

The Licensing Section has received 6 complaints and 13 commendations between April 2014 and March 2015.

The Analysis of some of the formal complaints / expressions of concern is set out below:

<u>FORMAL COMPLAINT</u>	<u>ACTION</u>	<u>OUTCOME</u>
<p>The Licensing Section received a complaint from an applicant for a personal licence who's application was not accepted due the DBS (Police Check) being out of date. The applicant expressed concerns that she believed that a DBS certificate lasted for a period of three years and that once obtained could be valid for identification checks during that period. The applicant also stated that the information on the government web page regarding DBS certificates and also on the application forms was not specific enough.</p>	<p>The Licensing Team responded to the applicant by stating that the Legal process in applying for a personal licence from a Local Authority, is to provide them with a Basic Disclosure form. The Legislation requires that the disclosure should be no more than one calendar month old from the date the application is received. Unfortunately as the application form was not received until the 22nd May 2015, this meant that the Disclosure provided (dated 7th April 2015) was out of date and therefore the licensing office was unable to process the application.</p> <p>The Licensing Team further stated that they provided applicants with as much information and guidance as possible to help them when applying for a licence. The personal licence application pack includes an application form, the disclosure of criminal convictions & declaration form a list of course providers and a letter outlining what documentation should be returned with the application form, also the licensing website www.dudley.gov.uk/business/licences-registrations-and-permits/beer-and-entertainment-licensing/personal-licence also provides the necessary information.</p> <p>The Licensing section also stated that unfortunately they had no power over what information the Home Office provide on their government website or their application forms.</p>	<p>On receipt of a further Basic Disclosure form the application was processed. The Licensing Office has also reviewed its Web Page and Information Pack. Unfortunately it has no power over what information the Home Office provides.</p>

<u>FORMAL COMPLAINT</u>	<u>ACTION</u>	<u>OUTCOME</u>
<p>A Complaint was received from a local resident that the Licensing Office fails to inform local residents who may be affected by either a new licence or variation of existing licence that the application has been made. The complainant also stated that any notice posted at the establishment is not an effective means of communication because only people frequenting the premises would be aware of it. The complainant went on to say that the Licensing Authority through its lack of communication appears to be deliberately limiting information as if it were not in the interests of residents to take part in the process of deciding if a licence or variation of licence is granted.</p> <p>The Complainant also stated that the web page was extremely difficult to find even if residents were aware of it in the first place, and that objectors were required not only to submit the objection online but also forward a hard copy through the post.</p>	<p>The Licensing Office responded by confirming to the complainant that the Licensing Office would undertake a review of its procedures in respect of the statutory requirements under the Licensing Act 2003, in particular, their obligation to notify interested parties and relevant authorities of applications for premises licences.</p>	<p>Following the review of procedures it was found that the Licensing Department did meet the Statutory Legal requirements, the applicants Comments were also forwarded to the IT Department for any possible future upgrade of information. The Licensing Office also removed the requirement for a hard copy of the objection to be forwarded to them.</p>

FORMAL COMPLAINT	ACTION	OUTCOME
A complaint was received from a Taxi driver that he was unhappy that he had to ask staff for a complaints Form.	The complainant was contacted by the Assistant Director who apologised for any inconvenience or embarrassment caused by having to ask a member of the Licensing Team to supply a complaint form, the Assistant Director also raised his concerns with the Licensing Team.	The Licensing Team informed the Assistant Director that forms are available to download from the Licensing Web page a review of the current Complaints Procedure was undertaken, resulting in the forms being updated and also a supply of forms to be made available in the reception area.

<u>INFORMAL COMPLAINT</u>	<u>ACTION</u>	<u>OUTCOME</u>
The Licensing Section received a number of complaints about the vehicle testing policy/procedure.	A report was prepared setting out both policy's, this report was discussed at the Taxi Focus Group, prior to being considered by the Taxis Committee, members of the Taxi Focus group were also invited to attend the Committee Hearing.	A review of both policies has now been undertaken by the Taxis Committee and both policies revised.
The Licensing Office also received various complaints about the fees charged for Private Hire and Hackney Carriage Licences.	A report was prepared setting out the current fees charged with a comparison of fees charged by neighbouring authorities. This report was put before the Taxis Committee in February 2015.	This resulted in a 0% increase in fees for the year 2015/2016.

<u>EXPRESSIONS OF CONCERN</u>	<u>ACTION</u>	<u>OUTCOME</u>
<p>Expressions of concern were received from members of the Taxi Trade with regard to the new DBS process (Police Checks). There was confusion with regard to the new policy that all applications should be completed online.</p>	<p>This matter was discussed with the Taxi Focus Group.</p>	<p>Following discussions with the Taxi Focus Group a letter was sent to all applicants/licence holders highlighting the new policy with a set of guidelines and instructions, these guidelines and instructions were also posted on the licensing Web Pages and a notice was also displayed in the Licensing Reception.</p>
<p>Expressions of concern were also received from a number of private hire/hackney carriage driver's who were required to take a second opinion with the Council's Medical Practitioner due to anomalies on the medical certificate submitted by their GP.</p>	<p>A review of the medical certificate of fitness form to be completed by the General Practitioner along with the guide notes has been undertaken. This matter was also discussed at the taxi Focus Group.</p>	<p>The medical fitness forms together with the guide notes have now been updated, thus resulting in fewer matters having to be referred for a second opinion. A letter has been sent to all applicants, licence holders and relevant GP's.</p>