

The complaint

Miss C has complained that West Bay Insurance Plc unfairly cancelled her car insurance policy.

What happened

Miss C bought a car insurance policy through a broker with the insurer, West Bay. Her policy was a telematics policy.

West Bay cancelled Miss C's policy as it received a recording from the telematics box which said Miss C had been excessively speeding. In line with the policy, where such an event is recorded, West Bay can immediately cancel the policy.

West Bay gave Miss C seven days' notice of cancellation.

Miss C complained to West Bay as she said she was travelling at the correct speed limit for the road in question. But West Bay didn't uphold her complaint.

Miss C asked us to look at her complaint. She provided a video taken of the road which she says proves she was driving at the correct speed limit. And she provided a copy of email exchanges between her and the local council highways department.

One of our Investigators passed this information to West Bay. In response, West Bay said it wasn't evidence to show it had made the wrong decision. And our Investigator agreed. So he didn't recommend the complaint should be upheld.

Miss C said she would contact the local council to obtain evidence that she was travelling within the speed limit on the stretch of road in question. But since October 2024, Miss C says she hasn't received a response to her requests. So she wants an ombudsman to decide.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

West Bay provided Miss C with the co-ordinates for the key speeding event which led to the cancellation of her policy. West Bay says the speed limit for the event was 40mph, and Miss C was travelling at 68.5 mph.

I've looked at what West Bay says about its cancellation process under the policy. It says;

“Poor driving behaviour, in particular consistent or extreme speeding, may result in us cancelling your policy at any time.”

On 11 March 2024 West Bay notified Miss C that the telematics box had recorded an episode of significantly exceeding the speed limit. So it gave Miss C seven days' notice of cancellation.

Miss C says the speed limit was 70 mph and that this is what the local council has confirmed. But from the emails between Miss C and the local council, I can see they wrote that the majority of the road is 70mph. This statement means that sections of the road are not 70mph.

I can see that the local council asked Miss C to provide more information about the exact location of the road Miss C was querying, to investigate further. But I haven't seen evidence of any further correspondence between Miss C and the local council. Miss C says she chased the local council for further information, but it hasn't provided it to her.

West Bay provided a screenshot of the road showing a 40mph sign and a news article from September 2022 advising that the speed limit would be reducing on this road to 40mph.

I've watched the video footage provided by Miss C travelling on the road. This shows from the online map on her phone and the road signs that from a national speed limit of 70mph, it went on to reduce to 50mph. But this doesn't show me or West Bay that this area of road matches the co-ordinates of where the speeding event was recorded by the telematics box, which West Bay relied on.

So from all of the evidence provided by both parties, none show me that West Bay's decision to cancel the policy for excessive speeding - based on the telematics box recording - was incorrect. This means I'm unable to say that it unfairly cancelled Miss C's policy.

My final decision

I'm sorry to disappoint Miss C. But for the reasons I've given above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss C to accept or reject my decision before 5 February 2025.

Geraldine Newbold
Ombudsman