



WEST MIDLANDS TRAFFIC AREA
DECISION OF THE TRAFFIC COMMISSIONER
PUBLIC INQUIRY HELD IN BIRMINGHAM ON 27 JUNE 2018
APPLICANT: GILES GRAHAM DETHERIDGE

Decision

1. The application by Giles Graham Detheridge for a restricted goods vehicle operator's licence for three vehicles is refused, pursuant to Section 13B and 13C of the Goods Vehicles (Licensing of Operators) Act 1995 ("the 1995 Act").

Background

Applicant details

1. Giles Graham Detheridge applied on 28 February 2018 for a restricted goods vehicle operator's licence for three vehicles. He noted on his application form that he had been convicted in June 2016 for operating a waste site without a permit and sentenced to six months imprisonment. He further noted that this "conviction is now spent" although in fact it does not become spent until 11 December 2018. Mr Detheridge, together with his business partner Ronald Calder had rented the site from John Bruce, a man with a record of multiple convictions and imprisonment for dumping contaminated waste.

Public inquiry

2. I was concerned by this application from a person who apparently considered his offence to be spent, and decided to consider it at a public inquiry. The call-up letter was sent on 30 May 2018 and the inquiry was held in Birmingham on 27 June 2018. Present were the applicant Giles Detheridge and his transport consultant Kasad Ali.
3. Asked why he had declared his conviction to be spent when it was not, Mr Detheridge replied that he had used the word only in the sense that he had completed his prison sentence.
4. Mr Detheridge said that he had not been involved in the paperwork of the partnership. His partner had assured him that the necessary permits were in place. He had not known of the record and background of John Bruce.

5. Mr Detheridge now had a ground works business and worked as a digger driver. He wanted an operator's licence so that he could transport his own digger. He currently possessed two HGVs: one was D11 GGD which, he said, was currently SORNed. He could not remember the registration number of the other.
6. Mr Detheridge presented the last month's bank statement for his HSBC Advance account. I asked what two credits totalling £2550 on 16 and 17 June 2018 from Hudsons Grab Waste were for. Mr Detheridge could not recall.
7. The call-up letter had asked the applicant to provide details of the proposed vehicle maintenance arrangements and arrangements for ensuring compliance with drivers' hours rules. Mr Ali said that, as the applicant's transport consultant, he would be taking care of that side of things.
8. I adjourned the inquiry to reach a written decision. After the inquiry my clerk checked to see whether vehicle D11 GGD was indeed SORNed as claimed by Mr Detheridge. It was not.

Conclusions

9. Giles Detheridge was convicted of a serious waste offence in June 2016, for which he was sentenced to 6 months' imprisonment. That offence is not yet spent.
10. Mr Detheridge did not give impress me at the inquiry as someone in whom I could place the trust that a traffic commissioner extends to an operator. He did not tell the truth about the status of vehicle D11 GGD which is taxed, not SORNed, and therefore operational. He was unable to explain large and recent payments into his account by Hudsons Grab Waste. He had not brought to the inquiry any of the documentation relating to his intended maintenance and drivers' hours compliance systems which I had requested.

Decision

11. Overall I conclude that, at the current time, because of his serious conviction and because of his dissembling at the inquiry, Giles Detheridge is not a fit person to hold a goods vehicle operator's licence. Nor does he have satisfactory arrangements in place to ensure that drivers' hours rules are observed or that vehicles are kept in a fit and serviceable condition. The application is therefore refused.



Nicholas Denton

Nicholas Denton
Traffic Commissioner
27 June 2018