



Neutral Citation Number: [2026] UKUT 397 (AAC)
Appeal No. UA-2025-001181-T

**IN THE UPPER TRIBUNAL
ADMINISTRATIVE APPEALS CHAMBER**

Appellant: **POWERTANKERS LIMITED**
Commissioner's ref: **OF2081460**

Before: **HHJ Beech, Judge of the Upper Tribunal**
David Rawsthorn, Specialist Member of the Tribunal
Ian Luckett, Specialist Member of the Tribunal

Hearing date: 13th October 2026
Mode of hearing: Remote by CVP
Heard at: Field House, Breams Buildings, London, EC4A 1DZ

Representation:

Appellant: Benjamin Jiggins, Managing Director
Decision Date: 15th October 2026

**ON APPEAL from the DECISION of the TRAFFIC COMMISSIONER for the EAST
OF ENGLAND dated 26th August 2025**

SUMMARY OF DECISION

The Traffic's Commissioner's decision to refuse the Appellant's application for a restricted licence was neither wrong on the facts or the law and there was no procedural irregularity. The Appellant failed to provide the financial evidence required to support the application by the specified date.

KEYWORD NAME: 100 Transport – Traffic Commissioner and DoE (NI) appeals;
100.1 Applications 100.5 Restricted licences 100.6 Financial standing

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 Traffic Commissioner for the East of England (“the TC”) dated 26th August 2025, when he refused the Appellant’s application for a restricted operator’s licence under s.13(5) of the Goods Vehicles (Licensing of Operators) Act 1995 (“the Act”).

Factual background

2. The background to this appeal is as follows. On 2nd April 2025, the Appellant (“the company”) applied for a restricted operator’s licence authorising two vehicles. The financial requirement to support that application was the provision of twenty-eight days consecutive bank statements showing access to £4,800. An interim licence was also requested.
3. The financial evidence provided with the application was in the form of a single bank statement dated 1st April to 3rd April 2025 showing a deposit of £5,000 which had been paid into the company’s bank account on 3rd April 2025. The application could not be granted on the basis of that evidence.
4. On 15th April 2025, the Office of the Traffic Commissioner (“OTC”) wrote to the company acknowledging that the company could not comply with the financial requirement and indicated that the company may be granted a time limited interim subject to the provision of details as to the nature of the initial deposit. The accompanying application form made clear that an interim licence would be for the maximum of four months and in making the application, the company agreed to provide further financial evidence covering a consecutive three month period as soon as it became available and at least four weeks prior to the expiry of the interim. The company was warned that it would not receive any further reminders once the interim was issued.
5. On 23rd April 2025, the company was informed that it had been granted a time limited interim which would expire on 23rd August 2025 and that the financial information required must be provided no later than 26th July 2025. No further financial information was provided by the company and on 26th August 2025, its application for a restricted licence was refused.

Legal framework

6. By s.13(D) of the 1995 Act, an applicant for an operator’s licence must meet the financial requirement for obtaining and holding a licence which in this case was £4,800. Failure to do so will result in the application being refused under s.13(5) of the Act.

The grounds of appeal and the Company’s submissions

7. Mr Jiggins explained that the company did not commence trading until 9th June 2025 and as a result, the company could not have produced bank statements covering three months of trading by 26th July 2025. His Transport Consultant, John Seabrook, had advised him not to provide any financial information until the statements could show three months of trading transactions. It was for that reason that he did not attempt to comply with the requirement and now realises that he should have communicated with the OTC prior to 26th July 2025 to explain the situation or at the very least provide the financial information that he had along with an explanation. The company has now re-applied for a restricted licence but that application cannot be progressed whilst this appeal remains undetermined. Mr Jiggins accepted that the appeal did not have any prospects of success.
8. For the record, appended to the Appellant's Notice was the original bank statement provided to the OTC, another for the month of May without any transactions showing; one for the month of June with the first transaction being 9th June 2025 and lastly a statement for the month of August 2005 none of which can be taken into account as they were not provided to the OTC.

Analysis

9. The refusal to grant the company a restricted licence is beyond criticism. Mr Jiggins, on behalf of the company had agreed to comply with the terms of the time limited interim licence and that having been advised not to provide any financial information by the deadline, he had failed to engage with the OTC at all prior to the deadline date. Refusal of the company's licence application was inevitable.

Conclusion

10. We are satisfied that the TC'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 15th October 2026