

CHANGE TO THE TERMS LATE NIGHT LEVY - Appendix 1

Introduction

The Late Night Levy was introduced in November 2017 and requires all licensed premises that sell alcohol between midnight and 6am to pay the levy fee.

Local evidence at the time showed a clear correlation between the locations of late night licensed premises and incidents involving robbery, violence and theft. The levy was introduced to raise funds for additional activities to prevent crime and disorder and to support the sustainability of night-time economy businesses in the borough.

The levy is collected by the Council, but at least 70% of any net revenue collected must be paid to the police. It's then used as a contribution to the policing and control of late night alcohol related crime and disorder. The remaining 30% is used by the Council to support further night-time economy safety initiatives.

Since the introduction of the levy the funds have supported:

- Additional policing at the weekends
- Additional Enforcement officer activity at the weekends
- Hackney Nights Online Portal and training for frontline Night Time Economy Staff
- CCTV
- Safety public awareness campaigns, such as the Reframe the Night campaign on Women's Safety

Hackney Council is in the process of developing a new accreditation scheme through the levy-funded [Hackney Nights](#) safety initiative which will ask licensed premises to commit to a series of essential and additional themes and benchmarks in order to gain the Hackney Nights accreditation.

Background

Under [The Late Night Levy \(Expenses Exemptions and Reductions\) Regulations 2012](#), a reduction in fees can only be agreed in a limited set of circumstances and must be approved by the relevant licensing authority. Regulation 5 sets out the instances in which levy payers could be eligible for a reduction in their fees and this includes businesses that are members of a relevant best practice scheme.

The Licensing Service has a statutory duty to perform a consultation before implementing a reduction towards those premises who adhere to a best practice scheme.

The Council consulted on the proposal that late night levy fee payers who gain the new Hackney Nights Accreditation will be able to benefit from a 30% reduction in fees in recognition of the positive contribution their accredited activities will have on the prevention of crime and disorder in the borough.

Consultation Approach.

The public consultation launched on June 2nd 2021 and closed on 24th July 2021.

The consultation was publicised via corporate and community communication channels. This included

- A letter was sent to 309 levy payers informing them of the consultation.
- press release on launch
- 3 x features on the hackney business network website and in their newsletter.
- Direct contact with Pubwatch groups, Federation of Small Businesses and East End Trades Guild to share with Hackney Members
- presentations at pub watch member meetings,
- weekly promotion on social media (HBN and main council Communications)

Interpretation of data

There was a very low response rate for this consultation with a total of 25 completed responses. The data cannot be considered representative of stakeholder views. The licensing team has been given full access to all comments made by respondents, a summary is included below.

The consultation asked three questions

1: Do you support a 30% reduction to the annual late night levy fee for licensees who gain the Hackney Nights accreditation?

There were 25 responses to this question, 52% of respondents stated they would support a 30% reduction to the annual late night levy fee for licensees who gain the Hackney Nights accreditation (13), 36% of respondents stated they did not support a reduction to annual levy fee (9) and 12% of respondents were undecided (3)

Option	Total	Percent
Yes	13	52.00%
Maybe	3	12.00%
No	9	36.00%
Not Answered	0	0.00%

Concerns

Respondents (Residents) relay their concerns about noise pollution, monitoring and compliance, the growing number of late night venues popping up in residential areas and the reduction in levy fees being an incentive to do so.

Support

Respondents in support of the scheme were supportive of the reduction in levy fees for those completing the accreditation scheme, acknowledging the financial challenges facing many small businesses

2: Would an accreditation, as set out in the document, have a positive or negative impact on your business?

Accreditation

There were 23 responses to this part of the question. 48% stated they have neither a positive nor negative view on the impact an accreditation scheme would have on business, 24% stated the accreditation scheme would have a very positive impact on business, 16% stated the accreditation scheme would have a positive impact on business, 4% stated the introduction of an the accreditation scheme would have a negative impact on business and 8% did not answer the question.

Hackney Council

Option	Total	Percent
Very positive	6	24.00%
Positive	4	16.00%
Neither positive nor negative	12	48.00%
Negative	0	0.00%
Very negative	1	4.00%
Not Answered	2	8.00%

Those who selected negative or very negative were asked to further explain their response, Respondents noted noise and litter were already a problem and that the accreditation scheme should be mandatory and not attached to a discount in levy fee.

3: Can you think of any other themes we could include in the accreditation scheme?

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There were 12 responses to this question. respondents stated that the accreditation scheme could also include: Public and Venue Safety, Noise reduction, Apprenticeships, First Aid, Environmentally friendly practices.

There were a number of comments acknowledging that the scheme's success requires monitoring, compliance and enforcement.

“...Good operators will take this accreditation requirement in their stride since they are duty-bound to obtain these certificates anyway. Operators that have shortcomings would be forced to comply in order to become accredited...”

4: In addition to extra policing, how can the council use funds collected through the late-night levy to support community safety in the night-time economy?

There were 22 responses to this question. Respondents stated the levy fund could be used on CCTV, punishment for repeat offenders, enforcement, improvements to the public realm, Night time ASB response, toilet provision, street cleaning, Shelter for the homeless.

Respondent Type

The majority of respondents stated they were Hackney Residents. This accounted for 60% (15), followed by premise holders at 24% (6), Trade/other hackney business at 16% (4), Club premises certificate holders at 4% (1) Visitors to Hackney at 4% (1) and 1 respondent did not respond.

Option	Total	Percent
A premises licence holder (midnight to 6am)	6	24.00%
A club premises certificate holder	1	4.00%
A Hackney resident	15	60.00%

Trade or other Hackney business	4	16.00%
A visitor to Hackney	1	4.00%
Other (please tell us):	0	0.00%
Not Answered	1	4.00%

Conclusion

The overall response rate was low but the consultation is clear that respondents are slightly more in favour of a reduction in the levy fee following the introduction of an accreditation scheme .