



## DECISIONS OF THE TRAFFIC COMMISSIONER FOR WALES

**John Victor Randles – OG0092908**

### **Goods Vehicles (Licensing of Operators) Act 1995 (“the Act”)**

#### **Decisions made in respect of the operator’s licence held by John Victor Randles OG0092908**

1. Adverse findings are made under sections 26(1)(c)(i) and (ii); 26(1)(c)(iii); 26(1)(e); and, 26 (1) (f) of the Act.
2. The operator continues to be fit to hold a licence, albeit fitness is tarnished.
3. The operator has failed to produce evidence of financial resources in accordance with statutory guidance despite being required to do so. I make a finding that the operator no longer satisfies the requirement, section 26(1)(h) of the Act. I give a period of 8 weeks grace to address this requirement.
4. The operator agrees to the following undertakings being recorded on the licence:
  - (1) The operator will attend an operator licence awareness training course and do so within 8 weeks. Proof of attendance to be sent to the OTC in Birmingham;
  - (2) The operator will pay for an audit by the RHA and this is to be conducted within 8 weeks. The audit will be of maintenance systems and documentation – and additionally drivers’ hours and records. The audit is to be copied to the OTC in Birmingham and the local DVSA office in Wrexham;
  - (3) The operator will within 8 weeks demonstrate to the OTC in Birmingham that he has paid a consultant (or the RHA) to advise on and set up systems which are satisfactory for maintenance and for drivers’ hours records and analysis;
  - (4) PMIs will be no longer than 4 weekly;

- (5) Within 28 days a signed maintenance contract with the new maintenance provider will be forwarded to the OTC in Birmingham;
- (6) Certified original bank statements to be produced to the OTC Birmingham for a continuous 3 months period as set out in statutory documentation, this to be provided within 28 days.
5. The operator's licence is suspended until 1 April 2019.

### **Attendance at Public Inquiry**

- John Victor Randles, operator



**Nick Jones**  
**Traffic Commissioner**  
**Comisiynydd Trafnidiaeth**

**6 March 2019**

### **Notes (which can be copied to the operator)**

- This operator has attended today for the first time before a TC, this is despite his telling me that he has operated for 40 years. He is a scrap metal dealer who will soon be 74, the only driver is his son. There are two vehicles but only one is ever driven at any one time.
- Vehicles can go weeks without being driven and son drives for other operators on an agency basis. When I ask about checks regarding his son's weekly and fortnightly rest, the operator conceded he didn't know the requirements. It follows that he wouldn't keep records of his son's other driving.
- The operator was open and honest with me. The failings are substantial and the paperwork given to me was hopeless. Maintenance has been carried out but not enough and paperwork records are inadequate.
- I warned that if he failed to address the concerns or failed to adhere to the undertakings that the licence could be lost.
- This operator does not use IT – and reading and writing is not a strength. I asked the Clerk to post an additional copy of this decision so it can be forwarded by the operator to the RHA. In hindsight, two additional copies should be sent.
- The operator told me about his sister's granddaughter who he thought was a transport manager. Her name is Lisa Buckley and VOLS didn't reveal her to be on any licence. I suspect that she worked for an operator and dealt with paperwork, which is not the same thing – however it is likely that she would assist this operator. This operator tells me that he would ask her to undertake the necessary liaison with the RHA and others in relation to addressing the undertakings.
- I inform the operator that although the licence is suspended, he can still have it maintained during the suspension period – but he cannot use a vehicle to carry goods (operate).