



DECISIONS OF THE TRAFFIC COMMISSIONER FOR WALES

D & A Freight Logistics Ltd – OG0083686

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M4 Freight Ltd – OG20198855

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Transport Manager – Philip Steven Bennett

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

Decisions made in respect of the standard national operator’s licence held by D&A Freight Logistics Ltd OG0083686

1. The operator no longer satisfies the requirement for financial standing section 27(1)(a) and 13A(2) of the Act.
2. The operator no longer satisfies the requirement to be of good repute, section 27(1)(a) and 13A(2) of the Act.
3. I do not make findings on the other grounds cited in the call up letter.
4. The operator’s licence is revoked with effect from 1st May 2019.
5. Pending the revocation on 1st May 2019, to regularise matters I grant authority for the new operating centre, I also grant authority for 5 trailers.

Decisions made in respect of an application for a standard national operator's licence for seven vehicles and twelve trailers by M4 Freight Ltd OG2019855

6. The applicant agrees that the following undertakings would be recorded on any licence granted:

(1) There will be an audit conducted in 6 months and copied to both the OTC for Wales and additionally the local DVSA office.

(2) Natalie Emmett will attend an Operator Licence Awareness Training course within two months and provide evidence to confirm attendance to the OTC for Wales.

(3) David Emmett will have no role whatsoever in the licence or the business, including as a driver.

(4) Transport Manager Philip Bennett will attend a specialist 2 day transport manager refresher course within 3 months.

7. The application for an operator's licence for seven vehicles and twelve trailers is not granted in full, it is granted in part. It is granted for five vehicles and twelve trailers with effect from 24 April 2019.

8. I record that I would consider an application to increase authorisation after receipt of an audit in 6 months.

Decisions made in respect of transport manager Philip Bennett

9. Repute as a transport manager remains intact albeit it is tarnished.

Attendance at Public Inquiry on 8 April 2019

- TE Alexander Bell
- James Backhouse representing D&A Freight Logistics Ltd
- Scott Bell representing the applicant M4 Freight Ltd – and also Philip Bennett
- Andrew Emmett, director of D&A Freight Logistics Ltd
- Natalie Emmett, director of M4 Freight Logistics Ltd
- Philip Bennett, Transport Manager



**Nick Jones
Traffic Commissioner
Comisiynydd Trafnidiaeth**

8 April 2019