

ACTING SENIOR TRAFFIC COMMISSIONER

Statutory Guidance and Statutory Directions on Operating Centres and Vehicle Authorisation for the Olympic and Paralympic Games 2012

This consultation has arisen as a result of the need to ensure that those affected by the Olympic and Paralympic Games 2012 (the Games) are given the opportunity to comment on the legislation and the procedures proposed to be adopted by the traffic commissioners leading up to and during the Games.

The aim is to publish the statutory guidance and statutory directions by 23 February 2012 so that traffic commissioners and their deputies, support staff at the Office of the Traffic Commissioner, stakeholders and the wider industry are aware of the requirements and the procedures that will be adopted with respect to operating centres and vehicle authorisation which are likely to be affected by the Games.

Please note that any interpretation of the law can only be current as at the date of publication. The documents identify and apply principles extracted from case law. The footnotes cannot provide an exhaustive list of the relevant provisions and case law, for which it may be best to refer to the digest of the Administrative Appeals Chamber of the Upper Tribunal (www.transporttribunal.gov.uk).



Beverley Bell

Acting Senior Traffic Commissioner

14 December 2011

**PUBLIC CONSULTATION DOCUMENT
ON THE SENIOR TRAFFIC
COMMISSIONER'S STATUTORY
GUIDANCE AND STATUTORY
DIRECTIONS RELATING TO THE
OLYMPIC AND PARALYMPIC GAMES
2012**

INDEX

1. Introduction

1.1 Who should read this consultation document?

2. Background

3. Why is it important to respond?

4. How do I make my views known?

5. What happens next?

6. Draft guidance and directions

7. Replying to this consultation

7.1 Disclosure of responses

Annex A - Consultation response form

1. Introduction

1.1 Who should read this consultation document?

1.1.1 This consultation document will be particularly relevant to any of the following:

- Those with a goods vehicle operator's licence.
- Local authority representatives involved with statutory objections.
- Banking and financial service providers for the commercial vehicle operating industry

2. Background

2.1 The Local Transport Act 2008 requires the statutory Senior Traffic Commissioner to provide guidance and directions as to the way in which traffic commissioners will approach the exercise of their statutory functions.

2.2 This guidance sets out the way in which the Senior Traffic Commissioner believes that traffic commissioners should interpret the law in relation to the requirement to have an operating centre during the period of the Olympic and Paralympic Games 2012.

2.3 The guidance relates to matters which may influence decisions in respect of listing, adjournments, disclosure and any other matter ancillary to the final disposal of a case which might impact on the fairness of proceedings. The directions are addressed to the traffic commissioners in respect of the approach to be taken by staff acting on behalf of or in support of individual traffic commissioners with regard to operating centres, vehicle authorisation and an effective and stable establishment (for standard licences) during the period of the Olympic and Paralympic Games 2012.

2.3 All guidance and directions will be issued by the Senior Traffic Commissioner as prescribed by the Local Transport Act 2008.

3. Why is it important to respond?

3.1 This consultation is an important opportunity for those subject to or affected by any of the traffic commissioners' functions outlined in the statutory document to express their views to the Senior Traffic Commissioner.

4. How do I make my views known?

4.1 We welcome views from all who may be affected by the new proposals. The consultation closes on Friday 3 February 2012. It would be helpful if you could reply using or including the consultation response form at Annex A.

4.2 The consultation should be accessible online shortly at the following website address: www.dft.gov.uk/consultations/open/.

5. What happens next?

5.1 Following the closing date for responses, the Acting Senior Traffic Commissioner will publish and implement the statutory Guidance and Directions by 23 February 2012.

5.2 The traffic commissioners and support staff at the Office of the Traffic Commissioner will adopt the agreed processes and adhere to the guidance and directions to ensure there is a consistent approach to the licensing and regulation of the goods and public service vehicle industries preceding and during the Olympic and Paralympic Games 2012.

6. Draft Guidance and Directions

6.1 The draft statutory guidance and statutory directions document is attached separately. General comments are welcome although the matters upon which particular views are sought are contained in the response form at Annex A below.

7. Replying to this consultation

7.1 Disclosure of responses

7.1.1 Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004

7.1.2 If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

7.1.3 In view of the above provisions it would be helpful if you could explain to us why you regard the information you have provided as confidential. If the Office of the Senior Traffic Commissioner receives a request for disclosure of the information it will take full account of your explanation, but cannot give an assurance that confidentiality can be maintained in all circumstances.

7.1.4 The Department for Transport and the Office of the Senior Traffic Commissioner will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

7.1.5 Although traffic commissioners are not bound by the Code of Practice on Consultations¹, (www.bis.gov.uk/policies/better-regulation/consultation-guidance), they have applied the guiding principles for this consultation.

Yours sincerely



Linda M Featherstone
Manager, Office of the Senior Traffic Commissioner

¹ July 2008 – Department for Business, Enterprise and Regulatory Reform

Annex A

CONSULTATION RESPONSE FORM



This response relates to Guidance and/or Direction Number:	4A
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Name	
Address	
Postcode	
Email address	
Company name or organisation (if applicable)	
If you would like your response or personal details to be treated confidentially please explain why:	

Question 1: Is the guidance and directions document clear and easy to understand? If not, please explain where clarification is required.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Answer 1:		

Question 2: Does the content of the guidance and directions document meet the needs of industry. If no, please explain why not.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Answer 2:		

Question 3: Does the content of the guidance and directions document meet the needs of other stakeholders. If no, please explain why not	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Answer 3:		

Please send your completed form to: sstc@otc.gsi.gov.uk or by post to:

The deadline for responses is: Friday 3 February 2012