

## GV80A: Application to change type of licence / Notification of change of transport manager

### About this form

You should complete this form if you wish to change the type of goods vehicle operator licence you hold. You cannot apply to change your licence type via operator self service and use of this form is mandatory. You can also use this form to tell us about any changes to your nominated transport manager.

### What to do next

Send your completed form, along with any supporting documents to the traffic commissioner at: Office of the Traffic Commissioner, The Central Licensing Office, Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF

If you are applying to add a new transport manager, you must complete a TM1 form and send the original Certificate of Professional Competence (CPC) or exemption with this form.

### Data Protection

The personal information you provide on this form will be used for the purposes of a traffic commissioner's statutory functions. This may include sharing the information you provide with other 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. Further information is available from the Office of the Traffic Commissioner.

**Note: it is a criminal offence to give false information in this application.**

### Your contact details

1) Name		
2) Trading Name (if any)		
3) Licence Number		
4) Address (please give the address at which you can be contacted for business purposes)		
	Postcode:	
5) Contact telephone numbers	Business:	Fax:
	Home:	Mobile:
6) E-mail address		

## Transport Manager details

7) Are any professionally competent people (i.e. transport managers) to be **removed** from your licence? Yes  No

If **yes**, please give details below.

Name	Operating centre(s) for which responsible

8) Are any professionally competent people (i.e. transport managers) to be **added** to your licence? Yes  No

If **yes**, please complete form TM1 attached.

## Change of Licence Type

Only complete questions 9, and 11 if you are applying to change the type of Operator's licence.

9) What type of licence do you want?\*

- Restricted  ► **Go to Section 12**
- Standard National  ► **Go to Section 10**
- Standard International  ► **Go to Section 10**

\*Whilst regulation 5 of the Road Transport Operator Regulations 2011 makes clear that a standard licence granted under the Public Passenger Vehicles Act 1981 or the Goods Vehicles (Licensing of Operators) Act 1995 constitutes an authorisation to pursue the occupation of road passenger or haulage operator (as applicable) for the purposes of EU Regulation 1071/2009, references to national and international standard licences are included above for transitional purposes.

## Convictions

You must declare all relevant convictions on this form. You are reminded that it is a criminal offence to make a false declaration on this application.

10) Has any person named in this application (including partners, directors and transport managers); any company of which a person named on this application has been a director; any parent company if you are a limited company; or any of your employees or agents been convicted of any relevant offence which must be declared to the traffic commissioner?

(Continued on next page)

Yes

**Give details below**

No

**► Go to 10a**

Name (in full)	Date of conviction	Offence	Name of court	Penalty

Continue on a separate sheet if necessary

You should also provide full details of the background circumstances of any convictions declared on a separate piece of paper.

### **10a) New convictions**

Please tick to confirm that you are aware that you must tell the traffic commissioner immediately of any relevant convictions that occur between the submission of your application and a decision being made on the application.

**► Now go to Section 11**

## **Financial evidence**

**11)** To help satisfy the traffic commissioner that you have sufficient financial resources (as well as satisfying the repute and fitness requirements) to maintain your vehicles and run your business, all applicants wishing to upgrade their licence to a Standard National or Standard International licence from a Restricted licence must provide original evidence of financial standing as detailed at section 13a below.

Please tick to confirm that you have read section 13a and included the relevant evidence.

**11a)** Previous insolvency history may affect an applicant's fitness or repute. Traffic commissioners will consider each case on merit and it is vital that you declare all previous insolvency history.

**i.** Has any person named in this application (including partners, directors or transport managers) ever been declared bankrupt or had their estate seized or confiscated?

Yes

No

**ii.** Has any person named in this application (including partners, directors or transport managers) ever been involved with a company, or business, that has gone into (or is going into) liquidation, owing money?

Yes

No

**iii.** Has any person named in this application (including partners, directors or transport managers) ever been involved with a company, or business, that has gone into (or is going into) receivership?

Yes

No

iv. Has any person named in this application (including partners, directors or transport managers) ever been involved with a company, or business, that has gone into (or is going into) administration?

Yes  No

v. Have you, or have any of your partners, directors, majority shareholders or your transport manager ever been disqualified from acting as a director of a company or from taking part in the management of a company?

Yes  No

► If you answered No to **all** five parts of Question 11a, please go to Question 11b.

If you answered Yes to **any** part of Question 11a, you must provide additional information with your application.

### 11b) New insolvency

Please tick to confirm that you are aware that you must tell the traffic commissioner immediately of any insolvency proceedings that occur between the submission of your application and a decision being made on the application

► **Now go to Section 12**

## 12) Declaration

**I declare that the statements made in this application are true and that there have been no other changes that affect the licence. I understand that it is an offence to make a false declaration.**

Your full name in block capitals

Signed

Dated

Position in business – please tick **one** below.

Owner  Partner  Director

Delegated officer of any other organisation (please state, e.g. trustee)

## 13) Checklist

Before you return this form you must make sure that your application is complete and contains all relevant documentary evidence. You must use the following checklist to confirm that you have provided all the necessary evidence.

**If you do not send all the information needed this will lead to a significant delay in the application, or your application may be refused.**

Please tick to confirm the following:

- I have completed all applicable questions on this form.
- I have checked that the declaration is signed and dated by an authorised person.

### Applicants for **Standard National or Standard International** licences

Please tick to confirm the following:

- I have enclosed **original** Certificate(s) of Professional Competence in Road Haulage Operations or evidence of qualification(s) giving exemption, for **all** transport managers to be added with this application.
- I have enclosed completed and signed TM1 forms for **all** transport managers to be added with this application.
- I have provided **original** financial evidence in accordance with Section 13a. I understand that photocopies are not acceptable.

#### **13a) Financial standing for standard licence holders**

All applicants wishing to upgrade their licence to a Standard National or Standard International licence from a Restricted licence must provide original evidence of financial standing so the traffic commissioner can assess that you meet the new financial standing requirements, as follows:

#### **Availability**

The key test in demonstrating financial resources is whether the applicant or operator has available capital and reserves of an amount equal to the sum specified. "Available" is defined as: "capable of being used, at one's disposal, within one's reach, obtainable or easy to get". The three questions an operator needs be able to answer are:

- how much money can the operator find if the need arises?
- how quickly can they find it?
- and where will it come from?

#### **Name(s) on financial evidence supplied**

All financial documents should be in the same name as the applicant or licence holder. In the case of partnerships be in the same name(s) as one or both of the applicants or licence holders. In the case of a Limited Company and Limited Liability Partnerships (LLPs) the funds must be held within the company.

The traffic commissioner may allow documents in a different name, but in the case of an individual applicant/operator this must be supported by a statutory declaration signed by the natural person.

For companies, group and cross guarantees will be referred to the traffic commissioner to consider the merits and will require evidence of the financial standing of the guarantor.

**The types of evidence listed below are not exhaustive.**

### **Bank statements**

You should provide **original** bank or building society statements covering the last 28 days, the last date of which must not be more than 2 months from the date of receipt of the application. If original bank statements are not available, for instance if you have an online only account, then you may provide printouts that have been signed and stamped by the bank as verification that they show a true reflection of your account. Any such printouts must contain the account holder's name and account number, the name of the bank, and all transactions taking place within the 28 day period.

Building society accounts will only be acceptable if funds can be drawn down within one month.

Unusually large deposits/withdrawals which have influenced the average balance might lead to further enquiries and a request for an explanation from the applicant/operator. The traffic commissioner might ultimately decide to discount these deposits/withdrawals from the average balance. If there is any doubt as to the source of funds this will be referred to the traffic commissioner.

Credit card accounts (in the same name as the application or licence holder) must be supported by original documents, as with bank statements, to show that over the same 28 day period the funds available meet the criteria. Where a credit card account is the sole source of evidence to prove the availability of finance traffic commissioners are entitled to ask why there is no other evidence of banking facilities available.

### **Overdraft facility**

The applicant or operator can supplement the original or certified copies of any bank or building society accounts statements by the use of an overdraft or credit facility. That is an overdraft at their disposal in the sense that there is a balance undrawn before the limit is reached. The facility must be demonstrated by a formal written commitment by the bank, etc. (An offer of such a facility will not suffice.)

The average balance shown in the statements will be calculated, and added to any overdraft or credit facility to show the amount of credit that can be used as proof of financial standing. If the average balance is negative, this will be subtracted from the overdraft limit to find the available finance.

### **Invoice Finance Agreement**

An invoice finance agreement is acceptable, but only if accompanied by:

- confirmation of available balances not drawn down averaged over a 3 month period.
- a copy of the signed agreement from the finance company in which they agree to retain the amount of money needed to meet the definition of financial standing.
- a completed schedule signed on behalf of the finance company.

If you are supplying an invoice finance agreement you must still provide bank statements as detailed above.

## **Audited accounts – limited companies and Limited Liability Partnerships**

These must be certified by a properly qualified person be drawn up clearly and give a true and fair view of the company's assets, liabilities, financial provision and profit or loss.

The items that must comprise the annual accounts are:

- a balance sheet
- that the company is trading profitably (on the profit and loss sheet)
- notes on the account
- a positive ratio of more than 1.0 (when dividing total assets by total liabilities)
- a positive ratio of more than 0.5 (when dividing current assets by current liabilities)

The latest audited annual accounts (in respect of the financial year end, to a date not more than 18 months prior to the date of application) can be used as a substitute for bank statements, generally only where the entity is an established and substantial limited company/plc with a turnover of more than £5.6m (subject to statutory uprating). Smaller businesses have historically produced annual accounts as additional evidence to establish financial standing. However under Regulation (EC) 1071/2009 traffic commissioners will accept annual profit and loss accounts and balance sheets or a statement of an opening balance if they are certified by a properly accredited person.. Draft annual accounts to a date not more than 12 months prior to the date of application/licence check may be sufficient but will be referred to the traffic commissioner who may require further evidence.

Annual financial accounts can be a very useful cross check on an operator's financial health. If audited, they should give an accurate (though historic) 'snapshot'. Businesses with a turnover of less than £5.6m are not required to have their accounts audited. Operators, however, with a turnover of more than £1m are advised that your accounts should be prepared by a chartered or certified accountant. Company law allows unaudited financial accounts for businesses with a turnover below £5.6m but the traffic commissioner may not place as much weight on unaudited accounts as those which are independently certified. Where any accounts are relied upon it is open to the traffic commissioner to seek a further check of finances either by way of a condition upon grant or an undertaking.

It is open to the traffic commissioner to consider financial accounts for all other types of business (i.e. not companies) whether audited or not. This might highlight any insolvent trading positions or unpaid taxes such as PAYE/NI/VAT etc. and may indicate cash flow problems. Where accounts contradict the impression given by the bank statements the traffic commissioner might ask for further enquiries to be made. Applicants and operators are reminded of the need to reply to these further enquiries in a timely manner.

In addition to the types of financial evidence shown earlier, the traffic commissioner may agree that an operator can demonstrate its financial standing by means of a certificate such as a bank guarantee or insurance, including professional liability insurance from one or more banks or other financial institutions, including insurance companies, providing a joint and several guarantee for the operator in respect of the amounts specified above.

The evidence must be those of the economic entity (applicant/operator) established in Great Britain (where an authorisation has been applied for) and not those of any other entity established in any other country or European Member State.