
Licensing Committee

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Monday, 14 July 2025 from 7.00 pm - 7.53 pm.

PRESENT: Councillors Derek Carnell (Chair), Simon Clark, Carole Jackson, Mark Last, Charlie Miller, Lee-Anne Moore, Paul Stephen, Terry Thompson (substitute for Councillor Rich Lehmann) and Tony Winckless (Vice-Chair).

PRESENT (VIRTUALLY): Councillors Lloyd Chapman and Mark Tucker.

OFFICERS PRESENT: Steph Curtis, Alona Diachenko, Jo Millard, Jo Thomas and Helen Ward.

APOLOGIES: Councillors Alex Eyre, Rich Lehmann and Tara Noe.

180 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

181 **Minutes**

The Minutes of the Extraordinary Licensing Committee Meeting held on 12 May 2025 (Minute Nos. 822-825) and the Meetings held on 11 February 2025 (Minute Nos. 641-646) and 14 May 2025 (Minute Nos. 38 - 39), were taken as read, approved and signed by the Chair as correct records.

The Minutes of the Licensing Sub-Committees held on 12 May 2025 (Minute Nos. 817-821), 19 June 2025 (Minute Nos. 83 - 87) and 24 June 2025 (Minute Nos. 88-92) were accepted by the Chair as correct records.

182 **Declarations of Interest**

Councillor Lee-Anne Moore declared a non-pecuniary interest in Item 7 Draft Statement of Licensing Policy under the Licensing Act 2003, as she was employed by a public house.

During the discussion on Item 6 Hackney Carriage and Private Hire Licensing Policy 2025-30, Councillor Terry Thompson declared a non-pecuniary interest as he was employed in the motor trade.

183 **Public Session**

No members of the public had registered to speak.

184 **Hackney Carriage and Private Hire Licensing Policy 2025 - 2030**

In introducing the report, the Licensing Team Leader referred to the decision by the Licensing Committee at their meeting on 11 February 2025 to consult with the taxi trade and members of the public on the draft taxi policy, and she said this report included consultation feedback and sought Members' opinion, on what to include in the final draft policy before it was considered by the Policy and Resources Committee on 15 September 2025. The Licensing Team Leader said the policy incorporated, where

possible, the recommendations of the Best Practice Guidance published by the Department of Transport (DfT) in November 2023.

The Licensing Team Leader drew attention to the draft policy at Appendix I (pages 15 to 10 of the Agenda pack), and said a summary of the proposed changes were included at Appendix II on pages 109 to 131. She explained that the 12 week consultation that ran from 26 February 2025 to 28 May 2025, produced a low response rate of only 11 contributors. The Licensing Team Leader highlighted Appendix III which included officers' comments and recommendations in response to suggestions and set out how these had been addressed.

The Licensing Team Leader said the main changes that affected trade and which attracted comments were in respect of the date for transition to ultra-low emission electric vehicles and the proposal for restricted Private Hire Licences. She reminded Members that the current policy mandated that all new vehicle applications from 1 April 2027 must be for vehicles of ultra-low emission which included battery electric vehicles (EV's), extended range electric vehicles, plug-in hybrid electric vehicles or fuel cell electric vehicles. She drew attention to operators' comments on this subject on pages 137-138 and 141-142 of Appendix III and said they were similar to those raised previously in 2022 and were summarised at paragraph 4.6 on page 7 of the Agenda pack. The Licensing Team Leader referred to the 2024 report from the House of Lords and the Environment and Climate Change Committee that stated the transition to EV's had many 'barriers' and was not happening quickly enough.

Drawing Members' attention to paragraphs 4.7 to 4.12 of the report which set out the impact to the borough's travelling public should drivers and operators not continue in the trade, the Licensing Team Leader said there was also a risk of a possible depletion of wheelchair accessible vehicles which had additional concern factors when changing to ULEV.

The Licensing Team Leader said the proposal was to revise the date from 2027 to 2030 with a recommendation that this be considered again at the next policy revision.

Referring to the suggestion from the DfT Guidance that local authorities considered the removal of topographical tests for applicants for private hire driver licences, the Licensing Team Leader said that whilst officers were opposed to the removal of the topographical test for all private hire applications as set out in paragraph 4.15 on page 10 of the report, the option had been suggested to support operators with diverse business models and provide adequate drivers for Local Authority contracts. She referred to the comments from an operator on pages 133 - 134 on Appendix II which supported this type of licence and gave an example of the type of work it might be used for.

The Licensing Team Leader drew Members' attention to paragraph 4.16 of the report which addressed concerns about how the restricted private hire badge would work and said proposed amendments had been made to the draft policy to rectify those issues should Members be minded to agree the proposal and she concluded by setting out the recommendations.

The Chair invited comments and questions from Members, and points raised included:

- Clarification sought on consideration of the bi-annual fare increase in the taxi tariff

- in 2026 or 2027 and whether it should be cumulative or annual;
- concern had been raised from some operators who had long-distance clients, in respect of the range of EV's and the lack of rapid chargers available;
- did not consider the infrastructure was in place to introduce EV's for all new applications from 2027;
- drew attention over the lack of choice and costs of vehicles that met the 75g of CO2 limit;
- many car manufacturers were rolling back on EV's and looking at other clean fuel combustion engines;
- was against removing the topographical element from the current test;
- should increase the tariff from 2026 since the last increase was in 2024;
- reminded Members that the Environment and Climate Change Committee had revised the date that Council achieved net zero emissions to 2045, and introducing EV's for new applications from 2027 was unrealistic;
- concerned over how the restricted licence would be used;
- were some of the elements of the application such as the topographical test pushing Swale private hire drivers to work in other boroughs that did not have the same restrictions?;
- sought clarification on the maximum age that licenced vehicles could still operate;
- there were EV positives, including their affordability, and this was still a strong option;
- referred to the proposed £700 million grant in the motor industry to aid EV promotion and sales which was due to be announced;
- referred to the advancement in technology of EV's and a brand that now offered a full lifetime guarantee battery;
- did not currently support EV's;
- many taxi firms might buy second-hand cars that might not have the warranty that a brand new EV might have;
- a tentative watching brief should be kept on Government in respect of the date they proposed the manufacture of non-EV cars ceased; and
- not enough was known about battery life and disposal of natural gas vehicles.

The Licensing Team Leader clarified that the removal of the topographical test was only for the restricted Private Hire Vehicle Licence, a new badge that could only be used for contract work, on specific routes. She said 2030 was the date set by Government for no new petrol vehicles to be manufactured and there was currently a five year policy, so consideration to revise it could take place before 2030. The Licensing Team Leader said that the topographical test had been simplified previously. Referring to recommendation (3), the Senior Lawyer (Contentious) clarified what a minor amendment was.

During the discussion Councillor Simon Clark proposed that Swale Borough Council did not allow any out-of-borough licences for cars or drivers. This was seconded by Councillor Tony Winckless. However, the Senior Lawyer (Contentious) advised that restrictions on vehicles outside the borough was not enforceable at the moment but Government was looking at cross-border hiring, and the proposal was withdrawn by the proposer and seconder.

Councillor Simon Clark proposed that the bi-annual increase in the taxi tariff commenced in 2026 as per the rail network's rise for 2026 and not be cumulative. This was seconded by Councillor Tony Winckless and on being put to the vote, was agreed.

Councillor Mark Last proposed recommendation (1) which was seconded by Councillor Charlie Miller, Councillor Paul Stephen proposed recommendation (2) which was seconded by Councillor Mark Last, recommendation (3) was proposed by Councillor Tony Winckless and seconded by Councillor Carole Jackson and recommendation (4) was proposed by Councillor Simon Clark and seconded by Councillor Mark Last. On being put to the vote the recommendations were agreed.

Resolved:

(1) That Members considered and agreed the recommendations made in the evaluation grid attached as Appendix III to the report and that officers updated the draft policy document at Appendix I prior to formal approval.

(2) That following the policy being updated, it be recommended to the Policy and Resources Committee for adoption to commence on 15 September 2025.

(3) That approval be delegated to the Policy and Communities Manager for any future minor amendments to appendices of the Statement of Hackney Carriage and Private Hire Licensing policy.

(4) That the biannual tariff be increased in 2026 as per the National Rail Fares increase for 2026 and not be cumulative, and this be updated in the draft policy document at Appendix I prior to formal approval.

185 Draft Statement of Licensing Policy under the Licensing Act 2003

The Licensing Team Leader introduced the report explaining that the current Statement of Licensing Policy was due to expire in March 2026 and a revised draft policy was attached at Appendix I for Members' consideration prior to consultation. She highlighted that there had been no major changes in legislation within the previous five years and the proposed changes to the policy were minor. The Licensing Team Leader highlighted the changes at Appendix II on pages 183 to 185 of the Agenda pack.

Finally, the Licensing Team Leader advised that an 8-week consultation on the policy was proposed to run from 25 July 2025 to 19 September 2025. Responses would be presented to the Licensing Committee on 16 October 2025, and the final policy would be considered by Full Council for adoption on 12 December 2025.

The recommendations were proposed by Councillor Tony Winckless and seconded by Councillor Charlie Miller and on being put to the vote, were agreed.

Resolved:

(1) That the draft Licensing Act 2003 policy be agreed.

(2) That the consultation process be agreed.

Chair

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All minutes are draft until agreed at the next meeting of the Committee/Panel