



Neutral citation number: [2024] UKFTT 938 (GRC)

Case Reference: FT/D/2024/0282

**First-tier Tribunal  
General Regulatory Chamber  
Transport**

**Heard by: CVP**

**Heard on: 23 September 2024  
Decision given on: 29 October 2024**

**Before**

**TRIBUNAL JUDGE CHRIS HUGHES**

**Between**

**IRFAN RAZA**

**and**

**THE REGISTRAR, DVSA**

Appellant

Respondent

**Representation:**

For the Appellant: in person

For the Respondent: Claire Jackson

**Decision:** The appeal is Dismissed

**REASONS**

1. In order to be paid to teach pupils to drive an individual needs to be on the Register of Approved Driving Instructors or be the holder of a current licence issued under Section 129(1) of the Act which enables the individual to gain practical experience to undergo the examination of his ability to give instruction in the driving of motor cars. Such licences are issued for a six month period and

the regulatory framework was created on the basis that a six month period would be sufficient in most circumstances for a trainee instructor to gain the necessary skills to pass the examination.

2. The Appellant was granted his first trainee licence on 27 February 2023. This was renewed and his second licence was due to expire on 26 February 2024. He applied for a third licence on 18 February, this was refused by the Registrar, after considering representations from the Appellant, by a decision letter on 12 March. The Appellant has appealed against this refusal, it falls to the tribunal to determine whether a third licence be granted, until such time as the tribunal determines the matter the previous licence is extended enabling the Appellant to continue to teach for remuneration. As at the date of this consideration the extension has lasted longer almost one month longer than the third licence would have. The Appellant has explained in his grounds of appeal (dated 22 March) that there had been no part 3 tests available in his area for a year, making his position impossible.
3. Since lodging his appeal the Appellant has taken the test which is part 3 of the qualifying examination to become an Approved Driving Instructor once on 25 April. He booked a second attempt for August, however he cancelled it due to medical reasons. His second attempt is set for 1 October.

#### Consideration

4. It is clear that the ability of the DVLA to provide an effective and efficient public service has been significantly diminished over time and its recovery from the disruption of the earlier stages of the Covid-19 pandemic (which continues to cause widespread ill-health and disability) has not been as rapid as would be desirable. However the Appellant did get a test, some 14 months after first holding a trainee licence, and failed it. There are no grounds for granting a new licence after 19 months.
5. The point of the statutory framework is to ensure that new drivers are well taught by competent instructors. For 19 months an individual who was not, 5 months ago, able to demonstrate competence indicates significant structural deficiencies in the regulatory framework.
6. This appeal is without merit and is dismissed.

Signed

Hughes

Date: 3 October 2024