



Quick Guide to a Traffic Commissioner's Public Inquiry

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FAQs about a Traffic Commissioner's Public Inquiry

- A public inquiry is held when a business is found to be operating goods or passenger vehicles in a way that is not compliant with operator licensing legislation.
- When you receive your letter calling you to public inquiry. It's vital that you take action as soon as possible. Delaying action can be very detrimental to the possibility of a positive outcome.
- If called to public inquiry, your operator licence, ability to operate vehicles and your own reputation as an operator is now at risk.
- The Traffic Commissioners have extensive powers to affect your business, this includes the ability to restrict the vehicles you can operate, place additional undertakings on your licence and even revoke your licence completely. They even have the power to disqualify a director of a company if they see fit.
- Traffic Commissioners will expect the people running the business to be present at the public inquiry, i.e. Directors and any Transport Managers.

It will be expected that people present will be able to talk knowledgeably about the transport side of the business, which is likely to include whatever systems are in place to ensure compliance with operator licensing.

- We help operators get through a public inquiry with their licence and reputation intact. You can contact us for a frank, honest and confidential discussion of your situation.

Frequently asked questions

Do I need representation from a Solicitor or a Transport Consultant?

A public inquiry is not a criminal court. The Traffic Commissioner will want to converse directly with the people running the business, specifically, Directors and Transport Managers.

We often find that paying a Solicitor to be present is unnecessary and expensive since the focus of the Traffic Commissioner is likely to be your compliance with operator licensing and how you run the transport side of your business.

What is the best course of action?

The best course of action is to start looking at your level of compliance. The reasons for the inquiry will be listed on the call-up letter. We highly recommend having an independent compliance audit carried out. This will identify any areas of your transport operation that need fixing and suggest ways to become compliant.

Starting the move towards compliance **before** you stand in front of the Traffic Commissioners clearly demonstrates your intent to operate your vehicles in compliance with operator licensing legislation. This helps enormously and is the best course of action to take if you don't want to leave the inquiry with your business in ruins!

Also, read the call-up letter, it may request additional information (such as company financial information) to be sent to the Office of the Traffic Commissioner. It is important to do this in good time.

What will happen during the Public Inquiry?

The Traffic Commissioner will cross-examine and ask questions to the operator. If relevant, a DVSA examiner may be present to give a statement. If it has been requested that anyone else should attend (such as drivers), they will be questioned too.

During this questioning it is important to be honest and open to criticism about how you run your business. If you display what might be considered "attitude" or a lack of respect then the Traffic Commissioners are likely to give you a hard time.

As stated earlier, implementing changes to your business to achieve compliance beforehand will have much more weight with the Traffic Commissioner than promising to make these changes in the future. A way to demonstrate this is to submit the results of an independent Operator Licence Compliance Audit with your supporting evidence before the inquiry. A service that we can provide.

What will happen after the Public Inquiry?

After the public inquiry, you will still be on the "radar" of the local DVSA regional enforcement team who will be quick to check any changes that the Traffic Commissioner has asked for have been implemented. If not, you can expect to be called back to public inquiry very quickly.

As Transport Consultants how can OLMC help?

Using our Operator Licence Compliance Audits, our help and advice you can achieve the level of compliance that the Traffic Commissioners (and the DVSA) want to see. We have helped businesses throughout the UK do just this and with great results!

We can also help operators comply with any additional undertakings that the Traffic Commissioner imposes.

Click below for a list of services that help operators be compliant with operator licensing legislation.

<http://www.olmc.eu/services.php>

It costs nothing to call us and discuss your situation, our initial advice is free and we welcome your call.

0800 158 8029 or 01924 888 600

There are many customer testimonials on our website:-

<http://www.olmc.eu/testimonials.php>



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T: 0800 158 8029

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