

Record of an Emergency LAMA Committee Meeting held on 5th November 2021 to Discuss the Invalidation of our Insurance Policy

Members present in person: Richard Halliday (Chair), David Platt, Nick Warrick (Secretary).

Members contactable by telephone or email: Pat Spencer, Ann Henderson, Andy Reid.

1. Following a request from us to confirm that our motor insurance certificate limitation with regard to “Hire or Reward in connection with the Policyholder’s business” included “Use for the carriage of fare paying passengers”, our minibus insurers undertook a review of our LAMA webpage on www.lerryn.net and determined that we required a Section 22 Permit because we presented as a “community bus service” with a timetable for fare paying passengers. As a result, our current insurance policy had been invalidated as not being on the correct basis and we were ordered to cease all activity on the Minibus. This restriction was later relaxed to ceasing all scheduled services, with vehicle hires proceeding as before. On inspection of our LAMA webpage, our adviser at the Community Transport Association (CTA) concurred with our insurer’s Section 22 assessment.

2. Given that it could take up to 8 weeks to obtain a Section 22 Permit, the following strategy was adopted to rectify the situation.

a. Current Operations. Review our current operations to confirm whether we were indeed complying with all the requirements of our Section 19 Permit and, where shortfalls were identified, determine what changes were needed to our existing documentation and procedures.

b. Publicity. Remove all website and poster material that could possibly be interpreted as us requiring a Section 22 Permit and replace with accurate details of the Section 19 Permit procedures that we actually follow.

c. Reinstatement. Invite the Community Transport Association to review the changes we had implemented and, if assessed as being satisfactory, request our insurers to reinstate our insurance policy in full.

d. Future Operations. Over the coming months, determine what services we as a community bus association actually wished to provide and only then apply for the permits that we actually required.

3. **Current Operations**. Our current operations were considered to be generally in line with the requirements of our Section 19 Permit, but our publicity was not. However, a few minor changes were considered to be necessary, as follows:

a. Class A (members of the body holding the permit) applies to people who are helping to provide and direct the minibus service (eg, committee members, drivers, fund raisers, representatives from community not-for-profit organisations). The rules of LAMA membership are detailed in paragraphs 6 to 8 of the “Rules of Lerryn Area Minibus Association Ltd”.

b. Class B (persons whom the body exists to benefit, and persons assisting them) applies to the users of the minibus (ie, passengers) and is limited to residents of Lerryn and District. The objectives of LAMA, which determines who it exists to benefit, are detailed in paragraph 2 of the “Rules of Lerryn Area Minibus Association Ltd”.

c. Class C (disabled persons or persons who are seriously ill and persons assisting them) and Class D (pupils or students of any school, college, university or other educational establishment and staff or other helpers accompanying them) are not specifically constrained by geographical area, but in

practice are only likely to be taken up by residents and organisations of Lerryn and District. If they were likely to travel independently or with their assistant only (ie, not as part of a larger group), then Class C and Class D passengers should be invited to register with LAMA.

d. People assisting a passenger, and educational staff and other helpers, need not be residents of Lerryn and District, but they may only use the minibus when they are accompanying the person/people they are supporting. They have no right to use the minibus in their own right, even if they have registered with LAMA in order to provide In Case of Emergency (ICE) details.

e. The current personal data form needed to be revised into two separate forms: a membership form for Class A members and a registration form for Class B, C and D passengers. **Nick Warrick** offered to draft suitable forms. The forms should invite people to provide an email address and identify their membership capacity (eg, driver) or passenger eligibility (eg, old, disabled, assistant). As existing passengers had already been interviewed to assess their eligibility, it was considered unnecessary for them to complete a new form before their annual renewal date, but all new passengers should complete the new paperwork once it had been approved.

f. Only registered passengers and members should be considered as eligible to use the minibus on any LAMA operated services and only then if they had pre-booked for each particular trip. Anyone not complying with this requirement should be refused entry.

g. The work of the Hirings Working Group should continue, but it was anticipated that all not-for-profit and charitable groups within Lerryn and District would be eligible to request LAMA membership and, if approved, they would then be entitled to hire the minibus. However, the working group needed to clarify with our insurers whether the minibus insurance policy schedule endorsement term of "lend" was synonymous with the term "hire" and that it allowed for LAMA to be rewarded for the hire/loan of the bus. Once hired/loaned, it was then at the hirer's discretion who would be allowed to travel on the minibus, but it was essential that the minibus was driven by a LAMA driver.

h. It was unclear who was authorised to amend the LAMA entries on the Lerryn.net website. This needed to be restricted to a small authorised number of people and configuration control needed to be exercised. Consideration could be given to creating an independent LAMA website with links from the Lerryn and Lostwithiel websites.

i. Public timetables should be withdrawn and replaced with LAMA newsletters that would be distributed to registered passengers and members only.

4. **Publicity.** The Lerryn website was reviewed with **David Platt** logged-on as an administrator for LAMA content. All current and old content relating to LAMA operations was removed, but existing fund-raising details were retained. The LAMA webpage was updated to reflect Section 19 content only. Please go to <https://www.lerryn.net/local-groups/lerryn-area-minibus-association> to see the changes and click the "Read More" button to see details of LAMA's objectives which were taken from paragraph 2 of the "Rules of Lerryn Area Minibus Association Ltd" and from division 7.2 of the Department for Transport's guidance on Section 19 and 22 Permits at <https://www.gov.uk/government/publications/section-19-and-22-permits-not-for-profit-passenger-transport/section-19-and-22-permits-not-for-profit-passenger-transport>. The LAMA timetable for December 2021 was also reworked as a LAMA Newsletter (see copy below).

5. **Reinstatement.** Our adviser at the CTA has been invited to review our para 4 efforts only. Initial reports are favourable, but comment has been sought from other specialists at the CTA. CTA will try to provide definitive advice by Monday morning, in which case we may be in a position to ask our insurers to reinstate our cover on Monday. Although it might be possible to have everything in place to run our Tuesday service to Bodmin, the pragmatic view was taken to cancel the Tuesday run. **David Platt** agreed to contact

all the passengers who have booked for Tuesday to explain the situation to them. If we are able to run the Tuesday service, David would contact them again to ask them if they still wanted to go. **Richard Halliday** agreed to speak to Glenn Carwithen, who is the driver scheduled for Tuesday.

6. **Future Operations.** Future operations should only be considered once everything else above had been resolved satisfactorily and was operating smoothly. However, it was intended that we should hold a Zoom meeting with our CTA adviser to help ensure that what we planned was feasible and practical.



Nick Warrick
LAMA Secretary
5th November 2021

LAMA Newsletter December 2021
Registered passengers of Lerryn & District are invited to join us on any of these trips

Trips leave from Lerryn and Lostwithiel and return at the times below.
Essential to book your seat and arrange a pick-up point
Please call 01208 368393

DATE	DESTINATION	TIME	RETURN FARE
Tues 7th Driver: Andy	Bodmin and supermarkets	Lerryn 9.30 – 12.30	£ 4.00 adult £ 2.00 child
		Lostwithiel 9.45 - 12.15	
Fri 10th Driver: David	Truro	Lerryn 9.30-3.30	£ 6.00 adult £ 3.00 child
		Lostwithiel 9.45-3.15	
Tues 14th Driver: John	Bodmin and supermarkets	Lerryn 9.30 – 12.30	£ 4.00 adult £ 2.00 child
		Lostwithiel 9.45 - 12.15	
Tues 21st Driver: Richard	Bodmin and supermarkets	Lerryn 9.30 – 12.30	£ 4.00 adult £ 2.00 child
		Lostwithiel 9.45 - 12.15	

COVID: TO REDUCE THE RISK OF TRANSMITTING INFECTION BY HANDLING CHANGE, PLEASE BRING EXACT MONEY FOR FARES.

If you wish to register to travel please contact Andy or Sue (01208 368393) to confirm your eligibility