

MotorTransport

Fenton Transport Loses Appeal

Perth based Fenton Transport has lost an appeal against the 18 day suspension of its standard national license, which will now begin on Sunday 13th December 2009.

The suspension is for a breach of undertakings concerning drivers' hours.

The tribunal says: "we were of the view that the suspension was the appropriate sanction, it will still enable Mr Fenton to keep the business running".

James Fenton, Director and Transport Manager claimed he had obtained no benefit from the infringements. They were all driver errors, due to ignorance rather than deliberate interference.

The initial investigation revealed 8 false records, 47 incidents of speeding, 21 insufficient daily rests, 14 incidents of exceeding fortnightly driving time, 10 incidents of exceeding 10 hours daily driving and 7 incidents of failing to keep records.

It also revealed that Mr Fenton's charts were incomplete and the Traffic Examiner thought that he did little to check charts or address FTA reported infringements.

The appeal was against a decision of Joan Aitken, the Traffic Commissioner for the Scottish Traffic Area, who also suspended the drivers' professional entitlements. This decision was not appealed, and the suspensions are for periods of between 2 and 8 weeks from the same date as the firm's suspension.

November 2009