

The Late Night Levy

Report following the end of Year 4

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1. Background

- 1.1 This report has been prepared to provide the position on the Late Night Levy (“the Levy”) following the end of the fourth year of its operation on 31 October 2021.
- 1.2 The Levy is a provision established under the Police Reform and Social Responsibility Act 2011. It enables licensing authorities to charge an additional annual fee to persons who are licensed to sell alcohol between midnight and 6am. The revenue raised is then used as a contribution towards the costs of policing the late night economy.
- 1.3 The Levy is paid annually by relevant premises licence or club premises certificate holders at the same time as the annual fee. Where a licence or certificate is granted within the year, the holder has two weeks to pay from the date the licence or certificate was granted.
- 1.4 At least 70% of any net revenue collected must be given to the Police. The local authority must use its portion on activities related to mitigating the impact of the supply of alcohol within the specified hours. The legislation does not prevent a local arrangement from being agreed between the Police and Council as to any revenue collected for the Police is to be spent.
- 1.5 Following a public consultation, the Council decided to introduce the Levy, effective from 1 November 2017. In introducing the power, the Council agreed that the late night supply period would be from 00:01 to 06:00.
- 1.6 In October of 2021, a new reduction provision was accepted by full council giving licensees the opportunity to gain a new in-house accreditation which would offer a reduction of 30% on their late night levy fees.
- 1.7 A local management board (“the Board”) set up by the Council to oversee how the revenue is spent meets four times annually. The Licensing Committee agreed the management structure and Terms of Reference for the Board which includes Council officers, Licensing Committee members, Police and the licensing trade.

2. Year 4 Receipts

- 2.1 Total receipts in Year 4 amounted to £64,019. This is compared to £272,176 in Year 3 and £414,010 in Year 2.
- 2.2 There is a balance carried over from previous years of £260,073.

Coronavirus

- 2.3 The unprecedented arrangements as a result of the Coronavirus pandemic have created a particularly challenging environment for the majority of Hackney’s licensees. From the outset the Licensing Service has been keen to take a considered and pragmatic approach to collection of the Levy as well as licensing

fees. There has been no indication from the Home Office that legislative requirements in relation to the payment of fees will be altered. This means at the current time, the requirement to pay the Levy remains. This would also mean that the licensees would be liable to pay for fees even for the times they were forced to cease trading.

- 2.4 The Licensing Service has assisted licensees where possible by delaying reminder letters and licence suspensions for non-payment of the Levy where the businesses had to close under Coronavirus regulations. In September, the Licensing Service resumed sending out reminders for annual fees. Instead of collecting two years at once, we have sent out reminders for all outstanding amounts and will wait until 2022 to send out for the upcoming year to give licensees a chance in January to apply for the accreditation and the reduction on the late night levy fees. This may mean, however, that licensees receive two letters in a one year period.

3. Year 4 Expenditure

- 3.1 The table below analyses how the receipts were spent in Year 4.

Balance carried from Years 1, 2 and 3	£260,073.00
Year 4 Receipts	£64,019.00
Year 4 Expenditure	
MOPAC - Police Funding	£211,114
Enforcement Patrols	£22,000
Administration and Operational Costs	£20,000
LNL Manager Salary (1 Year) including costs	£56,305
CCTV- Ongoing operations and deployments and provision of CCTV radios	£4,580
Hackney Nights Print and Design Costs	£5,206
Venue Training Sessions	£2,498
Drinkaware training license - 1 Year	£5,000
Total Expenditure	£326,703
Balance to be carried to Year 5	-£2,611

Policing

- 3.2 In Year 4, Policing started to resume in April, with the re-opening of outdoor hospitality. The majority of the Police spend, however, was to cover the full

re-opening period from July. The night time economy in Hackney presented many new challenges in terms of policing and safety, with a visible increase in street drinking in Shoreditch and overall intoxication levels. There has also been an increase in violence offences, predominantly within the NTE footprint and an increase in assaults against Police officers and enforcement officers.

- 3.3 There have also been recent challenges with resourcing for the Policing Plan over the autumn period due to large numbers of officers being deployed to COP26 in Scotland, ongoing protests (Insulate Britain, Extinction Rebellion).

Police activities since reopening (*April to October 2021*) saw:

- Stop & Search – 419
- Arrests – 111
- Community Resolution – 25
- PND – 15
- ASB Warnings – 122
- S35 Dispersals – 251
- NOX Seizures – 48
- Licensed Visits – 141

Enforcement Patrols

- 3.3 We funded enforcement activity from April onwards. Activities were paused during the periods of Lockdown and restrictions.

Hackney Nights

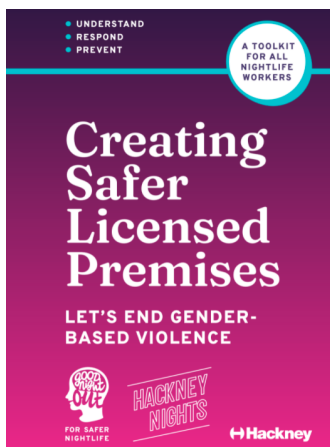
- 3.4 We have created a program of training options as well as design assets to be uploaded to the portal. We have been focusing on topics such as Women's Safety



and Hate Crime. The portal has served as a delivery system for crucial information but also lists all training events available to licensees.



- 3.5 We have organised various online training sessions during Year 4 as we had to adapt the way licensees could access training.



Good Night Out delivered two online sessions to nightlife staff about understanding and responding to sexual harassment and assault.

We have also created a toolkit guide which has been made available on the portal. We also distribute physical copies of the booklet to every late night premises in Hackney.

Stop Hate UK also delivered online sessions on Hate Crime to nightlife staff.

CCTV Radios

- 3.6 We have continued to supply CCTV radios to licensees at no cost to late night levy premises and have managed to sign up new premises to the scheme.

Hackney Nights Portal

- 3.7 The Hackney Nights portal will continue to provide licensees with better access to training, information, events and best practice advice to improve safety.

4. Year 5 Forecast

- 4.1 The balance carried over from Year 4 to Year 5 will be -£2,611..
- 4.2 Receipts are expected to return to normal by the start of 2022. We anticipate most venues will have paid last year's fees by then.
- 4.3 The table belows outlines the Year 5 forecasted budget.

Year 5 Forecasted Receipts	£450,000
Met Police - MOPAC Agreement	£250,000
Enforcement Patrols	£65,000
CCTV	£10,000
Operational Costs and Hackney Nights (LNL Manager, Portal, Design, Development, Training packages, Licences, Events, Accreditation Scheme)	£80,000
Support Officer (Part Time)	£22,000
Year 5 Forecasted Spend*	£427,000

5. Year 5 Aims and Objectives

- 5.1 The main focus of Year 5 will be the new venue accreditation scheme. The accreditation criteria have been finalised and are being added to the portal along with guidance to help venues conduct their accreditation. We will open applications for a month in January and give licensees a chance to apply before sending out their reminders for late night levy fees for the upcoming year.
- 5.2 The venues will be able to gradually upload information and complete the steps on their own time. Once all the sections have been completed and documentation uploaded, a copy of the application will be sent automatically to both the council and the Police for their review. Once reviewed and accepted, the venue will receive their accreditation toolkit; they will also be listed on the Hackney Nights website. The communications strategy will include communications to the general public. Covid-19 compliance and will also be tied to accreditation. The scheme will be reviewed annually.
- 5.3 The support officer will assist part-time with new applications and spot checks to premises to ensure they are following the scheme correctly.

Policing

- 5.4 The Metropolitan Police Service is committed to identifying creative ways to manage the public spaces within the night time economy more efficiently and effectively and in doing so, drive down violence. The Metropolitan Police Service will look to Licensed premises to support this work, and come up with creative plans of their own to achieve this mission. There will also be a joined-up approach between Metropolitan Police Service, Hackney and Tower Hamlets to tackle the increase in NOX use and supply in the Shoreditch night time economy by increased enforcement and targeting persistent offenders.

6. Conclusions

- 6.1 It is anticipated that the income in Year 5 will be returning to normal levels. We will be receiving the outstanding amounts owed to us for previous years over the next couple of months.
- 6.2 Favorability of the Levy has decreased amongst licensees. Our inability to provide an exemption for the time that businesses were forced to close as well as the issues with Police resourcing affected this.
- 6.3 The Levy is in a secure position financially to continue with Year 5 activities as listed above. This will be revised as and when more payments are made and will result in increases to the Police and enforcement budgets.
- 6.4 Notwithstanding the above, the Licensing Service will continue to prepare and present interim reports to the Licensing Committee which, as well as the Board, will maintain oversight of the Levy moving forward.