Office of the Traffic Commissioner

(West Midlands)

Notices and Proceedings

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Correspondence should be addressed to:

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Telephone: 0300 123 9000

Website: www.gov.uk/traffic-commissioners

The next edition of Notices and Proceedings will be published on: 16/09/2024

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This publication can be viewed by visiting our website at the above address. It is also available, free of charge, via e-mail. To use this service please send an e-mail with your details to:

notifications@vehicle-operator-licensing.service.gov.uk

Remember to keep your bus registrations up to date - check yours on https://www.gov.uk/manage-commercial-vehicle-operator-licence-online

PLEASE NOTE:

The new enquiry telephone number: 020 4551 8711 and will be open Monday to Thursday - 9am to 5pm, Friday 9am to 4.30pm

Due to flexible working, staff are working between the office and home. If you need to see your caseworker, please ensure prior arrangements have been made before visiting the office.

"Due to a refurbishment of the Birmingham Office there will be no counter service from 30 September 2024 until 6 January 2025.

All mail services will be redirected.

Operators and Transport Managers will be informed of alternate locations of Public Inquiries in their individual letters, or hearings held virtually.

Anyone contacting the Birmingham Office of the Traffic Commissioner are advised to contact the nominated caseworker via email".

As a result of feedback from stakeholders we have decided to change the day that this publication will be released. We have moved the publication day from Friday to Monday to allow stakeholders to consider the publication at the earliest opportunity in the working week.

The last time it was published on a Friday was on 16 August 2024, subsequent editions are now published on Mondays. Limiting the gap between the publications on implementing this change will ensure that no applicant or operator is disadvantaged by the change'.

Most correspondence from the Office of the Traffic Commissioner will now be sent to you by email.

The best way to reach us at the moment is digitally. Please upload documents through your VOL user account or email us. There may be delays if you send correspondence to us by post.

If you wish to make an objection to a goods vehicle application it is recommended you send the details to **Environmental@otc.gov.uk** clearly stating 'Objection' in the subject line.

If you wish to make an objection to a public service vehicle application it is recommended you send the details to PSVOperatorLicensing@otc.gov.uk clearly stating 'Objection' in the subject line.

If you are an existing operator without a VOL user account, and you would like one, please email Motifications@vehicle-operator-licensing.service.gov.uk and a member of staff will contact you as soon as possible to arrange this. You will need to answer some security questions.

Notices and Proceedings

Important Information

All correspondence relating to public inquiries should be sent to:

Office of the Traffic Commissioner (West Midlands) 38 George Road Edgbaston Birmingham B15 1PL

The public counter in Birmingham is open for the receipt of documents between 9.30am and 4pm Monday to Friday. There is no facility to make payments of any sort at the counter.

Due to a refurbishment of the Birmingham Office there will be no counter service from 30 September 2024 until 6 January 2025.

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General Notes

Layout and presentation – Entries in each section (other than in section 5) are listed in alphabetical order. Each entry is prefaced by a reference number, which should be quoted in all correspondence or enquiries.

Further notes precede sections where appropriate.

Accuracy of publication – Details published of applications and requests reflect information provided by applicants. The Traffic Commissioner cannot be held responsible for applications that contain incorrect information.

Our website includes details of all applications listed in this booklet. The website address is: www.gov.uk/traffic-commissioners

Copies of Notices and Proceedings can be inspected free of charge at the Office of the Traffic Commissioner in Leeds.

Carriage of passengers to designated association football matches.

Legal Requirements

PSV operators are reminded of the terms of section 1(1) of the Sporting Events

(Control of Alcohol) Act 1985, as amended by the Public Order Act 1986, which prohibits the carriage of alcohol on a PSV that is being used for the principal purpose of carrying passengers for the whole or part of a journey to or from a designated sporting event.

PSV operators are also reminded of the terms of section 2A of the Sporting Events (Control of Alcohol) Act 1985, as amended by the Public Order Act 1986, which prohibits the possession of a firework or an article or substance, whose main purpose is the emission of a flare, smoke or a visible gas, at any time during the period of, while entering or trying to enter a designated sporting event.

A 'designated sporting event' generally means certain association football matches, whether national or international, as defined in Schedule 2 of the Sports Grounds and Sporting Events (Designation) Order 2005 (as amended). It is an offence for an operator of a PSV (or his servant or agent) to knowingly cause or permit the carriage of alcohol on journeys to which these Regulations apply.

Voluntary Guidelines on the carriage of passengers to association football matches - England and Wales

For many years the PSV industry has complied with a voluntary code of practice whereby operators taking passengers to a designated sporting event meet certain guidelines set by the police. This has worked very well, and it has seldom been necessary for a traffic commissioner to take any further action against an operator who has contravened the guidelines. Nevertheless the police in England and Wales are concerned that incidents of football related violence and disorder do still occur.

The guidelines were drafted in conjunction with the Confederation of Passenger Transport (CPT), the Crown Prosecution Service (CPS), the Coach Operators Federation (COF) and the Association of Transport Coordinating Officers (ATCO) and are set out below:

- a. PSV operators taking bookings from groups of supporters are to notify the relevant Dedicated Football Officer (DFO), at least 48 hours before the event, of the number of supporters expected to travel, the number of vehicles booked, the name and the contact number for the person who made the booking. Once available the operator must also notify the VRM and driver's name to the relevant Dedicated Football Officer.
 - For the purpose of these guidelines, the relevant Dedicated Football Officer means the DFO for the club that the fans are travelling to support. For example, West Ham are playing a premier league game away to Leeds United. Operator A has been contracted to transport West Ham fans from Romford and the relevant DFO is the DFO for West Ham. Operator B has been contracted to carry Leeds United fans to the game from Barrow in Furness. In this case the relevant DFO is the DFO for Leeds.
- b. Vehicles are not to stop within 10 miles of the venue either enroute to, or on departure from the event unless prior agreement is obtained from the relevant Dedicated Football Officer.
- c. Unless directed by a police officer, PSVs may stop at premises where intoxicating liquor is sold only if it is sold ancillary to a substantial meal. Prior agreement for meal stops where alcohol is available should be sought from the operator's relevant Dedicated Football Officer.
- d. PSVs are to arrive at the venue no earlier than two hours before and not later than one hour before the scheduled start of the game, unless otherwise directed by police.

- e. PSVs are not to set down or uplift passengers at any unauthorised locations without prior permission of the police.
- f. PSVs must leave the venue within 30 minutes of the finish of the event, unless directed otherwise by a police officer or ground safety officer.
- g. PSV operators are to follow all reasonable instruction given by police or enforcement officers at all times. This includes, but is not limited to, routing and stopping arrangements.
- h. Intoxicating liquor, flares and similar pyrotechnics, must not be carried on PSVs travelling to or from designated grounds. Operators will draw hirers' attention to the requirements of the law, and drivers shall, as far as reasonably practical, supervise boarding passengers and check that they are not obviously carrying intoxicating alcohol, flares and similar pyrotechnics. Drivers will not be expected to carry out baggage or body searches, nor will they be expected to confiscate alcohol or to remove passengers without police assistance. Operators may add a condition of entry to the PSV that a voluntary search may be undertaken.
- i. PSV operators are to notify the Dedicated Football Officer at the destination upon arrival at an away football ground, of any chanting demonstrating hostility based on race, ethnicity religion or beliefs, sexual orientation, disability, and transgender identity or chanting of an otherwise grossly offensive or inflammatory nature which had taken place during the journey to the ground.
- j. PSV operators are to have established safeguarding policies when carrying persons under the age of 18 years old. This is to include arrangements for the nomination of at least one responsible adult for the minors carried.

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Section 1 – Special Notices

On 5th March 2023 the West Midlands Combined Authority (WMCA) became the Bus Service Registration Authority for local bus services within the West Midlands, using powers granted by the Transport Act 1985. The Authority is now responsible for processing applications to register, vary or cancel local bus services that operate wholly within the West Midlands Combined Authority area. These services will not appear in the Notices and Proceedings and can be viewed at https://www.tfwm.org.uk/who-we-are/what-we-do/bus-services/bus-service-registrations-within-the-west-midlands/. For other services which operate cross-border, the Traffic Commissioner remains the registration authority.

Services that have been transferred to WMCA will show as 'Admin Cancelled' on the gov.uk website.

Section 2 – PSV Operator Licensing

Inspection of licence applications can be requested under the provisions of Regulation 4 of the Public Service Vehicles (Operators' Licences) Regulations 1995 by anybody who holds statutory objector status. Applications may be inspected free of charge at the Office of the Traffic Commissioner in Leeds by any person who carries written authorisation to act in that capacity.

Objections against applications for licences must be made in writing by a Chief Officer of Police or by a local authority within 21 days of the date on which notice of an application is published in Notices and Proceedings. Objections must be made on the grounds that one or more of the requirements mentioned in Sections 14(1) and (3) of the Public Passenger Vehicles Act 1981 are not satisfied in relation to the application. A copy of the objection must be sent by the objector to the applicant at the same time that it is sent to the Traffic Commissioner. The onus of proof in terms of the grounds on which an objection is lodged lies with the objector. There is no right of objection against an application for a special licence submitted under Section 12 of the Transport Act 1985.

Classification of Operator Licences – There are four classes of licence:

- A **Standard International (SI)** licence authorises the use of any description of public service vehicle on both national and international operations;
- A **Standard National (SN)** licence authorises the use of any description of public service vehicle on national operations;
- A Restricted licence (R) authorises the use of:
 - a) public service vehicles not adapted to carry more than eight passengers; and
 - b) those not adapted to carry more than sixteen passengers when used otherwise than in the course of a business of carrying passengers or by a person whose main occupation is not the operation of public service vehicles adapted to carry more than eight passengers;
- A Special Restricted (SR) licence, issued under Section 12 of the Transport Act 1985, authorises the holder of a taxi or private hire vehicle licence to operate local services.

Appeals in connection with PSV Operator Licences must be lodged with the Upper Tribunal – Administrative Appeal Chamber (Transport), 5th Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London, EC4A 1NL not later than one month after the date of the letter conveying the Traffic Commissioner's (or Deputy Traffic Commissioner's) decision.

Appellants can obtain guidance on lodging appeals, including downloading the appeal form, from the website: www.administrativeappeals.tribunals.gov.uk

Any previous entry in Notices and Proceedings is indicated by the publication number in brackets.

Our website contains details of all applications listed in this section. The address is: www.gov.uk/traffic-commissioners

Section 2.1 – New Applications Received

No entries

Section 2.2 – New Applications Granted

PD2072181 SI REDDITCH TAXIS LTD

Director(s): KHALIL AKBAR

2 MEADOW HILL, REDDITCH, B98 8HN

Operating Centre: 8 LODGE ROAD, REDDITCH, B98 7BT

Authorisation: 2 vehicle(s)

Transport Manager(s): BALBER KOMAL SINGH

New Undertaking: Vehicles with eight passenger seats or less will not be operated under the licence without the prior written agreement of the Traffic Commissioner who may require you to agree to certain undertakings Attached to Licence. New Undertaking: Limousines and novelty type vehicles are not to be operated

under this operator's licence Attached to Licence.

Section 2.3 – New Applications Refused

No entries

Section 2.4 – Variation Applications Granted

PD2065146 SN CLARKES TRAVEL GROUP LTD

Director(s): James Clarke, John Molnar

12 CHEVERTON ROAD, Northfield, BIRMINGHAM, B31 1RU

Increase at existing operating centre: TOP COMPOUND ADJACENT TO UNIT 3,

GAINSBOROUGH TRADING ESTATE, STOURBRIDGE, DY9 7ND

New authorisation at this operating centre will be: 3 vehicle(s)

New licence authorisation will be 3 vehicle(s)

Section 2.5 – Variation Applications Refused

No entries

Section 2.6 – Licences Surrendered

PD2030823 R Licence surrendered WEF 4 September 2024

CASTLE NURSERY KENILWORTH LIMITED

Director(s): Sarah Jayne Bromley, Pauline Ann Weighell

5 BEEHIVE HILL, KENILWORTH, CV8 1BY

Section 2.7 – Application Withdrawn Prior to Determination

No entries

Section 2.8 – Licences Revoked Without a Public Inquiry

PD1084538 R ISHFAQ HUSSAIN

153 MCKEAN ROAD, OLDBURY, B69 4AG

Registered Bus Services running under this licence have also been revoked with

immediate effect.

PD1086427 R WT UK OPCO 3 LIMITED

Director(s): Caroline Mary Roberts, Justin Reynold Skiver 1270 WARWICK ROAD, KNOWLE, SOLIHULL, B93 9LQ

Registered Bus Services running under this licence have also been revoked with

immediate effect.

Section 2.9 – Conditions Imposed Under Section 16.3 of the Public Passenger Vehicles Act 1981 (without a Public Inquiry)



Section 3 – Registration of Local Bus Services

When an application is sent to the Office of the Traffic Commissioner, a copy of all application forms and supporting documents must also be sent to each of the county councils and unitary authorities in whose area the service will operate. Failure to do so may delay acceptance of that application.

Some of the periods of notice applicable before the operation of registered services, including variations or cancellations, are at the discretion of the Traffic Commissioner. In such cases the application must be accompanied by a written explanation of why a short notice period is required.

Any registration may be inspected at the Office of the Traffic Commissioner in Leeds during public business hours. Copies of registrations can be sent by post or fax to any interested party upon prior receipt of a written request together with a fee of £3.00 per copy for posted copies or £5.00 per copy for faxed copies.

Our website contains details of all applications listed in this section. The address is: www.gov.uk

Section 3.1 – Registration of New Services

No entries

Section 3.2 – Registration of New Services Granted Under Short Notice

No entries

Section 3.3 – Applications to Vary Existing Services

PF0007085/221

ARRIVA MIDLANDS LTD, 4 WESTMORELAND AVENUE, THURMASTON, LEICESTER, LE4 8PH

Operating between St Margarets Bus Station, Leicester and Pool Meadow Bus Station, Coventry given service number X6 effective from 27 August 2024. To amend Stopping Places and Timetable.

Section 3.4 – Applications to Vary Existing Services Granted Under Short Notice

No entries

Section 3.5 – Cancellations of Existing Services

No entries

Section 3.6 – Cancellations of Existing Services Granted Under Short Notice

No entries

Section 4 – Traffic Regulation Conditions

Section 4.1 – Requests

Section 4.2 – Determinations

Section 5 – Public Inquiries

Anyone wishing to observe a physical or virtual public inquiry must request to do so from the relevant Office of the Traffic Commissioner in advance of the hearing. Due to space or technology restrictions we may not be able to accommodate all requests.

Please contact keith.holliday@otc.gov.uk for further information.

There is no obligation on the traffic commissioner to provide a transcript of proceedings. Any decision to release will refer to the reasons for the request and there may be restrictions

placed on its use. That request should be made via the relevant Office of The Traffic Commissioner and the applicant must understand that they will be liable for the cost of producing the transcript. This will vary according to demand and size of content.

Appeals in connection with PSV Operator Licences must be lodged with the Upper Tribunal – Administrative Appeal Chamber (Transport), 5th Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London, EC4A 1NL not later than one month after the date of the letter conveying the Traffic Commissioner's (or Deputy Traffic Commissioner's) decision. Appellants can obtain guidance on lodging appeals, including downloading the appeal form, from the website: www.administrativeappeals.tribunals.gov.uk

Section 5.1 – Notice of Public Inquiries to be Held

Section 5.2 – Decisions Taken at Public Inquiries

Public Inquiry (90192) held at The Public Inquiry Room (Birmingham), B15 1PL, 38 George Road, Edgbaston, Birmingham, on 14 August 2024 commenced at 13:30 (Previous Publication:(2665)) PD1070989 R

KHALIL AKBAR

KHALIL AKBAR

8 LODGE ROAD, REDDITCH, B98 7BT

S17 - The restricted public service vehicle operator's licence PD1070989 is revoked at 23:59 hours on 30 September 2024 under section 17(3)(aa) [breach of the general undertakings that attach to the operator's licence] of Public Passenger Vehicles Act 1981 (as amended) (the "Act").

Public Inquiry (90193) held at The Public Inquiry Room (Birmingham), B15 1PL, 38 George Road, Edgbaston, Birmingham, on 27 August 2024 commenced at 11:00 (Previous Publication:(2667)) PD2072676

MUHAMMAD YASIR

MUHAMMAD YASIR

262 DARLASTON ROAD, WALSALL, WS2 9SH

Having heard the applicant in evidence and considered the documentation received, I remain to be satisfied that this licence can be granted.

I am concerned as to the 'main occupation' consideration. On the evidence available, I cannot be satisfied, in the balance of probabilities, that this would not be Mr Yasir's main occupation. Further, I am concerned as to his level of knowledge of the operator licensing regulatory regime. I suggest he completes an operator licence awareness training course if he wishes to reapply. Based on the evidence before me, a standard PSV licence would be more appropriate if Mr Yasir does reapply.

S14 - Application refused

Section 5.3 – Notice of Transport Manager Public Inquiries to be Held

TM Public Inquiry (Case ID: 465810, Public Inquiry ID: 102721) for Mr IAN MARTIN WHELLANS to be held at Leeds Magistrates Court, Leeds, on 18 September 2024 commencing at 10:00 (Previous Publication:(2671))

Article 6 of Regulation (EC) No 1071/2009 Schedule 3 TM Public Inquiry (Case ID: 452990, Public Inquiry ID: 102719) for ROBERT ALAN BENNETT to be held at Leeds Magistrates Court, Leeds, on 18 September 2024 commencing at 10:00 (Previous Publication:(2671))

Article 6 of Regulation (EC) No 1071/2009 Schedule 3

TM Public Inquiry (Case ID: 465432, Public Inquiry ID: 102595) for Mr JACK ELLIOTT to be held at The Public Inquiry Room (Warrington), WA3 2SH, Suite 4, Stone Cross Place, Stone Cross Lane North, Golborne, Warrington, on 1 October 2024 commencing at 10:00 Article 6 of Regulation (EC) No 1071/2009

TM Public Inquiry (Case ID: 465603, Public Inquiry ID: 102652) for JOHN JOSEPH CUMMINS to be held at The Public Inquiry Room (Warrington), WA3 2SH, Suite 4, Stone Cross Place, Stone Cross Lane North, Golborne, Warrington, on 2 October 2024 commencing at 14:00 Article 6 of Regulation (EC) No 1071/2009

TM Public Inquiry (Case ID: 466075, Public Inquiry ID: 102791) for MOHAMMED SABEEL SAJAD to be held at Leeds Magistrates Court, Leeds, on 24 September 2024 commencing at 10:00 Article 6 of Regulation (EC) No 1071/2009 Schedule 3

TM Public Inquiry (Case ID: 464819, Public Inquiry ID: 102453) for MATTHEW JOHN MASON to be held at Jubilee House (Bristol), BS5 0GB, Croydon Street, Bristol, on 3 October 2024 commencing at 14:00

Article 6 of Regulation (EC) No 1071/2009

TM Public Inquiry (Case ID: 465454, Public Inquiry ID: 102607) for Mr John Snook to be held at the Office of the Traffic Commissioner for Wales, 3 Llys Cadwyn, Pontypridd, CF37 4TH, on 2 October 2024 commencing at 14:00

Article 6 of Regulation (EC) No 1071/2009

Section 5.4 – Decisions Taken at Transport Manager Public Inquiries

TM Public Inquiry (Case ID: 464530, Public Inquiry ID: 102359) for KATIE SOSA to be held at The Public Inquiry Room (Warrington), WA3 2SH, Suite 4, Stone Cross Place, Stone Cross Lane North, Golborne, Warrington, on 27 August 2024 commencing at 10:00 (Previous Publication:(2665)) Article 6 of Regulation (EC) No 1071/2009

I formally find that the Transport Manager is no longer of the required good repute to act as a Transport Manager, for the purposes of Section 27 and Schedule 3 of the Act. Having resigned from the role of a transport manager for this Operator prior to the Inquiry she no longer acts as a transport manager on any operator's licence. She has failed to attend the Inquiry today. I draw adverse conclusions from her failure to attend. In the event that she seeks to act as a transport manager again then that application must be flagged to the Traffic Commissioner with this licence history to enable the Traffic Commissioner to consider if by that time she is of good repute and professionally competent

TM Public Inquiry (Case ID: 464802, Public Inquiry ID: 102445) for RODGER MALCOLM FIRTH to be held at The Public Inquiry Room (Warrington), WA3 2SH, Suite 4, Stone Cross Place, Stone Cross Lane North, Golborne, Warrington, on 28 August 2024 commencing at 10:00 (Previous Publication:(2668))

Article 6 of Regulation (EC) No 1071/2009

Formal Warning issued

TM Public Inquiry (Case ID: 464466, Public Inquiry ID: 102345) for PATRICIA MAY TEVERSON to be held at The Public Inquiry Room (Birmingham), B15 1PL, 38 George Road, Edgbaston, Birmingham, on 28 August 2024 commencing at 10:30 (Previous Publication:(2667))

Patricia Teverson accepted that she has failed to continually and effectively manage this transport operation. However, I accept her evidence that this was in no way deliberate, and they tried their best. I note she is intending to retire fully from being a Transport Manager and remove herself from this licence. I therefore feel able to draw back from finding that she has lost her repute as a Transport Manager, but it is severely tarnished. However, belt and braces, any application for her to be added to an operator licence should be referred to a Traffic Commissioner.

Article 6 of Regulation (EC) No 1071/2009

Section 6 – Corrections

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