

Report to Licensing Act Committee

Subject: Late Night Levy

Date: 25th March 2014

Author: Corporate Director

1. Purpose of the Report

To remind Members of the provisions of the Late Night Levy ('LNL') and to approve the proposal that no further research/consultations should be pursued at this time.

2. Background

As part of the coalition Government's "rebalancing" of the Licensing Act 2003, Parliament enacted a number of measures aimed at tackling alcohol-related crime. This is done through the Police Reform and Social Responsibility Act 2011 (The 2011 Act). One of these measures confers a power on licensing authorities to charge a levy to persons licensed to sell alcohol late at night as a means of raising a contribution towards the costs of policing the late-night economy. The levy would be applied to all premises in the Borough, both on and off-trade, which have a licence authorising them to sell alcohol after midnight. The levy would apply to all premises selling alcohol between the hours of midnight and 6am. The levy raised would be split between the Authority and the Police and Crime Commissioner (PCC) with at least 70% going to the PCC. There is no requirement for the PCC to spend the amount raised by the Borough under the LNL to be spent on policing within the Borough.

3. Proposal

Although some licensed premises within the Borough have premises licences to sell alcohol after midnight, the majority of licensed premises tend to cease trading around midnight. This means that, even if their current licence allows them to sell after midnight, the likelihood is that, if the levy were to be introduced, they would merely seek a minor amendment to their licence to take them outside the parameters of the levy.

There are currently no licensed premises in this Authority's area that are of any cause for concern for the Police with regard to crime and disorder, either before

or after midnight. Due to this, it is unlikely that any monies raised from the introduction of the levy would actually be spent, or would need to be spent, on additional policing within the Borough.

Officers have discussed this with the PCC who are not pushing for the LNL to be introduced within this Borough.

No decision can be made at this stage as to whether the Authority should or should not introduce a LNL. Before this decision can be made, Officers would have to carry out research and consultation and present members with a full report setting out the likely impact on the local businesses and late night economy, balanced against the possible revenue raised. This, as Members will appreciate, will take time and resources.

It appears to Officers that as there are no obvious benefits to introducing the levy, there is little to be gained from carrying out the additional work required. This does not mean that this work could not be carried out in the future for a formal decision to be made on the introduction of the LNL, if the nature of the late night economy changes, but at present the Officers' recommendation is that this matter is not investigated further at this stage.

Members are asked to note the background to the LNL and to approve the proposal that no further research/consultations should be pursued at this time.

4. Resource Implications

None

5. Recommendation

To note the background to the LNL and to approve the proposal that no further research/consultations should be pursued at this time.

6. Appendices

None