

LICENSING COMMITTEE'S RESPONSE TO THE CONSULTATION ON THE LATE NIGHT LEVY

LICENSING COMMITTEE 8 FEBRUARY 2018	CLASSIFICATION: OPEN
WARD(S) AFFECTED All Wards	
GROUP DIRECTOR KIM WRIGHT	

1. INTRODUCTION

- 1.1 The late night levy (“the levy”) is a discretionary power, conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”). This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority’s area, as a means of raising a contribution towards the costs of policing the late-night economy.
- 1.2 On 26 July 2017, the Council decided to introduce the Late Night Levy in Hackney on 1 November 2017. The following would also apply:
- The late night supply period be from 00:01 to 06:00
 - That no exemptions categories are to be applied
 - That no reduction categories are to be applied
 - The proportion of net levy payments to be paid to the Mayor of London’s Office for Policing and Crime (MOPAC) will be 70%.
- 1.3 The report to the Council state that a response to the public consultation held between 13 February and 7 May 2017 would be prepared.

2. RECOMMENDATION

2.1 The Licensing Committee is asked:

- (i) to note and consider the contents of the report and appendix.**

3. COMMENTS OF THE GROUP DIRECTOR, FINANCE AND CORPORATE RESOURCES

- 3.1 This report notes the Council decision to introduce of Late Night Levy in Hackney on 1 November 2017 following public consultation. The levy applies to premises authorised to sell or supply alcohol between midnight and 6 am.
- 3.2 The amount of the Late Night Levy is set at National Level and is collected alongside the annual licence fee. The Council retains 30% of income receipts after deducting administration costs.
- 3.4 The Licensing Service estimates that premises that are authorised and intend to sell alcohol between midnight and 6am, would generate a maximum gross income of £330,000 from the Late Night Levy. The actual income may reduce if there are a higher than expected number of operators applying to operate outside the levy period.
- 3.5 Income from the Late Night Levy contributes to the cost of policing the late-night economy in the Borough and administration costs arising from the Levy. A Late Night Levy Board will oversee how the income generated is spent in the Borough.

4. COMMENTS OF THE DIRECTOR OF LEGAL

- 4.1 The introduction of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) allowed the Council to raise revenue to tackle the problems of crime and disorder that are caused by the night time economy by imposing a Late Night Levy (“the Levy”) on those premises that are licensed for alcohol sales between midnight and 6.00 am. The powers to introduce the Levy come specifically within the 2011 Act and not by way of an amendment to the Licensing Act 2003.
- 4.2 Any levy imposed currently applies to all those in the borough that hold a licence to supply alcohol for the hours that the Levy operate from.
- 4.3 The 2011 Act requires a statutory consultation to take place before any Levy can be introduced.
- 4.4 The statutory consultation came to an end on 7th May 2017 and Full Council pursuant to Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 decided to introduce the Levy on 1st November 2017.
- 4.5 This report seeks to provide a response to the statutory consultation that took place before the Levy was introduced.

APPENDICES

Appendix 1 – Licensing Committee response to the consultation on the Late Night Levy

EXEMPT

Not applicable.

BACKGROUND PAPERS

None

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