

### **Introductory statement**

I am pleased to publish the Statutory Guidance and Statutory Directions in accordance with the Local Transport Act 2008. These documents will give a greater transparency to all those involved in operator licensing in showing how traffic commissioners approach their work in regulating the transport industry.

The publication of these documents has been delayed by the implementation of the EU Regulations which came into force on the 4<sup>th</sup> December 2011. When implementing those regulations Government has ensured that traffic commissioners continue to have the widest discretion possible when exercising their judicial and administrative functions.

When drafting the Statutory Guidance and Statutory Directions to make them compatible with the EU Regulations I have similarly sought to ensure that they do not go beyond what is strictly required by that legislation. In this way British operators who apply for and obtain standard national and international licences will not be subject to additional burdens and there will be no “gold plating” of the legislation. In my view this will help to ensure that British operators are not disadvantaged when competing with their European counterparts who are subject to the same EU Regulations.

The Statutory Guidance and Statutory Directions offer a comprehensive review of all areas of operator licence legislation and will offer guidance to operator and commissioner alike.

As a result of the delayed publication I have given a commitment to the Secretary of State and the transport industry to review these documents in 6 months. This will also enable all those who use these documents to see how they are working and whether further revision is required. In any event the documents will be kept under constant review as and when there are changes in domestic and European legislation and changes in domestic and European case law.

All traffic commissioners and their deputies are fully familiar with the Statutory Guidance and Statutory Directions and indeed all have contributed to their publication – I am grateful to them.



**Beverley Bell**  
**Acting Statutory Senior Traffic Commissioner**  
**6<sup>th</sup> December 2011**