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Barrister

The Nature and Existence of a Licence

1. Do licences constitute “possessions” within the meaning of A1P1 of the ECHR?

Authorities:

Cherwell District Council v Naveed Anwar [2011] EWHC 2943 (Admin)

Crompton v Department of Transport North- Western Area [2003] EWCA Civ 64

Waltham Forest NHS Primary Care Trust and Secretary of State for Health v Malik [2007] EWCA Civ 265

2. Is a licence a proprietary right?
3. Is there a distinction to be drawn between a premises licence and a taxi licence?
4. If a licence is a proprietary right, can it vest in the Crown as *Bona Vacantia* if the company holding the licence is dissolved?
5. Why does this matter?!
6. Practical considerations.