



WESTERN TRAFFIC AREA

Ready2Go Movers Ltd

OH2030679

WRITTEN CONFIRMATION OF AN ORAL DECISION

BACKGROUND

1. Ready2Go Movers Ltd submitted an online application on 5 February 2020 although it was incomplete. The final document, being the nominated transport manager's completed declaration was received on 30 March. The application listed two statutory directors, Mark Hudson and Richard Le Breton. The following statements were made as part of the application:

Previous licences

Has anyone you've named in this application (including partners, directors and Transport Managers) previously held or applied for a goods or PSV operator's licence in any traffic area?

No

Public Inquiries

Has any person named in the application (including partners, directors or Transport Managers) ever attended a Public Inquiry before a traffic commissioner?

No

2. The nominated transport manager was Ann Holloway.

3. The caseworker noted that Companies House records indicated that Mark Hudson may actually be Mark Hodson. The operator was asked to confirm. Mark Hodson wrote on 14 February to say that *“there was a typo error that Mark Hodson surname was submitted at “Hudson””*.
4. On confirmation that Mr Hudson was actually Mr Hodson, the caseworker identified that Mr Hodson had previously held licence OG1076102 as a sole trader in his own name and had appeared at a public inquiry contrary to the statement he had made on application. An explanation was requested. Mr Hodson responded on, 8 April, that his transport manager had completed the application and has mis-spelled his surname. His previous history was not included because he had been the transport manager previously and was not transport manager on the new application. The caseworker noted that the application indicated that Mr Hodson had completed and submitted it himself.
5. The application was referred to me on 24 April, notably less than 4 weeks after it was complete. Because of the failure to declare licensing history and the apparent attempt to deceive arising from the applicant appearing to have mis-spelled his own name, I proposed to refuse the application with the offer of a public inquiry. I indicated that I would be prepared to hear the application virtually during lockdown provided the applicant was legally represented such that identity could be confirmed.
6. Mark Hodson and Ann Holloway attended for the applicant company today represented by Harry Bowyer of counsel. The hearing was held using Microsoft Teams. Due to broadband issues, part was heard without video. I am grateful to the parties for their patience.
7. I was told that Ann Holloway had applied for the VOL login credentials in the name of Mark Hodson and she told me that she had subsequently mis-spelled Mr Hodson’s name. She was not aware of his previous history, knowing him only as a driver. Mr Hodson confirmed that he had allowed Ms Holloway to create the login identity using his credentials. He told me that he routinely did that within his business, for example allowing others to use his online banking identity. He told me that he had not considered his previous licence history as relevant as he was not the transport manager on the new application. Mr Bowyer submitted that there was no intention to mislead and that, had the application been made correctly in the first place, it would most likely have been granted without a hearing. Use of other people’s VOL credentials was widespread.
8. Operator licensing is based on trust. That starts with knowing who I am communicating with. The use of another party’s login credentials is wholly unacceptable. The following is an extract from the .gov website relation to the use of the online service:

Care of your password and username

To stop fraud and protect your licence you must take care of your password and username.

You can do this by:

- taking reasonable steps to keep them secret
- not letting anyone else use them
- never writing them down without disguising them
- only entering them when you're asked to

We may ask for login details like your username to identify you, but nobody should ask for your password. Never give it away in full.

9. The applicant broke the terms and conditions even before the application was submitted. It went on to give untrue answers. There is no basis here for trust and the applicant has not demonstrated that it is not unfit to hold a licence. The application is refused.
10. Mr Hodson complained at the amount of time the application process had taken. My service standard is to determine applications within 7 weeks of them having been submitted **and** complete. This application was complete on 30 March and determined on 24 April, well within that 7-week period. Once a case is listed for public inquiry, the service standard is for the hearing to take place within 12 weeks. Mr Hodson requested a public inquiry on 30 April, less than 8 weeks ago.
11. Should a new application be made and be complete, I am content to grant interim authority immediately without the need for referral to me.



Kevin Rooney
Traffic Commissioner
22 June 2020