

# road transport services



Road Transport regulatory law can be complex. The Ashtons Legal transport team is here to provide affordable specialist advice to help you remain compliant and to represent you if things go wrong. This is definitely an area of law in which preventative action is better than fire-fighting!

## What do we offer?

If you supply road transport services or operate commercial vehicles as part of your business, we can not only provide you with niche road transport regulatory advice but a full one-stop business law service.

Whether you are a multi-national operator or a sole trader providing either goods or passenger services, we offer a range of services, driven by your needs to provide legal solutions in a timely fashion.

## What areas do we cover?

In principal anything to do with road transport from goods vehicles to vans and from coaches and buses to taxis! So, we encourage both existing businesses and new operators to seek early advice from us to:

- Reduce risk by the audit of current transport operations, to ensure continuing compliance and implement any necessary changes
- Plan and draft applications for a new Operator's licence or vary existing ones
- Liaise with and make representations to the Traffic Commissioner for you on all matters
- Help you establish new operating centres correctly, understand the continuing requirement for financial standing, comply with health and safety, environmental, drivers hours (including working time) and vehicle maintenance / construction and use regulations
- Understand and manage the crucial role of the nominated transport manager
- Handle notification of convictions / fixed penalty notices to the Traffic Commissioner
- Represent you at Public Inquiries and Preliminary hearings before the Traffic Commissioner
- Defend you as Operators and individuals eg directors, partners and transport managers prosecuted by the Driver and Vehicle Standards Agency (DVSA) or any other enforcement agency
- Produce employment contracts for transport managers, agency and self-employed drivers, advising on disciplinary procedures
- Embark on effective business succession and planning, the implication of changes of entity; mergers and acquisitions and company restructuring
- Commence review and objection procedures following impounding and seizure, of both a vehicle and load, by Border Force or DVSA
- Challenge and appeal penalties imposed for clandestine entry of stowaways into the UK by road transport
- Challenge and appeal vehicle and load seizure by HMRC, for non-payment of duty, through condemnation proceedings or by restoration.

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## Legal costs

Our service to you can be delivered through our retainer service or agreed hourly rates or fixed fees. Our retainers may be either a helpline or a full retainer package. These can be combined with additional retainer services such as our HR / employment law offering.

## Who do we help?

A selection of the type of business we act for include those involved in the following sectors and types of operation:

- Agricultural transport
- Bus and coach operations
- Bulk haulage
- Car transporting
- Construction
- Container transport
- Equestrian transport
- Film production / TV outside broadcasting
- Heavy haulage
- Motor sport transport
- Pallet networks
- Recovery vehicles
- Removal vehicles
- Taxi operators - PHV and Hackney Carriage
- Temperature controlled vehicles
- Utility sector (essential services)
- Van fleets
- Waste transport.

## What could happen?

As a business in the road transport sector you must comply with all types of regulation. But your major issue will be to ensure the safety of others, your drivers and other staff – out on the road and on your premises. Fines for fatal and non-fatal accidents or incidents, following prosecutions, brought by the HSE, Environment Agency or other agencies have now escalated enormously. Your business and your reputation may be lost.

If you are a director, partner or sole trader in a business using passenger or large goods vehicles, including agricultural vehicles, you will also hold an **Operator's licence** and be regulated by the Office of the Traffic Commissioner. Your Operator's licence is a priceless asset and essential to the continuation of your business - without it you cannot operate vehicles - and it is at risk if not properly managed.

Reduce the risk of losing it by seeking our advice at an early stage.

## What next?

This is just a selection of the services we offer for those providing either haulage or passenger services. We are very experienced in dealing with the many issues that face the transport sector. If you need advice, don't delay, please call one of our Specialist Transport lawyers for a **FREE** no obligation discussion.

[www.ashtonslegal.co.uk](http://www.ashtonslegal.co.uk)



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