

# Agenda

## Licensing Committee Meeting

Date: Wednesday, 11 February 2026

Time 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT.

Membership:

Councillors Lloyd Bowen, Derek Carnell (Chair), Lloyd Chapman, Simon Clark, Alex Eyre, Carole Jackson, Mark Last, Peter Marchington, Charlie Miller, Lee-Anne Moore, Tara Noe, Chris Palmer, Paul Stephen, Mark Tucker and Tony Winckless (Vice-Chair).

Quorum = 5

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Pages

### Recording and Privacy Notice

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#### 1. Emergency Evacuation Procedure

Visitors and members of the public who are unfamiliar with the building and procedures are advised that:

- (a) The fire alarm is a continuous loud ringing. In the event that a fire drill is planned during the meeting, the Chair will advise of this.
- (b) Exit routes from the chamber are located on each side of the room, one directly to a fire escape, the other to the stairs opposite the lifts.
- (c) In the event of the alarm sounding, leave the building via the nearest safe exit and gather at the assembly point on the far side of

the car park. Do not leave the assembly point or re-enter the building until advised to do so. Do not use the lifts.

- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the Meeting held on 16 October 2025 (Minute Nos. 399 - 403) as a correct record.

To accept the Minutes of the following Licensing Sub-Committee minutes as a correct record:

30 September 2025 ([Minutes](#) Nos.352 – 356)  
20 November 2025 ([Minutes](#) Nos. 478 - 482)  
24 November 2025 ([Minutes](#) Nos. 483 – 487)  
17 December 2025 ([Minutes](#) Nos. 580 – 585).

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPIs) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

5. Public Session

The Council operates a scheme of public speaking at meetings of the Licensing Committee. Requests to speak at the meeting must be registered by Democratic Services by noon on Friday 6 February 2026 and must be related to an item on the Agenda. Each speaker has a maximum of three minutes to speak.

6. Annual Licensing Update Report

**Issued on Tuesday, 3 February 2026**

The reports included in Part I of this agenda can be made available in alternative formats. For further information about this service, or to arrange for special facilities to be provided at the meeting, please contact [democraticservices@swale.gov.uk](mailto:democraticservices@swale.gov.uk). To find out more about the work of this meeting, please visit [www.swale.gov.uk](http://www.swale.gov.uk).

**Chief Executive, Swale Borough Council,  
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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| <b>Licensing Committee Meeting</b> |                                                                                                                                                                                                          |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Meeting Date</b>                | 11 <sup>th</sup> February 2026                                                                                                                                                                           |
| <b>Report Title</b>                | To provide an annual update on the activities of the licensing team under the Licensing Act 2003, Gambling Act 2005 and taxi legislation together with other general licensing matters for the year 2025 |
| <b>EMT Lead</b>                    | Emma Wiggins, Director of Regeneration and Neighbourhoods                                                                                                                                                |
| <b>Head of Service</b>             | Charlotte Hudson, Head of Housing and Community Services                                                                                                                                                 |
| <b>Lead Officer</b>                | Johanna Thomas, Licensing Team Leader                                                                                                                                                                    |
| <b>Classification</b>              | <b>Open</b>                                                                                                                                                                                              |
| <b>Recommendations</b>             | 1. That Members note the report. Reports will be provided on an annual basis.                                                                                                                            |

## 1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to inform Members on the activities and performance of the licensing team during 2025 and to show aims and targets for the forthcoming year.

## 2 Background

- 2.1 The licensing team comprises of a licensing team leader, 2 licensing officers and a licensing admin assistant and sits within CSU under the stewardship of the Community Services Manager.
- 2.2 The team are responsible for discharging a wide range of statutory licensing, registration and enforcement functions in Swale under various pieces of legislation associated with licensing activity, which include:
- Licences and permissions associated with the sale and supply of alcohol, regulated entertainment and late-night refreshment as required by the Licensing Act 2003
  - Licences and permits issued under the Gambling Act 2005 for gambling premises such as betting shops, bingo premises and arcades, as well as gaming machines and small lotteries registration.
  - Licences for taxi and private hire drivers, vehicles and operators under various legislation and the Statutory Taxi and Private Hire Vehicle Standards 2020
  - A range of miscellaneous licences such as street trading, scrap metal, sex establishments and sexual entertainments venues, pavement licences and street and house to house collection licences.

- 2.3 The team are responsible for the development and review of all associated policies, whether they are a statutory requirement, or developed locally for the benefit of both licensees and the general public as well as to guide officers and Members in their decision making.
- 2.4 In 2025 the licensing team reviewed the following policies and presented them to members:
- Taxi Policy
  - Statement of Licensing Policy

A review of the Taxi Tariff was also presented to Licensing Committee in May 2025.

- 2.5 The service manages its own finances which includes invoicing businesses, taking payment, chasing and enforcing non-payment of annual fees for all licensed premises and suspending licences where necessary, although there are very few licences where this happens. It is important to note that some licence fees are set by central government, but where fees can be set locally, they should be cost neutral and be set just to administer and enforce the licensing regime rather than to be used as an income stream for the Council.
- 2.6 The total amount received in licence fees during 2025 was £148,160 for licensing and gambling and £107,990 for taxis. There will be variances to these amounts year on year as some licences are cyclical and renewed on a three or five yearly basis rather than annually, in line with relevant legislation.
- 2.7 The licensing team works in partnership with other council departments, the police, fire and rescue service and trading standards, other government departments, residents and businesses, to promote the licensing objectives, reduce crime and disorder, promote a safe and enjoyable night-time economy, and ensure the safety of the travelling public in the Borough whilst ensuring that it is fulfilling its functions efficiently.
- 2.8 Officers occasionally conduct inspections of premises to ensure compliance with authorisations and advise businesses of their responsibilities.
- 2.9 In 2024 Licensing carried out 34 compliance visits, the majority of which were reactive based on complaints or intelligence. In 2025 the team achieved 33 visits. It was the intention to increase the number of proactive inspections in 2025. However, time was limited for proactive inspections, with the team processing 100 more applications and an increase in items requiring preparation and reports for Licensing Sub-Committee than in the previous year.
- 2.10 The enforcement/compliance functions also involve investigations into complaints and sometimes alleged unauthorised activity. Formal enforcement action is taken when merited and the team produce reports for Licensing Sub-Committee

hearings in order for Members to consider what further enforcement action may be appropriate.

- 2.11 With regards to complaints about the activities and behaviour of licensees the licensing team received the following during 2025:

Taxi complaints – 44  
Licensed premises – 19  
Street Trading – 4  
Gambling – 3  
Pavement Licences – 6

In all cases contact is made with the complainant to gain a better understanding of their concerns and then the licence holder is made aware of the complaint and the allegations discussed with them.

All discussions and emails are recorded, and appropriate enforcement action is taken which can range from verbal or written warnings to formal action. This may include dealing with closure notices or review applications (premises licences) issued by the appropriate responsible authority or interested party or issuing penalty points or preparing reports for a Licensing Sub Committee to determine enforcement steps (taxi drivers and operators).

As Members can imagine some of these cases involve many hours of work.

There will also be other complaints that are received which are not within the direct remit of the licensing team to resolve e.g. crime and disorder or noise issues which are referred to the lead agency i.e. Kent police or the environmental health department so that they can undertake their own investigations.

- 2.12 The licensing team work with minimum delay in processing any applications or production of licences and we believe we offer a friendly and informative service to our customers. This can sometimes be quite challenging, particularly with applicants where English is not their first language, but we always aim to be of as much assistance as we possibly can be.
- 2.13 Whilst there are no local performance indicators, the turnaround times for acknowledging applications is usually the same day or at the latest the day after. Applications for licenses and permits that do not require a consultation (personal alcohol licences, street collections, house to house collections, event street trading consents) are largely issued the same day. All applications that have statutory timescales which include processing an application on the day of receipt are complied with 100% of the time. Where applications require a consultation period, licences are issued immediately after the expiration of that timeframe unless there are representations made against them which require a hearing
- 2.14 A summary of the numbers of different licences and processes undertaken by the licensing team during 2025; with figures for the previous year for comparison are attached as **Appendix I**.

- 2.15 All new applicants for the Swale Dual Hackney Carriage/Private Hire Driver's Licence are required to sit and pass the Swale Street Knowledge. Test statistics and a comparison with previous years are also attached as **Appendix I**.
- 2.16 During the last quarter of 2025 the Audit carried out a scrutiny of Licensing Act 2003 policy and procedures. The scope of the audit included the application processes for personal alcohol licences, temporary event notices, premises licences, and transfers, variations and renewal of premises licences. The service was found to have sound controls in line with legislation and local procedures. Resulting actions were mainly low priority with only one medium priority action. All actions will be completed in the first quarter of 2026.

#### Audit Actions:

**Medium priority: 1** – Ensure staff are checking the Right to Work in the correct circumstances consistently and adequate guidance on this is provided in procedure notes.

**Low priority: 9** – including: improvements to procedure notes and web pages; adding details of how to access the Licensing Register to the Licensing pages of the website; procedure for checking personal licence holders photograph against ID when provided electronically; consistent filing of documents; additional wording for consultations and despatch letters where DPS variations are issued with immediate effect prior to end of police consultation; procedure for checking applicants for premises licences have paid the correct fee; wording on new online forms (being introduced this year) for returning existing premises licence when applying for a transfer or variation.

### 3 Proposals

- 3.1 The Tobacco and Vapes Bill is in the final stages of scrutinization in the House of Lords and is likely to be implemented in 2026. The current version of the bill includes a retail licensing scheme which will fall to local licensing authorities to administer. This will create significant additional work for a team already working at capacity therefore additional staff resource will be required to successfully realise a new licensing regime.
- 3.2 In November 2025 The Department for Business and Trade published a National Licensing Policy Framework for the hospitality and leisure sectors. The framework sets out a strategic vision for a modern licensing system with an aim to continue to safeguard the public whilst enabling on sale premises such as pubs, clubs, cafes, hotels and event venues to adapt and thrive in a changing and challenging world. The framework is not statutory, it's intent is best practice guidance and recommends a practical light-touch approach for the grant of licences for hospitality sector premises. It is designed to guide local statement of licensing policy, while it was published after the refresh of the Swale Statement of Licensing Policy last year, however many of its principles and recommendations,



for example the avoidance of blanket conditions, are current practice for this authority. Therefore the licensing team propose to consider a review of the Swale Statement of Licensing Policy in 2027 should there be relevant further developments to the framework.

- 3.3 Following Baroness Casey's National Audit on Group-based Child Sexual Exploitation and Abuse, the government have proposed an amendment to the English Devolution and Community Empowerment (EDCE) Bill that will furnish the Transport Secretary with the power to introduce minimum standards for taxi and private hire licensing. The focus of the new standards will be passenger safety and accessibility. The government are also considering options to address the issue of cross border hiring and will be launching a consultation on whether local transport authorities should be responsible for taxi and private hire licensing in the future. The licensing team will be keeping a close eye on these developments in the coming year to ensure that our policy and procedures remain current and meet any new requirements.
- 3.4 It is becoming increasingly apparent that while necessary inspections can be conducted on an intelligence led basis or as a result of complaints received, the Licensing team's capacity for proactive inspections is limited. Therefore the aim for 2026 is to maintain the number of visits achieved in 2025. With a view to increasing the number if additional staff resource is viable.

## **4 Alternative Options Considered and Rejected**

- 4.1 This report is for noting and there are no alternative options.

## **5 Consultation Undertaken or Proposed**

- 5.1 This report is for information purposes only.

## **6 Implications**

| <b>Issue</b>                     | <b>Implications</b>                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Corporate Plan                   | Licensing functions contribute to the Community priority within the Corporate plan 'to enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience; along with the Running the Council priority 'working within our resources to proactively engage with communities and outside bodies to deliver in a transparent and efficient way |
| Financial, Resource and Property | There are no direct financial, resource or property implications in presenting an annual report.                                                                                                                                                                                                                                                                                                    |

|                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                              | The licensing team work with internal and external agencies to make the best use of resources and information sharing.                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Legal, Statutory and Procurement                             | <p>When determining applications, the licensing authority must have regard for governing legislation and guidance.</p> <p>In addition, where there is an associated policy, this will set out the principles the council will use to exercise its functions under that policy, and in making decisions the council will have regard to the same.</p> <p>All licence applications are processed according to statutory requirements and within statutory timescales.</p> <p>This report is for noting and there are no legal implications arising from it.</p> |
| Crime and Disorder                                           | The licensing role of the Council is important in improving the safety, security and welfare of the Borough's residents, visitors and business community                                                                                                                                                                                                                                                                                                                                                                                                      |
| Environment and Climate/Ecological Emergency                 | The Council's Taxi Licensing Policy was approved recognising that the Council has declared a climate change emergency.                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Health and Wellbeing                                         | No direct implications.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Safeguarding of Children, Young People and Vulnerable Adults | Licensing regimes are, in part, designed to safeguard children and vulnerable adults. Ensuring that the licensing service is able to undertake its functions effectively is therefore crucial to this.                                                                                                                                                                                                                                                                                                                                                        |
| Risk Management and Health and Safety                        | <p>It is important that Swale BC has a robust and accountable regulatory regime in relation to its licensing functions in order to ensure fair trading, prevent crime and to protect the public.</p> <p>Licensing regimes are designed to regulate licensable activities in such a way as to support the prevention/reduction of crime and disorder through the imposition of permissible conditions and appropriate enforcement.</p>                                                                                                                         |
| Equality and Diversity                                       | <p>The Council has a legal obligation under section 149 of the Equality Act 2010 to have due regard to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.</p> <p>The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public</p>                                                               |

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             | <p>authorities can demonstrate that they have had due regard to the aims of the equality duty.</p> <p>Licensing Policies and Licensing decisions all have regard to the Council's Equalities duties.</p> <p>This report is for information only and is not requesting or proposing any changes to policy. Therefore, there is no impact on those with protected characteristics as a result of this report.</p> |
| Privacy and Data Protection | As licence applications involve the processing of personal data, GDPR and Data Protection Act 2018 principles are followed                                                                                                                                                                                                                                                                                      |

## 7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Summary of the numbers and different licensing processes during 2025.

## 8 Background Papers

Licensing Act 2003 (as amended)  
 Gambling Act 2005  
 Town Police Clauses Act 1847  
 Local Government (Miscellaneous Provisions) Act 1976  
 Local Government (Miscellaneous Provisions) Act 1982  
 Policing and Crime Act 2009  
 Scrap Metal Act 2013  
 Police, Factories etc (Miscellaneous Provisions) Act 1916  
 House to House Collections Act 1939  
 Business and Planning Act 2020  
 DfT Statutory Standards 2020

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| <b>LICENSING STATISTICS</b>                                | <b>2024</b>                                                              | <b>2025</b>                                                                                                         |
|------------------------------------------------------------|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Total Number of Premises licences                          | 433                                                                      | 445                                                                                                                 |
| Total Number of Club Premises Certificates                 | 21                                                                       | 21                                                                                                                  |
| New premises licences granted in 12 month period           | 14                                                                       | 19                                                                                                                  |
| Variation of existing premises licence granted             | 2                                                                        | 6                                                                                                                   |
| Minor Variation premises licence granted                   | 10                                                                       | 17                                                                                                                  |
| Transfer of premises licence                               | 28                                                                       | 26                                                                                                                  |
| DPS variations                                             | 76                                                                       | 76                                                                                                                  |
| Change of details                                          | 57                                                                       | 49                                                                                                                  |
| Temporary Events Notices (TEN's) - standard                | 213                                                                      | 221                                                                                                                 |
| TEN's – late                                               | 59                                                                       | 70                                                                                                                  |
| Total number of personal licences                          | 2403                                                                     | 2484                                                                                                                |
| Personal licences granted during 12 month period           | 76                                                                       | 81                                                                                                                  |
| Street Trading Consents – annual or 6 months consents      | 24                                                                       | 20                                                                                                                  |
| Street Trading Consents – 'one-off' for events during 2023 | 202                                                                      | 243                                                                                                                 |
| Pavement Licences                                          | 19                                                                       | 24                                                                                                                  |
| Adult Gaming Centres                                       | 8                                                                        | 9                                                                                                                   |
| Betting Shops                                              | 8                                                                        | 7                                                                                                                   |
| Bingo Premises                                             | 2                                                                        | 2                                                                                                                   |
| Licensed Family Entertainment Centres                      | 4                                                                        | 4                                                                                                                   |
| Unlicensed Family Entertainment Centre permits             | 20                                                                       | 19                                                                                                                  |
| Track Betting                                              | 1                                                                        | 1                                                                                                                   |
| Club Gaming Permits                                        | 2                                                                        | 2                                                                                                                   |
| Club Machine Permits                                       | 11                                                                       | 12                                                                                                                  |
| Gaming Machine Permits                                     | 101                                                                      | 102                                                                                                                 |
| Small Society Lottery registrations                        | 71                                                                       | 65                                                                                                                  |
| Scrap Metal Licences – sites                               | 10                                                                       | 10                                                                                                                  |
| Scrap Metal Licences – collectors                          | 12                                                                       | 11                                                                                                                  |
| Street Collections                                         | 37                                                                       | 46                                                                                                                  |
| House to House Collections                                 | 11                                                                       | 10                                                                                                                  |
| Sex Establishments Licences                                | 0                                                                        | 0                                                                                                                   |
| Taxi Operators Licences                                    | 33                                                                       | 35                                                                                                                  |
| Hackney Carriage Licences                                  | 170                                                                      | 190                                                                                                                 |
| Private Hire Vehicle Licences                              | 75                                                                       | 71                                                                                                                  |
| Dual Drivers Licences                                      | 300                                                                      | 324                                                                                                                 |
| Private Hire Drivers Licences                              | 8                                                                        | 11                                                                                                                  |
| Individual Street Knowledge Tests (SKT) conducted          | See below                                                                |                                                                                                                     |
| Drivers who passed the SKT                                 | 66                                                                       | 48                                                                                                                  |
| Newsletters – licensing                                    | 4                                                                        | 5                                                                                                                   |
| Newsletters – taxis                                        | 7                                                                        | 14                                                                                                                  |
| Reports to Licensing Committee                             | 6                                                                        | 5                                                                                                                   |
| Licensing Sub-Committees – licensing                       | 3:<br>3 New Premises applications – decision of Members to grant licence | 7<br>3 New Premises applications – decision of Members to grant licence<br>4 Premises Licence reviews – 1 No action |

|                                         |                                                                                             |                                                                                                |
|-----------------------------------------|---------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
|                                         |                                                                                             | 2 given warnings and additional conditions 1 licence revoked                                   |
| <b>Licensing Sub-Committees – taxis</b> | 2:<br>1 driver licence revoked<br>1 driver applications allowed to proceed with application | 2<br>1 driver applications allowed to proceed with application<br>1 driver application refused |
| <b>Immediate revocations – Taxis</b>    |                                                                                             | 3                                                                                              |
| <b>Reports to Full Council</b>          | 1                                                                                           | 1                                                                                              |
|                                         |                                                                                             |                                                                                                |

## STREET KNOWLEDGE TEST STATISTICS 2024

| Year        | Number of tests sat                                           | Number of passes | % pass rate | Candidate pass rate | Number of candidates sitting test for first time |
|-------------|---------------------------------------------------------------|------------------|-------------|---------------------|--------------------------------------------------|
| <b>2018</b> | 43                                                            | 15               | 35%         | 47%                 | 32                                               |
| <b>2019</b> | 61                                                            | 16               | 26%         | 41%                 | 39                                               |
| <b>2020</b> | 7                                                             | 1                | 14%         | 17%                 | 6                                                |
| <b>2021</b> | 38                                                            | 12               | 32%         | 41%                 | 29                                               |
| <b>2022</b> | 76                                                            | 30               | 39%         | 60%                 | 50                                               |
| <b>2023</b> | 131<br>98 Full test<br>15 partial tests<br>18 telephone tests | 42               | 32%         | 58%                 | 72                                               |
| <b>2024</b> | 167<br>94 Full test<br>41 partial tests<br>32 telephone tests | 70               | 42%         | 72%                 | 91                                               |

|             |                         |                             |                                |
|-------------|-------------------------|-----------------------------|--------------------------------|
| <b>2025</b> | <b>152 Total Tests</b>  | <b>49 PASS</b>              | <b>78 Candidates</b>           |
|             | <b>88 Full SKT</b>      | <b>103 FAIL</b>             |                                |
|             | <b>47 Partial Tests</b> |                             |                                |
|             | <b>17 Telephone</b>     |                             |                                |
|             |                         | 49 passes/152 total tests = | <b>32% test pass rate</b>      |
|             |                         | * 48 passes/78 candidates=  | <b>62% Candidate pass rate</b> |

\* 1 candidate passed twice as they upgraded from PH to the Dual PH/Hackney Badge

- In 2025 there was an 14% decrease in the number of candidates sitting the SKT as compared with 2024

- In 2023 Partial tests and Telephone tests were introduced for resits and are offered to candidates who fail on less than 3 sections of the full SKT.
- In 2025 of the 60 candidates who failed their first attempt of the SKT, 23 were offered partial tests for their second attempt and 10 were offered telephone tests. 16 candidates did not rebook after taking and failing their first test
- Of the 49 Candidates who passed the SKT in 2025 4 passed on their first attempt, 25 on their second attempt, 11 on their third attempt, and 8 candidates took four or more attempts.
- 45 of the 49 candidates who passed the SKT in 2025 have completed the application process and been issued with a Licence.
- Of the 78 candidates who sat SKT in 2025 the below table shows how many took and passed the test in each area of the borough.

| Area Routes | FAV | SHE | SIT |
|-------------|-----|-----|-----|
| Candidates  | 5   | 24  | 49  |
| Passes      | 3   | 17  | 29  |

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