



**Neutral Citation Number: [2025] UKUT 402 (AAC)
Appeal No. UA—2025-000551-T**

**IN THE UPPER TRIBUNAL
ADMINISTRATIVE APPEALS CHAMBER
TRAFFIC COMMISSIONER APPEALS**

**ON APPEAL from the DECISION of the DEPUTY TRAFFIC COMMISSIONER for
WALES dated 4th April 2025**

Before: HHJ Beech, Judge of the Upper Tribunal
David Rawsthorn, Specialist Member of the Tribunal
Sarah Booth, Specialist Member of the Tribunal

Appellant: INDEPENDENT GRAB COMPANY LIMITED
Commissioner's ref: OF2028536

Hearing date: 2nd December 2025
Mode of hearing: Remote by CVP
Heard at: Field House, Breams Buildings, London, EC4A 1DZ

Representation:
Appellant: No appearance

Decision Date: 4th December 2025

SUMMARY OF DECISION

This appeal is DISMISSED

The Deputy Traffic's Commissioner's decision to revoke the Appellant's operator's licence is neither wrong on the facts or the law.

KEYWORD NAME: 100.8 Transport Managers

Please note the Summary of Decision is included for the convenience of readers. It does not form part of the decision. The Decision and Reasons of the judge follow.

DECISION

The appeal is DISMISSED

REASONS FOR DECISION

Introduction

1. This is an appeal from the decision of the Deputy Traffic Commissioner for Wales (“the DTC”) dated 4th April 2025, when he revoked the Appellant’s operator’s licence under s.27(1) of the Goods Vehicles (Licensing of Operators) Act 1995 (“the Act”).

Factual background

2. The background to this appeal is as follows. The Appellant (“the company”) has held a standard national operator’s licence since 28th January 2020 without any compliance issues.
3. On 9th February 2025, the company’s transport manager was removed from the licence. This event triggered the sending of a “propose to revoke letter” (“PTR”) to the company dated 10th February 2025 sent by post and recorded delivery. It was in the standard terms and gave the company an opportunity to either make representations (including an application to add a replacement transport manager), apply for a period of grace and/or request a public inquiry. A response was required by 3rd March 2025. On that date, the company nominated Mark Goddard as a replacement transport manager. The following information remained outstanding:
 - (i) A completed online transport manager application signed by both the transport manager and an authorised person on behalf of the company;
 - (ii) A full original certificate of professional competence;
 - (iii) A copy of any refresher training which Mr Goddard had completed (having passed his CPC qualification in October 2007);
 - (iv) A breakdown of his proposed hours and details of how he would meet the requirements of the role.

The company did not respond.

4. On 5th March 2025, a further letter was sent to the company requesting the outstanding information with a response required by 19th March 2025. On a

date which is unclear from the appeal bundle, the company uploaded Mr Goddard's CPC certificate along with the following message:

"The new transport manager had been uploaded now just waiting for him to fill in his bit. Delay has been because of illnesses but now being sorted ASAP sorry for any inconvenience".

5. On 25th March 2025, the Office of the Traffic Commissioner (OTC) wrote to the company highlighting the information that remained outstanding and advising that the company must provide the information and apply for a period of grace so that the application could be processed. The company was warned that if these steps were not taken, then its application would be refused and its licence revoked. A response was required by 1st April 2025. No response was received. By two letters dated 4th April 2025, the company was advised that its application to add a transport manager to its licence had been treated as withdrawn and its operator's licence had been revoked with immediate effect.
6. On 15th April 2025, the company applied for permission to appeal. On 16th April 2025, the company uploaded a TM1 application to add Jacqueline Hollingsworth as a transport manager onto its licence and applied to the DTC for a stay which was refused as was the application to this Tribunal.

Legal framework

7. By s.27(1) of the 1995 Act, a Traffic Commissioner **shall** direct that a standard national operator's licence be revoked if at any time it appeared that the licence-holder no longer satisfies the requirement to designate a suitable number of transport managers.

The grounds of appeal and the Appellant's submissions

8. The grounds of appeal contend that after the company's transport manager had resigned, Mr Goddard appeared to have multiple issues adding himself to the licence as transport manager. Whilst the company was sent letters and emails from the OTC, unbeknownst to Mr Andrew, who is the sole director of the company, the person responsible for overseeing the mail did not inform him. He trusted her. He had rectified the issue by appointing Jacqueline Hollingsworth as transport manager and she would oversee all communications with the OTC.

Analysis

9. The grounds of appeal do not criticise the DTC's decision. Neither do they assert that the DTC had made any errors in law or fact or that there was any procedural irregularity. Rather, they attribute the company's failure to comply with the requests for information made by the OTC to Mr Goddard's difficulties in using the VOL system and the ineptitude of a member of staff responsible for dealing with the post. Neither of those failings render the DTC's decision amenable to

appeal. The correct procedures were followed and the company was given three opportunities to rectify the position and was invited to apply for a period of grace. The DTC could not have done more in the circumstances. This appeal was bound to fail.

Conclusion

10. We are satisfied that the DTC's decision was neither wrong on the facts or on the law as per the test in *Bradley Fold Travel & Peter Wright v Secretary of State for Transport (2010) EWCA Civ.695* and accordingly the appeal is dismissed.

**Her Honour Judge Beech
Judge of the Upper Tribunal**

Authorised by the Judge for issue on 4th December 2025