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Via email

18 November 2014

Our Ref: FOI3609

Dear

Freedom of Information : Right to know request

Thank you for your request under the Freedom of Information Act 2000 (the Act), for information about numbers of applications received by the Office of Fair Trading (OFT). For full details of your request please refer to Annex A.

Your request has now been considered and the relevant information is below.

In answer to your first question of your original request we can confirm 17,104 applications were received by OFT in 2010. Of these 16,185 were successful and 22 were unsuccessful. Please note a further 625 were withdrawn and 267 were made of no effect, with 5 open cases remaining.

Turning to request two where you asked about those applications that were received but not processed or not processed in time. You clarified in relation to applications not processed in time that you wanted information on applications which have a status other than issued, as at close on 31 March 2014. Further you also wanted information on applications for which an outcome was not reached by close on 31 March 2014 and applications which had not reached an outcome before the associated Guaranteed Decision Date (GDD).

Applications received but not processed:

As we have previously advised applications received by OFT can have one of five statuses:

- Open – no outcome reached by close on 31 March 2014
- Issued – the application was granted
- Withdrawn – the applicant withdrew their application
- Made of no effect – the applicant did not respond to a request for information within a statutory deadline
- Refused – the application was formally refused following adjudication and any appeals.

Therefore applications that were not processed are those shown in the table below as either withdrawn or made of no effect.

Application type	Application status	Year of receipt					
		2009	2010	2011	2012	2013	2014
New licence	Open	0	3	4	7	39	612
	Issued	8580	7348	6829	6764	7633	2049
	Withdrawn	172	176	178	144	112	29
	Made of no effect	205	92	67	37	50	2
	Refused	14	20	30	22	2	0
Renewal	Open	1	2	0	7	9	0
	Issued	6678	6018	5464	6576	1948	1
	Withdrawn	76	62	71	97	23	0
	Made of no effect	76	48	24	20	3	0
	Refused	2	2	7	0	0	0
Variation	Open	0	0	0	4	5	286
	Issued	3508	2819	2832	3104	7237	3505
	Withdrawn	315	387	202	235	297	121
	Made of no effect	448	127	49	42	76	12
	Refused	0	0	4	1	0	0
All application types	Open	1	5	4	18	53	898
	Issued (successful)	18766	16185	15125	16444	16818	5555
	Withdrawn	563	625	451	476	432	150
	Made of no effect	729	267	140	99	129	14
	Refused (unsuccessful)	16	22	41	23	2	0

Applications not processed in time:

We can confirm that there were 979 open cases as at 31 March 2014 that OFT passed over to FCA.

Following the implementation of the European Union Services Directive (EUSD) in 28 December 2009, an applicant would be informed of a Guaranteed Decision Date (GDD) once an application was deemed to be complete. If an application raised complex issues, then the directive allowed for a second GDD to be issued. Please note that tacit authorisation under the EUSD did not apply to the OFT's licensing regime for overriding public interest reasons relating to the health, safety and economic welfare of consumers who may use the services of unfit licence holders or be affected by their activities. This means that if a decision on a licence application is not made within the original or extended timeframe, the licence was not be deemed to have been granted.

The table below provides a breakdown of firms by year of receipt and their GDD status as at 31 March 2014. A firm is considered to have breached their GDD1 if they were determined, or were still open, after their GDD1 and no GDD2 had been issued. If a GDD2 has been issued, the same rule applies for this date.

GDD Status	Event status	Breach?	2010	2011	2012	2013	2014
Incomplete application	Open	N	0	1	0	0	864
	Determined	N	726	402	368	386	117
GDD1 issued	Open	N	0	0	0	0	28
		Y	0	0	3	23	6
	Determined	N	16043	14667	15659	16580	5594
		Y	68	234	389	133	7
GDD2 issued	Open	N	0	0	15	30	0
		Y	5	3	0	0	0
	Determined	N	253	449	619	282	1
		Y	9	5	7	0	0

If you have any queries then please contact me.

Yours sincerely

Information Access Team

Annex A

Two requests received on 18 August 2014 and amalgamated into one request under the Act:

"Request 1: Could you please tell me how many applications for trading of any kind the OFT received in 2010 and how many successful and unsuccessful applications it processed.

And;

Request 2: Could you tell me how many applications the OFT lost between the years of 2009 and 2013 please."

Which you subsequently clarified the following on 1 September 2014:

"by "lost" I mean, not processed in time, misplaced, received and not processed or cannot be recovered"

You further clarified on 21 October 2014:

"• By "received and not processed" do you mean applications which have a status other than issued, as at close on 31 March 2014? You may like to be aware applications received by OFT can have one of five statuses:

- o Open – no outcome reached by close on 31 March 2014
- o Issued – the application was granted
- o Withdrawn – the applicant withdrew their application
- o Made of no effect – the applicant did not respond to a request for information within a statutory deadline
- o Refused – the application was formally refused following adjudication and any appeals.

• By "not processed in time" do you mean applications for which an outcome was not reached by close on 31 March 2014 or do you mean applications which had not reached an outcome before the associated Guaranteed Decision Date (GDD)? Following the implementation of the European Union Services Directive (EUSD) in 28 December 2009, an applicant would be informed of a GDD once an application was deemed to be complete."

Information on all of the above would be appreciated"