



**WEST MIDLANDS TRAFFIC AREA**  
**DECISION OF THE TRAFFIC COMMISSIONER**  
**PUBLIC INQUIRY HELD IN BIRMINGHAM ON 11 JUNE 2019**  
**APPLICANT: VENTURE PRESSINGS LTD**

**Decision**

1. The application made by Venture Pressings Ltd for a restricted goods vehicle operator's licence is refused, pursuant to Section 13B of the Goods Vehicles (Licensing of Operators) Act 1995 ("the 1995 Act").

**Background – previous licence history of Venture Pressings Ltd director Mark Pickering**

*Talco Tool Storage Ltd*

1. Mark Pickering was the sole director on the restricted licence granted to Talco Tool Storage Ltd in May 2005. The company went into liquidation in February 2008 and the licence was surrendered in June 2008.

*Talco Banding & Seals Ltd*

2. Mark Pickering was the sole director on the restricted licence granted to Talco Bandings & Seals Ltd in January 2009. However, the application form held out a Warren Kelly as the company's sole director (he was in fact the secretary). When the discrepancy was discovered a public inquiry was held in March 2010, with the licence being revoked with immediate effect and Mr Pickering's fitness to hold a licence severely tarnished. The company entered liquidation the following month (April 2010).

*Venture Maintenance Services Ltd*

3. This licence was granted in March 2010: Mark Pickering was the company's sole director. The company entered liquidation in December 2012 but this fact was not notified to the traffic commissioner and vehicles continued to operate under the guise of the licence. The licence was revoked at a public inquiry in March 2014, with the then traffic commissioner issuing a formal warning to Mark Pickering for operating goods vehicles after the entity holding the licence had entered liquidation. This warning was recorded in writing.

*Venture Steel Ltd*

4. This licence was granted at the same public inquiry in March 2014. Mark Pickering was the company's director. Five years later, on 20 March 2019 Mr Pickering signed the licence renewal checklist, confirming that he wished to renew the licence held by Venture Steel Ltd. Subsequent investigations by the central licensing office showed that the company had in fact entered creditors voluntary liquidation in June 2018. The continuation fee was returned and the licence was marked as surrendered.

#### *Venture Pressings Ltd – current application*

5. On 21 March 2019, the central licensing office in Leeds received an application for a restricted licence for five vehicles from Venture Pressings Ltd. The sole director of the company and the signatory of the application form was Mark Pickering. On the form, in answer to the questions on financial history he declared that Venture Pressings Ltd had gone into receivership in 2018: no mention was made of the liquidations of Talco Tool Storage Ltd, Talco Banding & Seals Ltd or Venture Maintenance Services Ltd. Mr Pickering also stated on the form that he had never had a licence revoked and had never attended a public inquiry. Both statements were incorrect (see history above). He also stated that Venture Pressings Ltd had not acquired any assets from any other company which held or had held a licence, even though all three vehicles listed on the application form had previously been operated by Venture Steel Ltd.
6. Included with the application were bank statements which clearly suggested that Venture Pressings Ltd was now the operator of the vehicles, as payments were being made to DVLA, for example, for the taxation of the HGVs. The bank statements also showed that several cheques and direct debits had been returned over the past few weeks, suggesting that the company might not have the appropriate resources to support the five vehicles it was applying to operate.

#### **Public inquiry**

7. In the light of Mark Pickering's history as a director and operator, the financial position of his latest company and the suggestions that the latest company was already operating HGVs, I decided to consider the application at a public inquiry and to refuse the request for an interim licence.
8. The call-up letter was sent on 7 May 2019, citing Section 13B of the 1995 Act. The public inquiry was due to be held in Birmingham on 11 June 2019. At 1504 hours on 10 June Mr Pickering emailed my clerk to say that he would like to withdraw from appearing at the inquiry. In the absence of an interim licence he had found it impossible to carry on with the business. The email did not explicitly state that he wished to withdraw the application but I took this to be the case. However, in view of the extreme lateness of this request I decided to continue with the inquiry.

#### **Findings**

9. I find that Mark Pickering is not a fit person to hold an operator's licence or to be the director of a company holding such a licence. I make this finding for the following reasons:
  - a) he was explicitly warned at the public inquiry in March 2014 for having operated goods vehicles after the entity holding the licence had entered liquidation. Despite that warning, he has done exactly the same again, with Venture Pressings Ltd operating vehicles under the guise of the licence issued to Venture Steels Ltd after the latter company had entered liquidation. His email of 10 June 2019 sought to blame his finance director for this, but Mr Pickering had already been warned about this and had also, as an undertaking to the traffic commissioner at the 2010 public inquiry, attended an operator licence management course which would have covered the subject of operating entity;

- b) he has a string of failed companies to his name and there is no reason to believe that next time round would be any different. Indeed, from the number of dishonoured cheques and direct debits contained in the bank statements, there is reason to believe that Venture Pressings Ltd already has cashflow problems;
- c) the numerous incorrect answers Mr Pickering gave on the application form about his past financial and regulatory history show, if not an outright attempt to conceal and deceive, at the very least an extremely careless approach to detail. Managing an operator's licence requires close attention to detail. The fact that Mr Pickering gave so many incorrect answers to straightforward questions does not give me the assurance I require that he is capable of attending properly to regulatory matters.

**Decision**

- 10. As I have found that Mark Pickering is not fit to hold an operator's licence or be the director of a company holding such a licence, I am accordingly refusing the application under Section 13B of the 1995 Act.



Nicholas Denton  
Traffic Commissioner  
11 June 2019