



Department for

**Infrastructure**

An Roinn

**Bonneagair**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

## **A Guide to Making Representations, Objections and Complaints Goods Vehicle Operator Licensing**

This guide and other goods vehicle operator licensing forms and guidance are available at [infrastructure-ni.gov.uk/](http://infrastructure-ni.gov.uk/)

Also available is the Department's publication "Applications & Decisions", which gives details of all goods vehicle licence applications received by the Department and the decisions taken on the applications.

Operator licensing advice can be obtained by telephoning the contact centre on 0300 200 7831

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## FOREWORD

**The main aim of this guide is to help individuals and organisations with a statutory right to oppose an application for or to vary a goods vehicle operator licence, as well as to lodge complaints against the use of existing operating centres, to:**

- understand the main purposes of the goods vehicle operator licensing system;
- answer many of the questions about ‘making statutory opposition’ against the grant of a licence or to change an existing licence; and
- assist with lodging opposition against applications

The information contained in this guide is also intended to explain the process of opposing applications for those who are applying for and to vary operator licences, as well as outlining the complaints process for current licence holders.

More general information can be found in the booklet GV(NI)74 ‘Goods Vehicle Operator Licensing - A Guide for Operators’, which is available from the website [infrastructure-ni.gov.uk/](http://infrastructure-ni.gov.uk/) or by phoning **0300 200 7831**.

This Guide also gives advice on how to make ‘complaints’ about the use of an operating centre and how to report to the Department any possible breaches of licensing conditions or unauthorised activities by operators.

Annex 1 gives details of relevant legislation, copies are available online.

**This guide does not provide legal advice.**

## **PART 1**

### **Goods Vehicle Operator Licensing Environmental Provisions**

#### **WHAT IS GOODS VEHICLE OPERATOR LICENSING AND WHO NEEDS A LICENCE?**

- 1.1 Goods vehicle operator licensing is a system of licensing aimed at ensuring the safe and proper use of goods vehicles and the protection of the environment around operating centres (i.e. the place where an operator normally keeps his/her vehicles when they are not being used).
- 1.2 Most users of commercial vehicles that weigh over 3.5 tonnes (i.e. the maximum permitted total weight when loaded) require a licence. The holder of a licence is the 'operator'. A licence will authorise an operator to use up to a maximum total number of motor vehicles and trailers, and to use a specific operating centre or centres.

#### **HOW DOES AN OPERATOR OBTAIN A LICENCE?**

- 1.3 An operator must hold a licence in NI if he/she has an operating centre or centres in NI. Licences can authorise the use of more than one operating centre.
- 1.4 Licence applications are made to:  
  
DfI,  
The Central Licensing Office,  
PO Box 180,  
Leeds,  
LS9 1BU
- 1.5 The suitability of a proposed operating centre is just one of a number of matters which the Department must consider before granting an application. Other matters include an applicant's fitness to hold a licence; the financial resources available for, and arrangements in place, to maintain his/her vehicles; and, where appropriate, professional competence.
- 1.6 Once a licence has been issued an operator can apply to amend (vary) it.

## **WHO CAN OPPOSE THE GRANT OF AN APPLICATION?**

- 1.7 Owners and occupiers of land or buildings near an operating centre who feel that the use or enjoyment of their own land would be adversely affected by the proposed operating centre have a right to make their views known to the Department. They are called representors. Representations can be made only on environmental grounds.
- 1.8 Objections can be made by statutory objectors such as other Government Departments, District Councils, Planning Service, the PSNI, and certain Trade Associations and Trade Unions. They may object to the grant of an application on the grounds of repute or fitness to hold a licence, finance and the professional competence of the operator as well as on the environmental and general suitability of an operating centre.
- 1.9 Objectors and representors have different rights. This Guide deals with the rights of each separately.

## **HOW ARE REPRESENTORS TOLD ABOUT APPLICATIONS?**

- 1.10 An applicant for a new licence, or for a change to a licence which would affect an operating centre, must advertise the proposed use in a local newspaper circulating within the locality of the operating centre. The advertisement should give the name of the operator, the address of the operating centre and how many authorised, or additional, lorries and trailers will or are intended to be kept there if the application is granted. It will also show the address of the office where representations must be sent.
- 1.11 The advertisement gives potential representors the opportunity to respond within a certain period of time (within 21 days after the advertisement appears in a newspaper) and for other people who have an interest in the use of the site as an operating centre to consider drawing the application to the attention of statutory objectors to encourage them to make an objection. Details of how to lodge a representation are given in Part 2 of this guide. Please note that the statute only requires that an applicant for a licence must advertise in one or more local newspapers circulating in the vicinity of a proposed operating centre. The Department has no legal authority to stipulate which newspaper is used. It is up to the applicant however to satisfy the Department that they meet the requirements.

## **HOW ARE OBJECTORS TOLD ABOUT APPLICATIONS AND IS THE PROPOSED USE OF AN OPERATING CENTRE ADVERTISED IN ANY OTHER WAY?**

- 1.12 The Department must also publish details of most applications. This is done by using a publication called "Applications and Decisions" (As & Ds), which is issued every two weeks. Statutory objectors must respond within a certain period following the publication of application details if they wish to object, but anyone can

subscribe to As & Ds as it is a good way of being kept informed.

There is a subscription fee if you request copies of As & Ds in hard copy format but the publication is free if you choose to receive the publication electronically. Further information on subscribing to As & Ds can be obtained from the Central Licensing Office. As & Ds are also available on the Transport Regulation Unit's website at [infrastructure-ni.gov.uk/articles/transport-regulation-unit](http://infrastructure-ni.gov.uk/articles/transport-regulation-unit).

## **WHAT HAPPENS NEXT?**

1.13 The Department will consider all objections and representations received provided that they are "duly made" (please see 2.5 below). The Department will also consider any other relevant information known about the proposed site and the applicant before making a decision on the application.

1.14 If the Department decides to grant the application, it can impose:

- environmental conditions on the use of an operating centre if it feels they are necessary to prevent or reduce adverse effects, and/or
- road safety conditions if it considers they are necessary to prevent authorised vehicles causing danger to the public at any point where vehicles first join a public road on their way to and from an operating centre, and on any private approach road.

1.15 It is a criminal offence to break licence conditions and an operator faces penalties if he does so.

## **WHAT ENVIRONMENTAL CONDITIONS CAN BE PUT ON A LICENCE?**

1.16 Environmental conditions can be added which can cover:

- the number, type and size of authorised vehicles, including trailers, kept at the operating centre for maintenance or parking;
- the parking arrangements for authorised vehicles, including trailers, at or in the vicinity of the operating centre;
- the times when the centre may be used for maintenance or movement of authorised vehicles;
- how authorised vehicles enter and leave the operating centre.

## **WHAT ARE THE LIMITS TO THE DEPARTMENT'S POWERS?**

1.17 Conditions on the use of an operating centre can apply only to the licence holder concerned and the use of vehicles authorised under the licence. The Department cannot place restrictions on any vehicles which are visiting the site

or are using it for other purposes.

- 1.18 It is important to recognise that the Department's powers are quite separate and different from those of roads, planning and local authorities. The Department cannot control the use of the premises for other purposes. That is the responsibility of the local planning authority.
- 1.19 The Department cannot take into account the non-environmental suitability, including safety, of the public road leading to the operating centre or the road network. These are separate matters for DfI's Transport NI.

## **PART 2**

### **Representations**

#### **WHO OR WHAT IS A REPRESENTOR?**

- 2.1 Owners and occupiers of land or buildings near (within the vicinity, see Para (2.2) of an operating centre who feel that the use or enjoyment of their own land would be “prejudicially” affected by the proposed operating centre can make a representation against the grant of an application and are called “representors”. Representations can be made only on environmental grounds and in response to an advertisement placed by an applicant (see paragraphs 1.10 and 1.11). A Representor must be directly affected by environmental nuisance emanating directly from the operating centre and not as a result of traffic on public highways.
- 2.2 The Department may consider that some people who respond to an advertisement live too far away from the operating centre to be affected by it and may not accept the representation as valid.
- 2.3 The Department’s decision on whether a representation is acceptable or not is final.
- 2.4 Residents associations and action groups cannot make representations unless they are owners or occupiers of affected land in the vicinity of an operating centre and can demonstrate that their use of that land or buildings will be prejudicially affected by environmental nuisance. Groups of residents or others who cannot be accepted as representors can consider the merit of approaching statutory objectors, such as district councils, in order to put their case and ask them to consider making an objection.

#### **HOW IS A REPRESENTATION MADE?**

- 2.5 For a representation to be valid it has to:
  - be made in writing to the address shown in the advertisement. There is no set form but the grounds must be clearly stated;
  - be made within 21 days of the date the advertisement appeared in the newspaper;
  - be signed. If an individual makes a representation it must be signed by that person. If it is made by a firm or by any other group of persons it must be signed by one or more persons authorised to sign by that group of persons. A solicitor acting on behalf of a representor, be it individual, firm or other group may sign on their behalf. Anyone thinking of presenting a petition should read the notes below in paragraphs 2.8 & 2.9;
  - state relevant grounds; and
  - be copied to the applicant on the same day, or next working day, as the representation is made to the Department



Please also refer to Part 2.10

- 2.6 Unless there are exceptional circumstances which would justify it doing otherwise, the Department must refuse to accept a representation as 'duly made' (valid for the purposes of the Department's considerations) unless it is made by the required date and in the required manner.
- 2.7 When submitting a representation it is helpful to:
- indicate in the letter of representation whether a copy has been sent to the applicant/operator and, if not, the reason for not doing so;
  - submit a sketch map showing the distance from your property to the operating centre.

### **IS IT WORTH GETTING A PETITION TOGETHER?**

- 2.8 It is often difficult to determine from petitions whether all the people named are owners/occupiers of property within the vicinity of the proposed operating centre and parts of a petition may refer to matters outside the Department's jurisdiction. A petition might therefore have limited value.
- 2.9 If it is decided to proceed with a petition then one person should be nominated as the contact point for dealing with Departmental staff. The full name and address, including post code, should be given by all signatories who will usually be contacted on an individual basis by the Central Licensing Office. The original of the petition should be made available to the Department.

### **WHAT GROUNDS ARE RELEVANT TO THE DEPARTMENT'S CONSIDERATION?**

- 2.10 A representation can only be treated as valid if it is about the adverse environmental effects that the use of an operator's vehicles at an operating centre is expected to have on the use or enjoyment of the property owned or occupied by the representor.
- 2.11 In considering the environmental impact an operating centre may have, the Department will consider the proximity of the site to a representor's property and the suitability of the site for its intended use.
- 2.12 The Department can take into account:
- the nature or use of any other land in the vicinity of the operating centre and the effect that the issuing of the licence would be likely to have on the environment;
  - if the site has been used as an operating centre before, the extent to which the grant of the application would result in a change which would adversely affect the environment of its vicinity;
  - if it has not been used as an operating centre before, any information

known to him/her about planning permission relating to the operating centre or other land in the vicinity of the operating centre;

- the number, type and size of authorised motor vehicles and trailers;
- the arrangements, or proposed arrangements, for the parking of motor vehicles or trailers;
- the nature and the times of use of the land as an operating centre;
- the nature and times of use of equipment installed (or proposed to be installed) at the operating centre in connection with its use as an operating centre;
- the means by which, and frequency of, vehicles authorised by the licence entering and leaving the operating centre.

2.13 Generally speaking the Department will consider the effects of:

**Noise** – from the applicant’s vehicles moving in and out of, and while at, the operating centre. This may be intrusive in the neighbourhood, bearing in mind the use of other land in the surrounding area and the intended hours of operation;

**Visual Intrusion** – the effect the parking of vehicles at the operating centre may have on the outlook from a representor’s property or land;

**Vibration** – the effect vehicle movements may have, either at the operating centre or on their way to or from the operating centre;

**Fumes/Pollution** – the effect of fumes from the applicant’s vehicles on the use or enjoyment of property.

**NB.** The Department can consider the impact of only those vehicles to be operated by the applicant. If the site is already being used by other goods vehicle operators it is possible to make a complaint (see Part 4 – Complaints).

In order to assist you in lodging opposition to an application, a model template can be found at Annex 2 of this guide. Whilst there is no requirement for a representation to be submitted using this template, it is intended as a useful guide which sets out the matters which the Department may and may not take into consideration.

## **WHAT HAPPENS AFTER A REPRESENTATION HAS BEEN SUBMITTED?**

2.14 Representations are acknowledged and sometimes supplementary information is sought. If representors do not reply to correspondence, the Department may assume that they do not wish to pursue their opposition.

2.15 The applicant will normally be asked for his views on the matters raised by any representors and, where appropriate, he will be asked to liaise direct with representors to see whether any differences can be resolved without formal

intervention by the Department.

- 2.16 The Department may also ask for one of the Driver & Vehicle Agency's Traffic Examiners to visit and report on an operating centre's suitability insofar as its jurisdiction extends.
- 2.17 The Department will then consider whether it needs to hold a public inquiry to hear the evidence before reaching a decision or whether it already has sufficient evidence to make a decision.
- 2.18 On making a decision the Department can grant the application as applied for, or with modifications. It can attach conditions or refuse the application.

### **ARE REPRESENTORS TOLD OF THE DEPARTMENT'S DECISION?**

- 2.19 If it is decided to hear the application at public inquiry, representors will be invited to attend and, in the case of "valid" representors, to put their case forward.
- 2.20 If the decision can be made on the basis of the written evidence before it, the Department will advise representors of the final decision in writing; this will include details of any special conditions or undertakings attached to the licence.

### **IS THE DEPARTMENT'S DECISION FINAL?**

- 2.21 An operator or statutory objector may appeal to the Upper Tribunal against the decision of the Department. Representors have no such right. If an appeal is lodged representors are told and have 14 days from date of notification to apply to the Upper Tribunal to be made party to the appeal. Representors may, however, where they feel that a legal procedural requirement has not been complied with, request that the Department reviews its decision. This may only be done however where proper procedure has not been followed.
- 2.22 Although representors cannot appeal to the Upper Tribunal against the Department's decision they can apply to the High Court for a judicial review.

## **PART 3**

### **Objections**

#### **WHO CAN MAKE AN OBJECTION?**

3.1 The following organisations have a statutory right to object to an application for a goods vehicle operator's licence or an application to vary a licence once issued:

- Any NI Government Department
- Police Service of Northern Ireland;
- a District Council;
- Planning Service;
- the British Association of Removers;
- the Freight Transport Association;
- the General and Municipal Workers Union; (Now known as GMB)
- the National Union of Rail, Maritime and Transport Workers;
- the Road Haulage Association;
- the Transport and General Workers Union; (Now known as Unite)
- the Union of Shop, Distributive and Allied Workers;
- the United Road Transport Union.

#### **HOW ARE STATUTORY OBJECTORS NOTIFIED OF ANY APPLICATION?**

3.2 A publication known as 'Applications and Decisions' (As & Ds) is regularly produced for NI which contains details of all the applications for a licence made in NI during a given period. The publication is emailed on request to Statutory Objectors in NI. The list of recipients is kept as up to date as possible but if you feel that you should be receiving a copy and are not please contact the Central Licensing Office.

#### **ON WHAT GROUNDS CAN OBJECTIONS BE MADE?**

3.3 Objections can be made on environmental or non-environmental grounds or both.

#### **ENVIRONMENTAL GROUNDS**

3.4 Environmental objections may be made under the provisions of Section 11(1) (applications for) and Section 18(2)(a) & (4)(a) (variations to) of the Goods Vehicles (Licensing of Operators) Act (NI) 2010.

3.5 The environmental factors that result from the use of land as an operating centre and which can be considered relevant to an objection may include:

- noise;
- fumes;
- pollution;
- vibration;
- visual intrusion.

Please see Part 2.13 for further details.

## **NON-ENVIRONMENTAL**

3.6 Non-environmental objections may be made on one or more of the following grounds on the basis that the requirements of Section 12 of the Goods Vehicles (Licensing of Operators) Act (NI) 2010 cannot be met. They can relate to:

- a) The suitability of the applicant to hold an operator's licence on the grounds that he/she cannot meet the requirements to be:
  - of good repute (for standard licences only); or
  - fit to hold a licence (for restricted licences only); or
  - of appropriate financial standing (for standard licences only); or
  - professionally competent (for standard licences only).
- b) The suitability of the operating centre in relation to:
  - size for the number of vehicles and trailers proposed to be parked there;
  - the safety of entrance and exit arrangements from the site onto the public highway; or
  - parking facilities in or around the site.

## **MAKING AN OBJECTION**

3.7 An objection to an application for or variation to an operator's licence must:

- be made in writing to the Department at the Central Licensing Office and should wherever possible quote the legislation under which the objection is being made;
- be signed by an authorised signatory from the organisation making the objection;
- be received at the Central Licensing Office no later than 21 days after the date that notice of the application is published in 'As & Ds';
- be copied to the applicant on the same day, or next working day, as the objection is made to the Department;
- state specific grounds and give sufficient particulars so that the applicant knows the case he/she has to answer to.

3.8 If any of the above criteria are not met the Department will not accept the objection as duly made unless there are exceptional circumstances.

**In order to assist you in lodging opposition to an application, a model template can be found at Annex 3 of this guide. Whilst there is no requirement for an objection to be submitted using this template, it is intended as a useful guide which sets out matters which the Department may and may not take into consideration.**

### **WHAT HAPPENS NEXT?**

- 3.9 In the case of a valid objection the Central Licensing Office will usually write to the operator asking for further information about the proposed use of the operating centre and seeking comments on the matters contained in the objection. The applicant and the objector will also be encouraged to try to resolve any possible differences between them through direct liaison.
- 3.10 The Department will then decide if it is able to make a decision on the application or whether it is necessary to hold a public inquiry to hear evidence from both parties before reaching a decision. Where the Department considers that it may be possible to resolve matters without a public inquiry it will seek the comments of the relevant parties on any proposed way forward before deciding whether or not the application can be determined at that stage, or whether it is necessary to proceed to a hearing.

### **WHAT RANGE OF DECISIONS ARE AVAILABLE TO THE DEPARTMENT?**

- 3.11 There are a number of options available to the Department, the more usual are:
- grant the application as applied for;
  - grant the application but attach conditions or record undertakings regarding the use of the operating centre;
  - grant the application for a reduced number of vehicles and/or trailers;
  - refuse the application.

### **IS THE DEPARTMENT'S DECISION FINAL?**

3.12 Any decision not to grant an application in full, to attach conditions or record undertakings regarding the use of an operating centre or not to meet the wishes of a statutory objector can be challenged by appeal to the Upper Tribunal - Administrative Appeal Chamber (Transport). Forms and guidance are available from: Tribunal Hearing Centre, 2nd Floor, Royal Courts of Justice, Chichester Street, Belfast, BT1 3JF; [gov.uk/courts-tribunals/](http://gov.uk/courts-tribunals/)

## **PART 4**

### **Complaints**

#### **WHAT ARE COMPLAINTS?**

- 4.1 Unlike representations and objections which are made in response to applications, complaints can be made at any time by anyone.
- 4.2 In general, complaints can be about the use of an existing operating centre or about breaches of any of the terms, for example conditions, under which a licence was issued, including parking.
- 4.3 Where possible the Department would encourage those parties involved to resolve any problems between themselves on a one to one basis. Quite often a direct approach to the operator can result in a satisfactory solution without substantial involvement by the Department, which may save time and money for all those involved.

#### **ON WHAT GROUND CAN COMPLAINTS BE MADE?**

- 4.4 A complaint about an authorised operating centre can be on either environmental or road safety grounds.

#### **HOW DOES SOMEONE MAKE A COMPLAINT?**

- 4.5 Complaints should be made in writing to the Central Licensing Office at: PO Box 180, Leeds, LS9 1BU. It should clearly:
  - state who the complaint is from;
  - state the grounds for complaint;
  - identify the operating centre concerned giving the full address of the operating centre and the name(s) of the operator(s) using the operating centre to which the complaint relates, and if possible, details of the vehicles, and movements giving cause for concern.

**In order to assist you in making a complaint about an existing operating centre, a model template (form GV(NI)ENV05) can be found at Annex 4 of this guide.**

## **WHAT HAPPENS WHEN THE COMPLAINT IS MADE?**

- 4.6 Complaints will be acknowledged and the person making the complaint will be sent further information about the complaints procedure. If they have not already done so they will be asked to fill in form GV(NI)ENV05 which can be found at Annex 4 of this guide. This is needed in order to provide the Department with the further information it will need to consider the views put forward.
- 4.7 The relevant part of the form may be copied to the operator(s) concerned. This will give him/her the opportunity to comment on the matters raised and to rectify any problems of which he/she may not have been aware.

## **WHAT HAPPENS NEXT?**

- 4.8 Although a complaint may be made at any time against an operating centre specified on a licence, the Department can only take immediate action if it is considered that the operator concerned is operating outside the terms of his/her licence. Otherwise, the time at which the Department can act is determined by what is known as the 'Review Date' (see Part 5 for further information on the Review of Operating Centres).
- 4.9 Unless an operator applies to vary the use of his/her operating centre, the Department has the opportunity to review the suitability of that centre only at five yearly intervals. Upon receipt, a complaint will be registered against the relevant operator licence. If it is not a complaint that indicates an operator is operating outside the terms of his/her licence, the complaint will be brought forward and taken into consideration at the operator's licencereview stage. If the complaint relates to operating outside of the licence terms, the details will be passed to the Driver & Vehicle Agency for investigation.
- 4.10 Further complaints can be made by the same person at any time before the review date.
- 4.11 People who make complaints will be advised when the next review date is due and all reasonable steps will be taken to inform them of the Department's decision at that time.
- 4.12 If in the meantime an operator applies to vary his/her licence in a way that would affect an operating centre the application will be published in As and Ds. Those who have made complaints can make representations or objections against the grant of the variation. The complaints already made will not be treated as representations or objections. Separate opposition will have to be made in accordance with Parts 2 and 3 of this guide.



## **PART 5**

### **Review of Operating Centres**

#### **WHAT IS A REVIEW?**

- 5.1 The complaints procedure (as outlined in Part 4), is linked to the Department's ability to review the suitability of the operating centre(s) on an operator licence. The Department may conduct such a review every five years commencing with the date when a goods vehicle operator's licence came into force.
- 5.2 The review is not however automatic and is at the Department's discretion. In making its decision whether or not to review it will take into account any complaints received against an operating centre in the preceding five years.

#### **HOW WILL PEOPLE KNOW IF A REVIEW IS TO TAKE PLACE?**

- 5.3 In most circumstances a person or organisation that has made a complaint against an operating centre will have been told when the operating centre(s) is due for review. Near to the review date the Central Licensing Office may write to them again asking if the points made in the original letter are still relevant and if the writer still wishes them to be considered.

#### **WHAT HAPPENS NEXT?**

- 5.4 The Department will consider all the evidence and decide whether it justifies a review of the operating centre concerned. As soon as the decision on whether or not to review the operating centre has been made, anyone who has complained will be notified.
- 5.5 This does not mean that the operator is free to do as he/she pleases for five years.
- 5.6 The review procedure does not affect the Department's powers to act and take regulatory action at any time if a licence holder is operating outside the terms of his/her licence, for example by breaking any condition of use that appears on the operator licence.

#### **WHAT HAPPENS IF A REVIEW IS TO TAKE PLACE?**

- 5.7 The Department will consider:
- whether the operating centre continues to be suitable for the purposes for which the operator's licence authorises it to be used;
  - whether, if it is considered to be no longer suitable, conditions for environmental or road safety reasons could be attached or changed which

would make it suitable; or

- whether it is incapable of being made suitable by the imposition or changing of conditions.

5.8 On a review the Department has the power to remove an operating centre from the licence or to attach conditions or vary existing conditions.

5.9 The Department can attach conditions for environmental reasons, such as the times vehicles use the operating centre, or for non-environmental reasons such as road safety.

5.10 The Department can remove an operating centre from a licence for both environmental and non-environmental reasons; however, in the case of environmental reasons the operating centre can be removed in only limited circumstances.

### **IS THE DEPARTMENT'S DECISION FINAL?**

5.11 Only the operator has a right of appeal to the Upper Tribunal against any decision made on review and then only if conditions have been varied or placed on the licence or if an operating centre has been removed. Complainants can only challenge the Department's decision by seeking a judicial review of that decision through the High Court.

## ANNEX 1

### Relevant Legislation

The Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010

The Goods Vehicles (Licensing of Operators) Regulations (Northern Ireland) 2012

The Goods Vehicles (Licensing of Operators) (Fees) Regulations (Northern Ireland) 2012

The Goods Vehicles (Licensing of Operators) (2010 Act) (Commencement No.2) and Transitional Provisions) Order (Northern Ireland) 2012

The Goods Vehicles (Qualifications of Operators) Regulations (Northern Ireland) 2012

The Goods Vehicles (Exemption) Regulations (Northern Ireland) 2012

The Goods Vehicles (Licensing of Operators) (2010 Act) (Commencement No.1) Order (Northern Ireland) 2012

The Goods Vehicles (Enforcement Powers) Regulations (Northern Ireland) 2012

Regulation (EC) No 1071/2009 (Access to the occupation of road transport operator)

Regulation (EC) No 1072/2009 (common rules for access to the international road haulage market)

## ANNEX 2

### **Template for making representations**

Below is a suggested guide to assist lodging a representation against an application for, or to vary, an operator licence. Please note that a representation does not need to be made using this template, however it is intended as a guide to raising relevant matters which fall within the Department's jurisdiction.

## Goods Vehicle Operator Licensing

### REPRESENTATION AGAINST AN APPLICATION FOR / TO VARY AN OPERATOR LICENCE

#### Guidance:

Please read the attached guidance, 'A summary of matters the Department may take into account', regarding the Department's jurisdiction carefully before completing this form.

- This form **GV(NI)ENV03** is for representations against applications for or to vary goods vehicle operator licences only and should only be completed by owners or occupiers of land (including buildings) in the vicinity of the operating centre(s) detailed on the application.
- ⇒ If you are a statutory objector as listed in Section 11 of The Goods Vehicles (Licensing of Operators) Act (NI) 2010, please complete form **GV(NI)ENV04**.
- ⇒ If you wish to make a complaint against an existing operating centre on a goods vehicle operator licence, please complete form **GV(NI)ENV05**.
- ⇒ If you suspect non-compliance with the Operator Licensing system, for example parking at a site which is not an authorised operating centre, breach of licence conditions, unlicensed operators, etc., you may report this on 0300 200 7831 for the Department to make enquiries.
- If you need any help with completing this form please call the contact centre on 0113 202 6147 and ask to be put through to a member of the environmental team.

#### Data Protection

The personal information you provide on this form will be used for the purposes of the Department's statutory functions. This may include sharing the information you provide with GB traffic commissioners, DfT, other government departments and enforcement agencies. Standard licence/application information will also be included in a national register which is available to other member states.

**PLEASE COMPLETE ALL SECTIONS FULLY IN BLACK INK**

**Your details**

**1** Your full name

**2** Your address

Postcode

**3** Your daytime telephone number

**4** Your email address

**Your representations**

**5** Address of the operating centre / proposed operating centre

Postcode

**6** Name of operator(s) and licence number(s) (if known)

**7** Do you own or occupy land or property within the vicinity of the operating centre?

Yes  No

**8** If you answered 'Yes' to question 7, approximately how far (in metres) is your land or property from the operating centre?

- 9** Please draw a sketch in the space below showing the location of your land or property (with distances in metres) in relation to the operating centre. Alternatively please enclose a map, plan or aerial photograph with the relevant properties clearly marked.



**10** What usage will affect you?

Please confirm which of the following you will be affected by if this application is granted. You may tick more than one box if more than one of the following applies to you.

- The use of my land or property will be affected by the applicant's heavy goods vehicles whilst they are operating within the confines of and/or at the entrance point to the operating centre.
- The use of my land or property will be affected by the applicant's heavy goods vehicles whilst they are travelling on any privately maintained road between the entrance point to the operating centre and the place where they first join the public highway;
- The use of my land or property will be affected by heavy goods vehicles travelling along a public road

**11** Your grounds for representation

Please state your grounds for representation in the space below using the advice provided. You must give full details which explain how the use or enjoyment of your property will be affected if the application is granted.

Please ensure that you have read through the last page of this form which gives details of the matters that can be taken into account by the Department when considering an application. Your representation should relate to these matters only.

If there are any conditions that you feel could be put on to the licence which would address your concerns, please give details.


Please continue on a separate sheet if necessary

**12** Copying correspondence

**12a** You are legally required to send a copy of your representation to the applicant on the same day or on the next working day after delivery to the Central Licensing Office. If you do not, then the Department can only accept your representation if there are exceptional circumstances which prevent you from sending a copy to the applicant. Please tick one of the boxes below to confirm whether you will be sending a copy to the applicant.



**YES** – I will send a copy my completed form to the applicant as required. I understand that as this box has been ticked, if the applicant claims not to have received a copy of my form, then the Department may provide the applicant with a further copy.

**NO** – I am not prepared to send a copy of my representation to the applicant as I believe there are exceptional circumstances which prevent me from doing so, and I have provided details of those circumstances below. I understand that the Department may not be able to accept my representation if it decides that there are no exceptional circumstances in this case.

If you have ticked 'NO' above, please give your detailed reasons below:


**12b** This question only applies if you have ticked 'no' above. Although the Department may not be able to accept your representation, they would like to be able to send a copy of your response to Question 11 to the applicant. If you agree to this, the applicant may be able to comment to some extent on the matters raised and it is possible that they may attempt to rectify any problems. However as they will not know where the opposition has come from they may not be able to take all of your concerns into account or target improvements toward the right areas. Please tick one of the boxes below to confirm whether you agree to this.

**YES** – I am happy for the Department to provide the applicant with a copy of my answer to question 11

**NO** – I am not prepared for the applicant to be provided with any part of this form.

**12c** The Department may wish to provide the applicant with a copy of any further correspondence which you send in connection with the application, so that they may address the matters raised. The validity of your opposition will not be affected if you do not agree to this but it may prevent the applicant from taking appropriate steps to resolve your issues. If you agree at this time, then the Department may provide the applicant with a copy of any correspondence you provide in connection with this application, unless it explicitly states that you are not happy for that piece of correspondence to be copied to the applicant. Please tick one of the boxes below to confirm whether you agree to this.

**YES** – the Department may provide the applicant with copies of any subsequent correspondence I send in connection with this application unless I state otherwise on any individual item of correspondence.

**NO** – I am not prepared for a copy of any correspondence I send in connection with this application to be provided to the applicant.

**13 Public inquiry**

The Department may determine the application on the written evidence supplied, or it may decide to convene a public inquiry to decide the application. If a public inquiry is to be held this would be in an appropriate venue as close to the operating centre as possible. You should note however, that a public inquiry will not normally be convened unless at least one person opposing the application is prepared to attend.

Please state below whether you would wish to attend a public inquiry if the Department decides to hold one to decide the application.

**YES** – I would like to attend a public inquiry if one is held.

**NO** – I do not wish to or would not be able to attend any public inquiry.

**DECLARATION:**

**I would like the Department to consider my representation. I confirm that all the information I have given you is true and accurate to the best of my knowledge.**

Signed

Dated

Please return your completed form to the following address, so as to be received within 21 days of the date public notice of the application appeared in the newspaper:

Environmental Team,  
Dfl,  
The Central Licensing Office,  
PO Box 180,  
Leeds,  
LS9 1BU

## **APPLICATIONS FOR / TO VARY A GOODS VEHICLE OPERATING CENTRE**

### **A summary of matters the Department may take into account**

#### **Environmental suitability**

1. In considering the environmental suitability of an operating centre, the Department may have regard only to the environmental effects of the use of the operating centre and any privately maintained approach roads used by the operator's vehicles, taking account of:
  - a) the nature and use of other land/property in the vicinity of the proposed operating centre and the effect that granting the application will have on the local environment;
  - b) if the site is an existing operating centre; whether the application will result in a material change (e.g. an increase in the numbers of vehicles or a change in the level or type of activity), which will have an adverse environmental impact;
  - c) information regarding planning permission, if the site has not been used as an operating centre before;
  - d) the number, type and size of vehicles to be authorised, together with parking arrangements;
  - e) the nature and time of use of the proposed operating centre by the authorised vehicles, including the use of special equipment relating to the operation of the vehicles;
  - f) how, and how often, authorised vehicles will enter and leave the operating centre.
2. The Department can attach conditions, for environmental reasons, covering:
  - a) the number, type and size of vehicles which the operator may keep at his operating centre, and the hours of operation and/or maintenance;
  - b) the parking arrangements, including prohibiting parking on roads in the vicinity;
  - c) the means of entry and exit of the operator's vehicles.

Also, in considering environmental suitability, he/she can (in certain circumstances) refuse an application for/to vary an operator's licence on the grounds of adverse environmental effects of the proposed operation.

#### **General Suitability**

3. When considering the suitability of an operating centre in non-environmental terms, the Department may have regard to the safety of the means of access to and from the operating centre. He may attach conditions to, or refuse an application for or to vary a licence for road safety reasons. However, road safety considerations beyond the immediate point of access onto the public road cannot be taken into account by the Department. Only statutory objectors may oppose applications on grounds of general suitability. If such matters are raised by other parties, they will be looked into by the Department, but only a statutory objector may comment further on the matter.

#### **Matters which the Department cannot take into account**

4. In considering the suitability of an operating centre, the Department **cannot** take account of:
  - a) other operators' vehicles that are visiting the operating centre;
  - b) any vehicles outside the scope of the licensing system – generally those weighing 3.5 tonnes gross weight or less;
  - c) Any use of the site that is not related to the operation of goods vehicles;
  - d) the physical suitability of the surrounding road network (this is a separate matter for DfI's Transport NI).

## ANNEX 3

### **Template for making objections**

Below is a suggested guide to assist lodging an objection against an application for, or to vary, an operator licence. Please note that an objection does not need to be made using this template, however it is intended as a guide to raising relevant matters which fall within the Department's jurisdiction.

## Goods Vehicle Operator Licensing

### OBJECTION AGAINST AN APPLICATION FOR / TO VARY AN OPERATORS LICENCE

#### Guidance:

Please read the attached guidance, 'A summary of matters the Department may take into account', regarding the Department's jurisdiction carefully before completing this form.

- This form **GV(NI)ENV04** is for objections against applications for or to vary goods vehicle operator licences only and should only be completed by statutory objectors as listed in Section 11 of The Goods Vehicles (Licensing of Operators) Act (NI) 2010
- ⇒ If you own or occupy land (including buildings) in the vicinity of the operating centre(s) detailed on the application and wish to make representations please complete form **GV(NI)ENV03**.
- ⇒ If you wish to make a complaint against an existing operating centre on a goods vehicle operator licence, please complete form **GV(NI)ENV05**.
- ⇒ If you suspect non-compliance with the Operator Licensing system, for example parking at a site that is not an authorised operating centre, breach of licence conditions, unlicensed operators, etc, you may report this on 028 9082 3275 for TRU to make enquiries.
- If you need any help with completing this form please call the contact centre on 011 3202 6147 and ask to be put through to a member of the environmental team.

#### Data Protection

The information you provide on this form will be used for the purposes of the Department's statutory functions. This may include sharing the information you provide with GB traffic commissioners, DfT, other government departments and enforcement agencies. Standard licence/application information will also be included in a national register which is available to other member states.

**PLEASE COMPLETE ALL SECTIONS FULLY IN BLACK INK**

**Your details**

**1** Your full name

--

**2** Full name of the body you represent

--

**3** Your address

Postcode

**4** Your daytime telephone number

--

**5** Your email address

--

**Your objection**

**6** Address of the operating centre / proposed operating centre

Postcode

**7** Name of operator(s) and licence number(s) (if known)

--

**8** Your grounds for objection

Please state your grounds for objection in the space below using the advice provided and give particulars of those grounds or any matters relevant to the issue to which the objection relates.

If your objection relates to the operating centre, please ensure that you have read through the last page of this form which gives details of the matters that can be taken into account by the Department when considering an application.

If there are any conditions that you feel could be put on to the licence which would address your concerns, please give details.


Please continue on a separate sheet if necessary

**9** Copying correspondence

**9a** You are legally required to send a copy of your objection to the applicant on the same day or on the next working day after delivery to the Central Licensing Office. If you do not, then the traffic commissioner can only accept your representation if there are exceptional circumstances which prevent you from sending a copy to the applicant. Please tick one of the boxes below to confirm whether you will be sending a copy to the applicant.

**YES** – I will send a copy of our completed form to the applicant as required. I understand that as this box has been ticked, if the applicant claims not to have received a copy of our form, then the Department may provide the applicant with a further copy.

**NO** – I am not prepared to send a copy of our objection to the applicant as I believe there are exceptional circumstances which prevent me from doing so, and I have provided details of those circumstances below. I understand that the Department may not be able to accept our objection if it decides that there are no exceptional circumstances in this case.

If you have ticked 'NO' above, please give your detailed reasons:


**9b** This question only applies if you have ticked 'no' above. Although the Department may not be able to accept your objection, it would like to be able to send a copy of your response to Question 8 to the applicant. If you agree to this, the applicant may be able to comment to some extent on the matters raised and it is possible that they may attempt to rectify any problems. Please tick one of the boxes below to confirm whether you agree to this.

**YES** – I am happy for the Department to provide the applicant with a copy of our answer to question 8

**NO** – I am not prepared for the applicant to be provided with any part of this form.

**9c** The Department may wish to provide the applicant with a copy of any further correspondence which you send in connection with the application, so that they may address the matters raised. The validity of your opposition will not be affected if you do not agree to this but it may prevent the applicant from taking appropriate steps to resolve your issues. If you agree at this time, then the Department may provide the applicant with a copy of any correspondence you provide in connection with this application, unless it explicitly states that you are not happy for that piece of correspondence to be copied to the applicant. Please tick one of the boxes below to confirm whether you agree to this.

**YES** – the Department may provide the applicant with copies of any subsequent correspondence we send in connection with this application unless stated otherwise on any individual item of correspondence.

**NO** – We are not prepared for a copy of any correspondence we send in connection with this application to be provided to the applicant.

**10 Public Inquiry**

The Department may determine the application on the written evidence supplied, or to convene a public inquiry to decide the application. If a public inquiry is to be held this would be in an appropriate venue as close to the operating centre as possible. You should note however, that a public inquiry will not normally be convened unless at least one person opposing the application is prepared to attend.

Please state below whether you would wish to attend a public inquiry if the Department decides to hold one to decide the application.

**YES** – a representative of our body would like to attend a public inquiry if one is held.

**NO** – we do not wish to be represented at or attend any public inquiry.

**DECLARATION:**

**I would like the Department to consider this objection. I confirm that all the information I have given you is true and accurate to the best of my knowledge. I confirm that I am authorised to sign this objection on behalf of the body or group I represent.**

Signed

Dated

Please return your completed form to the following address, so as to be received within 21 days of the date public notice of the application appeared in the newspaper:

Environmental Team,  
Dfl,  
The Central Licensing Office,  
PO Box 180,  
Leeds,  
LS9 1BU



## **APPLICATIONS FOR / TO VARY A GOODS VEHICLE OPERATING CENTRE**

### **A summary of matters the Department may take into account**

#### **Environmental suitability**

- 1 In considering the environmental suitability of an operating centre, the Department may have regard only to the environmental effects of the use of the operating centre and any privately maintained approach roads used by the operator's vehicles, taking account of:
  - a) the nature and use of other land/property in the vicinity of the proposed operating centre and the effect that granting the application will have on the local environment;
  - b) if the site is an existing operating centre; whether the application will result in a material change (e.g. an increase in the numbers of vehicles or a change in the level or type of activity), which will have an adverse environmental impact;
  - c) information regarding planning permission, if the site has not been used as an operating centre before;
  - d) the number, type and size of vehicles to be authorised, together with parking arrangements;
  - e) the nature and time of use of the proposed operating centre by the authorised vehicles, including the use of special equipment relating to the operation of the vehicles;
  - f) how, and how often, authorised vehicles will enter and leave the operating centre.
- 2 The Department can attach conditions, for environmental reasons, covering:
  - a) the number, type and size of vehicles which the operator may keep at his operating centre, and the hours of operation and/or maintenance;
  - b) the parking arrangements, including prohibiting parking on roads in the vicinity;
  - c) the means of entry and exit of the operator's vehicles.

Also, in considering environmental suitability, it can (in certain circumstances) refuse an application for/to vary an operator's licence on the grounds of adverse environmental effects of the proposed operation.

#### **General Suitability**

- 3 When considering the suitability of an operating centre in non-environmental terms, the Department may have regard to the safety of the means of access to and from the operating centre. It may attach conditions to, or refuse an application for or to vary a licence for road safety reasons. However, road safety considerations beyond the immediate point of access onto the public road cannot be taken into account by the Department.

#### **Matters which the Department cannot take into account**

5. In considering the suitability of an operating centre, the Department **cannot** take account of:
  - e) other operators' vehicles that are visiting the operating centre;
  - f) any vehicles outside the scope of the licensing system – generally those weighing 3.5 tonnes gross weight or less;
  - g) Any use of the site that is not related to the operation of goods vehicles;
  - h) the physical suitability of the surrounding road network (this is a separate matter for DfI's Transport NI).

## ANNEX 4

### **Template for making complaints**

Below is a suggested guide to assist lodging a complaint against the continued use of an operating centre. Please note that a complaint does not need to be made using this template, however it is intended as a guide to raising relevant matters which fall within the Department's jurisdiction.

## Goods Vehicle Operator Licensing

### COMPLAINT ABOUT AN OPERATING CENTRE

#### Guidance:

Please read the attached guidance, 'A summary of matters the Department may take into account', regarding the Department's jurisdiction, carefully before completing this form.

- This form **GV(NI)ENV05** is for complaints about an operating centre **only**.
- ⇒ If you suspect non-compliance with the Operator Licensing system, for example parking at a site which is not an authorised operating centre, breach of licence conditions, unlicensed operators, etc, you may report this on 0300 200 7831 for the Department to make enquiries.
- ⇒ If you wish to oppose an application for or to vary a goods vehicle operator licence, please complete form **GV(NI)ENV03** (if you own or occupy land (including buildings) in the vicinity of the operating centre(s) detailed on the application) or form **GV(NI)ENV04** (if you are a statutory objector as listed in Section 11 of The Goods Vehicles (Licensing of Operators) Act (NI) 2010).
- If you need any help with completing this form please call the contact centre on 0113 202 6147 and ask to be put through to a member of the environmental team.

#### Data Protection

The personal information you provide on this form will be used for the purposes of the Department's statutory functions. This may include sharing the information you provide with GB traffic commissioners, DfT, other government departments and enforcement agencies. Standard licence/application information will also be included in a national register which is available to other member states.

**PLEASE COMPLETE ALL SECTIONS FULLY IN BLACK INK**

**Your details**

**1** Your full name

**2** Full name of the body you represent (if applicable)

**3** Your address

Postcode

**4** Your daytime telephone number

**5** Your email address

**The complaint**

**6** Address of the operating centre

Postcode

**7** Do you own or occupy land or property within the vicinity of the operating centre?

Yes  No

**8** If you answered 'Yes' to question 7, approximately how far (in metres) is your land or property from the operating centre?

- 9** Please draw a sketch in the space below showing the location of your land or property (with distances in metres) in relation to the operating centre. Alternatively please enclose a map, plan or aerial photograph with the relevant properties clearly marked.

- 10** Name of operator(s) you wish to complain about and operator's licencenumber(s) (if known)

Licence number	Operator name

Please continue on a separate sheet if necessary

- 11** If there are any particular vehicles which are giving cause for concern, please list the vehicle registrations below, if known


Please continue on a separate sheet if necessary

- 12** If there is a specific type of vehicle which is giving cause for concern, for example refrigerated vehicles, articulated vehicles, skip lorries, etc. please give details below



## 15 What happens next

By law, the Department can only consider complaints about an operating centre on each individual licence once every five years when it falls due for review. At that point it will decide if there are grounds to conduct a review of the operating centre on that licence.

**15a** The Department would like to be able to send a copy of this form, including your name and address, to the operator. This will give the operator the opportunity to rectify any problems before the next review date, and to comment on the matters raised. It would also, potentially, allow the operator to contact you to gain a better understanding of your complaint, and to discuss how they might be able to remove your concerns. If, on the other hand, the operator does not know where the complaint has come from then they may not be able to fully address all of your concerns or target their efforts towards resolving the specific matters that are the cause of your grievance.

You should also be aware that whilst there is no obligation on you to copy your complaint to operator, not doing so may ultimately mean that your concerns cannot be fully considered by the Department in reaching its final decision. For example the Goods Vehicles (Licensing of Operators) Regulations (NI) 2012 specifically prevents the Department from taking into account any written evidence at a public inquiry unless it can be disclosed. The Department is also obliged to act in accordance with Article 6 of the Human Rights Act 1998 which prescribes that a person should be able to examine, and therefore be in a position to challenge the evidence in any hearing.

Please tick one of the boxes below to confirm whether you agree to the whole of this form being sent to the operator(s) concerned.

**YES** – the Department can provide the operator(s) concerned with a copy of my complaint form.

**NO** – I am not prepared to allow the Department to provide the operator(s) concerned with a copy of my complaint form.

**15b This question only applies if you have ticked ‘no’ in answer to 15a.**

As you are not prepared to allow a copy of the whole form to be sent to the operator, the Department would like to send them a copy of your response to Question 14. If this can be sent to the operator then although they will not know who has made the complaint, they may be able to comment to some extent on the matters raised and it is possible that they may attempt to rectify any problems before the next review date. Please tick one of the boxes below to confirm whether you agree to this.

**YES** –the Department can provide the operator(s) concerned with a copy of my answer to Question 14 (detailing my grounds for complaint).

**NO** – I am not prepared to allow the Department to provide the operator(s) concerned with a copy of my answer to Question 14 (detailing my grounds for complaint).

**15c This question only applies if you have ticked ‘no’ in answer to 15b.**

As you are not prepared to allow a copy of your response to Question 14 to be sent to the operator, the Department would like to inform the operator that a complaint has been received and provide them with a brief summary of the grounds on which the complaint has been made. The summary would not include any information which would identify you as the person who made the complaint. The action the Department will be able to take will be limited if you are not prepared to reveal to the operator that a complaint has been received. Please tick one of the boxes below to confirm whether you agree to this.

**YES** –the Department can inform the operator(s) concerned that a complaint has been received and provide them with a brief summary of the grounds of complaint.

**NO** – I do not wish the operator(s) concerned to be informed of my complaint. I understand that this may limit the action the Department is able to take.

**15d** If you have ticked 'NO' in answer to 15a, 15b or 15c above, please give your detailed reasons below:


**15e** The Department may wish to provide the operator(s) concerned with a copy of any further correspondence that you submit in connection with your complaint, so that they may address the matters raised. If you agree at this time, then the Department may provide the operator(s) concerned with a copy of any correspondence you provide in connection with your complaint, unless it explicitly states that you are not happy for that piece of correspondence to be copied to the operator(s) concerned, or you have written to advise us that you no longer agree to this. Please tick one of the boxes below to confirm whether you agree to this.

**YES** – the Department may provide the operator(s) concerned with copies of any subsequent correspondence I submit in connection with this complaint unless I either state in an individual item of correspondence that it must not be copied to the operator(s) concerned, or write to advise the Department that I no longer agree to copies of my correspondence being copied to the relevant operator(s).

**NO** – I am not prepared for a copy of any future correspondence I submit in connection with this application to be provided to the applicant.

**DECLARATION:**

**I would like the Department to consider my complaint when the relevant operator licence(s) is/are due for review. I confirm that all the information I have given you is true and accurate to the best of my knowledge.**

Signed

Dated

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Please return your completed form to the following address, so as to be received within 21 days of the date public notice of the application appeared in the newspaper:

Environmental Team,  
Dfl,  
The Central Licensing Office,  
PO Box 180,  
Leeds,  
LS9 1BU



## REVIEW OF A GOODS VEHICLE OPERATING CENTRE

### A summary of matters the Department may take into account

#### Environmental suitability

1. In reviewing the environmental suitability of an operating centre, the Department may have regard only to the environmental effects of the use of the operating centre and its approach roads by the operator's vehicles, taking account of:
  - a) the nature and use of other land/property in this vicinity;
  - b) the number, type and size of the operator's vehicles which use the operating centre and the parking arrangements for those vehicles;
  - c) the nature and times of use of the operating centre by the applicant's vehicles, including the use (if any) of special equipment relating to the operation of vehicles;
  - d) how, and how often the operator's vehicles may enter and leave the operating centre.
  
2. The Department can attach conditions, for environmental reasons, covering:
  - a) the number, type and size of vehicles which the operator may keep at his operating centre, and the hours of operation and/or maintenance;
  - b) the parking arrangements, including prohibiting parking on roads in the vicinity;
  - c) the means of entry and exit of the operator's vehicles.

Also, in considering environmental suitability, it can (in certain circumstances) remove an operating centre from a licence on the grounds of adverse environmental effects of the parking of the operators vehicles either within the confines of the operating centre, or on the roads in the vicinity of the operating centre.

#### General Suitability

3. When reviewing the suitability of an operating centre in non-environmental terms, the Department may have regard to the safety of the means of access to and from the operating centre. Conditions may be attached to, or remove an operating centre from, a licence for road safety reasons. However, road safety considerations beyond the immediate point of access cannot be taken into account by the Department.

#### Matters which the Department cannot take into account

4. In considering the suitability of an operating centre, the Department **cannot** take account of:
  - a) other operators' vehicles that are visiting the operating centre;
  - b) any vehicles outside the scope of the licensing system – generally those weighing 3.5 tonnes gross weight or less;
  - c) Any use of the site that is not related to the operation of goods vehicles;
  - d) the physical suitability of the surrounding road network (this is a separate matter for DfI's Transport NI).

The relevant statutory provisions containing the rules governing the application process are in the Goods Vehicles (Licensing of Operators) Act (NI) 2010 and the Goods Vehicles (Licensing of Operators) Regulations (NI) 2010 GV (Qualifications of Operators) Regs (NI) 2012