



Office of the Traffic Commissioner

R Watson
3 Bedford Street
Wroughton
Wiltshire
SN4 9DF

Office of the Traffic Commissioner
West of England
Jubilee House
Croydon Street
Bristol
BS5 0GB

Direct Line: +442045702599
e-mail: westernhc@otc.gov.uk

Please quote our ref on all correspondence
Our Ref: OH1140897/ENV

13/05/2026

Sent by Recorded Delivery

Dear Madam,

THE GOODS VEHICLES (LICENSING OF OPERATORS) ACT 1995
OPERATOR: NICHOLAS JOHN GOSLING & Partners
T/A BERKELEY FARM DAIRY
OPERATING CENTRE: BERKLEY FARM, SWINDON ROAD, WROUGHTON,
SWINDON, SN4 9AQ

I refer to your complaint relating to the above named goods vehicle operator licence which authorises the use of 5 vehicles and 4 trailers at an operating centre at BERKLEY FARM, SWINDON ROAD, WROUGHTON, SWINDON, SN4 9AQ.

In view of opposition to this renewal of this operating centre the Traffic Commissioner has decided to hold a **public inquiry** to consider the matter further.

Date of the Inquiry

The inquiry will be held at **Leonardo Hotel Swindon, Fleming Way, Swindon, Wiltshire, SN1 2NG** on **Wednesday 24/06/2026 at 10:30 hours**.

Your Complaint

The Traffic Commissioner has initially ruled your complaint as valid and you are invited to attend the inquiry and present your case.

Please be aware that the operator will have the opportunity of challenging the validity of your complaint at the opening of the public inquiry and will also be given the opportunity to cross examine you on the evidence you give during the proceedings.

Once the operator has given their evidence you will be offered the opportunity to cross examine them on their evidence should you wish to do so.

Further information about operator licensing, including a Guide to Making Representations, Objections and Complaints, can be found at

www.gov.uk/government/publications/a-guide-to-making-representations-objections-and-complaints-goods-vehicle-operator-licensing

You may be represented at the inquiry by counsel or a solicitor, or, at the discretion of the Traffic Commissioner, by any other person.

Further information, including obtaining the appropriate support, can be found in “A Guide to Public Inquiries”, available at;

www.gov.uk/government/publications/a-guide-to-public-inquiries.

The Senior Traffic Commissioner also issues statutory guidance and statutory directions that contain information on the requirements that operators and applicants are expected to meet and may provide useful explanation of the legislation, these can be found at;

www.gov.uk/government/collections/senior-traffic-commissioners-statutory-guidance-and-statutory-directions

The issues to be considered by the Traffic Commissioner at the public inquiry

Specifically, the Traffic Commissioner wishes to be satisfied that:

- i) the operating centre is suitable for use as such (disregarding any respect that it may be unsuitable on environmental grounds). This can include whether the vehicle can enter and exit the proposed operating centre safely.¹
- ii) the parking of heavy goods vehicles at, or in vicinity of, the proposed operating centre would not cause adverse effects on the environmental conditions in the area.²

Evidence the Traffic Commissioner will consider at the public inquiry

The evidence which the Traffic Commissioner will consider at the public inquiry is:

All correspondence relating to complaints about the operating centre.

The findings of the report of Driver and Vehicle Standards Agency (DVSA) Traffic Examiner Robert Lisle as to the suitability of the operating centre dated 20 November 2025. Please find **enclosed** a copy of that report.

The Traffic Commissioner has requested that the examiner attends to give evidence at the inquiry.

You should note that prior to the inquiry the Traffic Commissioner will usually visit the operating centre so that they can see the site for themselves and take their own observations into account when considering its suitability.

¹ See section 31(1)(a) of the 1995 Act

² See section 31(1)(b) and 31(2) of the 1995 Act

The Traffic Commissioner's powers

If the Traffic Commissioner concludes that the operating centre is not suitable or causes adverse environmental effects on the vicinity, they may direct that it be removed from the operator's licence.³

If the traffic commissioner is satisfied that there are no grounds for removing the operating centre from the licence they may make no further direction or consider adding, varying or removing conditions to the operator's licence.

The Traffic Commissioner may consider whether it is appropriate to attach conditions to the licence for the purpose of preventing authorised vehicles from causing danger to the public.⁴ The Traffic Commissioner may also consider whether to vary or remove such conditions if they already exist on the licence.⁵

These conditions relate only to:

- i. any point where vehicles first join a public road on their way from an operating centre of the licence-holder (or last leave a public road on their way to such an operating centre); and
- ii. any road (other than a public road) along which vehicles are driven between such a point and the operating centre.

In addition to this, the Traffic Commissioner will also consider whether it is appropriate to attach, vary or remove conditions to the licence for the purpose of preventing or minimising any adverse effects on environmental conditions from the use of authorised vehicles.⁶ These conditions relate only to:-

- i) the number, type and size of authorised vehicles or trailers which may, at any one time, be at the operating centre for the purposes of maintenance and parking;
- ii) the parking arrangements to be provided for authorised vehicles or trailers at or in the vicinity of the operating centre;
- iii) the times at which there may be carried out at the operating centre, any maintenance or movement of authorised vehicles or trailers, and the times at which any equipment may be used for such maintenance or movement; and
- iv) the means of entering and/or exiting from the operating centre by authorised vehicles and trailers.

What you need to do now:

Please confirm, **in writing and no later than 10 June 2026** that you or your representative will attend the inquiry at the time and place stated above (if you choose to be represented, please provide the name and address of your representative).

³ See section 31 of the 1995 Act

⁴ See section 21 (1) of the 1995 Act

⁵ See section 21 (2) of the 1995 Act

⁶ See section 23 of the 1995 Act and paragraph 14 of the Goods Vehicles (Licensing of Operators) Regulations 1995

On the day of the public inquiry, you are requested to:-

Turn up at least 30 minutes prior to the commencement of the inquiry.

Kindly note that it is not possible to determine how long an inquiry may take to conclude given the complexity of the issues to be determined.

Should you have any questions with regard to the contents of this letter please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Brent Perrin', written in a cursive style.

Brent Perrin
Western Hearing Centre
Office of the Traffic Commissioner



Photo 8: Taken from inside the operators site . All specified vehicles were present in the yard at the time of the visit.



PHOTO2 : Showing the A4361 Swindon Road south bound. The operator entrance is to the left opposite the temporary road works.

ENVIROMENTAL SITE VISIT PHOTOGRAPHS

NICHOLAS JOHN GOSLING & PARTNERS OH1140897

BERKELY FARM, SWINDON RD, WROUGHTON, SWINDON SN4 9AQ

By DVSA Traffic Examiners ROB LISLE and IAN McMILLIN.

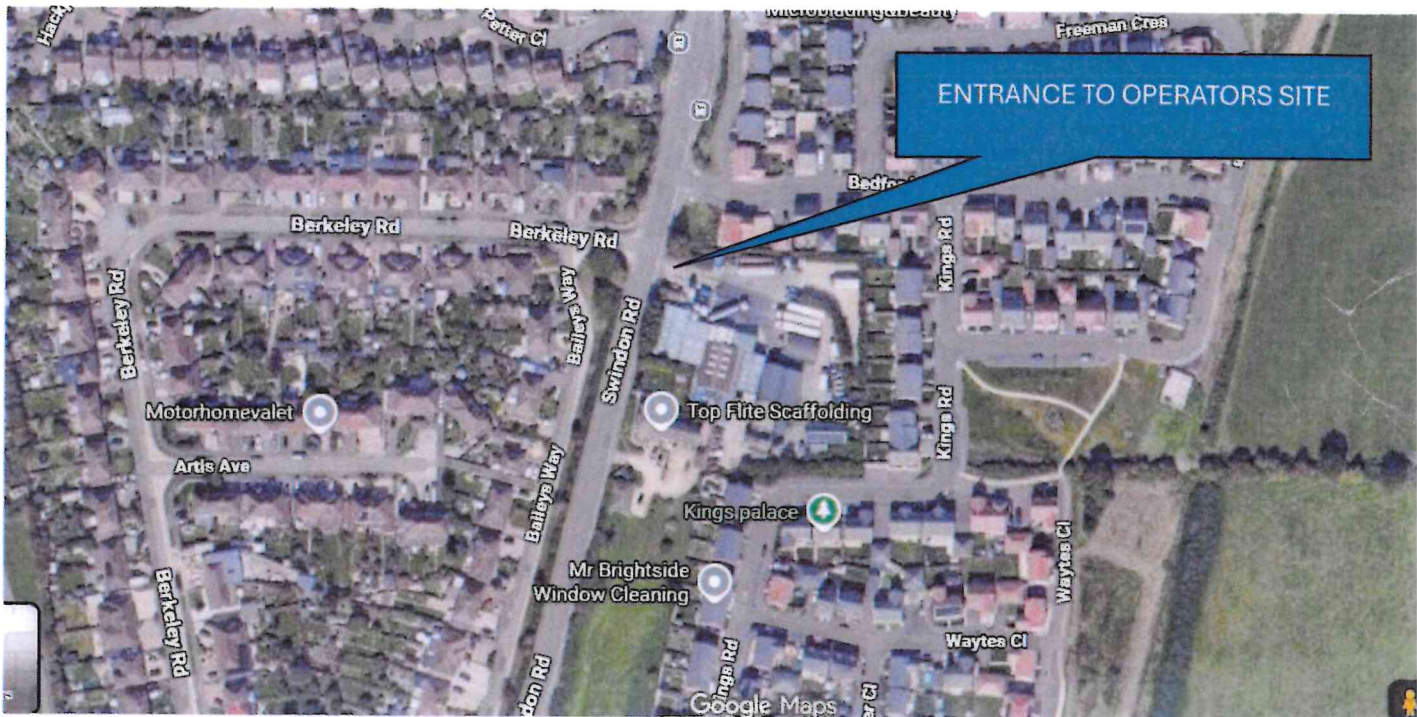


Photo1: From Google Maps showing the location of the site and the site entrance from the A4361 Swindon Road.

Photo 9: FROM GOOGLE MAPS showing the site entrance on the left with no temporary roadworks.





Photo 5: Taken opposite the operator site entrance looking north up the A4361 Swinson Road. The roadworks seen were very much temporary and were planned to be there for 1 day only .

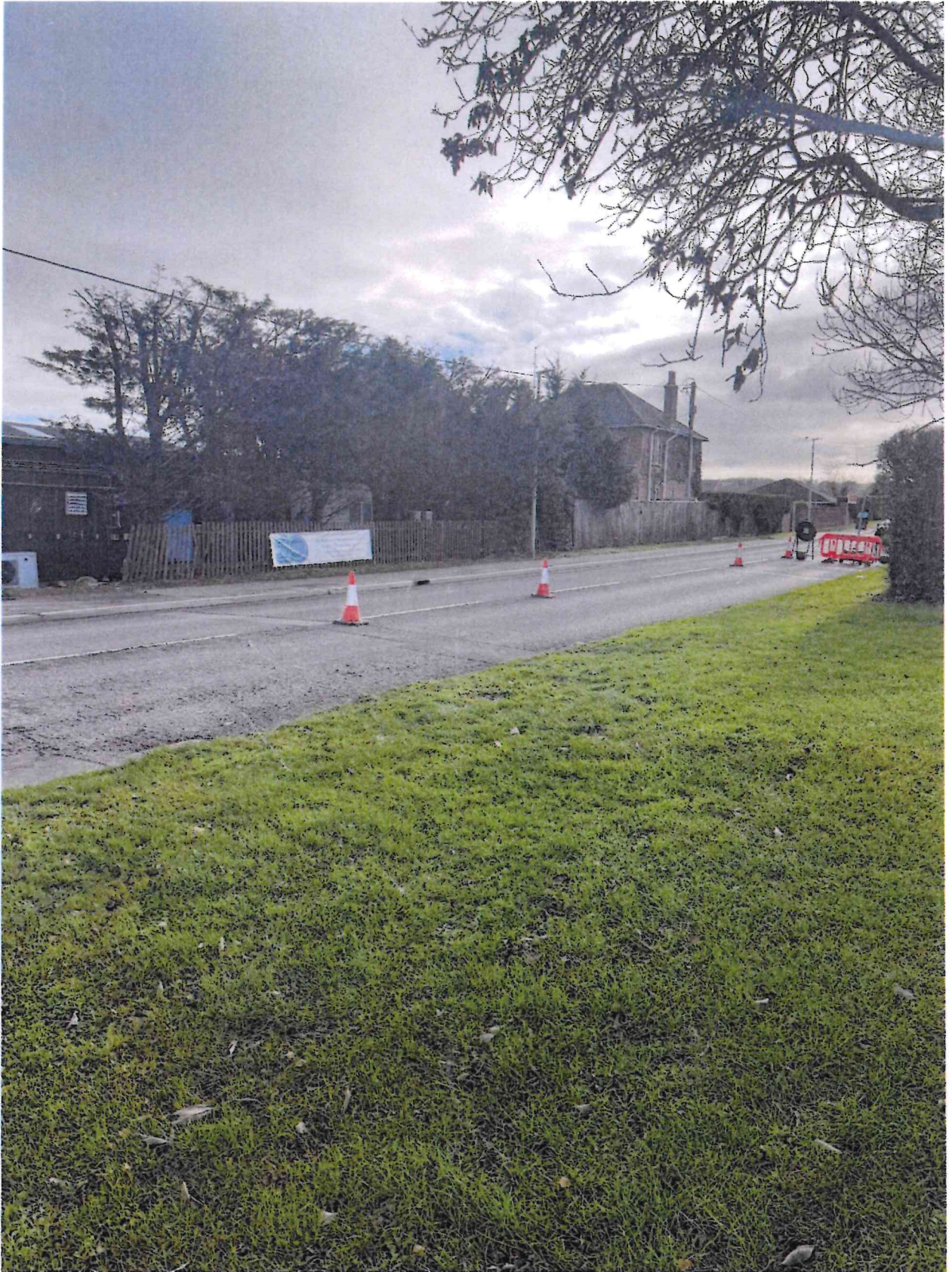


Photo 4: Taken from opposite the operator's site entrance looking southbound on the A4361 Swindon Road. The site entrance is to the left.





Revd Dr J R H RAILTON, B.Sc., LL.B., Ph.D., FCIB
*20 Baileys Way, Wroughton,
SWINDON, Wilts SN4 9AH
Tel: 01793-814162
john.railton@icloud.com*

Friday 1st May 2026

Tom Lodwidge,
Planning Enforcement,
Swindon Borough Council,
Wat Tyler House,
Beckhampton Street,
SWINDON, SN1 2JH

Dear Mr Lodwidge,

Berkeley Farm Dairy, Swindon Road, Wroughton

You are well aware of the growing concern among local residents in the immediate vicinity of the dairy factory about a range of issues which are having a seriously detrimental impact on their health and well-being.

As I understand it, the one issue which is of direct concern to your department is the blatant breach of the terms of a planning consent granted almost exactly six years ago which expressly prohibited any processing outside specified hours.

But your colleagues in other departments of Swindon Borough Council are also well aware of serious complaints: a) about the contamination of ditches by the leakage of illegally-stored diesel fuel; b) about the illegal discharge of foul waste into storm-water drains polluting a 'balance-pond' and resulting in not only an offensive smell but also constituting a significant health risk to local residents on the Grange housing estate; and c) the regular breaches of the terms of the Vehicle Operator's Licence from the Traffic Commissioner.

So I write now to express my unqualified support for the letter you have just received from Rosemarie Watson and to add my plea for Swindon Borough Council to address ALL these concerns. BUT – I cannot emphasise too strongly that the problems resulting from the irresponsible actions of the dairy management are NOT new. There is a long and well-documented history of complaints registered with the dairy management over a period of about **ten years**; and of their apologies, excuses, and unfulfilled promises to take appropriate action, or simply to ignore or dismiss legitimate complaints.

I appeal to you to arrange appropriate liaison with other departments in Swindon Borough Council so that ALL these issues can be addressed and the damage to the lives and well-being of local residents brought to an end.

Yours sincerely