



Vehicle & Operator Services Agency

From: **Information Access**
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Our Ref: **F0001423**

Date: 15 September 2008

Dear

FREEDOM OF INFORMATION ACT 2000

I refer to your letter of 14 August 2008 requesting information, and the subsequent acknowledgement.

You requested information regarding ***** and access to operator licensing self-service, to which the Licensing Team, Office of the Traffic Commissioner have provided the following response:

We are not aware of any current condition or undertaking on the licence held by ***** which prevents him from using the self-service system. We have requested the January 2003 Public Inquiry brief from the Office of the Eastern Traffic Commissioner but are not expecting this to include any restriction as licensing self-service was very much in its infancy in 2003 and only available on a limited testing basis. We hope to be able to resolve this matter within the next few weeks.

However, for the avoidance of doubt we would draw your attention to the provisions of Section 5(6) of the Goods Vehicles (Licensing of Operators) Act 1995 which states

A motor vehicle which is not specified in an operator's licence is not authorised to be used under that licence by virtue of subsection (1) after the period of one month beginning with—

(a) the day on which the vehicle was first in the lawful possession of the licence-holder, or

(b) (if later) the day on which the licence came into force,

unless, during that period, the licence-holder has given to the traffic commissioner by whom the licence was issued a notice in such form and containing such information about the vehicle as the commissioner may require, and has paid to him a prescribed fee.

The relevant words being "notice in such form and containing such information... as the commissioner may require". I would also draw your attention to Section 8(6) of the 1995 Act which states:

(6) Any statement, information or particulars to be given to a traffic commissioner under this section shall be given in such form as the commissioner may require.

I hope this answers your general question regarding authority to ask for information in a certain form i.e. paper or on-line and we hope to be able to resolve the specific query regarding ***** access in due course, although as already indicated, we are not expecting any problems in providing ***** to access to self-service.

If you have any queries about this letter, please contact us, quoting reference **F0001423**.

If you are unhappy with the information supplied, you may ask for an internal review. To request an internal review, please write to:

VOSA Corporate Office,
Berkeley House,
Croydon Street,
Bristol,
BS5 0DA

or email vosa.corporateoffice@vosa.gsi.gov.uk

giving the reasons for your dissatisfaction. It will help us if you quote the reference number for your case.

If you do not agree with the outcome of the internal review, you may lodge an appeal with the Information Commissioner (www.informationcommissioner.gov.uk). The Information Commissioner is an independent official appointed by the Crown to oversee the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

The Information Commissioner can consider complaints about any aspect of the way in which requests for information have been handled. Please note: the Information Commissioner would be unlikely to consider your complaint if you have not first requested an internal review.

You can write to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Yours sincerely

VOSA Information Access

An executive agency of the
Department for
Transport

 Saving lives, safer roads, cutting crime, protecting the environment