

(Updated) Late Night Levy Consultation Plan

Introduction

The aim of this consultation is to speak to residents and businesses to understand the potential impact of the introduction of a 'late night levy' - an additional fee for late-night businesses selling alcohol in Southwark.

The late night levy enables licensing authorities to charge an additional fee to businesses that sell alcohol between 00:00 (midnight) and 06:00. The funds raised from the levy contribute to the cost of additional policing, and council services required to support the late night economy, such as street cleaning and street wardens.

Revenue raised from the levy would be used to reduce or prevent late night alcohol-related crime, disorder and nuisance, and improve public safety and street cleaning

The Levy is set nationally and depends on the rateable value of the licensed premises. Charges to businesses in Southwark would range from £5.75 per week for the smallest businesses, to £85.38 for the largest businesses that primarily or exclusively serve alcohol.

What do we already know?

The link between areas with late-night alcohol premises and anti-social behaviour is well documented. The Council currently funds a night time economy team consisting of both police and council officers who visit and inspect premises and deal with incidents and issues that arise from the night time economy. The cost of this team is currently approximately £280,000 per annum.

A Late Night Levy would be used to help fund this partnership-working scheme (and its associated administrative functions) and any surplus would be used to fund other initiatives to provide a safer late night environment for Southwark residents and visitors.

We are also aware that the night time economy contributes a great deal to the economy and culture of Southwark and, in the vast majority of cases, is a positive asset to the Borough.

Several other London Boroughs have adopted a Late Night Levy appropriate to their areas, including Hackney and Islington.

What do we need to find out?

The Council understands there will be a range of views regarding the introduction of a levy, and is keen to seek, understand and consider those views before reaching a decision.

From the experience of other Boroughs, we know that, should the levy be introduced, some businesses currently operating with opening hours beyond midnight may wish to reduce those hours to avoid a levy. To fully understand the consequences of introducing a levy we are keen to establish how many businesses would consider this option, for which it would be available at no charge (a free minor variation of their premises licence).

It is possible that some areas could be affected more than others. Some areas could see a noticeable change where there are multiple businesses with opening hours beyond midnight who then take up the offer of a free reduction in hours. Some businesses may see a late night levy as an additional burden and the Council needs to be able to make a balance between encouraging an exciting and diverse economy in Southwark with the needs of residents.

What can be influenced by the public and what can be fixed?

The outcome of the consultation will help the council make a decision about whether to introduce a levy, taking into consideration the views of those who might be affected by any change, and whether any measures should be taken to avoid adversely impacting certain businesses.

Context of statutory and legal obligations and Council policy

The statutory consultation must include the Mayor's Office for Police & Crime (MOPAC), the borough police and relevant affected licence holders. It must be advertised on the council website and in a local newspaper. Other than the need for it to be targeted and proportionate, the required process and timing of the consultation is not specified.

In addition to the statutory consultation, the council will share the consultation with the public through our normal communications channels.

As with all its activities, the council must have regard for its Public Sector Equality Duty to work to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out its activities. The licensing team is keen to ensure that its policies do not discriminate on the basis of any protected characteristics, and, in undertaking this consultation will encourage contributions regarding this.

The outcome of statutory consultation must be reported to Council, who may decide that the levy is to apply in Southwark after considering policing and other costs for reducing or preventing alcohol-related crime and disorder and/or costs for reducing or preventing crime and disorder between 00:00 (midnight) and 06:00.

Engagement and Consultation Plan

The Council is seeking input from a varied number of sources to decide whether or not to impose an additional levy to assist in managing the night time economy.

The consultation will engage with the following agencies and groups:

- The chief officer of **police** for the area
- The **fire & rescue** authority for the area
- The local authority's **Director of Public Health**
- The Mayor's Office for Policing and Crime (**MOPAC**)
- **Neighbouring Licensing Authorities** (Lambeth, Lewisham, Bromley, Croydon, City & Tower Hamlets)

- Other **Responsible Authorities** (Environmental Protection, Trading Standards, Health and Safety, Social Services and Planning)
- All **premises with alcohol licences**
- All **club premises** certificate holders
- All **personal licence holders**
- **Local residents**
- Persons/bodies representative of **local residents** in its area, including:
 - o Amenity groups
 - o Community associations
 - o Ethnic group associations
 - o Faith groups
 - o Traders' associations
 - o Community Councils

The statutory and public consultations will take place following an 'in principle' decision to explore the introduction of a levy. The statutory consultation will be for a period of 6 weeks. The public consultation will be for a period of 12 weeks.

The statutory stakeholders will be written to, to be advised of the consultation; they will be directed to our website. The consultation will also be advertised in a local newspaper, on the corporate public website and be promoted via social media. The consultation results will also be made available on the website.

Proposed consultation text:

Overview of Consultation

We are consulting on the introduction of a Late Night Levy, which means businesses that sell alcohol after midnight will have to pay for some of the extra expense of cleaning the streets and keeping people safe.

Southwark has a vibrant night-time economy that draws people from all over London and beyond and is a major part of the lively and inclusive atmosphere of the borough. We are committed to supporting this and working with businesses to ensure Southwark is a great place to go out.

However, as we all know, the late night economy can also bring crime, antisocial behaviour, litter and people in need of support. The council currently funds a night economy team of police and council officers who deal with many of these issues. This costs us around £280,000 a year.

We are proposing to introduce a Late Night Levy, to raise money from those businesses licensed to sell alcohol between midnight and 6am. We think this is the fairest way to fund the night economy team, with additional money going towards other initiatives to support a safer night time environment.

The Levy would be a small charge on those businesses licensed to sell alcohol after midnight. We are considering reductions for some small businesses, and/or for businesses in Business Improvement Districts where they are already subject to an additional levy due to their location. We are also considering offering the opportunity for businesses to alter their licence conditions in order to avoid the Levy. The maximum potential revenue would be £419,000, however, this would be less if discounts are given.

The net revenue, after deducting the cost of collection and administration, must currently be divided with at least 70% going to the Metropolitan Police; this does mean however, that the money can be

spent anywhere within the Metropolitan area. Following amended Home Office guidance, Licensing Authorities are recommended to use existing partnership arrangements with the Police to apply for 100% of the revenue raised to tackle alcohol-related crime and disorder in the administrative area in which the levy was raised; this is the intention of Southwark – that all monies raised in the Borough, be spent in the Borough. An agreement has already been made with the Borough Commander for Southwark that 100% of the monies be retained. The Mayor’s Office for Police and Crime (MOPAC) must also agree to this. We are therefore seeking permission from MOPAC to do this; which forms part of this consultation, see Question 6.

Why we are consulting?

The Late Night Levy would be an important change to our local licensing rules. Other London boroughs, such as Camden and Tower Hamlets, have already applied a Levy and we think it is appropriate for a borough such as Southwark with a lively late night economy. We want to know that we have got the details right and, if it is taken forward, ensure it works for local people and businesses.

Questions

1. Who are you?

A licensed business with a licence to sell alcohol from midnight to 06:00	
Any other licensed business	
A un-licensed business	
A member of the public	
Other	

2. To what extent do you agree that a Late Night Levy is an appropriate way to fund the work of the Council and the Police to deal with issues caused by the late night economy in the Borough?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree

Comments:

3. Do you agree that the joint relationship between the Police and Council Enforcement Officers plays a role in ensuring a safe night time economy?

Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree

Comments:

4. If you had a late night business affected by the proposed Levy, please indicate how likely it would be that you would apply to vary your opening hours to avoid paying the Levy? (see attached document for potential Levy rates)

Very Likely	Likely	Neither likely nor unlikely	Unlikely	Very Unlikely

Comments:

5. There is the option to apply a 30% discount for businesses in certain categories. How do you think this discount should be applied?

	Yes / No
No discount for any business selling alcohol late at night	
A discount for businesses receiving small business rate relief	
A discount for businesses already paying a levy due to their location within a business improvement district	

Comments:

6. What is your preferred option for the allocation of potential money received through the Levy?

	Select one below
70% to Met Police and 30% to Council	
100% to Council (with 70% to be spent on local policing)	
Other (put in comments)	

Comments:

7. Do you think that the introduction of a levy would be unfair to any particular group of people?

Comments:

8. Do you have any other comments or suggestions not already covered by the questions above?

About you:

Name: _____

Business name (if applicable): _____

Address: _____

If you would like to receive further information about this consultation or future consultations about licensing issues, please tick this box and leave your email address.