

Appendix 3

Consultation Responses

63% (12) of the respondents did not support the introduction of a late night levy whilst 26% (5) were in support of it. 10% (2) said that a Business Improvement District (BID) would be a better option.

31% (6) of the respondents thought that the late night levy is an appropriate way of funding community safety initiatives whilst 52% (10) suggested it was not an appropriate way to fund community safety initiatives. 15% (3) did not specify a yes or a no. 2 from the responses that said no stated that a BID is a better replacement and a fairer option to the late night levy.

In addition to the specific questions mentioned above, respondents have also submitted other comments to the Council in relation to its proposal. Members are encouraged to refer to the actual submissions for more information and context.

Some of them include:

1. Short sighted way of raising a negligible amount of money.
2. If there are regular problem areas, these premises should be responsible.
3. There is no vibrant night life in Westgate Street. The money would probably just disappear.
4. It didn't work in Cheltenham.
5. Bad idea businesses already pay for Policing via their rates.
6. All Council taxes are already too high. This is a further tax by the back door.
7. It will push more bar owners and investors away from Gloucester.
8. The BID is a better idea.
9. Late night levy is not a reliable source of income for the local authority to divert funds.
10. It hasn't worked in Cheltenham. We should learn from that.

Officer Comments to the above:-

Members will note that 63% of the respondents were against the adoption of the levy. In relation particularly to the licensed trade, of the 181 licence holders who will be affected if the levy were to be adopted, only 11 licence holders, representing 6% of the affected licensed trade, responded.

National trade associations were predominantly opposed to the adoption of the levy in Gloucester.

If the Council were to adopt the levy, it must apply to the entire City and to all premises with a relevant late night authorisation. There is no discretion to apply it to certain location(s) of the City or to certain types of premises.

A number of respondents stated that since they already pay high business rates, this should pay for policing. Members are to note that business rates collected by the Council do not contribute towards policing and therefore comments relating to business rates are irrelevant in reference to the levy.

Cheltenham have had a levy in place for over three years now. Money raised has contributed to the night time economy. All the money that has been raised from the levy has been put back into Cheltenham.

Cheltenham are looking at stopping the levy in favour of the BID.

Late night supply period

26% (5) agreed that the late night supply period should be 00:00 to 06:00, whilst 57% (11) disagreed. 15% (3) did not specify. Alternative times of 01:00, 02:00 and 03:00 were suggested.

Officer Comments to the late night supply period:

Members are to note that whilst more than 50% of respondents disagreed with the proposed late night supply period, it is mostly attributable to the fact that they objected to the levy as a whole and therefore also to the proposed late night supply period.

Alternative times of 01:00, 02:00 and 03:00 were suggested. If Members are minded to set the late night supply period at a later time, Members should be mindful that there could be financial implications as it could change the amount of money that would be received through the levy.

Exemptions

47% (9) agreed to the Council's proposal to exempt premises from selling alcohol during the supply period on New Year's Eve from the levy, whilst 26% (5) disagreed and 26% (5) did not indicate either way or just stated that a levy should not be introduced.

21% (4) agreed that premises with overnight accommodation should be exempt, whilst 21% (4) disagreed. 57% (11) did not specify.

21% (4) agreed that theatres and cinemas should be exempt, whilst 21% (4) disagreed. 57% (11) did not specify.

21% (4) agreed that bingo halls should be exempt whilst 10% (2) disagreed. 68% (13) did not specify.

15% (3) agreed that community premises should be exempt, whilst 15% (3) disagreed. 68% (13) did not specify.

15% (3) agreed that New Year's Eve should be exempt, whilst 21% (4) disagreed. 68% (13) did not specify.

Officer Comments to the exemptions:

The permitted exemption categories are outlined in appendix 1 of the report. Members are to note that not all the permitted exemption categories will apply to Gloucester. Nonetheless Members must also decide whether these exemption categories should be exempted or not along with the ones that do apply to Gloucester.

The PCC are happy with the Council's only exemption for premises selling alcohol during the supply period of New Year's Eve.

There was a response from John Gaunt & Partners Licensing Solicitors acting on behalf of its client Whitbread Plc. They have requested that the Council exempts premises with overnight accommodation from the levy.

Clearly any decision to exempt certain premises, and not others, should be based on sound rationale. When giving consideration as to whether and which premises the Council may wish to exempt, the guidance states the following:

"Licensing authorities may consider that there are some types of premises in relation to which the holder should not make a contribution towards the cost of policing the night-time economy through the levy. This is a local decision – the licensing authority should make its decision based on its knowledge of the night-time economy in the area, including information gathered through the consultation process." (para 1.23)

Reductions

Qualifying Best Practice Schemes

47% (9) stated they were in favour of a 30% reduction in premises participating in both Citysafe and Best Bar None, whilst 31% (6) were not in favour. 10% (2) stated that they believed having both as a requirement is a violation of the regulations. 10% (2) did not specify.

Officer Comments to qualifying best practice schemes:

Based on the consultation feedback members need to decide if premises that participate in both CitySafe and Best Bar None schemes qualify for a 30% reduction or decide that premises who participate in one of the business-led best practice schemes of either CitySafe or Best Bar None can qualify for the 30% reduction instead of just both.

Small Business Rate Relief (SBRR)

15% (3) agreed that there should be an exemption for premises that are in receipt of small business rate relief, whilst 42% (8) disagreed. 42% (8) did not specify.

Officer Comments to the exemption of small business rate relief:

The Council is eager to encourage premises to actively participate in schemes that actively work to reduce crime and disorder in the late night economy therefore applying the reduction to best practice schemes and not SBRR will encourage the take up.

Levy Portion

36% (7) agreed that an innovative approach through an agreement between the Police, PCC and the Council on where the money should be spent, whilst 31% (6) did not agree with this approach. 21% (4) did not specify and 10% (2) said that they could not offer an opinion as no details had been offered during the consultation.