

THE GANGMASTERS (APPEALS) REGULATIONS 2006

In the matter of the appeal against a decision made by the Gangmasters
Licensing Authority (Ref 72/E/RV)

Mrs S.A.Revell
(Appellant)

V

The Gangmasters Licensing Authority
(Respondent)

Appointed Person

J.Blackwell

Decision and Summary Statement of Reasons of the Appointed
Person, in relation to the above matter:

Decision

The appeal be refused. The Decision is to take effect on 14th July 2009.

Summary statement of reasons

1. The Appellant operates under a licence granted by the Respondents
2. The Appellant was declared bankrupt by an Order dated 26th January 2009
3. On the 17th February 2009 the Respondent wrote to the Appellant;

"The GLA are aware that you have recently been made bankrupt. The GLA now have concerns as to your ability to run a labour providing business.

Please can you advise the GLA Licensing Team as to the circumstances that have resulted in your bankruptcy. Can you also provide details of your Trustee and have your authority to contact your Trustee, regarding the potential implications of your bankruptcy. We would also request that you provide a copy of your bankruptcy order and a copy of the bankruptcy petition.


Please respond to this letter within 10 working days. Failure to respond to the Authorities requests may result in the revocation of your licence."

4. The Appellant has not replied to that letter and has not provided copies of the Order and the Petition
5. On the 7th April 2009 the Respondent revoked the Appellants licence.
6. On the 7th May 2009 the Appellant appealed against that decision under regulation 6 of the 2006 Regulations. The Appellant simply stated that notwithstanding the bankruptcy her workers have been paid and further if she loses her licence they will lose their jobs. She does not provide the information requested in the letter of the 17th February.
7. The parties have agreed pursuant to Regulation 15 that the appeal shall be determined without a hearing.

Decision

On the basis of the written representations all of which are referred to above the Appeal is refused because: -

1. The Respondents have proper concerns as to the ability of the Appellant to comply with the terms of her licence now that she has been made Bankrupt. The bankruptcy of itself calls into question the Appellants capability.
2. The Respondents asked for the information set out in Para 3 above to which they still have had no reply some 4 months later, again calling into question the Appellants ability to comply with her licence.



J Blackwell
Appointed Person

23rd June 2009

DECISION SENT TO THE PARTIES ON AND ENTERED
IN THE REGISTER

FOR SECRETARAT