

Medway Council
Meeting of Licensing and Safety Committee

Thursday, 28 May 2026

6.06pm to 6.31pm

Record of the meeting

Present:	Councillors: McDonald (Chairperson), Browne (Vice-Chairperson), Fearn, Sands and Vye
Substitutes:	Councillors: Barrett (Substitute for Brake) Jones (Substitute for Howcroft-Scott)
In Attendance:	Franco De Fazio, Senior Licensing Officer Steve Dickens, Democratic Services Officer Ian Gilmore, Strategic Head of Public Protection Tony Lee, Senior Street Scene Team Leader Mark Lees, Head of Community Protection, Gravesham Borough Council, Gravesham and Medway Shared Licensing Service Vicky Nutley, Head of Legal Services Emily Whittaker, Regulatory Services Manager

24 Apologies for absence

Apologies for absence were received from Councillors Brake, Howcroft-Scott, Hubbard, Jackson, Kemp and Peake.

25 Record of meeting

The record of the meeting held on 25 March 2026 was agreed and signed by the Chairperson as correct.

26 Urgent matters by reason of special circumstances

The Chairperson noted that at the Committee meeting on 25 March the Committee considered the Hackney Carriage and Private Hire Licensing Policy and recommended amendments to the Assistant Director, Legal and Governance and the Portfolio Holder for Community Safety, Highways and Enforcement for consideration. The proposed amendments were to remove the requirement for Private Hire vehicles to be red in colour and to instead state that Private Hire vehicles can be any colour but White.

The proposal was not taken forward, and Committee members have received significant correspondence from interested parties. The Chairperson undertook to arrange a meeting himself, the Vice Chairperson and Opposition Spokespersons with the Assistant Director of Legal and Governance and the Portfolio Holder for Community Safety Highways and Enforcement to discuss the matter further.

27 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

28 Pavement Licensing Update

Discussion:

The Regulatory Services Manager introduced the report. She highlighted that the report had been deferred from the last meeting of the Committee in March and to allow the attendance of enforcement officers. The reports sets out the enforcement strategy to support the implementation of the current policy and enforcement officers were in attendance to answer any queries from the Committee.

The following issues were discussed:

Enforcement – the Chair commented that at the last meeting, Members were content with the Policy however, they wanted additional information regarding enforcement. He invited The Strategic Head of Public Protection to provide further information regarding the enforcement strategy to support the policy. The Strategic Head of Public Protection explained that the logistics of enforcement, including removal of furniture did not present an issue for the Council. It was comparable to some of the other work which the service currently undertook, and the Council had a fleet of vehicles and secure storage available if removal and retention of furniture was required. An agreement was in place setting out how enforcement services would support the implementation of the Licensing Pavement Policy.

He added that the key to any enforcement policy was consistency, and proportionality. The service would work with businesses, however, the Council had to have compliance. The service was committed to enforcing the policy and the additional workload would not present an issue for the service.

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Disposal – it was asked what the Council would do on those occasions that businesses did not pay for the return of furniture. The Head of Strategic Public Protection explained that after three months, the furniture would be disposed of, and any value would be recouped and retained by the Council.

Stock – in response to a question whether enforcement under the policy also included encroachment of stock onto the pavement, the Strategic Head of Public Protection stated that this was covered by a different policy which was under development and was the responsibility of Highways, but it would work in a broadly similar way.

Trial period - a Member requested further information regarding the trial which took place after Easter. The Senior Licensing Officer stated that 27 visits had been undertaken since April across four areas, Rainham Parkwood, Rochester, Walderslade and Chatham. The approach taken by officers was to work with businesses, explaining the process and encouraging them to apply for a license. The Strategic Head of Public Protection added that enforcement activity would not be a first step, and those subject to enforcement would have deliberately avoided complying with the policy.

A briefing note was requested to provide further data on applications for pavement licenses, refusals and the outcome of visits.

Enforcement notice period – in response to a question whether the 7-day notice period would have been to be repeated for repeat offenders, the Head of Community Protection stated that the notice period for removal of furniture did not expire, so once provided notice would not have to be given again.

Inadvertent non-compliance - it was asked what approach would be taken if customers moved tables and chairs, thereby inadvertently exceeding pavement licensing conditions. The Head of Community Protection stated that the Council would take a common-sense approach to enforcement, so Council officers would not be routinely strictly measuring distances of tables and chairs from the front of a business. Enforcement would in the first instance be intelligence led and focused on businesses that operate frequently outside of the licensed area causing issues for others.

The Street Scene Team leader added that officers spent a lot of time proactively talking to businesses to encourage compliance.

It was agreed that a further report updating the Committee on progress would be provided annually, unless there were exceptional matters which required further consideration by the Committee

Decision:

- a) Committee reviewed the work that has been undertaken to create a clear procedure for enforcing the Pavement Licensing Policy.
- b) The Committee provided views on the proposed enforcement strategy.

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- c) The Committee thanked officers for their work in developing the policy and the enforcement strategy .

Chairperson

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