



Neutral citation number: [2025] UKFTT 00618 (GRC)

Case Reference: FT.D.2025.0075

**First-tier Tribunal
(General Regulatory Chamber)
TRANSPORT**

**Decided without a hearing
Decision given on: 4 June 2025**

Before

HHJ David Dixon

Between

ASHRAF ISLAM

Appellant

and

THE REGISTRAR OF APPROVED DRIVING INSTRUCTORS

Respondent

Decision: The appeal is struck out.

REASONS

1. On 9th January 2025 the Appellant dated an appeal on form GRC1, which later arrived at the Tribunal. The Appellant sought a third trainee licence.
2. The Appeal was progressing through the Appeal process, with a hearing slot allocated, when the Respondent filed a GRC5 requesting that the Appeal be struck out, as the Appeal has no reasonable prospects of success. The Respondent indicated that the Appellant has failed 3 attempts at his Part 3 examination and is now statute barred from undertaking any further instructional activities and the trainee licence has lapsed. The final unsuccessful attempt took place on 25th April 2025.
3. By virtue of paragraph 8(3) of The Tribunal Procedure (First Tier Tribunal)(General Regulatory Chamber) Rules 2009, the Tribunal may strike out a party's case, in whole or in part, where:
 - a. the appellant has failed to comply with a direction which stated that failure by the appellant to comply with the direction could lead to the striking out of the proceedings or part of them;
 - b. the appellant has failed to co-operate with the Tribunal to such an extent that the Tribunal cannot deal with the proceedings fairly and justly; or
 - c. the Tribunal considers there is no reasonable prospect of the appellant's case, or part of it, succeeding.
4. Regulation 14(b) of the Motor Cars (Driving Instruction) Regulations 2005 stipulates that a trainee licence expires following a third unsuccessful attempt at the Part 3 examination. Here the Appellant failed the final attempt on 25th April 2025. There is no power to extend a licence as a result and the Appeal must fail as a result. Accordingly, in the language of the Tribunal Rules " there is no reasonable prospect of the Appellant's case succeeding" and it is therefore struck out with immediate effect.

Signed: *HH Judge David Dixon*

Date: 29th May 2025