

Operating on a 'surrendered' licence

Press release

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In a recent public inquiry before Deputy Traffic Commissioner Nick Denton, Roger Arnold trading as R A International lost both his good repute and his operators' licence. He held a sole trader goods vehicle standard international operator licence for five vehicles and six trailers, granted in 2002. Mr Richard Arnold was the named transport manager for the company.

In May 2022, a vehicle specified on Roger Arnold's licence had been stopped by DVSA at the roadside on 29 September 2021. It was displaying a disc in the name of Midland Bulk Services Ltd. This company's licence had been surrendered by its liquidators in June 2021, after it had entered liquidation in April 2021. The vehicle was also being driven by Ryan Kembery, a former director of Midland Bulk Services Ltd until shortly before it had entered liquidation. The registered keeper of vehicle was Ryan Kembery.

Mr Kembery was now the sole director of Midlands Aggregates Ltd, a company which does not hold an operator's licence. the analogue tachograph charts in Mr Kembery's possession showed that he was the sole and regular driver of the vehicle.

The commissioner had no hesitation in finding that Roger Arnold has been lending his licence to Ryan Kembery. The contract between them for transport services stated that Mr Kembery must provide his own vehicle and would operate autonomously from Mr Arnold. Mr Arnold clearly had no oversight of Mr Kembery's drivers' hours as Mr Kembery was not handing charts into him.

The deputy commissioner said "Lending an operator licence to someone who does not have one is a very serious issue. It is an attempt to circumvent the entire operator licensing system. By his actions Roger Arnold has facilitated the operation of goods vehicles by a person with no right to do so. It is beyond my understanding how an operator could behave so dishonestly and so disgracefully."

The transport manager also lost his repute indefinitely as he must either have conspired with the licence holder or been so remote that he did not realise it was happening.

The decision can be found [here](#).

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