APPENDIX 3

COVERSURE
INSURANCE SERVICES

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

ADVICE TEAM
23 NOV 2009
RECEIVED

19th November 2009

Dear Sirs

Please find attached a copy of a letter that we have sent to Dudley Council today which should be self explanatory.

Your involvement in this matter would be greatly appreciated.

NB.

The insurers issue policies for all other councils simply stating that the policy covers 'Any Driver'. As you can appreciate, some taxi firms can have 40 or 50 drivers, so to expect the drivers to ring us and bring in copy licences every time they get a new driver is absolutely absurd, it is causing so much work it is unbelievable and now we find that the taxi firms in Dudley Borough are becoming, 'un-insureable'.

We await your most urgent advices.

Yours faithfully

Dale Cole
Mark W Saunders
Directors
Coversure Ltd

COVERSURE
INSURANCE SERVICES

Mr Martin Hanson
Licencing Dept
Dudley Council
5 Ednam Road
Dudley
DY1 1HL

19 November 2009

Dear Mr Hanson

Re: *Persons or classes of persons entitled to drive*

I refer to the attached document issued by yourselves in respect of the certificates that are issued in respect of Any Driver cover.

It has caused ourselves many hours of work trying to get the insurers to change their wordings on the certificates and man hours for the insurers too, so much so that Tradex Insurance have now refused to quote for fleet policies for anyone in the Dudley Borough and both Aviva and QBE have also advised that they shall be taking this stance very shortly due to the increased workload that it causes as you are, we believe, the only council in the UK that insists on the certificates being issued in this way.

As taxi fleet insurance is a big part of our business, this is going to have a very negative effect on our earnings in an already difficult economic climate. One only needs to walk down the High Street in Dudley to see all the empty shops to confirm how difficult it is to make a living in the Dudley Borough at the moment.

I urge you to re-think your request for certificates to be issued in this way as otherwise I fear that we may become another statistic amongst the 'failed businesses' in the recession.

I await your hopefully sympathetic response.

Yours sincerely

Dale Cole
Director
Coversure Ltd

APPENDIX 3

Persons or classes of persons entitled to drive

No insurance cover note or certificate can be accepted with the wording ANY DRIVER/ ANY PERSON WITH THE POLICYHOLDERS PERMISSION

The following wording on a cover note / certificate of insurance is acceptable to the council: -

* **Any Driver or vehicle as per the detailed schedule.** *

This schedule must form part of the cover note/certificate and be issued by the Insurance Company.

Where the cover note/ certificate of insurance covers both hackney carriages and private hire vehicles -

The schedule must clearly define the use for which each vehicle is covered i.e.: -

Hackney carriage - both public hire and for hire and reward providing a pre-booked service.
Private Hire – For hire and reward providing a pre-booked service.
And

Clearly define the cover provided for each individual driver.

I would also like to take this opportunity to remind you of my recent letters that Insurance Certificates and Cover Notes will only be accepted if: -

1. **The certificate/ cover note has been printed on paper bearing an Insurance Companies security device (e.g. water marked paper)**

   or

1. **The certificate cover note has been authorised by an original signature together with the official company stamp.**

I will be sending a copy of this letter directly to Insurance Brokers whose details I have on my files: However, to avoid further confusion I would advise that when taking out insurance in respect of your hackney carriage/ private hire you take a copy of this letter to your insurance broker.

If I can be of any further assistance in this matter please do not hesitate to call the above extension.

Yours sincerely,

Licensing Officer

LGO
ADVICE TEAM
0300 061 0614

23 November 2009

Mr Dale Cole
Coversure Insurance Services
54 High Street
DUDLEY
DY1 1PS

Our ref: 09 012 382

(Please quote our reference when contacting us and, if using email, please put the reference number in the email subject header)

Dear Mr Cole

Thank you for your complaint against Dudley Metropolitan Borough Council. We have allocated your complaint reference number 09 012 382, and it will help us if you quote this number whenever you contact us.

The law says that, before investigating a complaint, the Ombudsman must normally be satisfied that you have made a written complaint to the Council and that it has been given an opportunity to investigate and to reply. The Ombudsman normally expects that the complaint should be considered through all stages of the Council's complaints process and he has decided that 12 weeks should usually be allowed for this to happen.

From the information I now have, it appears to me that the Council may not yet have had this opportunity. So I am sending a copy of your complaint today to the Council and I am asking the Chief Executive to put it through the Council's own complaints procedure, or to otherwise respond to your complaint.

Fact sheets

I enclose a 'frequently asked questions' (FAQ) sheet which explains in more detail what is likely to happen now that your complaint is being sent to the Council.

We have produced a series of fact sheets to help people understand our role and how we will investigate complaints. I enclose the fact sheets listed at the bottom of this letter that cover some of the issues relevant to your complaint, and may be helpful if the Council does not resolve your complaint.

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

T: 024 7682 1960
F: 024 7682 0001
DX: DX 702110 Coventry 6
E: advice@lgo.org.uk
W: www.lgo.org.uk

Advice Team: 0300 061 0614

Next steps

We will normally allow the Council 12 weeks to fully respond to your complaint: in this case that period ends on 15 February 2010.

If the Council completes its complaints procedure before 15 February 2010 and you are dissatisfied with its response, please telephone us on 0300 061 0614. Tell our Adviser that you have had this letter and quote our reference number 09 012 382. It would help if you have with you the Council's written or email response to your complaint when you call as our Adviser will ask you some questions about what the letter or email says.

If the Council has put your complaint through its complaints procedure then we usually expect you to complete that process before the Ombudsman will investigate the complaint. This is explained in more detail in the enclosed FAQ sheet.

If your complaint has not been resolved, please contact us again once the 12 week period has been completed or the Council has sent you its final response to your complaint.

Yours sincerely

Harpreet Chhokar
Customer Service Adviser

Enc: G1 Premature FAQs

APPENDIX 3

LGO

ADVICE TEAM
0300 061 0614

23 November 2009

Mr Josef Jablonski
Assistant Principal Office
Dudley Metropolitan Borough Council
The Council House Priory Road
DUDLEY
DY1 1HF

Our ref: 09 012 382

(Please quote our reference when contacting us and, if using email, please put the reference number in the email subject header)

Dear Mr Jablonski

Complaint from Mr Dale Cole against Dudley Metropolitan Borough Council

A complaint against your Council has been received from:

Mr Dale Cole
54 High Street
DUDLEY
DY1 1PS

I enclose details of the complaint, together with a copy of the letter sent to the complainant, explaining that it is not to be pursued because it appears that your Council has not had a reasonable opportunity to investigate and reply.

If your view is that it would be impossible for the Council to resolve the complaint please let us know immediately; and explain why you have come to this view. If this is not the case, then please investigate the complaint and provide the complainant with a written response. We would expect this to be usually through the complaints process, although you may choose to start the complaint in the complaints process at stage two or at a higher level. The Ombudsman considers that it should be possible for the Council to complete its response to the complaint within 12 weeks, that is before 15 February 2010.

When your Council has completed its consideration of the complaint, please tell the complainant and remind them of their right to complain again to the Ombudsman.

If you have not been able to resolve the complaint, then it may help if you send us, usually by email, a copy of your response to the complainant. This will help us understand the steps the Council has taken to try and resolve the complaint; and in some cases if the complaint proceeds to

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investigation it may remove the need for the investigator to seek information from the Council as part of the investigation.

Yours sincerely

Harpreet Chhokar
Customer Service Adviser

Enc: Copy complaint
Copy letter to complainant

The Commission has recorded this complaint as a 'premature complaint'. As such, in our published figures on complaints against your authority for the year ending 31 March 2010, we will count it as a complaint received with a category of Licensing but we will not count it as a complaint decision.