire County Council
Christ Church Precinct
County Hall
Preston
PR1 8JX

Delivered by email: complaintsandfeedback@lancashire.gov.uk

Dear Catherine,

RE: Ref 13470828//729608 - Formal Rejection of Proposed Solution

Thank you for our conversation earlier today. However, I must now formally reject the position Lancashire County Council has taken on this matter.

1. THE ORIGINAL WORK ORDER HAS BEEN BROKEN

1.1 On 31st December 2025, Barry from your Highways Team confirmed that the work order included two elements: straightening the misaligned arm to correct it from an off-kilter position to straight, and fitting a shroud to the back of the lantern. Both were part of the same repair. Both were committed to by your own staff.

1.2 You cannot now claim "no funding" to avoid completing work that was already scheduled and promised. This is a breach of LCC's own commitment.

2. THE CURRENT "SOLUTION" HAS FAILED

2.1 A louvre was fitted on 15th January: it has not worked. The light intrusion continues exactly as before. I am now being told to wait for a shroud with no delivery date.

2.2 The shroud has no guaranteed timeframe: "on order" from an external supplier could mean weeks or months, and I've already been waiting over six months. The arm straightening, which was part of the original work order, is now being refused.

2.3 This is completely unacceptable after six months of failure.

3. YOUR COMPLAINTS PROCESS DOES NOT BIND ME

3.1 You stated that I "can't go straight to Stage 2" and must follow the council's complaints procedure. This is incorrect.

3.2 I am under no obligation to exhaust Lancashire County Council's internal complaints procedure. I have already issued a formal Letter Before Action, which you ignored. I have escalated this matter to your CEO, Mark Wynn; involved three local councillors, one of whom is a qualified building surveyor; and allowed Lancashire County Council in excess of six months to resolve the issue. My local MP, Maya Ellis, has also been involved. Despite this, there has still been no resolution.

3.3 I can escalate to the Local Government and Social Care Ombudsman at any time, particularly when: a formal Letter Before Action has been ignored; the council has failed to resolve a statutory nuisance for over six months; and the council is now refusing to complete repairs it previously committed to.

4. "NO FUNDING" DOES NOT EXCUSE STATUTORY OBLIGATIONS

4.1 Lancashire County Council has a statutory duty to maintain highway equipment under the Highways Act 1980.

4.2 "No funding" is not a defence against: statutory nuisance under the Environmental Protection Act 1990; breach of statutory duty as the highway authority; or negligent maintenance causing ongoing harm. Budget constraints do not absolve you of statutory obligations.

5. THIS HAS GONE ON LONG ENOUGH

5.1 First reported: 30 June 2025. Duration: over six months. Promised completion dates: multiple, all broken. Attempted fixes: one (louvres), failed. Current status: still unresolved, indefinite wait for shroud with no delivery date, arm straightening now refused.

6. MY POSITION

6.1 I reject the proposal to: wait indefinitely for a shroud that may or may not work and has no guaranteed delivery timeframe; accept that the arm straightening, part of the original work order, will not be completed; or follow a lengthy internal complaints process while the statutory nuisance continues.

7. WHAT HAPPENS NOW

7.1 I require Lancashire County Council to: complete both elements of the repair promised on 31 December 2025 (arm straightening AND shroud fitting); provide written confirmation of the completion date; and cease using "no funding" as justification to avoid completing your own committed work order.

7.2 If satisfactory resolution is not achieved, I will proceed with: a formal complaint to the Local Government and Social Care Ombudsman citing six months of maladministration, broken commitments, refusal to complete promised repairs, and ongoing statutory nuisance; County Court proceedings for statutory nuisance, negligence and breach of statutory duty, seeking damages for loss of amenity, distress, and all associated costs; application for an injunction if necessary; and referral of this matter to my MP and local media to ensure appropriate public scrutiny of LCC's failures.

7.3 I do not need your permission to escalate. I do not need to follow Stage 2. I have given you six months and exhausted all reasonable patience.

8. CONCLUSION

8.1 Catherine, I appreciate that you are trying to assist, but Lancashire County Council's position is legally and factually untenable. I have been pursuing this matter for over six months. The louvre has already failed, and I cannot accept an indefinite wait for a shroud that may also fail, while being told the original repair "cannot be completed due to funding."

8.2 While it is possible that the shroud alone may partially mitigate the light intrusion, or that the original repair (arm straightening) may work in addition, there is no certainty of a satisfactory outcome unless both elements are completed, as was originally agreed and committed by Lancashire County Council. For this reason, waiting for the shroud alone is unacceptable, as a satisfactory resolution cannot be achieved without both elements.

8.3 If the shroud is not fitted within a reasonable timeframe (I would suggest 21 days maximum), or if it fails to resolve the light intrusion, I will escalate this matter to the Ombudsman and may also commence legal proceedings.

8.4 I'm not trying to be difficult; I just need this properly fixed after six months of broken promises.

I look forward to your written confirmation of the completion date and how Lancashire County Council intends to resolve this matter promptly.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jack Whittle', with a stylized, cursive script.

Jack Whittle