

12 Dec 2016

**Secretary of State for Transport
Department for Transport
Great Minster House
33 Horseferry Road
LONDON SW1P 4DR**

Dear Sir,

**Complaint about the Senior Traffic Commissioner
Operators Licence No: PC 1067450**

Back in March 2015 we made a complaint to you against the Senior Traffic Commissioner Beverley Bell outlining several grievances about her conduct and our application to increase our authorisation from 8 to 16 vehicles. This complaint has still not been looked into.

Indeed, we have received no formal acknowledgement of the complaint, who will be dealing with it or a timescale for dealing with it. I have had some dialogue by email from Mark Heverin but this has been very vague and has referred us back to the Traffic Commissioners' own complaints protocol. Whilst I accept to some degree that proceedings are still "on-going", from my perspective it seems odd that allegations of misconduct by the STC appear to take second place to the Traffic Commissioner's own protocol, which seems absurd.

Mrs Bell recused herself from all dealings with my company after making her adverse decision against my company and me personally back in June 2015. Given this, I cannot understand why the DfT cannot begin the formal investigation into my original complaint. However, given that they have not, I would like to take the opportunity to add further documents to my original complaint.

In particular: -

1. A response to the "39 findings of fact" that the STC generated as part of her 30 June 2015 decision that made adverse findings against our licence.
2. A copy of the affidavit that was submitted to the Upper Tribunal for our appeal and which the Judge ordered the STC to respond with her own affidavit – but in the event the DfT/Government Legal Team instead proposed a Consent Order to dispose of the appeal – prior to the deadline for the STC having to submit her affidavit.

Both documents, I believe show that the STC has attempted to pervert the course of justice, has withheld evidence, told lies and the culmination of all this leads me to believe that the Department for Transport should now look into my complaint as a matter of urgency and investigate the conduct of the STC. This appears to be doubly important given that the STC is soon to leave her post, but that you have apparently sanctioned her to continue as a serving Deputy Traffic Commissioner.

Following the Consent Order to deal with the STC's decision, our application was referred to the South Eastern Traffic Commissioners for review. Unlike the STC, the Deputy Traffic Commissioner has found no issues of compliance (remember the STC had 39-facts) but he has still proposed revocation of our licence solely on the basis of me exposing the STC for speeding

and other traffic offences. I believe, that the conduct of the STC needs looking into BEFORE our hearing into the recent decision by the Deputy Traffic Commissioner by the Upper Tribunal, because it provides the background for the complete lack of trust I have of the STC, which should have been plainly evident to the Department since my original March 2015 complaint was submitted.

Unlike the previous complaint, I would be pleased if you would respond to me directly with an acknowledgement of this letter and a timescale for investigation.

Regards,

Philip Higgs
Managing Director