

Institute of Licensing
2021
25th National Training Conference

Conducting Taxi Licensing Appeals

Cllr Jonathan Ekins – North Northamptonshire Council
Andy Eaton – Rother & Wealden District Councils
James Button – James Button & Co

James Button & Co

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Why is the matter before the Committee

- Usually because this is outside policy.
- Committee can consider less urgent matters including new applications and renewals where the applicant is outside the policy, plus appeals against imposition of penalty points.
- Can also consider complaints about licensees – often dealt with by officers under delegate powers but important for members to understand the problems.


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Urgent Action

- Urgent action against drivers licenses should be delegated to an officer in consultation with the chair or deputy of committee to ensure speedy resolution.
- Must allow immediate revocation.


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Public or Private

- Usually heard in private (Part 2 or Part B) after exclusion of press and public
- [Part VA Local Government Act 1972](#)
- Press and Public can be excluded on one of the [Schedule 12A](#) grounds
- [Para 1](#) - Information relating to any individual.
- [Para 2](#) - Information which is likely to reveal the identity of an individual.
- [Para 3](#) - Information relating to the financial or business affairs of any particular person (including the authority holding that information).


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Procedure

- There needs to be a clear committee procedure.
- Must be clear it is an administrative body, not quasi judicial.
- The members and the legal adviser must be trained on the law, guidance and the council's own policy.


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Considerations – Public Safety

- The fact that public safety is paramount must be emphasised and understood and family circumstances cannot be considered.


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Legal Advice and Decision

- The committee must make sure they use their legal advisers to give advice on the process and the decision.
- There must be full and detailed decisions provided.


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Appeals

- Members should not be afraid of subsequent appeals - as long as the council wins more than they lose they on the right lines.


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Conclusion

- Members are vital to the process, as they are the elected body
- Need a wide pool of members
- Members must be confident in their decisions
- Council must support those decisions


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North Northamptonshire Council

Andy Eaton
Rother & Wealden District Councils

James Button
James Button & Co., Solicitors



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