



Late Night Levy Consultation

The Council is consulting on a proposal to introduce a late night levy (LNL) on all licensed premises selling alcohol between midnight and 6am.

February 2017

What is the Late Night Levy (LNL)?

The Police Reform and Social Responsibility Act 2011, gives Licensing Authorities the power to charge a Late Night Levy (LNL) to those licensed to sell alcohol between midnight and 6am.

The revenue raised is then used as a contribution towards the costs of managing the late night economy, this includes contributing to the cost of policing and community safety.

Why introduce a LNL?

Hackney is one of the main centres for culture and leisure in London. The borough has over 1000 licensed premises and many of these premises are authorised to supply alcohol. Of these, there are 399 licensed premises that are able to supply alcohol between midnight and 6am.

The growth of Hackney's night-time leisure economy has contributed to the borough's wider economic growth, and to Hackney's reputation as a vibrant and fashionable place for people to live, work and visit.

Licensed premises bring many benefits to the borough, including employment and business opportunities. However, the night-time economy also has an impact on the borough's town centres, surrounding neighbourhoods and places an additional demand on public services. These include increased levels of crime and anti-social behaviour, litter and noise nuisance. Responding to and managing these impacts generates additional costs for the Council, the Police and other public bodies.

If the LNL is introduced it will contribute to the policing and control of late night alcohol related crime and disorder.

Evidence gathered as part of the most recent review of the Council's Statement of Licensing Policy showed a clear correlation between the locations of late night licensed premises and incidents involving robbery, violence and theft.

Hackney Police estimate the cost of policing the night-time economy in the borough to be around £1.4 million annually, of which £890,000 is specifically required to fund the dedicated Night-Time-Economy teams.

How does the LNL work?

- The LNL is set by central government and collected alongside the annual licence fee.
- The LNL is based on the non-domestic rateable value, also set by central government. All premises

licensed to sell alcohol between midnight and 6am must pay the amounts that are set out in Table 1.

- The proposed LNL will apply to all venues holding a premises licence or club premises certificate that permits the sale of alcohol between midnight and 6am on one or more days in any year even if the full licensable hours are not used. It will apply to premises supplying alcohol for consumption on and off the premises.
- If the LNL is introduced, licensees have a right to make an application to vary their licence so that the premises will not be subject to the LNL. They can alter the days or hours of operation free of charge so long as this is done before the LNL is in place.
- The levy is paid to the Council, but a key element of the LNL is the requirement that 'a specified proportion' of at least 70% of any net revenue collected by the Council must be paid to the Police.
- If the LNL is introduced, a local management board would be established which would be responsible for overseeing how the money raised from the LNL is spent. This could include representatives from licensed premises liable to pay the levy. The Council is in discussions with the Police to establish exactly how this could work. The eventual percentage allocation and the use of the Police's income share will be agreed in negotiations with the Metropolitan Police and Mayor of London's Office for Policing and Crime (MOPAC).
- The LNL cannot apply to Temporary Event Notices.

Table 1: The Late Night Levy charging structure

Rateable Value Bands		Annual Levy Charge
A	No rateable value to £4300	£299
B	£4301 to £33000	£768
C	£33001 to £87000	£1259
D	£87001 to £125000	£1365
E	£125001 and above	£1493
D x 2*	* Multiplier applies to premises in band D that primarily or exclusively sell alcohol.	£2730
E x 3**	** Multiplier applies to premises in band E that primarily or exclusively sell alcohol	£4440

Where premises within Bands D or E primarily or exclusively sell alcohol for consumption on the premises, a multiplier is added to ensure that larger clubs and bars make a higher contribution.

How will the money raised from the LNL be spent?

The money raised from the LNL will be used by the Council and the Police as a means of addressing the costs associated with policing the borough after midnight to manage crime, disorder and antisocial behaviour. Specifically the LNL will make a contribution towards services and activities which:

- Reduce or prevent crime and disorder
- Promote public safety
- Reduce or prevent public nuisance
- Clean any relevant highway or land in Hackney

The Council and the Police currently work in partnership to manage the night-time economy in Hackney. It is proposed that rather than see the levy revenue split between two separate programmes, a single programme is delivered in partnership. The programme could include the provision of:

- Additional police officer patrols across the borough
- Additional patrols by the Council's wardens
- Additional staffing to monitor CCTV and through a radio link with the police, enable staff to be promptly deployed where they are needed right across the borough
- Joint patrols and operations by Police and Council officers including wardens, so that there is maximum coverage of the borough and best use of resources
- Additional funding for waste removal and street cleansing in those areas worst affected.

Table 2 below shows the estimated revenue that could be raised if a LNL were to be introduced in Hackney.

Band	Number of premises	Band Fee per licensed premise	Estimated total annual Income
A	17	£299	£5,083
B	268	£768	£205,824
C	72	£1,259	£90,648
D	17	£1,365	£23,205
E	25	£1,493	£37,325
Total	399		£362,085

Possible revenue that could be raised by the levy

There are 399 premises that are authorised to sell alcohol between midnight and 6am, the majority of which are in non-domestic rateable value Band B. If

applied for the period, the possible maximum annual income would be £362,085.

Hackney's Voluntary Levy

Hackney currently has a voluntary levy which was introduced in 2013. There are currently only 40 businesses participating in the scheme, contributing a total of £56,000 per year.

The voluntary levy has helped to fund additional patrols by council wardens on Friday and Saturday nights in the Dalston and Shoreditch areas.

It has been well received by local residents and businesses and has been pivotal in addressing numerous anti-social behaviour related impacts of the night-time economy such as street urination and illegal street trading.

This scheme would not continue if the LNL were to be introduced.

Why aren't any exemptions or reductions proposed?

Local authorities may choose to exempt certain categories of premises, (e.g. country village pubs and bingo halls) or offer reductions in certain specified circumstances. Licensing authorities are not able to choose a category of premises for an exemption from the levy if it is not one of the specified categories.

We are not proposing to apply exemptions or reductions in Hackney as our data shows that the highest levels of crime and anti-social-behaviour are street based, often difficult to link to individual premises. It is therefore not appropriate to exempt categories of premises or offer reductions as all premises will benefit from the services provided. Further there are very few premises within Hackney that fall within the specified criteria that would be caught by the levy. More information on the exemption and reduction categories can be found within the Guidance issued by the Home Office: <https://www.gov.uk/government/publications/amended-latenight-levy-guidance>

What we want your views on

We would like to hear your views on the proposal to introduce a LNL in Hackney.

Who do we want to hear from?

The consultation is open to all, but we would particularly encourage those licensees that will be affected by the proposed levy and local residents to let the Council know their views.

How can you take part?

- You can complete this questionnaire online at www.hackney.gov.uk/licensing
- Return your completed questionnaire by 7 May 2017 to:
FREEPOST HACKNEY LICENSING SERVICE



For more information

- Email: licensing@hackney.gov.uk please include "Late Night Levy" in the subject line
- Phone: **020 8356 2431** to request paper copies of the consultation documents

What happens next?

After the consultation, the responses will be analysed and a report will be written which will be considered by Full Council before deciding whether or not to introduce the LNL.

The Late Night Levy consultation is not a referendum. The results of this public consultation will form only part of the information that the Council will be provided with so that a decision can be made on whether to introduce a LNL. The Council must take account of:

- impact of the night-time economy - such as the levels of crime and disorder
- the cost of dealing with these impacts whilst considering how beneficial the late night levy would be.

If the decision is made to introduce the LNL, it would come into effect on 1 November 2017. Notifications will be sent to all relevant licensees in July this year. Licensees that do not wish to be included in the LNL will have a three month period to make a free variation to their licence before the LNL is introduced.

If you would like to find out what this document says please tick the appropriate box, put your name, address and phone number at the bottom of this page and return it to the address below.

এই দলিলে কি লেখা আছে সে সম্পর্কে যদি আপনি জানতে চান তাহলে অনুগ্রহ করে উপযুক্ত বাক্সে টিক দিন, এই পাতার নীচে আপনার নাম, ঠিকানা ও ফোন নম্বর লিখুন এবং এটি নীচের ঠিকানায় ফেরত পাঠান। (Bengali)

如果你想知道這分文件的詳細內容，請在方框內打鉤，在本頁下面寫下你的名字、地址和電話號碼並寄到下面的地址。(Chinese)

Si vous désirez connaître le contenu de ce document, veuillez cocher la case appropriée et indiquer votre nom, adresse et numéro de téléphone au bas de cette page et la renvoyer à l'adresse indiquée ci-dessous. (French)

Ger hun dixwazin bizanibin ku ev dokument çî dibêje, ji kerema xwe qutîka minasib îşaret bikin, nav, navnîşan û hejmara telefona xwe li jêrê rûpel binivîsin û wê ji navnîşana jêrîn re bişînin. (Kurdish)

Jeśli chcesz dowiedzieć się, jaka jest treść tego dokumentu, zaznacz odpowiednie pole, wpisz swoje nazwisko, adres i nr telefonu w dolnej części niniejszej strony i przeslij na poniższy adres. (Polish)

Haddii aad jeclaan lahayd in aad ogaato waxa dokumeentigani sheegayo fadlan calaamadi godka ku haboon, ku qor magacaaga, cinwaanka iyo telefoon lambarkaaga boggan dhankiisa hoose ka dibna ku celi cinwaanka hoose. (Somali)

Si desea saber de lo que trata este documento, marque la casilla correspondiente, escriba su nombre, dirección y número de teléfono al final de esta página y envíela a la siguiente dirección. (Spanish)

Bu dökümanda ne anlatıldığını öğrenmek istiyorsanız, lütfen uygun kutuyu işaretleyerek, adınızı, adresinizi ve telefon numaranızı bu sayfanın alt kısmına yazıp, aşağıdaki adrese gönderin. (Turkish)

(Urdu) - اگر آپ یہ جاننا چاہتے ہیں کہ دستاویز میں کیا لکھا ہے تو ازراہ کرم مناسب باکس میں صحیح کا نشان لگائیے اور اپنا نام، پتہ اور فون نمبر اس صفحہ کے نیچے لکھیے اور اسے نیچے دیے گئے پتہ پر واپس بھیج دیجئے۔
Nếu bạn muốn biết tài liệu này nói gì hãy đánh dấu vào hộp thích hợp, điền tên, địa chỉ và số điện thoại của bạn vào cuối trang này và gửi lại theo địa chỉ dưới đây. (Vietnamese)

If you would like this document in any of the following formats or in another language not listed above, please complete and send the form to the address below.

In large print In Braille On Disk On audio tape In another language, please state:

Name:	
Address	
Telephone:	

Late Night Levy Consultation

Return to: FREEPOST HACKNEY LICENSING SERVICE



Late Night Levy Consultation Questionnaire

The Council is consulting on a proposal to introduce a late night levy (LNL) on all licensed premises selling alcohol between midnight and 6am.

February 2017

Late Night Levy Consultation Questionnaire

We are consulting on the introduction of a proposed late night levy in Hackney. The late night levy is an annual charge payable by licensed premises selling alcohol between midnight and 6am, as a contribution towards the cost of late-night policing and clean-up.

Please read the consultation document before completing the questionnaire and return it to us by **7 May 2017**. You can also complete the survey online at www.hackney.gov.uk/licensing

1. Do you support the introduction of a late night levy in Hackney where the income generated is focussed on reducing crime and disorder related to the late night supply of alcohol?

Yes No

If you answered no, what do you think is the best way to pay for the cost of tackling alcohol related crime and disorder?

Late Night Levy proposed times

2. We are proposing to introduce a late night levy for premises that supply alcohol between midnight and 6am. Do you think this is the right time period we should focus on? (please note that the Late Night levy can only be imposed on licensed premises selling alcohol between midnight and 6am. We could propose a shorter period within these hours.)

Yes No

Yes No

If no, which time period do you suggest?

3. If you are currently licensed to sell alcohol between midnight and 6am, are you likely to change your licensed hours so that you are not liable to pay the levy?

Yes No Not applicable

4. If a LNL is introduced, Hackney Council will be working with the Police to find the best ways to spend the revenue raised.

Please indicate your preferences for how the Council and Police should spend the funds raised from the levy.

Please rank the following suggestions in order of priority from 1 to 6, with 1 indicating your most preferred option and 6 your least preferred option.

Additional police officer patrols across the borough	
Additional patrols by the Council's wardens	
Additional staffing to monitor CCTV and through a radio link with the police, enable staff to be promptly deployed where they are needed right across the borough	
Joint patrols and operations by police and council officers including wardens, so that there is maximum coverage of the borough and best use of resources.	
Additional funding for waste removal and street cleansing in those areas worst affected	
Portable/pop-up toilets	

Other, please tell us:

Exemptions or reductions

Local authorities may choose to exempt certain categories of premises, (e.g. country village pubs and bingo halls) or offer reductions in certain specified circumstances. Licensing authorities are not able to choose a category of premises for an exemption from the levy if it is not one of the specified categories.

We are not proposing to apply exemptions or reductions in Hackney as our data shows that the highest levels of crime and anti-social-behaviour are street based, often difficult to link to individual premises. It is therefore not appropriate to exempt categories of premises or offer reductions as all premises will benefit from the services provided. Further there are very few premises within Hackney that fall within the specified criteria that would be caught by the levy. More information on the exemption and reduction categories can be found within the Guidance issued by the Home Office: <https://www.gov.uk/government/publications/amended-latenight-levy-guidance>

5. If you do not agree with our approach, please explain why.

6. Do you have any other comments on the proposal to introduce a late night levy?

How can you take part?

- You can complete this questionnaire online at www.hackney.gov.uk/licensing
- Return your completed questionnaire by 7 May 2017 to:
FREEPOST HACKNEY LICENSING SERVICE

For more information

- Email: licensing@hackney.gov.uk please include “Late Night Levy” in the subject line
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About you:

So we can best understand our service users and residents please fill in this optional information about you. All information is used under the strict controls of the 1998 Data Protection Act.

Are you...

- A premises licence holder (midnight to 6am)
- A club premises certificate holder
- A Hackney resident
- Trade or other Hackney business
- A visitor to Hackney

Other (please tell us):

Where do you live or where is your business located? (this information will help us to understand the views of Hackney businesses and residents)

- E1 E15 N4
- E2 E20 N5
- E5 EC1 N16
- E8 EC2 Other
- E9 N1

If you are responding as a resident, please complete the rest of these questions

Gender:

- Male Female

If you prefer to use your own term please provide this here:

Is your gender identity different to the sex you were assumed to be at birth?

- Yes it's different No it's the same

Age: What is your age group?

- Under 16 16-17
- 18-24 25-34
- 35-44 45-54
- 55-64 65-84
- 85+

Disability: Are your day-to-day activities limited because of a health problem or disability which has lasted, or expected to last at least 12 months?

- Yes No

Caring responsibilities: A carer is someone who spends a significant proportion of their time providing unpaid support to a family member, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems.

Do you regularly provide unpaid support caring for someone?

- Yes No

Ethnicity: Are you...

- Asian or Asian British
- Black or Black British
- Mixed background
- White or White British
- Other ethnic group

Other (please state if you wish):

Religion or belief: Are you or do you have...

- Atheist/no religious belief
- Buddhist
- Charedi
- Christian
- Hindu
- Jewish
- Muslim
- Secular beliefs
- Sikh

Other (please state if you wish):

Sexual orientation: Are you...

- Bisexual
- Gay man
- Lesbian or Gay woman
- Heterosexual

Other (please state if you wish):

Thank you for taking the time to complete this survey your feedback is important to us.

NOTICE OF PROPOSAL TO INTRODUCE A LATE NIGHT LEVY IN THE LONDON BOROUGH OF HACKNEY

Police Reform and Social Responsibility Act 2011, Chapter 2 of Part 2 The Late Night Levy (Application and Administration) Regulations 2012 The Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012

Hackney Council is proposing to introduce a requirement that holders of premises licences or club premises certificates that authorise the supply of alcohol at any time between 00:01 and 06:00 on one or more days in a year pay a late night levy. The amount of the levy is set by the UK Government and will be an annual amount between £299 and £4,440 depending on the non-domestic rateable value of the premises. The Council proposes that the levy will be introduced on Wednesday 1st November 2017. The Council proposes that the late night supply period will be 00:01 to 06:00. Only premises which are authorised to supply alcohol during this time will be subject to the levy.

The Council **DOES NOT** propose to exempt the following permitted categories of premises from paying the levy:

- Premises providing overnight accommodation where alcohol can only be supplied to persons staying at the premises for consumption on the premises as defined in regulation 4(a) of the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012 (“the Exemption Regulations”);
- Theatres, cinemas and bingo halls as defined in regulations 4(b), 4(c) and 4(d) of the Exemption Regulations;
- Registered Community Amateur Sports Clubs as defined in regulation 4(e) of the Exemption Regulations;
- Certain Community Premises as defined in regulation 4(f) of the Exemption Regulations; and
- Premises only authorised to supply alcohol between midnight and 6am on New Year’s Day as defined in regulation 4(i) of the Exemption Regulations.
- Country Village Pubs

The Council **DOES NOT** propose to reduce the levy for:

- Premises within a Business Improvement District as defined in regulations 4(g) and 4(h) of the Exemption Regulations.
- Premises subject to small business rates relief as defined in regulation 5(1)(b) of the Exemption Regulations.
- Premises is a business led best practice scheme as defined in regulations 5(1)(a) and 5(4) of the Exemption Regulations.

The Council proposes that 70% of the net amount of the levy payments will be paid to the Metropolitan Police and the Council will apply the balance in accordance with regulations. More information about the proposals is available via the Council’s website at www.hackney.gov.uk/licensing or from the Licensing Service, The Annexe, 2 Hillman Street, London E8 1FB (Tel: 020 8356 2431). The Council would like your views on the proposal and will take them into account before it makes a final decision whether or not to introduce the levy. You can send us your views by:

- Completing the online questionnaire. Go to www.hackney.gov.uk/licensing and follow the links.
- Writing to us at FREEPOST HACKNEY LICENSING SERVICE
- Emailing us at licensing@hackney.gov.uk. Please include “Late Night Levy” in the subject line.

The consultation ends on **Sunday 7th May 2017**.