



**TRAFFIC COMMISSIONER'S DECISION**

**GREENFIELD SCAFFOLDING LIMITED**

**LICENCE NUMBER - OK2019861**

**GOODS VEHICLES (LICENSING OF OPERATORS) ACT 1995**

**Decision**

1. Application refused as I remain to be satisfied that Greenfield Scaffolding Limited is fit to hold a Licence, as per section 13B of the 1995 Act.

**Reasons**

2. The sole Director is the subject of a serious conviction, which is not yet spent. In this context, it was important for Mr Baker to ensure that:-
  - (a) He fully understood the requirements of the Operator Licensing regime; and
  - (b) The application form is accurately completed.
3. There are some positives. Mr Baker produced two references. One is unsigned and purports to be from an individual who is Company Secretary, but she is not. The second is signed but fails to give the employment dates. It follows that I can only give those documents minimal weight. Mr Baker tells me that if the Licence is granted, he will do some training. He has made enquiries with the RHA. Mr Baker has not been convicted of further offences since his release, so far as I am aware.
4. Regrettably, there are a number of negatives, namely:-
  - the false declaration that the custodial sentence was 30 months (should be 39 months);
  - the false declaration that Mr Baker did not have a vehicle he intended to operate. He purchased an 18 tonne vehicle and had it in possession at the date he signed the form;
  - he has no security of tenure at the proposed operating centre (done on a handshake with a friend). There is nothing on our records to suggest Jack Selby is connected to 6 Maypole Crescent.
5. Mr Baker tells me that he wants his own business to turn things around for him and his family. However, as a Director, he must understand his responsibilities – independent judgement, skill

and care. As an Operator, there are onerous responsibilities. However, Mr Baker did little to understand these before lodging the form or since. As a result he had fallen into grave error.

6. On balance my 'gatekeeper' role requires me to refuse this application. I must do so to protect road safety and fair competition.
7. It is open to Mr Baker/Greenfield Scaffolding Limited to apply for a Licence again at any time. Hopefully the discussion at the hearing and terms of this decision, will assist in any future application.



**Miss Sarah Bell**  
**Traffic Commissioner**  
**London & South East England**  
**17 April 2019**