

FINANCIAL SERVICES

Conditional Sale. A Sheriff's Court considered the evidence necessary to be able to reject a second-hand car as not being of satisfactory quality under the Consumer Rights Act 2015 (*Adam v Moneybarn No 1 Ltd* [2025] SC DUM 6).

Group Proceedings. The Outer House considered the provision of documentary material in group proceedings in respect of emissions claims (*Batchelor v Opel Automobile GmbH* [2025] CSOH 18).

Group Claims. In an appeal to the High Court it was held that it was permissible for multiple claimants to be joined in a single claim relating to motor finance commission (*Angel v Black Horse Ltd* [2025] EWHC 490 (KB)).

Commission. The Court of Appeal considered types of half secret commission in the context of an energy broker. The claim had been dismissed as was the appeal. There was no finding of dishonesty in respect of the broker's fiduciary duty. Limitations were also considered (*Expert Tooling v Engie Power Ltd* [2025] EWCA Civ 292).

ISDA. The High Court considered jurisdiction in a derivatives case including an Italian Region (as opposed to a Local Authority in previous cases). It was a swap from 2004 (*Dexia SA v Regione Emilia Romagna* [2024] EWHC 3236 (Comm)).

FSCS. A judicial review application against an FSCS decision not to review its decision in respect of a payment concerning an unregulated advisor's advice to transfer to a SIPP where there had been a change in the law was refused (*R (Chong) v FSCS* [2024] EWHC 3374).

Implied Term – Good Faith. The High Court rejected a claim that a lender had acted in bad faith in refusing consent to a borrower's request to allow a transfer of security to another lender (*Macdonald Hotels Ltd v Bank of Scotland plc* [2025] EWHC 32 (Comm)).

LICENSING

Private Hire. The Divisional Court upheld convictions for using a private hire vehicle in London without a licence under the Private Hire etc. Act 1998. Issues relating to transporting children with SEN, whether vehicles were ambulances and the burden of proof were considered (*Biswas v Transport for London* [2025] EWHC 567 (Admin)).

DATA PROTECTION

Further Steps. An appeal from the FTT was dismissed by the UT. The FTT had dismissed an application for an order that the ICO take further steps to respond to a complaint. The matter related to retaining information concerning previous cases (*Smith v Information Commissioner* [2025] UKUT 74 (AAC)).

Withdraw of Appeal. The Upper Tribunal held that an oral hearing was required for withdrawal of an appeal when Rules 32 (1)(a) and (b) were met (*Greenwood v Information Commission* [2025] UKUT 76 (AAC)).

HOUSING

Penalty. The Upper Tribunal ruled that the FTT could not review its own decision as regards a penalty for managing an HMO without a licence (*LB Waltham Forest v Marble* [2025] UKUT 2 (LC)).

COSTS

Statutory Nuisance. An allegation of an offence under Section 82 of the 1990 Act relating to dogs was dismissed. The District Judge ordered the prosecutors to pay costs. The High Court overturned this decision as to costs and ordered costs from central funds [2025] EWHC17 (Admin). In a subsequent hearing the acquitted defendants were ordered to pay 65% of the appellants costs (*Lewis v Francis* [2025] EWHC 238 (Admin)).