

RECORD OF EXECUTIVE DECISION

Tuesday, 15 April 2014

Decision No: (CAB 13/14 12594)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	COMMUNITIES
SUBJECT:	LATE NIGHT LEVY - CONSULTATION
AUTHOR:	Richard Ivory

THE DECISION

- (i) To consider and agree the proposals for the levy design for consultation purposes as set out in this report and as detailed below:
 - a. The late-night supply period to run from one minute past midnight to 6am
 - b. Exemptions from the levy will include:
 - Premises with overnight accommodation (but not where bars are open to the public/non residents);
 - Theatres and cinemas;
 - Bingo halls;
 - Community Amateur Sports Clubs;
 - Community Premises; and
 - Premises only open on New Year's Eve
 - c. Exemptions from the levy will **not** include:
 - Country Village Pubs; and
 - Business Improvement Districts.
 - d. Reductions of the levy will not be granted for Council accredited business-led best practice schemes
 - e. Reductions of the levy will not be granted for small businesses
- (ii) To consult on:
 - a. the need for a Levy Board to advise on levy spend/priorities; and
 - b. a range of activities on which to spend the levy which are or may be provided to tackle the late night alcohol related crime and disorder, and community safety services connected to the management of the night time economy, including:
 - Night time economy management;
 - Taxi marshalling;
 - ICE bus;
 - CCTV improvements;
 - Street cleaning;
 - Enforcement initiatives;

- Personal safety initiatives; and
 - Providing temporary public conveniences.
- (iii) To delegate the final format of the consultation document to the Head of Legal and Democratic Services after consultation with the Cabinet Member for Communities.
- (iv) To note the arrangements for the operation of a late night levy with a target date for implementation of 1st February 2015.

REASONS FOR THE DECISION

1. The provision for the late night levy has been introduced by the Government to allow authorities to require those businesses that benefit from the existence of a late night economy in their area to contribute towards the costs that it causes.
2. While the late night economy provides significant economic benefits to the City, there are consequential costs of crime and disorder, anti-social behaviour, and costs that fall on the police, the Council and other partners.
3. Legislation has been introduced as it is not considered:
“fair to expect local communities and taxpayers to bear the full brunt of the costs that the late night economy causes in their area. Therefore, this charge allows licensing authorities to require those businesses that benefit from the existence of a late night economy in their area to contribute to some of the costs that it causes.”
4. The rationale is not to restrict the extent of the late night economy but to ensure a contribution towards the direct and consequential costs.
5. The proposal at this stage is to start the process to introduce the levy, to gather additional information as to the likely costs and consequences, to consult widely on the proposals so that full Council can be fully informed and able to make a final decision.
6. The Council's Statement Of Licensing Policy predates the Police Reform and Social Responsibility Act 2011 which introduced the levy and therefore no specific mention is made of it. However, throughout the document reference is made to crime and disorder, the night time economy and the need to balance the latter and against the former. Government initiatives are referred to and the policy is, therefore, consistent with the desirability of consulting on the need for a levy.
7. By law the Council is required to carry out its various licensing functions so as to promote the four licensing objectives, which have equal importance:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
8. Introduction of the levy can assist in the achievement of this policy and objectives by providing additional funds. The outcome of the consultation and further research will show if there are likely to be any detrimental impact which can be considered before the final decision will be made.

DETAILS OF ANY ALTERNATIVE OPTIONS

None, Council has already passed a motion to move to the consultation stage.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 15 April 2014

Decision Maker: The Cabinet

Proper Officer: Sandra Coltman

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

25 April 2014

Date of Call-in (*if applicable*) (*this suspends implementation*)

Call-in Procedure completed (*if applicable*)

Call-in heard by (*if applicable*)

Results of Call-in (*if applicable*)