

APPENDIX F

Premises which can be made exempt from the Levy with recommendations and explanations from the Licensing Authority:

	Premises	Recommendation	Explanation
1	Premises with overnight accommodation that serve alcohol to their residents for consumption on the premises only (i.e. hotels)	Exemption	Hotel premises would be recommended to exception but with a clear proviso. Hotels with a public bar would not be. However, hotels could take up the offer of a free minor variation to add a condition to their Operating Schedule that alcohol will only be sold after midnight and before 06:00rs to bona fide guests and paid for to their room.
2	Theatres that serve alcohol to ticket holders, participants in the production and invited guests to a private function only	Exemption	We believe that the Borough should be encouraging cultural and sporting premises.
3	Cinemas that serve alcohol to ticket holders, and invited guests to a private function only	Exemption	As Above.
4	Bingo halls licensed under the Gambling Act where live bingo is the primary function	No Exemption	No existing bingo halls within the Borough would be affected by the Levy, therefore this would be futureproofing for any new applications.
5	Registered community amateur sports clubs	Exemption	We believe that the Borough should be encouraging cultural and sporting premises.
6	Community premises that have successfully applied for the replacement of the mandatory 'designated premises supervisor' license condition	No Exemption	No existing premises within the Borough would be affected by the Levy, therefore this would be futureproofing for any new applications.
7	Businesses participating in a qualifying Business Improvement District where there an existing BID levy is to promote the reduction or prevention of late night disorder (there are none within Southwark)	No Exemption	Whilst it is accepted that BID members already have arrangements with Police and Wardens, this only covers the daytime period. This does not cover the night time period for which the Late Night Levy seeks to protect.
8	Premises that supply alcohol in the LNSP on New Year's Day only	Exemption	Many premises have permissions for this one day, it would be disproportionate to expect payment for a whole year. Were this exemption to be refused, premises could still apply for Temporary Events Notices to cover New Years Eve – Day.

The Best Practice Schemes must meet the benchmarks specified in the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012 to qualify. Southwark does not currently operate any relevant best practice schemes because the Council believes there to be more value in the established partnership working within Business Improvement Districts (BIDs).

If a licence lapses (e.g. non payment of the annual fee, revocation or surrender) or an Early Morning Restriction Order ('EMRO') is made, this could prohibit a premises from serving alcohol, thus preventing the need to pay the LNL. If this was to occur adjustments to payments are made pro-rata.

Due to a conversion right carried over from former Justices' on-licences, a very large number of premises are authorised to sell alcohol between 00:00 (midnight) and 06:00 on New Year's Day only. This right is not recorded on many premises licenses. A proposal to include this category would require individual examination of each premises licence and to include this category would likely cause a large number of applications for a free minor variation to reduce licensed hours on New Years Eve. Therefore, officers recommend that this category of premises be excluded from the LNL in Southwark.

Adjustments to liability are made pro-rata, so if a licence lapses under Section 27 of the 2003 Act or an EMRO is made. As they could effectively prohibit a premises from serving alcohol at any time when the levy applies.