



Transport Act 1985

1985 CHAPTER 67

PART I

GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

Taxis and hire cars

17 London taxi and taxi driver licensing: appeals.

(1) In this section—

“licence” means a licence under section 6 of the Metropolitan Public Carriage Act 1869 (taxi licences) or under section 8 of that Act (taxi driver licences); and

“licensing authority” means the person empowered to grant a licence.

(2) Where the licensing authority has refused to grant, or has suspended or revoked, a licence the applicant for, or (as the case may be) holder of, the licence may, before the expiry of the [^{F1}designated period]—

- (a) require the authority to reconsider his decision; or
- (b) appeal to [^{F2}a magistrates'] court.

(3) Any call for a reconsideration under subsection (2) above must be made to the licensing authority in writing.

(4) On any reconsideration under this section the person calling for the decision to be reconsidered shall be entitled to be heard either in person or by his representative.

(5) If the person calling for a decision to be reconsidered under this section is dissatisfied with the decision of the licensing authority on reconsideration, he may, before the expiry of the [^{F1}designated period], appeal to [^{F2}a magistrates'] court.

(6) On any appeal to it under this section, the court may make such order as it thinks fit; and any order which it makes shall be binding on the licensing authority.

Changes to legislation: Transport Act 1985, Section 17 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (7) Where a person holds a licence which is in force when he applies for a new licence in substitution for it, the existing licence shall [^{F3}(subject to subsections (12) to (14))] continue in force until the application for the new licence, or any appeal under this section in relation to that application, is disposed of, but without prejudice to the exercise in the meantime of any power of the licensing authority to revoke the existing licence.
- (8) For the purposes of subsection (7) above, where the licensing authority refuses to grant the new licence the application shall not be treated as disposed of—
- (a) where no call for a reconsideration of the authority’s decision is made under subsection (2) above, until the expiry of the [^{F1}designated period];
 - (b) where such a reconsideration is called for, until the expiry of the [^{F1}designated period] which begins by reference to the decision of the authority on reconsideration.
- (9) Where the licensing authority suspends or revokes a licence, or confirms a decision to do so, he may, if the holder of the licence so requests, direct that his decision shall not have effect until the expiry of the [^{F1}designated period].
- (10) In this section ^{F4}. . . .
- ^{F5}“designated period” means such period as may be specified for the purpose by London cab order;
- “London cab order” means an order made by Transport for London]
- [^{F6}(11) Any power to make a London cab order under this section includes power to vary or revoke a previous such order.]
- [^{F7}(12) Subsection (13) applies where—
- (a) the application mentioned in subsection (7) is an application for a licence under section 8 of the Metropolitan Public Carriage Act 1869 (taxi driver licences),
 - (b) at any time after the application is made, the licensing authority requests the applicant to give it further information for the purpose of enabling it to make a request, or make a further request, under paragraph 3(2)(a) of Schedule 33 to the Finance Act 2021 (request for confirmation of completed tax check) in relation to the application, and
 - (c) at the end of the relevant period, the licensing authority continues to be prevented from considering the application by virtue of paragraph 3(2) of that Schedule to that Act.
- (13) The existing licence mentioned in subsection (7) expires at the end of the relevant period.
- (14) In subsections (12) and (13) “the relevant period” means—
- (a) the period of 28 days beginning with the day on which the request under subsection (12)(b) is made, or
 - (b) if the final day of that period is earlier than the day on which (disregarding subsections (7) and (13)) the existing licence mentioned in subsection (7) expires, the period ending with that later day.]

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Textual Amendments

- F1** Words in s. 17(2)(5)(8)(a)(b)(9) substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 8(3)(a)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- F2** Words in s. 17(2)(b)(5) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 293(2)**; S.I. 2005/910, **art. 3(y)**
- F3** Words in s. 17(7) inserted (with effect in accordance with s. 125(2) of the amending Act) by Finance Act 2021 (c. 26), **Sch. 33 para. 11(2)**
- F4** S. 17(10): Definition of "the appropriate court" repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, Sch. 8 para. 293(3), **Sch. 10**; S.I. 2005/910, **art. 3(y)**
- F5** Definitions of "designated period" and "London cab order" in s. 10(10) inserted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 8(3)(b)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- F6** S. 10(11) added (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 8(3)(c)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- F7** S. 17(12)-(14) inserted (with effect in accordance with s. 125(2) of the amending Act) by Finance Act 2021 (c. 26), **Sch. 33 para. 11(3)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 17 amended by [1999 c. 29 Sch. 20 Pt. 1 para. 8\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(2ZA) inserted by [2019 asp 17 s. 37\(2\)\(a\)](#)
- s. 6(7ZA) inserted by [2019 asp 17 s. 37\(2\)\(b\)](#)