

Private Residents Association

# Private Road

## Public Liability Insurance



Prospectus and Proposal Form

IN ASSOCIATION WITH



# One policy that meets all your needs

Nobody Understands the needs of a residents association or the owner of a private road like Aviva and John Ansell and partners.

Organising and maintaining the right level of cover for you and your neighbours can sometimes become both time consuming and an administrative burden for property managers or administrators.

We combine protection against your legal liability to third parties as an owner of a private road with cover for any residents association members and damage to communal property or common parts. Cover includes any persons employed by your residents association.

We can cover a private road belonging to a single dwelling right up to private estates with any number of properties.

## Optional covers can be purchased

- Directors and Officers Liability to protect Directors, Officers, Trustees or Committee members if sued for wrongful acts or breach of duty to shareholders, employees or regulatory authorities.
- Damage to estate property and/or common parts

## Other FREE benefits:

Legal Expenses  
(Legal defence, property protection and bodily injury, tax protection)

All the help you need is only a phone call away

Online access to your documents 24/7

## Risk Helpline

The risk helpline provides advice on security, health & safety issues, fire protection and other property risk related issues, all free of charge.

## Legal & Tax Helpline

24 hour Legal & Tax Helpline for advice on UK legal or tax matters  
– see policy for details.

## Claims Line

If you need to make a claim, one call to the FREEPHONE Claims line, open around the clock every day of the year will help you get back to normal as quickly as possible.

This description provides an outline of cover provided. For full details and a copy policy wording please contact John Ansell and Partners.

## What to do next...

Just complete the form and send it to us at:

John Ansell & Partners  
1 Great Tower Street  
London  
EC3R 5AA

Email: [ansell.enquiries@thecleargroup.com](mailto:ansell.enquiries@thecleargroup.com)

Alternatively, please contact us on:

FREEPHONE: 0800 140 4541  
Tel: 020 7251 6821

# Private Road - Third Party Liability Proposal Form

PLEASE ANSWER QUESTIONS IN BLOCK CAPITALS

## 1. Your Details:

Name of Proposer/ Residents Association:

Address of Residents Association:

Postcode:

Correspondence Address (if different):

Postcode:

Contact Name:

Telephone No

Mobile:

Email:

Number of Years Association formed:

Number of Dwellings on the Estate:

Number of Shareholders:

## 2. Standard Cover:

PLEASE TICK LEVEL OF COVER REQUIRED

Public Liability Limit of Indemnity :

£2 Million

£5 Million

Employers Liability Limit of Indemnity:

£10 Million

Legal Expenses Standard Limit of Indemnity:

£50,000

## 3. Optional Extras:

COVER IS ALSO AVAILABLE FOR THE FOLLOWING. PLEASE INDICATE AS REQUIRED

Do you require Directors & Officers Liability?:

YES

NO

Please tick Indemnity Limit required:

£100,000

£250,000

£500,000

Do you require cover for other estate property?:

(Street lights, street furniture, gates and walls, and any incidental buildings)

YES

NO

If YES please indicate the level of cover required:

£25,000

£50,000

## 4. Policy Start Date:

Policy start date:

## 5. Type of Land to be Insured - Private Road:

Type of surface (eg Tarmac):

Approximate length:

Condition (eg In good repair no large potholes):

## 6. Type of Land to be Insured - Residents Land:

Briefly describe features of existing development:

Approximate size:

## 7. Type of Land to be Insured - Rivers, Streams, Lakes & Ponds:

Briefly describe any watercourses at or adjacent to the road or land boundaries of your estate or for which you are responsible:

## 8. Type of Land to be Insured - Other:

Are there any automatic gates or barriers? (If YES please give brief details):

Do the public have right of access? (If YES please give brief details):

Is there any children's play equipment or swimming pool for which you are responsible? (If YES please give brief details):

Are there any non-residential buildings? (If YES please give brief details):

Does the area of land include an electricity sub station, tanks or similar, within its confines? (If YES please give brief details):

Is the land ever used for public functions such as fetes, concerts or similar? (If YES please give brief details):

## 9. Other Insurance:

Are you insured at present, or have you ever proposed for insurance in respect of any of the perils or contingencies to which this proposal applies ?:

YES

NO

If YES please state:

Class of Insurance:

Name of Insurer:

## 10. Claims:

Please give details of any road or land related insurance claims or incidents in the past 5 years:

## 11. General Questions:

Has the Proposer &/or any Directors of the Residents Association with regard to insurance ever:

- |  |     |    |
|--|-----|----|
| a) Been refused insurance or had any special terms or conditions imposed by an insurer   | Yes | No |
| b) Been convicted of or is any prosecution pending for any offence involving dishonesty of any kind (eg involving Fire, theft fraud or handling stolen goods?)   | Yes | No |
| c) Ever been declared bankrupt, the subject of bankruptcy proceedings or made arrangements with creditors, either in a personal capacity or in connection with any Company business in which you have been involved? | Yes | No |

If you have answered YES to a) b) or c), above please give full details below. (If required, continue on a separate sheet and attach to this form).

## DECLARATION

I/We declare that the information given is, to the best of my/our knowledge and belief correct and complete. If the risk is accepted I/we undertake to pay the premium when called upon to do so. I/We understand that my/our information may also be disclosed to regulatory bodies for the purposes of monitoring and/or enforcing the insurer's compliance with any regulatory rules/codes.

Signed:

Position:

Date:

Please return to: John Ansell & Partners, Insurance Brokers, 1 Great Tower Street, London EC3R 5AA

## IF YOU HAVE A COMPLAINT

We hope that you will be very happy with the service that we provide. However, if for any reason you are unhappy with it, we would like to hear from you. In the first instance, please write to:

Licence No: RTKH – CYHA – CUCU  
John Ansell & Partners  
1 Great Tower Street  
London EC3R 5AA

Or telephone us on: Freephone 0800 140 4541

John Ansell and Partners and Aviva Insurance Limited are covered by the Financial Ombudsman Service for complaints from private individuals, certain small businesses, charities and trusts.

If you have complained to us and we have been unable to resolve your complaint, you may be entitled to refer it to this independent body. Following the complaints procedure does not affect your right to take legal action. Further details of our complaints procedure can be found in your policy booklet.

## CHOICE OF LAW

The appropriate law as set out below will apply unless you and the insurer agree otherwise:

1. The law applying in that part of the UK, Channel Islands or Isle of Man in which you normally live or (if applicable) the first named policyholder normally lives; or
  2. In the case of a business, the law applying in that part of the UK, Channel Islands or Isle of Man where it has its principal place of business; or
- Should neither of the above be applicable, the law of England and Wales will apply.

## DATA PROTECTION ACT - INFORMATION USES

For the purposes of the Data Protection Act 1998, the Data Controller in relation to any personal data you supply is John Ansell and Partners and Aviva Insurance Limited.

## INSURANCE ADMINISTRATION

Your information may be used for the purposes of insurance administration by the insurer, its associated companies and agents by reinsurers and your intermediary. It may be disclosed to regulatory bodies for the purposes of monitoring and/or enforcing the insurer's compliance with any regulatory rules/codes. Your information may also be used for offering renewal, research and statistical purposes and crime prevention.

It may be transferred to any country, including countries outside the European Economic Area for any of these purposes and for systems administration. Where this happens, we will ensure that anyone to whom we pass your information agrees to treat your information with the same level of protection as if we were dealing with it. If you give us information about another person, in doing so you confirm that they have given you permission to provide it to us and for us to be able to process their personal data (including any sensitive personal data) and also that you have told them who we are and what we will use their data for, as set out in this notice. In the case of personal data, with limited exceptions, and on payment of the appropriate fee, you have the right to access and if necessary rectify information held about you.

In assessing any claims made, the insurer or its agents may undertake checks against publicly available information (such as electoral roll, county court judgements, bankruptcy orders or repossessions). Information may also be shared with other insurers either directly or via those acting for the insurer (such as loss adjusters or investigators).

## CREDIT SEARCHES AND USE OF THIRD PARTY INFORMATION

To ensure we have the necessary facts to assess your insurance risk, verify your identity, to help prevent fraud and to provide you with our best premium and payment options, we may obtain information relating to you and your business from third parties at quotation and renewal and in certain circumstances where policy amendments are requested. This information may include a quotation search from a credit referencing agency which will appear on your credit report and will be visible to other credit providers. It will be clear that this is a quotation rather than a credit application by you to pay by monthly instalments.

We are a responsible provider of credit which is regulated by the Consumer Credit Act, and we take these responsibilities seriously to ensure our customers are able to meet their monthly instalment commitments.

When you agree to pay monthly, the status of your quotation search from our credit reference agency will be updated to reflect your credit application and this will be visible to other credit providers. Credit reference agencies may keep a record of the search. We may also pass to credit reference agencies information we hold about you and your payment record. The information will be used by other credit lenders for making credit decisions about you and the people with whom you are financially associated for fraud prevention, money laundering prevention and for tracing debtors.

## SENSITIVE DATA

In order to assess the terms of the insurance contract or administer claims that arise, the insurer may need to collect data that the Data Protection Act defines as sensitive (such as medical history or criminal convictions). By proceeding with this application you will signify your consent to such information being processed by the insurer or its agents.

## MARKETING

John Ansell and Partners, its agents and business partners may use your information to keep you informed by post, telephone, fax, email, text messaging or other means about products and services which may be of interest to you.

Your information may also be disclosed and used for these purposes after your policy has lapsed. If you do not wish your information to be used for these purposes please write to John Ansell and Partners, 1 Great Tower Street, London EC3R 5AA.

## FRAUD PREVENTION AND DETECTION

In order to prevent and detect fraud we may at any time:

- Share information about you with other organisations and public bodies including the Police;
- Undertake credit searches and additional fraud searches;
- Check and/or file your details with fraud prevention agencies and databases, and if you give us false or inaccurate information and we suspect fraud, we will record this to prevent fraud and money laundering.

We can supply on request further details of the agencies and databases we access or contribute to and how this information may be used. If you require further details please contact us at:

Policy Investigation Unit, Aviva, Cruan Business Centre, Westerhill Business Park, 123 Westerhill Road, Bishopbriggs, Glasgow, G64 2QR, Telephone: 0345 300 0597. Email PIUUKDI@AVIVA.COM

We and other organisations may also search these agencies and databases to:

- Help make decisions about the provision and administration of insurance, credit and related services for you and members of your household;
- Trace debtors or beneficiaries, recover debt, prevent fraud and to manage your accounts or insurance policies;
- Check your identity to prevent money laundering, unless you provide us with other satisfactory proof of identity;
- Check details of job applicants and employees.

## CLAIMS HISTORY

- Under the conditions of your policy you must tell us about any Insurance related incidents (such as fire, water damage, theft or an accident) whether or not they give rise to a claim. When you tell us about an incident we will pass information relating to it to a database.
- We may search these databases when you apply for insurance, in the event of any incident or claim, or at time of renewal to validate your claims history or that of any other person or property likely to be involved in the policy or claim.

You should show these notices to anyone who has an interest in the insurance under the policy.

## MATERIAL CIRCUMSTANCES

Please remember that you must make a fair presentation of the risk to us. This means that you must:

- (1) disclose to us every material circumstance which you know or ought to know or, failing that, sufficient information to alert us that we need to make further enquiries; and
- (2) make such disclosure in a reasonably clear and accessible manner; and
- (3) ensure that, in such disclosure, any material representation as to a: (a) matter of fact is substantially correct; and (b) matter of expectation or belief is made in good faith.

A material circumstance is one that is likely to influence an insurer in the acceptance and assessment of the application. You must also make a fair presentation to us in connection with any variations, e.g. changes you wish to make to your policy. If you fail to make a fair presentation of the risk then this could affect the extent of cover provided or could invalidate your policy, so if you are in any doubt as to whether a circumstance is material then it should be disclosed to us.

Disclosures should be specific and made in a reasonably clear and accessible manner. We will not be deemed to have knowledge of any information generally referred to (for example the contents of company websites listed in the risk presentation) or any matter not expressly drawn to our attention.

Each renewal invitation is made on the basis of the information we have at the time it is issued. We may revise or withdraw it if, before the date your renewal takes effect, any event occurs that gives rise to a claim or alters the material circumstances under this insurance, even if we are notified after your renewal date.

A specimen copy of the policy wording is available on request. You should keep a record (including copies of letters) of all information supplied to us for the purposes of the renewal of this insurance. A copy of the completed application will be supplied on request within a period of three months after its completion.

## UNDERWRITTEN BY

AVIVA Insurance Limited. Registered in Scotland, No. 2116. Registered Office: Pitheavlis, Perth PH2 0NH. Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.