

Catch22Bus

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Date	Description
04 January 2014	Applied for licence increase from 8 to 12 vehicles. Also to downgrade licence from International to National and replace Frank Steele as Transport Manager with DAVID HUGHES (new Operations Manager and former VOSA officer).
22 March 2014	Report prepared by DVSA officer Brian Newton concerning complaints made against operation by Blackpool Council & Blackpool Transport in September 2012. WHY WAS THIS REPORT NOT WRITTEN FOR 18 MONTHS?
24 April 2014	<u>1st Public Inquiry</u> Heard by acting DeputyTC Simon Evans. Basis of "repute" appeared to be evidence submitted by DVSA officer Brian Newton that was retracted at PI. DTC said further financial evidence was required in the correct format but that (assuming this was received within 14 days) we would receive his decision within 28-days.
	No decision but letter received for second inquiry date.
28 May 2014	<u>2nd Public Inquiry.</u> DTC Simon Evans recused himself - no reasons given
28 June 2014	<u>3rd Inquiry - "Directions Hearing"</u> Mrs Bell, Senior Traffic Commissioner (STC) took over the case after Simon Evans "recused" from the case. No reason given and Mrs Bell said "she didn't know why". We were informed that "Directions Hearing" would be in closed session but on arrival we found out that two persons had been allowed to attend, one of whom from Blackpool Council was invited to be in the audience. It was the person who had made the complaints to DVSA back in Sept 2012! In the event "substantial information" was discussed - it was hardly a "Directions Hearing".
Early July 2014 (approx.)	Paperwork re-submitted to remove FRANK STEELE as Transport Manager, replaced by DAVID HUGHES and downgrade licence from International to National PSV. We tried to force the issue by Frank Steele resigning.
25 July 2014	<u>4th Public Inquiry</u> STC presided. Frank Steele did not attend (he was not called) and David Hughes could not attend (but he was not called either). At the end of inquiry Mrs Bell was clearly unaware that the

	<p>DVSA statement made by Brian Newton had been retracted back at the first Public Inquiry in April 2014.</p> <p>She stated that <u>he did not need to attend on 03 Sept.</u> His statement had never been heard by her and in any case if she was assuming his statement was true she was not giving me the opportunity to either present our version of events or to cross examine his statement again.</p> <p>I have email from Brian Newton confirming my version of events and that his statement was <u>NOT</u> submitted as true and accurate back at the April PI.</p> <p>Mrs Bell said it was not up to me to decide who Transport Manager was - but she offered a "Period of Grace".</p>
03 September 2014	<p><u>5th Public Inquiry date scheduled.</u></p> <p>Mrs Bell considered "afresh" the DVSA report into Blackpool Council's complaints made in 2012. <u>She said she was not aware that the report had been retracted at the first PI.</u></p> <p>If this is the case, and given that the report is the basis of our repute being tested, why was this crucial report not considered afresh at the first hearing she presided over on 01 July? Why did she just assume it was an un-contested true & accurate record?</p> <p>Financial Standing, appropriate maintenance facilities and good repute/competence of David Hughes as Transport Manager not in question - it appears to be centred around repute. But, she still refused to appoint David Hughes as TM and downgrade licence to Standard National.</p> <p>Promised a response within 28-days of receiving transcripts of July Public Inquiries so end of Oct/beginning of November 2014.</p>
10 September 2014	<p><u>6th Public Inquiry</u> with Philip Higgs only invited to attend to consider repute following criticism of the TC's lengthy process in an online blog.</p> <p>Traffic Commissioner invited persons who had attended previous Public Inquiries, including hostile persons!</p>
18 November 2014	No response within promised timescale.
22 December 2014	Revised date for STC working on decision draft
02 February 2015	Backhouse Jones conversation with STC and promise we would be in receipt of decision by 20 February 2015.
20 February 2015	No response by 20 February. STC explained lack of delay due to now only working 1-day a week.
16 March 2015	Complaint against the Senior Traffic Commissioner's conduct drafted and sent recorded delivery to Department for Transport. Received at their offices 17 March.
30 March 2015	Letter received from OTC advising of further delays because the STC now wanted the transcripts of the 03 September hearing to finalise her decision.
27 April 2015	<u>7th Public Inquiry</u> at Leeds OTC. Found out Mrs Bell had

	been sitting on further letters drafted by hostile persons and she asked us to respond to these. Was supposed to be "in private" session but it was held "in public".
22 May 2015	Public Inquiry No.8 Backhouse Jones made representations that Mrs Bell should recuse herself but she declined. She promised reply by 15 June - then we got the adverse decision on 30 June!
30 June 2015	Received adverse decision. 39 facts - but 34 of them factually incorrect and differed from evidence given, and that contained in the transcripts of oral evidence.
JULY 2015	APPEALED DECISION TO UPPER TRIBUNAL
DEC 2015	Directions Hearing at Upper Tribunal. Department for Transport asked to become involved to represent the Senior Traffic Commissioner.
MARCH 2016	Second Directions Hearing at Upper Tribunal DfT announced on the day they were no longer going to represent STC. Judge ordered STC to respond with an affidavit to 39 "adverse" facts and my own affidavit re bias / lies etc. - to be received by 15 April
Fri 15 April	Dft / STC proposed and drafted CONSENT ORDER to dispose of proceedings <u>prior</u> to deadline for STC producing documents ordered by Upper Tribunal judge. Judge ordered that our application to increase authorisation (made in Jan 2014) should be determined afresh by Traffic Commissioner for another area.
Mon 07 Nov 2016	Deputy TC JOHN BAKER (South East) presided over Public Inquiry. DVSA retracted report for the third time. Police DI attended - she confirmed that Mr.Higgs had done nothing unlawful. DTC agreed that original allegations made by Blackpool Council / Blackpool Transport had no basis of fact.
Mon 21 Nov 2016	DTC decision published. No adverse findings re compliance (remember Senior TC produced 39 facts!) but licence revoked due to involvement with video, therefore loss of repute.
Mon 28 Nov 2016	Appeal lodged to Upper Tribunal and stay granted by DTC. Complaint the SOS/DfT escalated.
17 Feb 2017	Secretary of State lawyers submission that supported our case that Traffic Commissioners had "erred in law" and that appeal should be allowed.
02 March 2017	Contacted by Duncan Price from DfT asking that my complaint against the STC be dropped. I refused but he had advised to reconsider within 14-days.
07 April 2017	Revised response from SoS lawyers, with U-turn on supporting our grounds of appeal.