



Office of the Traffic Commissioner

Traffic Commissioners' Annual Reports

2013-14

Traffic Commissioners for Great Britain



Our mission

Our mission is to promote safe, fair, efficient and reliable passenger and goods transport through effective and efficient licensing and regulation of the commercial vehicle industry.

Our vision

For us and our staff to be recognised by our stakeholders as proportionate, accountable, consistent and transparent in our approach – a model of independent regulation.

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Chapter 1

The traffic commissioners

Introduction

The traffic commissioners

The seven traffic commissioners are appointed by the Secretary of State for Transport and have responsibility in their region or country for the licensing of the operators of heavy goods vehicles (HGVs) and of buses and coaches (public service vehicles or PSVs); the registration of local bus services; and regulatory action against drivers of HGVs and PSVs. The seven commissioners regulate eight geographical areas. Details of their activities are on pages 16 to 42.

The Traffic Commissioner for Scotland also has statutory powers to consider appeals by taxi operators against fare scales fixed or reviewed by Scottish licensing authorities. She is also empowered under the Road Traffic Act 1991 to appoint adjudicators to consider appeals against penalty charge notices issued in respect of improperly parked vehicles in Scottish local authority areas where parking offences have been decriminalised.

The post of traffic commissioner has existed with effect from 01 January 1931. Commissioners have always been required to exercise a number of their powers in public and a great emphasis continues to be placed on the need to ensure road safety and fair competition.

The commissioners' purpose is to champion safe, fair and reliable passenger and goods transport. They do so by ensuring licensed operators comply with undertakings that are made upon grant of a licence, as well as the mandatory requirements for holding a licence. This work is driven by their commitment to managing risks to road safety, protecting fair competition and promoting the running of punctual and reliable, registered local bus services.

The traffic commissioners are assisted in this work by deputy traffic commissioners, who preside over a number of public inquiries.

One traffic commissioner (currently the Commissioner for the North West of England, Beverley Bell) is the Senior Traffic Commissioner. The role is a statutory one, following the implementation of the relevant part of the Local Transport Act 2008.

Offices of the traffic commissioners in England, Scotland and Wales

Administrative support to the traffic commissioners is provided by staff employed by the Driver and Vehicle Standards Agency (DVSA), an executive agency of the Department for Transport (DfT). Some of those caseworkers and managers are located at the individual offices of the traffic commissioners, to assist the commissioner in their public inquiry work and tribunal roles. Licensing administrative functions are undertaken by staff based at offices in Leeds and Edinburgh.

Staff engaged in commissioner support work act under delegated authority in the discharge of certain individual functions and within tightly defined parameters.

Staff members cannot exercise delegated functions unless the individual has been specifically authorised in writing by a relevant traffic commissioner.

Traffic commissioners do not manage any of the support staff but delegate and supervise work undertaken on their behalf. The recruitment, retention and performance management of the staff of the offices of the traffic commissioners and Office of the Senior Traffic Commissioner are retained by the Accounting Officer of the DVSA.

Traffic commissioners are funded from two sources. The administrative work that is carried out to support them in their driver conduct work is funded by the Driver and Vehicle Licensing Agency (DVLA) and central Government. However, the majority of the funds are obtained from powers in the Public Passenger Vehicles Act 1981, which allow a commissioner to charge fees for licensing activities. DVSA collects those fees and therefore has a duty to ensure that they are used to cover the full cost of the traffic commissioner licensing system. The majority of the spend is on the staff allocated to support the commissioners.

Geography

Great Britain is divided into eight geographical areas, covering Scotland, Wales and six regions in England. Previously there was a provision for a single TC to be appointed to each traffic area, however the Local Transport Act 2008 removed that requirement for England and Wales.

Under amendments introduced by that Act, the Secretary of State can appoint the number of TCs for England and Wales that he/she considers appropriate. As such, there are a pool of TCs who are appointed to act in all traffic areas in England and Wales, and also in respect of reserved matters in Scotland. The TC for Scotland was retained in Scotland but is also empowered to act in England and Wales in relation to reserved matters.

The Secretary of State can also appoint deputy traffic commissioners ('DTC's) to perform the duties of any TC and duties which cannot conveniently or efficiently be performed by one person. The Secretary of State can also appoint a pool of deputy traffic commissioners, with powers to exercise any functions of a traffic commissioner in any traffic area in England and Wales, and such functions of a traffic commissioner in respect of reserved matters in Scotland.

Traffic commissioners retain responsibility administratively for their traffic area, with both the DfT and the Senior Traffic Commissioner recognising the benefit of the existing relationship between commissioners and the region they regulate.

Values

In the performance of their duties, traffic commissioners seek to act in accordance with the standards expected of those in public life. The following values reflect accepted principles of better regulation and underpin the way in which commissioners seek to approach their work and those they work with:

- Proportionality – action taken by commissioners must be proportionate to the shortcomings revealed in evidence brought to them;

- Accountability – commissioners will give reasons for their decisions;
- Consistency – commissioners are committed to consistency in their approach to decision making;
- Transparency – commissioners believe it is important that the transport industry, their representatives and the public understand their role and their work and welcome the opportunity to engage in dialogue with those who have an interest in their work;
- Targeting – commissioners will focus their attention on those who cannot, or choose not to, run their businesses properly, and on those individual drivers who fall short in their conduct.

Further information about how traffic commissioners carry out their regulatory work is available on their website: <https://www.gov.uk/government/organisations/traffic-commissioners>.

Traffic commissioners, deputy traffic commissioners and offices of the traffic commissioners on 31 March 2014

	Traffic Commissioner	Deputy Traffic Commissioners	Office Address
Eastern Traffic Area	Richard Turfitt	Marcia Davies Gillian Ekins	Office of the Traffic Commissioner Eastbrook Shaftesbury Road Cambridge CB2 8BF
North Eastern Traffic Area	Kevin Rooney	Liz Perrett	Office of the Traffic Commissioner Hillcrest House 386 Harehills Lane Leeds LS9 6NF
North Western Traffic Area	Beverley Bell	Patrick Mulvenna Simon Evans	Office of the Traffic Commissioner Suites 4-6 Stone Cross Place Stone Cross Lane North Golborne Warrington WA3 2SH
South Eastern and Metropolitan Traffic Area	Nick Denton	John Baker Mary Kane	Office of the Traffic Commissioner Ivy House 3 Ivy Terrace Eastbourne East Sussex BN21 4QT
West Midlands Traffic Area	Nick Jones	James Astle Miles Dorrington Anthony Seculer	Office of the Traffic Commissioner 38 George Rd Edgbaston Birmingham B15 1PL

Western Traffic Area	Sarah Bell	Fiona Harrington Tim Hayden	Office of the Traffic Commissioner Jubilee House Croydon Street Bristol BS5 0GB
Scotland	Joan Aitken	Richard McFarlane	Office of the Traffic Commissioner Level 6 The Stamp Office Waterloo Place Edinburgh EH1 3EG
Wales	Nick Jones	James Astle Miles Dorrington Anthony Seculer	Office of the Traffic Commissioner 38 George Rd Edgbaston Birmingham B15 1PL

Note: All Deputy Traffic Commissioners have been appointed as deputies in the English Traffic Areas, Scotland and Wales and the locations indicated above are their primary office for administrative purposes.

Geographical boundaries of the traffic commissioners and office locations



Chapter 2

Traffic commissioners' Annual Reports to the Secretary of State for 2013-14



Report of the Senior Traffic Commissioner for Great Britain

Secretary of State, I present my report as Senior Traffic Commissioner for Great Britain.

In presenting my annual report to you I have decided not to report on the initiatives that traffic commissioners (TCs) are working on as I know your officials have kept you fully informed. Instead I will focus on the key issues from last year.

Just as last year there have not been enough hours in the day or days in the week for TCs to carry out the myriad of duties that we face. Just as last year we have therefore relied increasingly on our deputies and on the staff at the Central Licensing Office in Leeds and in our own traffic area offices to assist us in the licensing and regulation of two complex industries whose own needs are ever changing as the mid way point of the second decade of the twenty first century gets ever nearer. All TCs remain indebted to them.

Last year I reported on the vital work that all TCs had been doing with the passenger and haulage industries and all relevant stakeholders and this continues. As specialist independent regulators, we are rightly keen to escape the confines of the public inquiry room and to get out and about. This includes attending meetings that will shape the way we regulate in the future, discussing how we can work better with other regulators to promote road safety and fair competition as well as reduce or frustrate serious illegal activity and taking the time to listen to the issues that the industries face. Consequently when we return to our public inquiry rooms and take our seat at the bench we are able to make properly informed decisions.

This year I will not set out in detail all of the work that has been done – there simply is not the time or space. Instead I just want to say that the relationship between your Department and TCs continues, as it did last year, to grow and develop and there have been many excellent examples of us working very well together to tackle all manner of diverse issues. TCs were sorry to say farewell to Tricia Hayes who has now moved on to aviation but we were also delighted to say hello to John Parkinson who replaced her and who wasted no time in getting to know just who TCs are and what we do. I often feel that it is unfair to single out particular individuals for comment as everyone has played their part but special thanks must go to Duncan Price who has always been happy to go “the extra mile” in helping and his calm, reflective and measured manner has been a perfect foil for my somewhat different approach at times. He is invaluable to all TCs.

I cannot possibly report to you without thanking an individual whom we said goodbye to after many years supporting TCs and our deputies – the assiduous Matthew Hammond.

Matt was always there to take my call with a friendly “hello Beverley” down the phone from London and to pick up and run with any TC problem. It was a sad day when we were told that he was to move on to another area and his were large shoes to fill. I am delighted to say that Mark Heverin has risen to the challenge and has made the transition seamless. It did not take him long to earn the trust and respect of the TCs.

Once again officials in your department’s Buses and Taxis Division have been unstinting in their support and their patience with me. Anthony Ferguson must have been tearing his hair out with the challenges I faced in issuing a draft statutory guidance document on bus service reliability but he never once showed it. Rachael Gilbert has also worked her magic in assisting me in working with the Driver and Vehicle Services Agency (formerly VOSA) to improve the current approach by them to bus service reliability work. She had no hesitation in conducting her own fact finding mission with DVSA in Bristol. At the time of writing a substantially amended draft [Statutory Guidance Document on bus service reliability](#) is once again out for consultation and the work with DVSA to improve compliance by operators with their local bus service registrations continues. Both of these tasks are marathons rather than sprints and it is vital that we get it right. Passengers are entitled to expect safe, frequent and reliable bus services as they go about their own daily tasks, using public transport to get them where they want to be on time.

It is vital that we can rely on our staff in Leeds and in our local offices and they all work incredibly hard to support and assist us but there have been and there continue to be problems. I know that I speak for all TCs when I say that resources are often stretched to breaking point, there is insufficient resilience and we are too often reliant on agency staff, in both the short and long term. This leads to a lack of continuity or proper knowledge of complex and important work. The procedures for recruiting staff are also cumbersome and far too protracted – or so it appears to me.

In an effort to see whether resource can be utilised more efficiently I have sought to understand how operator licence fee income has been spent in providing the staff and the support and I am grateful to key staff in DVSA finance who have helped me. I regret that at the time of writing this matter is far from resolved and the current scheme accounts are in my view unnecessarily complicated, difficult to understand, opaque and lacking in transparency. In some cases they are also inaccurate and whilst these inaccuracies are now being remedied it should not fall upon me to tackle this. That is the role of others within DVSA.

I was pleased to attend the DVSA launch on 02 April 2014 at Cardington where I was delighted to speak with Stephen Hammond, Philip Rutnam and John Parkinson. It is clear that Alastair Peoples has a mammoth task in leading the merged agencies through a major period of change. During the launch, I did just wonder how the new organisation, with such large, diverse and competing needs will be best placed to support us in the future. Consequently TCs welcome the [Department’s Triennial Review](#) which will give all stakeholders a chance to reflect on how TCs might be better supported – and how Alastair’s workload might be reduced. I was asked about the impact of the merger on support for TCs by the Transport Select Committee’s inquiry into the Government’s motoring agencies. I remarked that it was too early to say but I retain my reservations.

The good news is that the Memoranda of Understanding between DVSA and TCs and between the Northern Ireland Transport Regulator and TCs have now been signed and this has made working practices easier and quicker. TCs are now working with other regulators to sign similar agreements and we have ensured that your officials have been kept informed at all stages. This joint approach is vital if we are to frustrate illegal activity as well as keeping the commercial vehicles, their drivers and the roads of Great Britain safe. It is also vital to promote fair competition and all TCs are aware of the views of operators regarding phoenix companies rising from the ashes of failed companies. This work requires a careful balance to be undertaken between what is lawful and desirable and what is lawful and undesirable and TCs are best placed to scrutinise such applications without fear or favour. We decide each case on its merits rather than adopting a blanket and therefore unfair approach.

The sad news is that we also said goodbye to Donald Armstrong whom all TCs have been privileged to work with, firstly as a civil servant in Northern Ireland setting up the licensing and regulation of hauliers carrying their own goods and latterly as the Head of the Transport Regulation Unit in Northern Ireland, taking on the subsequent regulation whether by way of conducting public inquiries or dealing with the work “in house”. Donald was unstinting and tireless in his quest to bring about proper regulation in the first place, especially when he met with resistance. He was equally unstinting and tireless in his determination to lead the way for his successor as Head of the Transport Regulation Unit. He will be a great loss to the Northern Ireland civil service – he is a man of impeccable integrity and steely determination with a quick intelligent, enquiring mind and great charm.

Last year I explained how each and every TC had taken specific responsibility for some key areas of work and I gave you examples of that. This year I will not set out specific examples instead saying this: “Team TC” comprises seven dedicated and incredibly enthusiastic TCs who all work tirelessly in their own traffic areas as well as assisting me when, quite frankly, they do not have to do so. Each and every one of them does so willingly, with great enthusiasm and without complaint and each and every one of them makes a great contribution to our work. I could not carry out the STC role without their invaluable support.

As I draw towards the end of my report I want to focus on two key areas. This coming year I will be writing to your officials with a set of objectives that TCs have agreed and they will focus on our key priorities. Whilst we will work to these, TCs will not forget that there are two matters that have always been high on all traffic commissioners’ agendas since we were given our powers. They are simple.

First of all to take the most serious operator and driver offenders off the road, to put them out of the transport industry and to keep them out of that industry. Those who show a wilful and deliberate disregard for the driver and operator licensing regime and who jeopardise peoples’ lives and personal safety as a result must not be allowed to enter the industry in the first place – or to stay in if they sneak in under the wire. TCs do not regulate in a vacuum and we are focusing on reducing the regulatory burden on those who are compliant. Consequently, we need active, efficient and robust enforcement to bring the right cases to our attention – and quickly.

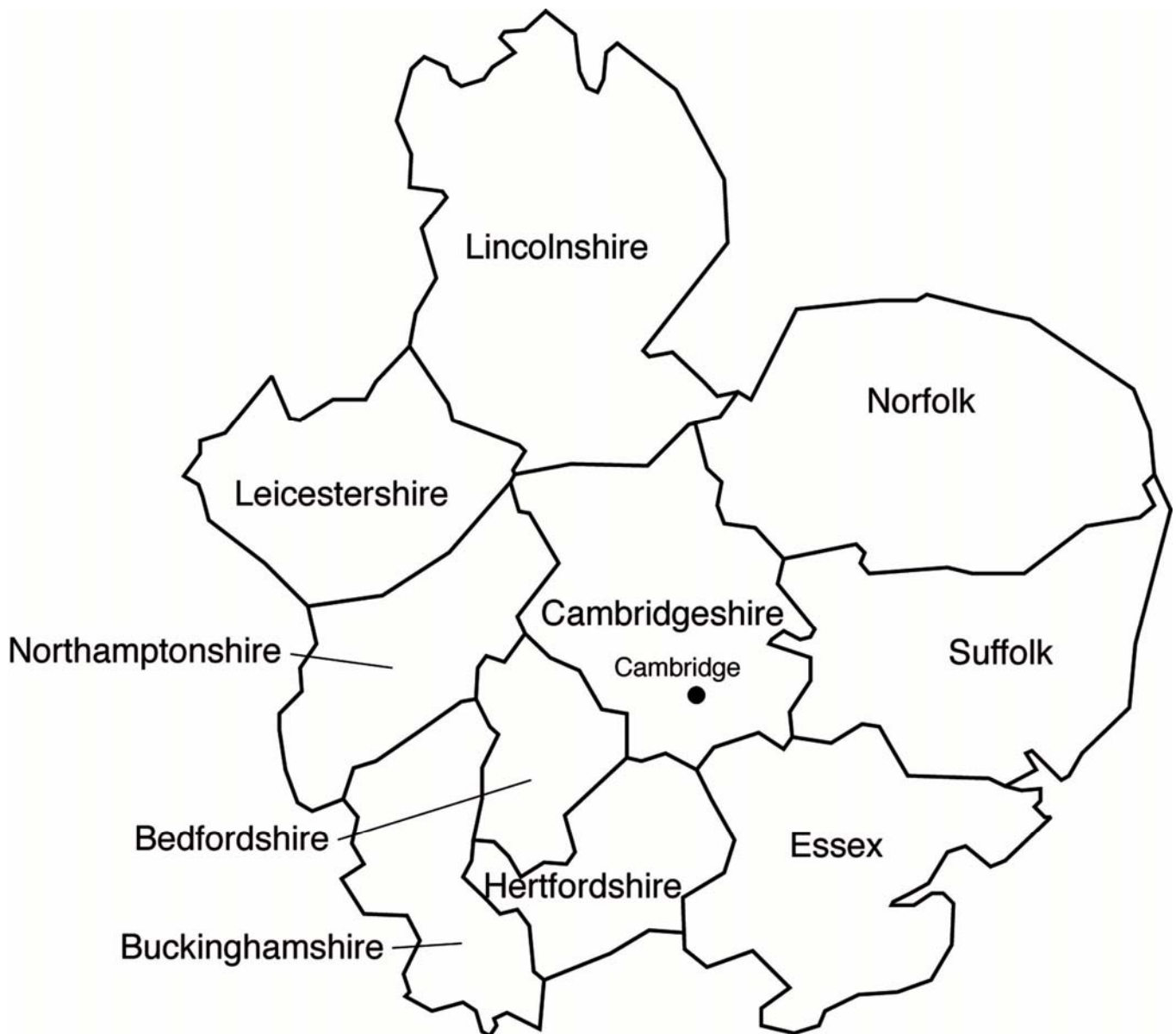
I know that my colleagues Sarah Bell (no relation!) and Kevin Rooney are working hard with the DVSA to ensure that they not only target but also enforce against the serially and seriously non-compliant. This vital work is also supported by your Department's Compliance Forum. I look forward to seeing how this emphasis continues once DVSA starts to take shape and I hope that it remains a high priority in accordance with their business plan.

Secondly we want to do all we can to ensure that buses are reliable and punctual. That in itself is a mammoth task and it will take time to achieve, given that there will be changes for all bus operators once the new Statutory Guidance Document on bus service reliability is finalised. It will also require a change of culture by those who enforce service reliability and quite a different approach from the one taken until now. Again work has already started on this but it will come to nothing if proper resources are not given to it. The statistics in this report speak for themselves regarding the number of public inquiries on service reliability. And so I look forward to working with your Department and with the DVSA to see how we can make a real difference to the levels of reliability and punctuality of bus services. It will be a challenge but it will be worth it.

Finally I must record my personal and heartfelt thanks to all the staff at my office who have quite simply been my rock. They all deserve special mention. Corrina Bielby – executive assistant to the STC, Sarah Davies – personal secretary to the STC, Damien Currie – media officer to all TCs and to the STC, Kerri Rogan and then Rhys Millier on secondment from TfL and finally Christopher Dormand – head of the Office of the Senior Traffic Commissioner. April 2013 to April 2014 has been one of my most challenging years since I was appointed in 2000. Without my small but fantastic team and without "Team TC" I would have failed. And so to them, Secretary of State, I am eternally grateful.



Eastern Traffic Area Report of Richard Turfitt Traffic Commissioner



Government figures suggest that between 500,000 and 750,000 commercial vehicle drivers are active in the marketplace with 16% of HGV drivers 60 or over and only 1% of employed drivers under 25. The latest [Driver CPC deadline](#) is fast approaching. It will be a real challenge for industry to identify qualified and competent drivers. It is therefore appropriate for Traffic Commissioners to try and support industry. It has been suggested that there may be scope for Traffic Commissioners to deal with driver offences more quickly than the criminal courts. I can see that this might benefit industry to weed out the weaker drivers. In the last year the Eastern Traffic Area dealt with 235 vocational driver conduct hearings resulting in 108 vocational driver suspensions.

Industry representatives and the trade press have reflected concerns about an anticipated skills shortage. The impact of transport managers who are not up to the job is still evident in cases before me. A recent survey¹ indicates that 87% of TMs qualified by CPC exam but one third of those without CPC qualification have been a TM for more than 20 years and half the total CPC holders sat their exam between 11 and 20 years ago. Whilst over half of TM respondents have been in their current role for less than five years, one fifth are more than 20 years into their career as TM and 14% expect to retire within the next five years. As with my colleagues I have made efforts to try and support responsible operators who want to get it right. I have therefore actively engaged with the trade associations (for instance the Confederation for Passenger Transport (CPT) Transport Manager initiative) and others in their efforts to better equip operators through education.

To that end I was intrigued to be invited by the Chartered Institute for Logistics and Transport (CILT) to speak on the subject, under the title of “Traffic Commissioners – who needs them”. As I was aware that the Ministerial announcement on the triennial review into our future was imminent I wondered who CILT might have been speaking to; as independent regulators we cannot play for popularity when the safety of the public is at issue. The real answer lies with the industries we regulate. European law of course requires some form of regulation but GB was there first with the post of Traffic Commissioner (but not any of the current incumbents) dating from 1930. It is no longer an administrative or ‘quasi judicial’ role as we are now a statutorily recognised tribunal. The regulated industries for which we are responsible have also changed.

The latest figures show the Eastern Traffic Area has 13,402 HGV operator licences, covering 63,068 specified HGVs. In the year ending March 2014 I, or staff acting for me, granted 1,976 HGV applications, undertook 128 PIs for HGV operations, revocation in 47% of those cases, 4% suspended, 20% of cases resulted in HGV fleet curtailment, 21% in formal warnings, 6% disqualification orders made, 7% transport managers disqualified. There are now 1,295 PSV operator licences with 12,650 PSV discs issued and 1,693 live local bus registrations. In the year ending 2014 we granted 215 PSV applications and dealt with 30 PSV public inquiries. 40% licences were revoked, 7% PSV fleets suspended, 7% curtailments, 33% formal warnings, 10% disqualifications orders made, 10% PSV transport managers disqualified. In an effort to speed up processes and to find methods of alternative disposal for both PSV and GV licences, over 2,000 submissions resulted in TC decisions being made on the papers and without the need for a formal hearing.

¹ Freight Transport Association, Transport Manager survey - July 2013

The figures suggest that approximately 10% of vehicles and 54% of total licences are held by single vehicle users but 44% of trucks being run by just 3.5% of licence holders and 1% of licence holders controlling 29% of vehicle parking, I would argue that there is a clear need for someone to ensure that the requirements are applied consistently regardless of size of operation. This is to ensure not only a level of safety but also fair competition so that no operator gains an unfair competitive advantage and thereby threaten compliant businesses.

The dangers of 'light touch' financial regulation are now widely recognised. Traffic Commissioners aim instead for 'right touch' regulation. Performance cannot be measured in the number of cases heard. This would risk incentivising the targeting of easier cases away from the rogues who threaten business. The real challenge for any regulator is trying to put a value to the deterrent effect of any intervention. We can however point to the need for deterrence; the latest available enforcement authority figures note a 6% increase in PSV drivers' hours prohibitions; 24% increase in PSV overloading prohibitions; and a notable increase in FPNs issued to PSVs. There has been a 4.2% increase in unsatisfactory HGV maintenance investigations; 40 additional fixed penalties issued on PSV checks, 3.2% increase in HGV Cat 2 defects, 103 additional PSV tachograph/records offences, 45 additional convictions for HGV tachograph/records 19 additional PSV driving licence offences, 73 additional HGV overloading offences, and 65 additional convictions. I welcome the investment in new road sites as the figures on the overloading of LGVs demonstrates the competitive risk to the HGV industry and to wider road safety.

I have continued to use my legal skills in support of the Senior Traffic Commissioner. Through the [Statutory Guidance and Statutory Directions](#) we have demonstrated our commitment to transparent decision making - which other regulator writes a complete text book, publishes it for free and regularly updates it? There can be no tension between the tribunal role and the obligations on us as regulators to engage with stakeholder education. As has been made clear on numerous occasions, trade representatives view this form of contact as essential to the interests of industry and in support of the commitment to independent decision making. Indeed engagement and education are requirements of the statutory [Compliance Code](#) on regulators or how else can the duty to have regard to promoting economic growth be properly applied?

A number of commentators have looked at the Northern Ireland regime. I have to declare enormous admiration for Donald Armstrong and his efforts to ensure independent decision making. In an increasingly litigious age even senior officials might struggle when asked to differentiate between the applicability of ECHR proportionality and EU proportionality. The DfT's triennial review will no doubt seek to revisit the question of compatibility of licensing authority and tribunal functions. The legal and reputational risks, which have existed since before 2003, are well known. In my experience the licensing regime is under increasing legal challenge. In straitened times operator fees must be used efficiently and for me this means trying to get the decision right first time and thereby avoid the unnecessary expense of an appeal. It needs to be recognised that were licence decision making reduced to a mere administrative exercise this would then require a whole rehearing on appeal and resultant delay.

At the start of the year a Bus Passenger Survey identified the lowest overall satisfaction in parts of this Area. I am therefore pleased to note that there has been an increase in the level of support offered by Driver and Vehicle Standards Agency (DVSA) in identifying poor punctuality. The processes have been reviewed and I hope will now support effective regulation. I may not be referred to as the Traffic Commissioner *for the Eastern Traffic Area* any more but knowledge of my area is often key to finding a proportionate outcome. I therefore want to pay tribute to the wisdom of the Senior Traffic Commissioner's decision to use her deployment powers to re-establish a formal link with the Area. That said one legacy from the 2012 Games is the acceptance that operators are rarely based in the cities where the impact of non-compliance might be felt. I continue to work with Transport for London (TfL) but there is also a need to look again at the administrative division of Areas to see that they are best aligned with the needs of business.

Another challenge is to try and avoid internal red tape which prevents decisions and the deployment of resources, which operators have paid for through their fees. Where, as in this Area, there is a backlog, the inability to fill posts has a direct cost to operators and applicants and thereby to the wider economy². It is therefore appropriate that I record my thanks to the highly professional staff working to support me in Leeds and Cambridge, particularly whilst posts are vacant.

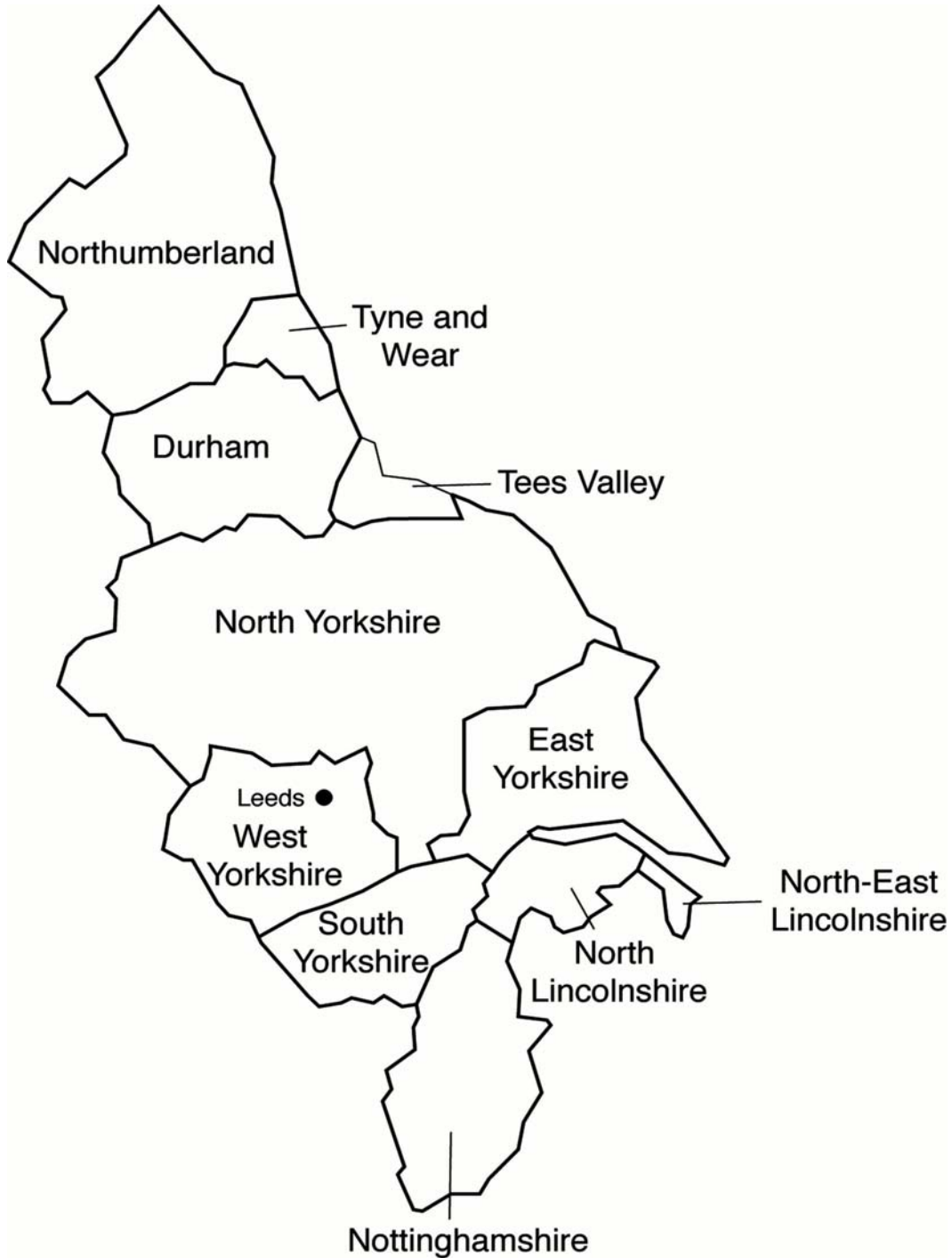
As I continue the work to overhaul the outdated agreement on the service levels to be provided to tribunal and licensing users, there is a clear opportunity to achieve greater accountability for the provision of services on our behalf. DVSA must be in a position to demonstrate that it offers the best value for operators' money in providing our support services. First attempts at closer working with HM Courts and Tribunal Service in Cambridge may offer further potential savings³. There is also scope for a functional review of the licensing system itself so as to identify those domestic policy and legislative burdens which may act as a barrier to growth. I welcome the opportunity for real change on behalf of the regulated industries, and those who rely on road safety.

² Figures published by the Centre for Economics and Business Research, showing the additional expense to British consumers arising from high transport, energy and property costs, are taken from the Organisation for Economic Co-operation and Development data.

³ See also the Joint Statement from the Lord Chief Justice, Lord Chancellor, and Senior President of Tribunals on the modernisation of the courts and tribunals dated March 2014



North Eastern Traffic Area Report of Kevin Rooney Traffic Commissioner



This year I have stepped back from providing a commentary on the statistics and have tried to bring my report closer to home and the front line. Several issues repeat themselves in the inquiry room and within the local industry.

I have dealt with a number of operators who have been brought to public inquiry as a result of issues with the trailers they are pulling which aren't their own. The North West Maintenance Advisory Committee has done some excellent work developing a code of practice that deals with the operation of pool trailers, particularly within supermarket fleets. The issue in the North East is different. Large numbers of unaccompanied trailers enter the country through the east coast ports. Driver and Vehicle Standards Agency (DVSA) data shows that many of these have significant defects and I have seen before me in public inquiry (PI) issues such as landing leg pads becoming detached. I would not want to try to catch several pounds weight of pointed steel coming at me at 90 kmh.

Traction-only operators have significant issues pulling these trailers out of ports in particular. The opportunity for a proper inspection is limited and requires especially trained and motivated drivers. Operators have shown me that it can be done but I do not underestimate how difficult it is. I am hoping that in 2014 the North East Maintenance Advisory Committee will address this area in the same way as our cross-Pennine colleagues did with pool trailers in the year just gone.

With my colleague, Sarah Bell, I have been working closely with DVSA on enforcement matters. An early outcome is a revised [Guide to Maintaining Roadworthiness](#), developed in close cooperation with the industry trade associations. All involved have sought to promote the agenda of professionalism within the transport industry. I do not understand how any operator can expect a fitter properly to inspect a truck outside in the snow on a January morning. Nor can I understand how a maintainer can claim to have performed a brake performance test on an 8-wheel tipper without using a roller brake tester. The new Guide does not and cannot prescribe how safety inspections are conducted. But it does make some significant forward-looking statements about the expectations of traffic commissioners (TCs), DVSA, and every other person on the road. I suggest operators, transport managers and drivers download a copy of the latest version and take a read.

It seems people in the North East like to catch a taxi with all their family and friends. Applications for people wanting to run 14 – 16 seat minibuses as part of a taxi operation have filled my PI listings. Middlesbrough in particular must have an on-demand minibus service unrivalled in western Europe. Sadly the quality of operation is, across the region, poor. The means of operation is also sometimes a long way from being legal. Restricted PSV licence holders who operate through taxi companies without proper control of either the vehicle used or the person driving it will not be licence holders for long. Licence applicants who attempt to avoid the rigours of a standard national licence by claiming an alternative primary occupation will continue to come under real scrutiny.

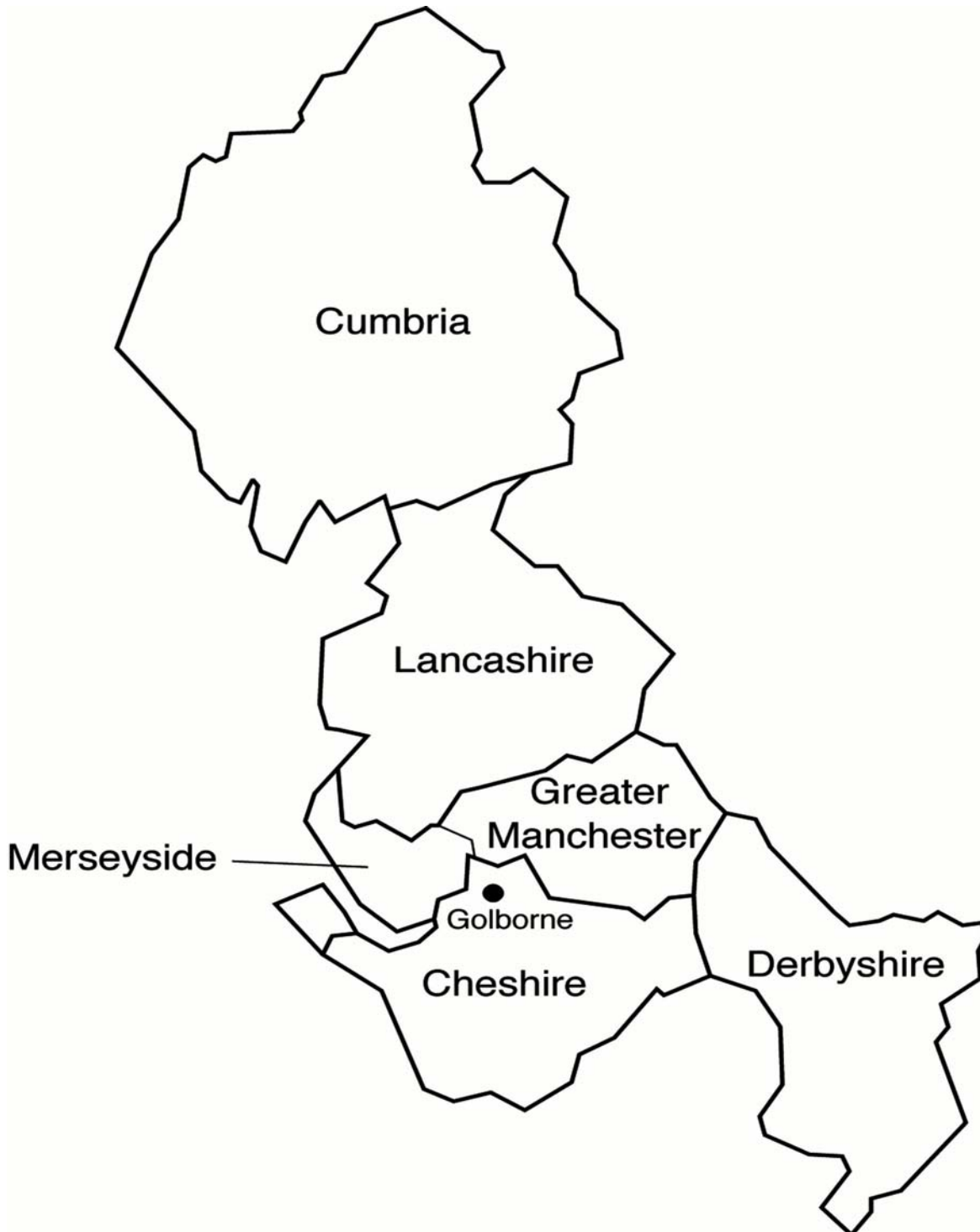
Disappointingly, there are still Transport Managers who continue to do little more than drink tea and shuffle charts – I had hoped to see an improvement from my observations in last year's report. DVSA's examiners are now keenly alert to assessing the role of the transport manager and I have had many referrals where it is considered that the transport manager is divorced from the operation.

One notable case was an operator in Sheffield with a transport manager based in Manchester. Continuous and effective management was supposedly achieved by meeting every couple of months in a pub on the Snake Pass. That transport manager was disqualified, their hard-earned CPC now worthless.

The trade associations have been working hard on the transport manager issue. The Confederation of Passenger Transport (CPT) in particular arranged a well-attended series of events where operators came to discuss how to fulfil the role properly. I have also seen some excellent deployment of IT systems to enable transport managers properly to manage large dispersed fleets. Many operators have asked me about the positioning of the transport manager within the business. In answering them, I am reminded of what Alan Sugar says to Apprentices before they find out which one of them will be fired – “who are you going to bring into the boardroom with you”? If you are an operator and the wheels have fallen off or your drivers have been “at it”, and the task of operating compliantly has been failed, that person is your transport manager.



**North Western Traffic Area
Report of Beverley Bell
Traffic Commissioner**



Secretary of State, once again my annual report is brief – and as always the statistics speak for themselves. I can hardly believe that it is a year since I wrote to you to report on 2012 – 2013. This year I dedicate my report to Peter Turner and Jim Hilton. Peter sadly passed away in July 2013. His was an untimely and premature death. I first knew Peter as a vehicle examiner (and a very good one I might add) presenting cases before me at public inquiry and then as a health and safety officer for what was then VOSA. Everyone who knew him spoke of his commitment to his work, of his sense of humour and of his complete affection for his family.

Similarly I was sad to hear of the death of Jim Hilton whom I knew as an operator. Jim passed away in August 2013. Like Peter, Jim was devoted to his work and to his family and he was one of the most popular and respected men in the passenger vehicle industry – and rightly so.

After attending both funerals I reflected on the tremendous contributions that both men have made to the commercial vehicle industry and to the promotion of road safety and fair competition albeit in different ways. They are both sadly missed.

These reflections remind me that I do not regulate in a vacuum and that continued and constant dialogue between regulator and operator is vital if we are to work together effectively. This has been demonstrated by the valuable work that the North West Punctuality Working Group has been doing with me and I remain indebted to them.

Once again my duties as Senior Traffic Commissioner take me away from my duties as traffic commissioner for the North West and this year I have come to rely on one of my deputies, Simon Evans, even more than last year. I have therefore asked him to contribute to this year's report. His reflections on the regulatory activities of the public inquiry room and case submissions follow below.

Simon Evans

Deputy Traffic Commissioner for the North Western Traffic Area

The privilege of being involved in a regular diet of public inquiries and preliminary hearings in the North West of England continues to provide the opportunity, at the same time as considering the circumstances of individual cases, to understand and reflect more widely on common themes in the haulage and bus industries.

I have been struck by three matters in particular:

The first concerns the [Driver CPC](#), which as I write in April 2014, is less than five months away for that large group of drivers of large goods vehicles who previously were deemed to have acquired rights. The deadline of September 2014 has been foreshadowed for some five years at least, thus the number of operators who continue to be encountered at hearings who have yet to complete (and some to start) Driver CPC is alarming to say the least. Those that plan to complete courses within the summer holiday season will be running very close to the wire indeed.

Dare I state the obvious that when September 2014 has come and gone that a new periodic training window opens for LGV drivers, and has already started for PSV drivers?

Another recurring theme concerns the unmet (or more often incompletely met) expectations of those who are nominated as transport managers i.e. *the persons who effectively and continuously manage the transport activities of the undertaking*. Whilst the concept of systems and processes to deliver compliant operation is frequently understood, the same cannot always be said for the secondary phase of how such systems are constantly *quality assured* and then refreshed on the basis of experience. Fully evidenced Quality Assurance measures deployed by proactive transport managers are surely a given in any operation, irrespective of its size.

As a counter, it is pleasing to report that a noticeable trend has been towards the deployment of transport managers in the medium to larger concerns in what might be called middle management. These TMs are appropriately placed in the company hierarchy so that they can be suitably close to and directly involved in the day-to-day transport operations but retain the clear and critical link through to the board, so that transport issues remain in sharp focus and may be escalated when required.

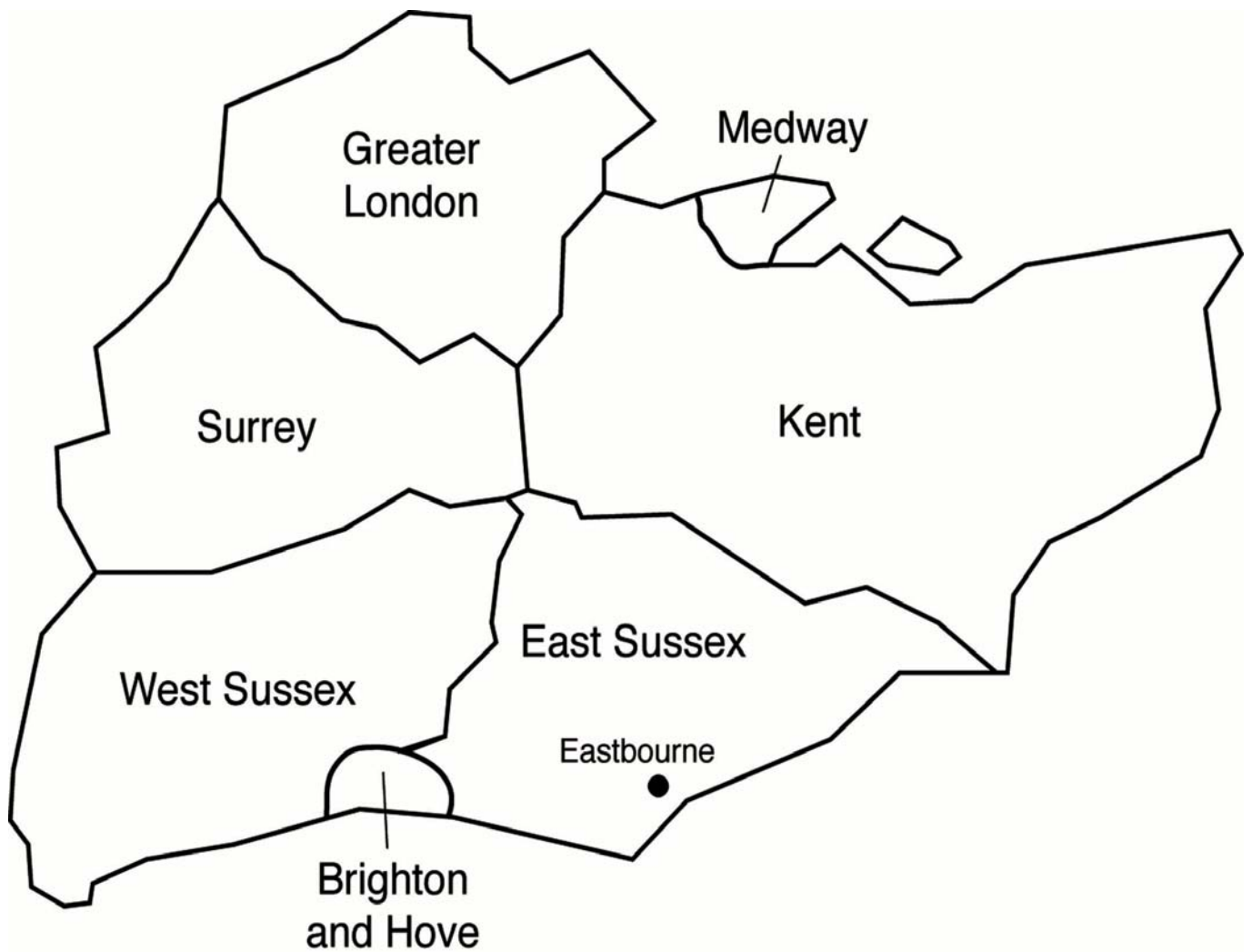
The third theme concerns the difficulties experienced by operators who provide traction only, pulling trailers owned and maintained by their clients. It is of course well-established that the user of the vehicle and trailer in such circumstances bears the legal responsibility for the combination's roadworthiness. What seems less understood or acted upon is how the operator, together with its driver, addresses the obvious risk when picking up such a trailer that it may not meet the undertakings and roadworthiness requirements of its own licence. Since the repute of the operator may be placed in jeopardy if it fails to assure itself of the position, it must be the case that it will be necessary both to document and to apply additional procedures to ensure that the trailer appears to be fit for use and that all steps have been taken to check the currency of reports about that which cannot be physically examined. I am pleased to hear that the Driver and Vehicle Standards Agency's (DVSA) revised [Guide to Maintaining Roadworthiness](#) offers advice on this area for the first time and I would urge operators and their drivers to read it.

Acknowledgements

In summary, this year has been as busy as all the other years that I have been privileged to serve as Traffic Commissioner for the North Western Traffic Area. I want to thank my deputies Simon Evans, Liz Perrett and Patrick Mulvenna who have assisted me so willingly. Again I have relied on my staff to a huge extent and I remain in their debt. Looking forward I hope that 2014 – 2015 is a little less busy – but I fear that it will not be. The work continues at a relentless pace.



South Eastern and Metropolitan Traffic Area
Report of Nick Denton
Traffic Commissioner



The London and South East area has seen more operators than ever come to my attention in 2013/14, partly as a result of the added enforcement effort from the [London Industrial Heavy Goods Vehicle Task Force](#), supported by the Driver and Vehicle Standards Agency (DVSA), Transport for London (TfL) and the Metropolitan Police. Themes which have proved common to many operators are:

- ignorance of how to monitor drivers' hours rules when running vehicles with digital tachographs. This year I have seen a large number of restricted operators who have had such vehicles for months or years but who have no idea that they need an operator's card to download from the vehicle unit or how often they should do the downloads. Some standard licence holders have not been much better: they download their drivers' cards but fail to download from the vehicle unit, thereby failing to detect missing mileage and driving without a card.
- absentee transport managers, at the opposite end of the evolutionary spectrum to the giant panda, in that – sadly – there seems little likelihood of such transport managers becoming extinct any time soon (although I am working on it). Transport managers who put their name to a licence but who charge less than the legal minimum hourly wage and rarely if ever visit the operator's premises should realise that they are failing to exercise their legal responsibility to exercise continuous and effective control over transport operations and are liable to lose their repute and to be disqualified. Transport managers should nail the question "continuous and effective control?" on the wall above their bed and answer it every night.
- inadequate driver defect reporting. I have lost count of the number of operators who present me proudly with hundreds of driver defect reports, not a single one of which reports a defect. This simply indicates that the driver is going through the motions, ticking the boxes and jumping into his or her cab, without carrying out a thorough check. I realise it cannot be much fun walking round an HGV at 0400 on a dark and wet November morning, but it needs to be done properly, to keep vehicles safe and reduce prohibitions and fixed penalties to a minimum. The better operators I have seen have an incentive system for good driver defect reporting.

Recognising that my deputies and I can only hold around 350 public inquiries a year at the most, and that these must focus on the very worst operators (the seriously and serially non-compliant), I have continued to invite operators with less serious shortcomings to shorter meetings ("preliminary hearings") in my offices, where we can review with them what has gone wrong, what they are doing to improve and, as the Pope said to the Cardinal Inquisitor in Brecht's "Galileo", "just show them the instruments" [of torture]. With other operators, rather than just issue a traditional warning letter, I have asked them to sign up to training courses and to agree to have their compliance systems audited by a suitably qualified person. I have also addressed some of the seminars for non-compliant operators which DVSA have introduced: these seminars bring together 50 or so operators at a time. My message to them at the seminars is: you are being given the necessary information and help to comply and another chance to get it right. Seize it now, or else.

Following a new agreement with Her Majesty's Revenue and Customs (HMRC), I have been receiving regular information on operators found illegally using rebated fuel (red diesel) or carrying inadequately documented tobacco or alcohol (aka smuggling). In the latter part of the year I held several public inquiries into such operators and have taken significant regulatory action, including revoking licences, as a consequence.

To gain a better understanding of the day-to-day issues faced by the industry I am regulating, this year I took the exam and gained a standard international transport manager Certificate of Professional Competence. In studying for the exam, I was impressed by the large body of knowledge which transport managers are expected to master and apply, often in pressurised conditions. I also enjoyed studying with my fellow candidates who were keen to acquire the qualification and, armed with it, to run a good operation. By definition, I am usually dealing with those at the least compliant end of the scale, so it was good to spend some time with people – representing the majority – who are both determined and able to get it right.



**West Midlands Traffic Area
Report of Nick Jones
Traffic Commissioner**



Positive signs of financial recovery are seen in applications involving restricted licence holders in the West Midlands, an industrial heartland of the country. I continue to strive to ensure that those that seek to cheat the regulatory system are dealt with proportionately. I am also encouraged at both the number of referrals that I am making to other regulators and the referrals made to me. Effective communication with other regulators can assist further in creating a level playing field for the compliant operator.

I refer to my annual report for the previous reporting year, the structural issues identified remain although I hope that the forthcoming [Triennial Review](#) will provide an opportunity to address the systemic problems that exist. I also refer to my report as Traffic Commissioner for Wales. Statistics for the two traffic areas where I have responsibility show that in terms of workload in 2013-14, if considered on a combined basis, it has the highest, unfortunately the administrative support provided does not reflect this. For much of the reporting year there have been only two permanent caseworkers dealing with the workload of the two traffic areas, much of the duties being undertaken by agency staff who, by their nature, can be very temporary. Contrasting this with the published statistics produced by the Senior Traffic Commissioner to the Parliamentary Select Committee on staffing levels in the various offices illustrates the inadequacies in the support structure for traffic commissioners. The period since centralisation of administrative support has demonstrated that small offices have issues relating to both varying standards and resilience. Hopefully the Triennial Review will address, for example, examination of whether the existing geographical traffic areas actually reflect the economic interests of industry and the communities that they serve – the East Midlands being a case in point. The Triennial Review is an opportunity to look more widely at how unnecessary burdens on business might be lessened without undermining the protections to which the general public is entitled.

The trade associations for both the PSV and haulage industries have continued to provide positive support and I am grateful to them for their excellent work in educating members and improving standards. I also comment that despite some of my comments about administrative support arrangements being less than positive, relationships with individual Department for Transport (DfT) officials is, from my perspective, much improved.

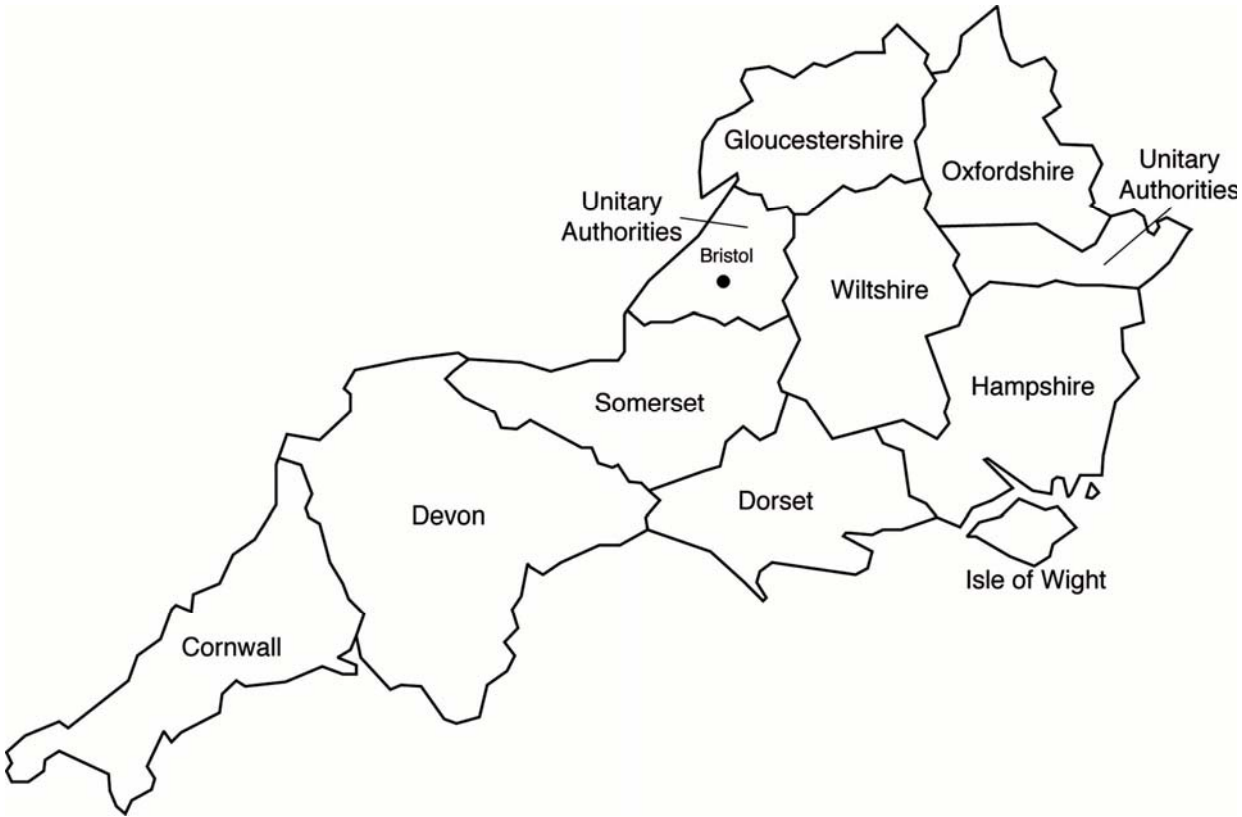
During the reporting year I had my first cases where Driver and Vehicle Standards Agency (DVSA, formerly VOSA) staff undertook some monitoring of bus timetable compliance. The exercise took place because the examiners employed by DVSA had concerns as to both drivers' hours and maintenance and wanted to test the extent to which the PSV operator was complying with registered services. This was an interesting exercise as examiners ordinarily only ask a series of routine questions relating to planning for timetable compliance. As the same operator faced other issues relating to both maintenance and drivers' hours, I asked whether the same examiners would accept broad brush explanations from operators as to how they complied with maintenance and drivers' hours; the answer was that operators often claimed compliance but independent testing of compliance was always necessary. I am at a loss to understand why the same does not always apply to testing compliance with registered timetables. In support of this point I refer to my report as Traffic Commissioner for Wales and the excellent work undertaken by Bus Users Cymru.

I understand the need to work in partnership and I don't begrudge any additional funding for hard pressed DVSA staff, however if there is to be an ultimate deterrence in the form of traffic commissioner action, I am at a loss to understand how there will be a proper basis for action if the same approach is not taken to the testing of compliance with registered timetables.

On a positive note I am pleased that the Birmingham Statutory Quality Partnership appears to be working well. One of the measures of success is the extent to which those that do not comply are brought to my attention; operators who do not provide a service of sufficient quality are being brought to public inquiry, allowing me to take proportionate regulatory action. Centro, which provides a coherent service for the West Midlands metropolitan area is now considering other Statutory Quality Partnerships, a feature that I welcome. One of the areas being considered includes parts of Wolverhampton, I am encouraged at the potential possibilities.



Western Traffic Area Report of Sarah Bell Traffic Commissioner



Introduction

Secretary of State,

As we enter Spring 2014, I still see challenges ahead, but it is my perception that a more positive breeze seems to be blowing across the West of England.

West of England

I am therefore pleased to say that my report this year includes a number of positive aspects.

In relation to Jubilee House, I finally have a commitment in writing from the Chief Executive of DVSA that my tribunal and administrative accommodation at Jubilee House will be a self-contained unit moving forward in line with the legal [Framework](#). Further, the traffic commissioners' Estates Terms of Reference have been amended to reflect this requirement so as to prevent any misunderstanding in the future.

I am delighted to report that the Office of the Traffic Commissioner for the West of England is now fully staffed. I welcome the new Senior Team Leader, Mr Dave Huggins, and Team Leader, Mr Justin Park. This is the first time that both positions have been filled at the same time since 2008. It is a landmark moment. Not only do we have new managers, but we have some new caseworkers and there is a real team spirit supported by a commitment to collective responsibility. I am really looking forward to working with them all in this next year.

It follows that I can now see light at the end of the tunnel in relation to the backlog that has arisen due to staffing issues in the past. We are now in the final stages of agreeing an action plan but it does still need the funding to be organised. I record my thanks to my colleague Kevin Rooney who has helped, not just by providing additional hearing dates, but for casting a fresh eye over some of the more aged cases with a view to alternative means of disposal. Clearing the backlog will enable a more expeditious throughput of cases and licensing decisions. I hope to now be able to plan strategically to avoid problems rather than dealing with them as they arise. This will also be the case now that work has started on the refresh of the outdated Service Level Agreement with the Office of the Traffic Commissioners and Licensing which my colleague Richard Turfitt is leading on for Traffic Commissioners.

The compendium of statistics is self explanatory. However, when read in isolation they do not fully reflect the extensive work undertaken by Traffic Commissioners. For example, approximately 1500 submissions required decisions by myself or my deputies in relation to licensing and compliance cases outside the tribunal room.

The positive theme continues in that I have seen a number of applications for new entrants into the industry and not just 'phoenixes' rising from the ashes of previous failed businesses. It is essential to the success of the commercial vehicle industry that new young entrants are nurtured and encouraged. I was delighted to support the West of England Partnership's 'Driving Growth Through Skills' event in January 2014.

I am also pleased to report that there has been a renewed commitment from DVSA to present new operator seminars and indeed their sphere is expanding. Likewise with these green shoots of recovery, there appears to have been an increase in the variation applications to expand in areas which have been struggling recently, such as those that support the construction industry. That being said, it is very disappointing that the Central Licensing Office remain burdened by a disproportionate number of incomplete applications. These range from circa 70% incomplete for variation applications and circa 80% incomplete for new applications. There is some improvement as the previous figure was around 85%. This is in part due to changes made to the forms and guidance through the collaboration of Traffic Commissioners and the staff who support them. It is time for industry and applicants to now pay positive attention to getting it right first time by reading the forms and guidance properly. It is trite to complain about perceived delays in the Central Licensing Office, whilst this unsatisfactory situation is ongoing.

It is also evidence of the need for Traffic Commissioners to have sufficient time and space to meet their obligations under the [Compliance Code](#). Ongoing education and guidance from the Regulator provides the foundation for success. By working from an informed knowledge base, SMEs can then stabilise and expand in these still challenging times. The consistent message is compliance underpinned by safe and effective systems is the most likely way for profit to follow.

As always, I remain committed to supporting industry events. If I just sat in Public Inquiry, I would have a skewed view. I like to remind myself that I help to regulate an essentially compliant commercial vehicle industry, working to best practice. The events have provided me with huge variety in my work. I played myself in mock public inquiries at the Freight Transport Association Fleet Engineer Conference. I did the same before a group of Insolvency Practitioners to help them better understand Regulation 31 and the consequences for them if they do not apply or surrender the licence. I helped present the awards at the Bus and Coach Rally and rode around London on the back of a Harley Davidson supporting the Royal British Legion's annual London Poppy Day with Transport for London.

Traffic Commissioners are always keen to inform and influence and therefore I make no apology that at most of my speaking engagements I have been raising awareness of the important role of the transport manager. I am grateful to CPL Distribution Limited, Royal Mail, the Freight Transport Association and Road Haulage Association for supporting me in that purpose at the events they sponsor. I give particular thanks to the Confederation of Passenger Transport, which has given me the means to access operators and transport managers across the whole of the West of England from Newquay to Poole and up to Stokenchurch. I have delivered the message that whether you are a single vehicle operator or a multi-national, the transport manager must be at the heart of the business. The transport manager must have a proper profile within a culture of understanding of that role and what it means for the business. It is of course acceptable for a director to also be the transport manager, but the roles must never be blurred in the eyes of staff or those directors. The individual must be able to demonstrate continuous and effective management of transport operations in the commonsense meaning of the term. I have enjoyed the many and varied debates on the subject and will continue to do so.

The only real disappointments this year have been the repeated internal misunderstanding of the legal Framework and the ongoing lack of transparent accounting to traffic commissioners for how the licensing fees collected in our name are allocated. In relation to the latter, progress is being made and I commend the Senior Traffic Commissioner for her drive and tenacity at keeping this at the top of the agenda. However, the fact that her scrutiny of the historic allocation and spending of public funds is still ongoing after two years is a cause for real disquiet.

Forward Looking

I have enjoyed my year of portfolio working with Kevin Rooney leading on traffic commissioner liaison with DVSA enforcement, but we have shared a frustration in being unable to measure success and often meetings simply become a catch-up due to other work pressures. Accordingly, in January this year we sat down and drew up our plan for 2014/15, focussing on four key areas so that we can report back next year, hopefully with a measure of success. The focus is continuing to support education at the point of entry but also supporting DVSA pilots into new ways of working, such as the [Remote Enforcement Office](#) in the West of England. We are also keen to focus on looking at the processes within the Office of the Traffic Commissioners and enhancing delegations to free up our time to then deal with the serially and seriously non-compliant. In that regard, part of the work will be to expedite the process to ensure that those who have been the subject of a large investigation are brought before the Traffic Commissioner at the earliest opportunity. I shall enjoy reporting back to you on that work, along with my colleague, next year.

Acknowledgements

My office has said goodbye to Mr Colin Sage after 31 years of service and I know we all wish him well in his new career.

As always I could not have kept my head above the parapet without the invaluable work of the Deputy Traffic Commissioners, Miss Fiona Harrington and Mr Tim Hayden.

I also commend Mr John Furzeland and Mrs Bev Crowley. Sometimes it seems they achieve 25 hours a day in an eight-day working week. I must express my heartfelt thanks to them both for their support in the last year.

The end of this reporting year has seen the announcement of the retirement of Mr Geoff Dunning as the Chief Executive of the Road Haulage Association. My literary skills are inferior to the brilliant farewell written and presented by the Regional Chairman and RHA Board Member, Mr Andrew Jenkins, at the annual regional dinner in March, which I hope the RHA will publish at some point. I thank Geoff for all his hard work and dedication over the years. I have enjoyed supporting causes of mutual interest and the healthy debates where our views diverge. Geoff has been an excellent critical friend and passionate supporter of the commercial vehicle industry. That industry is far better for his years of involvement. I wish him and 'TVLS' (his chosen reference for his wife, 'the very lovely Sandra') health, wealth and happiness for the years ahead.



Scotland
Report of Joan Aitken
Traffic Commissioner



It must be personal ageing for it seems scarce a moment ago that I sat down to write my 2012-13 report after 10 years in the job. Time flies and working life seems busier than ever. I attribute much of the latter to my Office becoming ever more known by other agencies, the press and public. We are victims of our own success in terms of workload. Additional work this year has included preparing for the Commonwealth Games to be held in Glasgow in July 2014.

There was a Highland case in 2012 in which I posed the question “do I have to wait until someone is seriously injured or killed before I can taken action against a licence?” and I answered in the negative and revoked the licence. I was concerned that the pressure of advocacy and a trend in case law was focussing on the operator and operator’s survival rather than emphasising that regulatory action can be preventative action in the interests of the wider community. In my mind was that the thrust of the legislation and of the licence undertakings are the prevention of harms. In subsequent case law of the Upper Tribunal this year, the question has been considered and there is explicit support for the appropriateness of such. It may seem obvious but needed to be posed and set against other tests used to balance regulatory action.

As with previous years, sham transport managers, phoenixes from the ashes of revocations or business failures and fronting for others - all of these continued to populate the regulatory landscape and Public Inquiries. There have been a number of cases this year where false statements or non-disclosure of convictions at time of application for a licence came back to bite years later. Self-serving decisions to omit mention of serious convictions involving drugs and firearms led to one operator losing his licence and being disqualified years after the original offending. Trust is at the heart of operator licensing and deceiving a traffic commissioner at time of application or variation risks the licence. We play our part in the disruption of crime and scrutiny of who will actually control a licence and the operation there under is an important part of our work. In this connection I was pleased to be invited by Crown Office to a seminar on Serious Organised Crime to learn of the tools being used to undermine those who profit by crime.

Fair competition remains a byword in this jurisdiction for compliance comes at a price and it is essential to support those who respect their licences but who may lose out on work to “the cowboys” or the neglectful. Many Public Inquiry outcomes reflect a need to re-balance that fairness.

Public Inquiries continue to serve as a transparent forum in which we do our business. Media reporting of written decisions following Inquiries remains at a high level and allows industry and the general public to be aware of what we are doing. I regard this as a very important part of my work, for it allows the public to know that there is this regulator of the two industries. For operators and drivers the chance to read and learn from the mistakes of others is useful. Further such publicised decisions give the trade press greater insight into what I actually do and spawn commentaries and wider articles.

However to try and expedite decisions this year I have experimented in the use of preliminary hearings to allow an operator or applicant provide clarification where I had concerns. These are not publicised and do not require the statutory timescales or notifications so can be swifter. I do not use them for serious cases or recidivists.

They may be an expedient to get through the business but I will not let their use undermine the virtues of transparent decision making which comes through Public Inquiries.

During the year I held Public Inquiries and driver conduct hearings in Edinburgh, Glasgow, Aberdeen and Inverness with environmental inquiries and associated site visits in Kirkintilloch and Denny. My Office still feels the loss of the six Bus Compliance Officers formerly employed by the Driver and Vehicle Standards Agency (DVSA) in Scotland and the consistency and quality of reports achieved latterly. The Scottish Government has seen the need for monitoring of services and has funded Bus Users UK to have a Scottish presence as Bus Users Scotland handling bus complaints and in the coming year I will receive monitoring reports. I hope that DVSA bus compliance work will develop in a way which can offer support to me. As ever I appreciate the support and interest in my function taken by Scottish Government, Strathclyde Partnership for Transport and ATCO Scotland. I am a member of the Scottish Government's Bus Stakeholder Group.

This was the year which saw the creation of Police Scotland. Superintendent Ian Murray heads road traffic policy for the new Force and I was appreciative of him taking the time from his new duties to come and see me. My Office continues to receive notifications of fixed penalty offers made to HGV and PCV drivers who are found to be using mobile phones whilst in charge of such vehicles. Such drivers are called to conduct hearings – this can be as soon as within four weeks of the encounter – and asked to explain. Often this leads to me looking at the working practices of the operator. Increasingly we receive direct reports from operators of gross misconduct dismissals for unsafe practices including mobile phone use – calling and texting. I very much hope that the suspensions which flow from such hearings and the operator scrutiny will lead to a culture whereby HGV and PCV drivers eschew mobile phone use when driving and the engine running.

Stakeholder engagement is an enjoyable and worthwhile part of a traffic commissioner's duties but rationed inevitably by time. This year I spoke at Transport Manager Workshops convened by the Confederation of Passenger Transport (CPT); at CPT's annual Coach Commission; to the Road Haulage Association's (RHA) Scottish Council; at the Annual Dinner of the Chartered Institute of Logistics and Transport (CILT) in Scotland; and to the Institute of Occupational Safety and Health (IOSH) in Inverness. I paid operator visits to First Aberdeen; Stagecoach at Inverness; Lothian Bus Longstone depot; and to the Bannermans haulage businesses in Tain, Ross-shire. I have been part of a working party on the implementation of the drivers' CPC across the industries.

Three appeals against taxi fares scales were received this year. Two, against Falkirk Council, were dismissed by me without a hearing. A third, against Glasgow City Council, was lodged at the end of the year and awaits full consideration.

In my role as the appointing body for parking adjudicators in Scotland, I was pleased to extend the appointments of the existing four adjudicators to three new areas with two more in prospect in 2014. Twelve Council areas are now covered by the Scottish Parking Appeals Service which is located in my office.

I want to conclude this report by highlighting the contribution of three individuals here in Scotland. Colin Flower, effectively my “bus lieutenant” in the Edinburgh office, sharing my commitment to serving bus users, retired in October after long service. Michael Whiteford, a Glasgow solicitor, appeared for operators and drivers in this jurisdiction over many decades. His thorough advocacy and preparation saved many a business not least because he held the ear of those traffic commissioners and deputies before whom he appeared. The third retiree is Phil Flanders latterly supremo of the RHA in Scotland, a mine of information and advice to me when I came to this job and unfailingly supportive to me and RHA members.



Wales / Cymru
Report of Nick Jones
Traffic Commissioner / Comisiynydd
Traffig



My annual report as traffic commissioner for Wales for last year made a number of comments that apply equally for this latest reporting period. This is as a result of a worrying lack of progress in addressing the non-compliance with legislation relating to the Welsh language. Despite my spelling out last year in stark terms the nature of the non-compliance, limited progress has been made, I suspect that this is a result of the features that have prevented a quality service for operators in Wales and the general public in Wales.

Organisational change takes time and the lack of any Welsh speaking staff and the absence of any agreed plan to address the legal deficiencies result in a real fear that there would be justified criticism from higher courts. If this is not addressed within 18 months we may reach a scenario whereby one regulator (the Welsh Language Commissioner) will be taking formal action against another regulator, or those that have duties to provide me with administrative support. The [Commission on Devolution](#) has recommended consideration being given to a separate Traffic Commissioner for Wales with a degree of accountability to a Welsh Minister and different to the existing accountability. I feel constrained to point out that the existing arrangements for providing administrative support are not currently sufficient, this is in part due to out of date service level agreements where a review is long overdue.

I refer to my annual report as Traffic Commissioner for the West Midlands of England where my comments apply equally to Wales. Hopefully structural change will come about to improve the lot for both the public and the HGV and PSV industries. A potential solution might arise from a forthcoming [Triennial Review](#) of traffic commissioners in Great Britain. It gives an opportunity to break the shackles of the existing internal restrictions created by the provision of administrative support through the DVSA (formerly VOSA). Operators are entitled to see better standards and compliance from the organisation charged with supporting traffic commissioners and thereby accountable for their fees.

Concerns previously expressed remain, including the lower levels of safety standards in Wales and a general lack of awareness of my role. In one recent case a third generation operator was told by a traffic examiner that she would have to report failings to the traffic commissioner. The response reported to me at public inquiry was that the operator asked what a traffic commissioner was. In this case the operator was a long standing legitimate business that wasn't trying to cheat the system; the failings arose from a lack of awareness as to responsibilities. My concern is that there are a large number of instances where there is evidence of lower standards of safety and or awareness when compared to England.

The Commission on Devolution (the "Silk" report) has recommended that PSV legislation be devolved to Wales; whilst this is something that will need to be debated and decided upon, the potential opportunities for Wales have been clearly set out. The PSV legislation could be rationalised and DfT's functional review of the operator licensing regime provides an opportunity to look again so that unnecessary burdens on the industry can be mitigated.

The Welsh Government continues to provide moral and tangible support. It's financial support for Bus Users Cymru has ensured that, notwithstanding my concerns outlined above, one issue where standards in Wales is higher than in England is in timetable compliance.

In one case a potentially difficult situation was addressed promptly and professionally, avoiding what could have developed into what is termed a "Bus War". The professionalism and enthusiasm of Bus Users Cymru's staff is welcomed. The trade associations in Wales undertake good work in informing and training their members and I am grateful to them for their excellent work.

Chapter 3

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Detailed statistics

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Table 1: Goods vehicle operators - licences continued and in issue 2013-14 2012-13						
	Type of Licence			Total number of licences in issue	Total continuations sought	Continuations not sought
	Restricted	Standard National	Standard International			
Eastern Traffic Area	6946	4742	1714	13402	1922	742
	7188	4998	1777	13963	1957	848
North Eastern Traffic Area	6146	4603	1195	11944	1923	698
	6350	4854	1202	12406	1678	791
North Western Traffic Area	5837	4185	1001	11023	1576	577
	5991	4449	1032	11472	1795	775
South Eastern and Metropolitan Traffic Area	5223	2992	1165	9380	1287	469
	5370	3120	1203	9693	1353	644
West Midlands Traffic Area	4659	3120	826	8605	1253	527
	4790	3322	841	8953	1182	668
Western Traffic Area	6013	4031	1187	11231	1715	665
	6199	4309	1262	11770	1680	767
Scotland	3233	2786	545	6564	975	333
	3321	2928	580	6829	1045	395
Wales	3064	2104	415	5583	781	322
	3173	2216	419	5808	890	404
Total	41121	28563	8048	77732	11432	4333
	42382	30196	8316	80894	11580	5292

Table 2: Goods vehicle operators - numbers of specified vehicles on licences, 2013-14 2012-13					
	Specified vehicles by type of licence			Total number of specified vehicles	Certified copies of European Community Licenses
	Restricted	Standard National	Standard International		
Eastern Traffic Area	15358	32402	15308	63068	7622
	15161	31639	15201	61988	7721
North Eastern Traffic Area	14494	25632	12584	52710	5098
	13962	25822	12016	51800	4968
North Western Traffic Area	13343	23852	10658	47853	4623
	12990	23727	10543	47260	4470
South Eastern and Metropolitan Traffic Area	13561	19270	9058	41889	4831
	13162	20018	8636	41816	3968
West Midlands Traffic Area	10437	17289	9108	36834	3455
	10257	17494	8825	36576	3594
Western Traffic Area	13841	25332	9843	49016	4539
	13402	25750	9645	48797	4662
Scotland	7313	16516	4976	28805	2239
	7106	16598	4958	28662	2307
Wales	6075	8277	3043	17395	1666
	5956	8496	2911	17363	1759
Total	94422	168570	74578	337570	34073
	91996	169544	72735	334262	33449

Note: with a Community Licence document, hauliers are able to make as many journeys as they want between EU member states. The operator is also issued with certified copies which have to be covered in vehicles on international journeys.

Table 3: Goods vehicle operators - applications for new licences and to vary licences, 2013-14 2012-13										
	Number of applications processed		Number of licences issued in full		Number of licences issued with restrictions		Number of applications refused		Number of applications withdrawn	
	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations
Eastern Traffic Area	1000	1063	881	1095	0	0	53	13	78	73
	886	1048	800	1101	0	0	43	11	60	55
North Eastern Traffic Area	789	956	725	1017	0	0	46	16	32	39
	744	865	677	957	0	0	51	16	41	35
North Western Traffic Area	707	848	658	905	0	0	37	19	20	32
	702	760	638	830	0	0	40	15	28	30
South Eastern and Metropolitan Traffic Area	733	858	656	910	0	0	48	19	42	46
	739	813	649	926	0	0	62	27	40	31
West Midlands Traffic Area	552	618	494	640	0	0	40	15	38	19
	543	650	493	673	0	0	48	23	28	33
Western Traffic Area	703	881	637	917	0	0	29	11	58	52
	733	818	667	881	0	0	42	10	34	50
Scotland	394	490	347	548	0	0	34	5	30	28
	397	493	345	539	0	0	32	9	38	24
Wales	324	324	295	358	0	0	16	7	16	21
	334	296	303	348	0	0	19	12	19	13
Total	5202	6038	4693	6390	0	0	303	105	314	310
	5078	5743	4572	6255	0	0	337	123	288	271

Table 4: Goods vehicle operators - results of opposed applications for new licences and for publishable variations to licences, 2013-14 2012 -13										
	Number of applications received		Number of applications processed		Number of applications opposed		Opposed applications issued in full		Opposed applications issued with restrictions	
	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations
Eastern Traffic Area	1082	1384	1000	1063	28	15	7	5	13	7
	913	1248	886	1048	38	30	15	10	16	10
North Eastern Traffic Area	850	1201	789	956	13	18	5	8	4	6
	773	1098	744	865	14	14	2	5	9	7
North Western Traffic Area	714	1115	707	848	15	17	2	8	9	5
	741	974	702	760	15	13	3	3	7	8
South Eastern and Metropolitan Traffic Area	856	1156	733	858	28	26	1	4	23	17
	758	1053	739	813	47	22	6	4	23	13
West Midlands Traffic Area	645	769	552	618	10	8	2	4	4	3
	573	767	543	650	8	15	5	4	2	6
Western Traffic Area	747	1175	703	881	17	20	5	6	8	8
	785	1028	733	818	20	23	3	6	11	12
Scotland	420	680	394	490	6	6	4	3	2	2
	426	629	397	493	6	10	1	3	3	5
Wales	360	436	324	324	7	7	1	1	4	4
	356	401	334	297	14	5	2	1	9	1
Total	5674	7916	5202	6038	124	117	27	39	67	52
	5325	7198	5078	5744	162	132	37	36	80	62

Table 4 (continued)						
	Opposed applications refused		Opposed applications withdrawn		Number of applications heard at Public Inquiry	
	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations
Eastern Traffic Area	3 0	1 1	5 7	2 9	1 1	2 2
North Eastern Traffic Area	1 1	1 0	3 2	3 2	0 0	1 1
North Western Traffic Area	2 4	0 0	2 1	4 2	3 1	2 0
South Eastern and Metropolitan Traffic Area	1 10	1 0	3 8	4 5	2 2	2 1
West Midlands Traffic Area	1 0	0 0	3 1	1 5	4 3	1 3
Western Traffic Area	1 2	2 0	3 4	4 5	3 2	2 3
Scotland	0 0	0 0	0 2	1 2	0 0	0 0
Wales	0 1	0 1	2 2	2 2	0 0	0 0
Total	9 18	5 2	21 27	21 32	13 9	10 10

Table 5: Goods vehicle operators - complaints against existing operating centres, 2013-14 2012-13

	Total licences reviewed where complaints received	Number called to public inquiry	Continued without change	Continued with new restrictions	Removal of operating centre
Eastern Traffic Area	7	3	2	5	2
	8	0	1	4	3
North Eastern Traffic Area	10	2	2	8	0
	9	1	6	2	1
North Western Traffic Area	3	0	3	0	0
	1	1	0	1	0
South Eastern and Metropolitan Traffic Area	2	0	1	1	0
	2	0	2	0	0
West Midlands Traffic Area	7	1	1	6	1
	2	0	1	0	1
Western Traffic Area	5	0	3	2	0
	10	1	3	5	2
Scotland	1	0	1	0	0
	0	0	0	0	0
Wales	9	1	2	7	0
	1	0	0	1	0
Total	44	7	15	29	3
	33	3	13	13	7

Table 6: Goods vehicle operators - action taken at public inquiry for non-compliance, 2013-14 2012-13

	Number of public inquiries completed	Licence revocations	Licence suspensions	Curtailement or conditions imposed	Notification of formal warning	Disqualification of licence holder under Section 28	Disqualification of transport manager	No action taken
Eastern Traffic Area	128	60	5	25	27	11	9	12
	130	37	7	32	55	6	17	8
North Eastern Traffic Area	109	41	12	9	31	8	13	21
	136	37	24	22	59	3	2	12
North Western Traffic Area	120	31	12	32	53	6	6	8
	182	37	21	57	86	3	7	18
South Eastern and Metropolitan Traffic Area	218	54	52	52	43	19	24	17
	163	33	40	48	34	11	12	14
West Midlands Traffic Area	113	54	15	22	11	7	21	12
	124	65	5	29	18	8	12	11
Western Traffic Area	120	50	10	20	32	5	3	7
	141	45	22	40	31	6	12	13
Scotland	52	13	9	18	11	3	2	1
	45	13	9	5	12	2	0	7
Wales	55	19	4	13	10	0	6	9
	75	36	7	21	7	6	5	4
Total	915	322	119	191	218	59	84	87
	996	303	135	254	302	45	67	87

Note: the figures in the last seven columns may not equal the number of public inquiries completed, as more than one action may be taken against a licence holder.

Table 7: Goods vehicle operators - results of unopposed new and variation applications heard at public inquiry, 2013-14 2012-13												
	Number of applications determined at public inquiry		Applications granted as applied for		Applications granted in part		Applications granted with conditions		Applications refused		Applications withdrawn	
	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations	New licences	Publishable variations
Eastern Traffic Area	54	25	27	14	4	5	8	2	9	2	6	2
	46	13	24	7	8	6	7	0	5	0	2	0
North Eastern Traffic Area	53	6	30	5	6	0	0	0	14	0	3	1
	47	16	36	11	2	1	0	0	6	3	3	1
North Western Traffic Area	41	19	33	12	4	6	0	0	4	0	0	1
	45	14	30	10	2	0	1	0	10	2	2	2
South Eastern and Metropolitan Traffic Area	61	21	44	14	1	1	5	1	10	2	1	3
	51	23	24	12	7	2	15	3	5	6	0	0
West Midlands Traffic Area	52	25	34	19	1	2	1	1	14	2	2	1
	35	17	14	8	2	0	0	0	16	8	3	1
Western Traffic Area	63	22	34	13	4	2	12	0	12	6	1	1
	35	17	15	10	7	2	11	1	7	0	0	3
Scotland	29	7	17	3	0	0	1	0	11	2	0	2
	39	6	17	4	7	1	2	1	11	0	2	0
Wales	17	4	15	4	0	0	0	0	1	0	1	0
	27	8	16	1	1	0	2	1	7	4	1	2
Total	370	129	234	84	20	16	27	4	75	14	14	11
	325	114	176	63	36	12	38	6	67	23	13	9

Note: this table only shows applications that were heard at public inquiry whereas table 3 shows the total number of applications determined.

Table 8: Bus and coach operators - licences continued and in issue, 2013-14 2012-13					
	Restricted	Standard National	Standard International	Total number of licences in issue	Total continuations sought
Eastern Traffic Area	508 519	418 442	369 379	1295 1370	204 210
North Eastern Traffic Area	864 874	434 461	311 324	1609 1659	249 250
North Western Traffic Area	750 751	419 451	207 221	1376 1423	225 224
South Eastern and Metropolitan Traffic Area	391 385	357 376	408 410	1156 1171	199 170
West Midlands Traffic Area	434 433	222 240	190 196	846 869	175 135
Western Traffic Area	438 445	390 414	277 285	1105 1144	164 193
Scotland	369 370	437 462	142 149	948 981	131 141
Wales	410 409	231 255	179 194	820 858	129 142
Total	4164 4186	2908 3101	2083 2158	9155 9475	1476 1465

Table 9: Bus and coach operators - discs in issue, 2013-14 2012-13				
	Restricted	Standard National	Standard International	Total discs
Eastern Traffic Area	745 763	5993 5927	5912 6202	12650 12892
North Eastern Traffic Area	1235 1257	5274 5115	7160 7702	13669 14074
North Western Traffic Area	1085 1097	6371 6485	4340 4889	11796 12471
South Eastern and Metropolitan Traffic Area	521 520	8513 6906	9858 11376	18892 18802
West Midlands Traffic Area	607 609	3722 3825	3108 3202	7437 7636
Western Traffic Area	640 657	5893 4849	6313 6751	12846 12257
Scotland	534 534	6371 5213	4246 5585	11151 11332
Wales	591 592	2180 2237	3340 3675	6111 6504
Total	5958 6029	44317 40557	44277 49382	94552 95968

Table 10: Bus and coach operators - applications for new licences and to vary existing licences, 2013-14 2012-13										
	Number of applications processed		Number of licences granted in full		Number of licences granted with less than applied for		Number of applications refused		Number of applications withdrawn	
	New licences	Major variations	New licences	Major variations	New licences	Major variations	New licences	Major variations	New licences	Major variations
Eastern Traffic Area	131	152	94	121	0	0	20	0	15	0
	131	123	88	123	0	0	30	0	17	0
North Eastern Traffic Area	144	138	96	115	0	0	25	0	9	2
	149	145	124	145	0	0	17	0	11	0
North Western Traffic Area	100	136	69	112	0	0	18	0	4	0
	138	121	111	121	0	0	14	0	12	0
South Eastern and Metropolitan Traffic Area	118	156	89	131	0	0	13	0	4	0
	113	171	99	171	0	0	11	0	6	0
West Midlands Traffic Area	84	66	58	58	0	0	24	1	9	0
	81	81	58	81	0	0	23	1	3	0
Western Traffic Area	83	135	55	104	0	0	6	0	8	0
	103	129	78	128	0	0	16	0	10	1
Scotland	65	119	45	90	0	0	16	0	5	0
	104	84	77	84	0	0	20	0	8	0
Wales	64	77	30	63	0	0	16	0	4	0
	75	77	56	77	0	0	15	0	7	0
Total	789	979	536	794	0	0	138	1	58	2
	894	931	691	930	0	0	146	1	74	1

Note: figures included applications treated as withdrawn because the fee had not been paid

Table 11: Bus and coach operators - results of applications heard at public inquiry, 2013-14 2012-13												
	Number of applications determined at public inquiry		Applications granted as applied for		Applications granted in part		Applications granted with conditions		Applications refused		Applications withdrawn	
	New licences	Major variations	New licences	Major variations	New licences	Major variations	New licences	Major variations	New licences	Major variations	New licences	Major variations
Eastern Traffic Area	20 8	5 3	1 4	0 1	1 0	1 0	8 3	4 2	7 1	0 0	3 0	0 0
North Eastern Traffic Area	32 33	2 15	20 26	2 8	4 1	0 2	2 0	0 2	4 6	0 2	2 0	0 1
North Western Traffic Area	9 11	5 7	6 8	1 2	1 0	0 1	0 0	0 0	2 3	3 3	0 0	1 1
South Eastern and Metropolitan Traffic Area	11 8	6 5	6 5	5 2	1 1	0 1	1 1	0 1	3 1	1 0	0 0	0 1
West Midlands Traffic Area	26 11	6 7	8 3	1 3	0 1	0 0	0 0	0 0	15 5	3 3	3 2	2 1
Western Traffic Area	5 11	2 4	3 8	2 2	0 0	0 0	0 2	0 0	2 0	0 0	0 1	0 2
Scotland	17 28	2 6	5 18	2 5	0 1	0 0	3 0	0 1	8 9	0 0	1 0	0 0
Wales	18 7	5 5	10 3	2 2	0 0	0 0	0 0	0 2	6 2	2 1	2 0	1 0
Total	138 117	33 52	59 75	15 25	7 4	1 4	14 6	4 8	47 27	9 9	11 3	4 6

Note: this table only shows applications heard at public inquiry whereas table 10 shows the total number of applications determined.

Table 12: Bus and coach operators - Special Restricted public service vehicle operator licences, 2013-14 2012-13							
	Licence applications processed	Licences issued	Applications refused	Applications withdrawn and grants not taken up	Licences continued at five-year review date	Licences not continued at five-year review date	Total number of licences in issue
Eastern Traffic Area	0	0	0	0	0	0	10
	2	2	0	0	0	0	10
North Eastern Traffic Area	0	0	0	0	0	1	15
	2	2	0	0	2	2	16
North Western Traffic Area	5	5	0	0	0	0	19
	4	4	0	0	0	0	14
South Eastern and Metropolitan Traffic Area	0	0	0	0	0	0	2
	0	0	0	0	0	0	2
West Midlands Traffic Area	0	0	0	0	0	1	4
	1	1	0	0	1	1	5
Western Traffic Area	2	2	0	0	2	1	17
	1	1	0	0	2	1	16
Scotland	7	7	0	0	0	0	39
	10	14	0	0	1	0	32
Wales	3	3	0	0	0	0	19
	2	2	0	0	0	0	16
Total	17	17	0	0	2	3	125
	22	26	0	0	6	4	111

Note: the figures in columns 2-4 may not equal the figures shown in the 'licence applications received' column, as applications may have been carried over from the previous year or carried forward into next year.

Table 13: Local bus service registrations - live, new, variations and cancelled local bus services as at 31 March 2014 31 March 2013

	Live local bus registrations	Applications processed		Applications accepted		Refused	Withdrawn	Existing registrations cancelled
		New	Variations	New	Variations			
Eastern Traffic Area	2557	409	1284	409	1284	0	9	480
	2768	523	1235	523	1235	0	13	476
North Eastern Traffic Area	3628	625	1808	625	1808	0	2	639
	3818	785	1651	785	1651	0	4	719
North Western Traffic Area	3404	708	1460	708	1460	0	1	683
	3926	870	1516	870	1516	0	2	736
South Eastern and Metropolitan Traffic Area	1004	153	588	153	588	0	1	172
	1232	305	524	305	524	0	1	223
West Midlands Traffic Area	1632	234	745	234	745	0	4	320
	1991	308	816	308	816	0	6	346
Western Traffic Area	2747	372	1517	372	1517	0	2	395
	2583	451	1497	451	1497	0	1	362
Scotland	2789	680	1036	680	1036	0	5	466
	2627	683	1063	683	1063	0	6	614
Wales	1458	141	552	141	552	0	2	143
	1680	279	572	279	572	0	4	300
Total	19219	3322	8990	3322	8990	0	26	3298
	20625	4204	8874	4204	8874	0	37	3776

Table 14: Flexible bus registrations, 2013-14 2012-13						
	Received	Accepted	Refused	Withdrawn	Varied	Cancelled
Eastern Traffic Area	10 7	10 7	0 0	0 0	3 5	0 0
North Eastern Traffic Area	0 3	0 7	0 0	0 0	0 1	1 0
North Western Traffic Area	6 4	6 6	0 0	0 0	1 2	4 0
South Eastern and Metropolitan Traffic Area	1 0	1 0	0 0	0 0	0 0	1 0
West Midlands Traffic Area	0 1	0 6	0 0	0 0	0 1	0 0
Western Traffic Area	6 8	6 23	0 0	0 0	6 5	3 0
Wales	2 6	2 7	0 0	0 0	7 6	0 0
Total	25 29	25 56	0 0	0 0	17 20	9 0

Note: flexible bus registrations apply only to operators that hold licences in England and Wales; Scotland is excluded from this requirement.

Table 15: Bus and coach operators - number of Standard, Large and Community Bus Permits issued, 2013-14 2012-13

	Standard Bus Permits Issued by			Total	Large Bus Permits	Community Bus Permits
	Traffic Commissioners	Local authorities	Designated bodies			
Eastern Traffic Area	659	292	181	1132	17	28
	412	286	148	846	8	30
North Eastern Traffic Area	447	240	352	1039	6	31
	370	262	366	998	10	38
North Western Traffic Area	463	232	122	817	29	21
	347	181	121	649	44	31
South Eastern and Metropolitan Traffic Area	737	228	284	1249	17	20
	689	220	255	1164	29	12
West Midlands Traffic Area	194	101	201	496	6	52
	259	104	181	544	15	26
Western Traffic Area	698	222	240	1160	9	36
	538	266	244	1048	0	26
Scotland	259	72	40	371	36	14
	259	83	49	391	0	16
Wales	314	51	34	399	0	18
	204	49	31	284	22	15
Total	3771	1438	1454	6663	120	220
	3078	1451	1395	5924	128	194

Table 16: Bus and coach operators - action taken at public inquiry for non compliance (under the Public Passenger Vehicles Act 1981), 2013-14 2012-13

	Number of public inquiries completed	Licence revocations	Licence suspensions	Reduction of vehicles authorised on licence	Other conditions imposed on licence	Formal warning given	Disqualification of licence holder under the 1985 Act	Disqualification of transport manager	No action taken
Eastern Traffic Area	30	12	2	2	2	10	3	3	2
	9	5	1	1	0	2	2	2	1
North Eastern Traffic Area	35	9	3	2	3	11	4	3	7
	19	7	2	4	3	7	2	1	2
North Western Traffic Area	27	15	1	6	0	4	1	3	1
	41	10	3	10	0	13	1	2	7
South Eastern and Metropolitan Traffic Area	35	4	10	6	0	10	0	3	6
	21	2	6	5	1	5	0	3	3
West Midlands Traffic Area	23	14	1	2	0	6	2	5	0
	14	6	0	3	0	3	1	2	2
Western Traffic Area	18	6	0	4	0	4	1	1	4
	26	9	1	3	0	7	2	4	6
Scotland	41	9	1	5	2	17	2	0	7
	34	15	0	8	1	4	7	0	6
Wales	22	6	4	3	1	3	1	2	5
	15	7	2	1	1	1	0	0	5
Total	231	75	22	30	8	65	14	20	32
	179	61	15	35	6	42	15	14	32

Note: the figures in the last eight columns may not equal the number of public inquiries held, as more than one action may be taken against a licence holder.

Table 17: Local bus services - action taken against operators (under the Transport Acts 1985 and 2000), 2013-14 2012-13					
	Number of public inquiries	Restrictions imposed on licences under Section 26 of the 1985 Act	Penalty imposed under Section 155 of the 2000 Act*	Formal warnings given	No action taken
Eastern Traffic Area	5 0	0 0	3 0	0 0	2 0
North Eastern Traffic Area	0 0	0 0	0 0	0 0	0 0
North Western Traffic Area	0 1	0 0	0 1	0 0	0 0
South Eastern and Metropolitan Traffic Area	0 0	0 0	0 0	0 0	0 0
West Midlands Traffic Area	3 3	0 1	3 1	0 0	0 1
Western Traffic Area	1 0	0 0	0 0	1 0	0 0
Scotland	2 7	1 0	1 3	0 0	0 1
Wales	5 0	0 0	2 0	0 0	3 0
Total	16 11	1 1	9 5	1 0	5 2

Note: the figures contained in the last four columns may not equal the number of public inquiries held, as more than one action may be taken against an operator. *In Scotland action is taken under Section 39 of the Transport (Scotland) Act 2001.

Table 18: Work of the traffic commissioners and their deputies on public inquiries, 2013-14 2012-13

	Traffic Commissioners	Deputy Traffic Commissioners	Total
Eastern Traffic Area	161 138	99 75	260 213
North Eastern Traffic Area	192 139	48 120	240 259
North Western Traffic Area	36 53	191 238	227 291
South Eastern and Metropolitan Traffic Area	242 166	91 74	333 240
West Midlands Traffic Area	134 115	103 68	237 183
Western Traffic Area	155 115	80 117	235 232
Scotland	107 103	38 55	145 158
Wales	51 77	80 42	131 119
Total	1078 906	730 789	1808 1695

Table 19: Bus, coach and lorry operators - appeals to the Upper Tribunal, 2013-14 2012-13				
	Number of appeals made	Number of appeals heard	Number of appeals withdrawn	Number of appeals successful or partially successful
Eastern Traffic Area	6	4	2	0
	5	6	1	2
North Eastern Traffic Area	4	6	1	0
	7	7	3	0
North Western Traffic Area	4	3	1	1
	11	8	1	5
South Eastern and Metropolitan Traffic Area	12	10	2	6
	9	10	2	1
West Midlands Traffic Area	9	7	0	4
	12	10	2	3
Western Traffic Area	15	12	0	2
	8	6	0	0
Scotland	0	0	0	1
	7	4	2	0
Wales	0	0	0	0
	4	1	5	1
Total	50	42	6	14
	63	52	16	12

Note: the number of appeals heard cannot be directly compared to the number of appeals made in the year, as some of the appeals heard will have been made in the previous year, and some may still be pending.

Table 20: LGV and PCV driver conduct cases - action against drivers, 2013-14 2012-13

	Total cases closed	Licences refused	Licences revoked	Licences suspended	Licences granted	Verbal warning	Routine warning letters		Refer on application	No action taken	Called to a hearing
							Endorsable	Non-endorsable			
Eastern Traffic Area	1504	204	4	108	89	18	371	67	210	469	235
	1622	174	6	155	62	27	514	23	226	461	235
North Eastern Traffic Area	2806	308	5	29	238	39	1140	274	592	445	170
	3092	255	6	28	177	63	1054	0	713	502	118
North Western Traffic Area	1352	197	10	69	167	55	288	148	243	307	269
	1516	171	18	129	105	83	360	143	276	363	325
South Eastern and Metropolitan Traffic Area	1899	367	8	166	100	104	410	12	231	503	301
	1880	344	8	106	110	114	433	31	203	527	278
West Midlands Traffic Area	1087	323	42	94	253	95	106	0	106	65	423
	1064	240	22	74	117	114	134	36	119	201	313
Western Traffic Area	1088	178	6	38	33	133	226	0	210	251	502
	1177	82	3	17	171	66	285	3	252	280	212
Scotland	1319	161	19	151	76	139	158	27	215	367	411
	1253	232	20	96	66	128	197	17	187	313	329
Wales	641	136	19	46	146	83	86	0	74	48	226
	626	143	12	76	64	47	79	11	68	124	211
Total	11696	1874	113	701	1102	666	2785	528	1881	2455	2537
	12230	1641	95	681	872	642	3056	264	2044	2771	2021

Table 21: Applications for the return of impounded vehicles, 2013-14 2012-13										
	Number of vehicles impounded	Number of applications received and processed	Granted		Refused		Appeals to Upper Tribunal			
			with hearing	without hearing	with hearing	without hearing	made	heard	withdrawn	successful
Eastern Traffic Area	2	2	0	0	2	0	2	2	0	0
	12	9	1	2	2	0	1	0	0	0
North Eastern Traffic Area	0	0	0	0	0	0	0	0	0	0
	5	5	0	0	4	1	1	0	0	0
North Western Traffic Area	8	7	2	2	3	1	1	1	0	0
	10	5	0	0	3	0	0	0	0	0
South Eastern and Metropolitan Traffic Area	14	9	1	0	5	3	2	1	1	0
	23	18	1	0	12	2	11	2	5	0
West Midlands Traffic Area	2	2	0	0	2	0	0	0	0	0
	5	3	0	0	3	0	2	1	0	0
Western Traffic Area	6	3	0	0	3	0	3	2	1	0
	8	8	1	1	3	0	1	0	1	0
Scotland	3	3	1	0	2	0	0	0	1	0
	2	2	0	0	1	1	0	2	1	0
Wales	3	0	0	0	2	0	0	0	0	0
	1	1	0	0	1	0	0	0	0	0
Total	38	26	4	2	19	4	8	6	3	0
	66	51	3	3	29	4	16	5	7	0

Note: the number of applications received and processed may be greater than the number of vehicles impounded as more than one application may be made for the return of a vehicle where there is a dispute regarding the ownership of a vehicle.

Contact Details

Further details about the commissioners and their other publications can be found at: www.gov.uk/government/organisations/traffic-commissioners.

Statistical enquiries

Licensing (tables 1 to 5 and 8 to 14):

Kabir Majid
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Hillcrest House
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Bus permits (table 15):

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Regulatory (tables 6-7 and 16 to 21):

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Media enquiries

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