

Late Night Levy

Consultation Report

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Report prepared by:

David Besbrode
Research Analyst
Communications and Consultation

Contact

Hackney Consultation Team
on 020 8356 3343 or
consultation@Hackney.gov.uk



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- We are proposing to introduce a late night levy for premises that supply alcohol between midnight and 6am. Do you think this is the right time period we should focus on? (Please note that the Late Night levy can only be imposed on licensed premises selling alcohol between midnight and 6am. We could propose a shorter period within these hours.)
- If you are currently licensed to sell alcohol between midnight and 6am, are you likely to change your licensed hours so that you are not liable to pay the levy?
- If a LNL is introduced, Hackney Council will be working with the Police to find the best ways to spend the revenue raised. Please indicate your preferences for how the Council and Police should spend the funds raised from the levy. Please rank the following suggestions in order of priority from 1 to 6, with 1 indicating your most preferred option and 6 your least preferred option.

Exemptions or Reductions

- If you do not agree with our approach, please explain why? (*Comments*)
- Do you have any other comments on the proposal to introduce a late night levy? (*Comments*)

Profile of Respondents

- Gender: Are you...
- Is your gender identity different to the sex you were assumed to be at birth?
- What is your age group?
- Disability: Do you consider yourself to be disabled?
- Caring responsibilities: Do you regularly provide unpaid support caring for someone?
- Ethnicity
- Religion or belief
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Conclusion

Introduction

The Council consulted on the introduction of a proposed late night levy in Hackney between 14th February 2017 and 7th May 2017.

The late night levy is an annual charge payable by licensed premises selling alcohol between midnight and 6am, as a contribution towards the cost of late-night policing and clean-up.

Hackney Council and Hackney Police asked residents and businesses what they thought of proposals to introduce a late night levy on premises serving alcohol between midnight and 6am, to help fund the cost of community safety and policing.

Background

Hackney currently has 399 premises licensed to sell alcohol between midnight and 6am.

The Council wants to help support and sustain the borough's nightlife - which has made a valuable contribution to wider cultural and economic growth - however, it has also had an impact on public services, with increased levels of anti-social behaviour, crime, noise nuisance and litter.

The levy is expected to raise about £362,000 per year which would go towards the cost of managing the late-night economy, including a contribution towards the £1.4 million cost of policing and community safety.

The levy is set at a national level by the government based on the premises' rateable value. In Hackney that would vary from £299 to £1,259 per year.

Around 40 businesses already take part in a voluntary scheme, raising around £56,000 per year. The voluntary levy has helped to fund additional patrols by community safety wardens on Friday and Saturday nights in Dalston and Shoreditch.

Consultation Approach

The public consultation ran from 14th February to 7th May 2017.

The consultation was also publicised via the corporate consultation channels – ensuring residents and businesses were aware of the consultation.

The wider publicity involved having the information in Hackney Today, on the Hackney website and the Council's consultation and engagement platform citizen space. The consultation was promoted with a launch article in issue 396 (13 February) and a reminder included in issue 398 (13 March). The consultation was also promoted to the Council's online citizen's panel, Hackney Matters.

A letter was also sent to all relevant holders of licenses/certificates, as required by legislation, notifying them about the consultation. This was sent out to 574 premises, 547 license holders, the Borough Commander, the British Beer and Pub Association and the Association and the Association of Licensed Multiple Retailers. Copies of the survey were also given out at various meetings.

Interpretation of Data

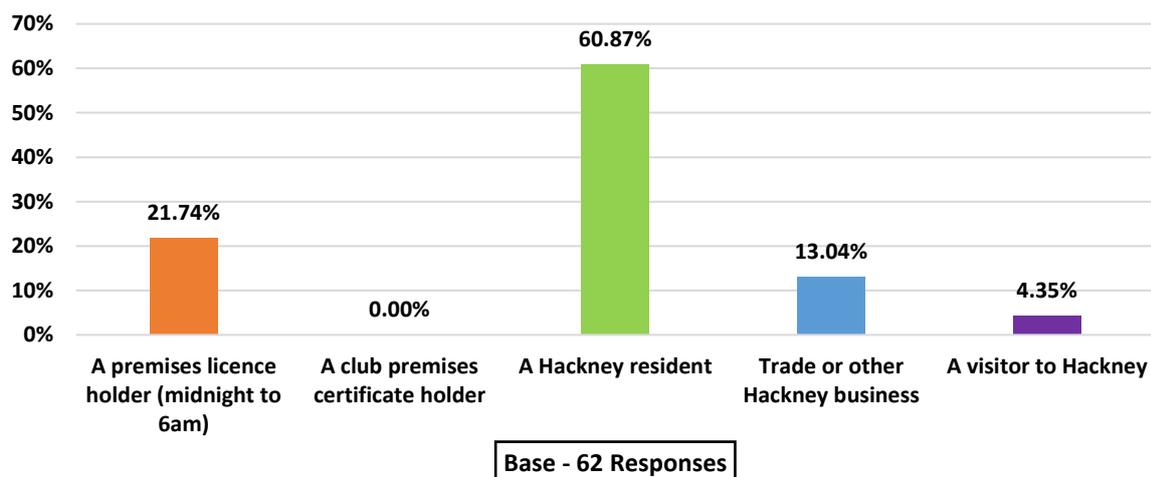
There was a very low response rate for this consultation, with only a total of 62 responses, and the majority being Hackney residents. As such, the results should be viewed with

caution due to the fact that those who are premises licence holders account for a small number of responses.

Please note, that respondents who did not respond to a question have been excluded from the results shown, which is why the base will vary for the different questions. Only valid responses are calculated within the 100% used to determine the overall result.

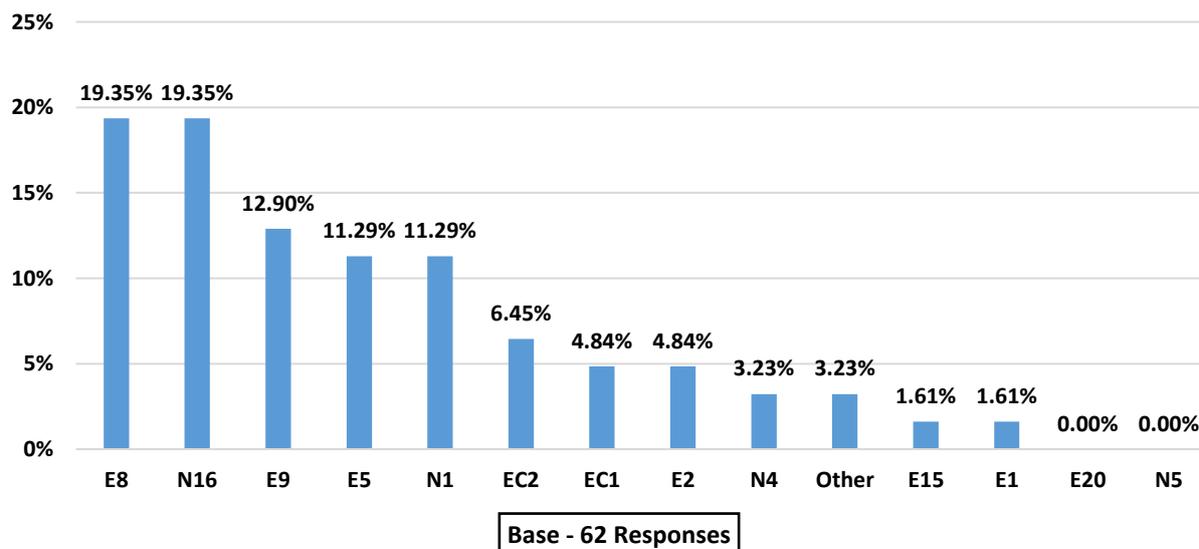
The detailed qualitative dataset (comments) will be shared with the Licencing Department.

Summary of Results



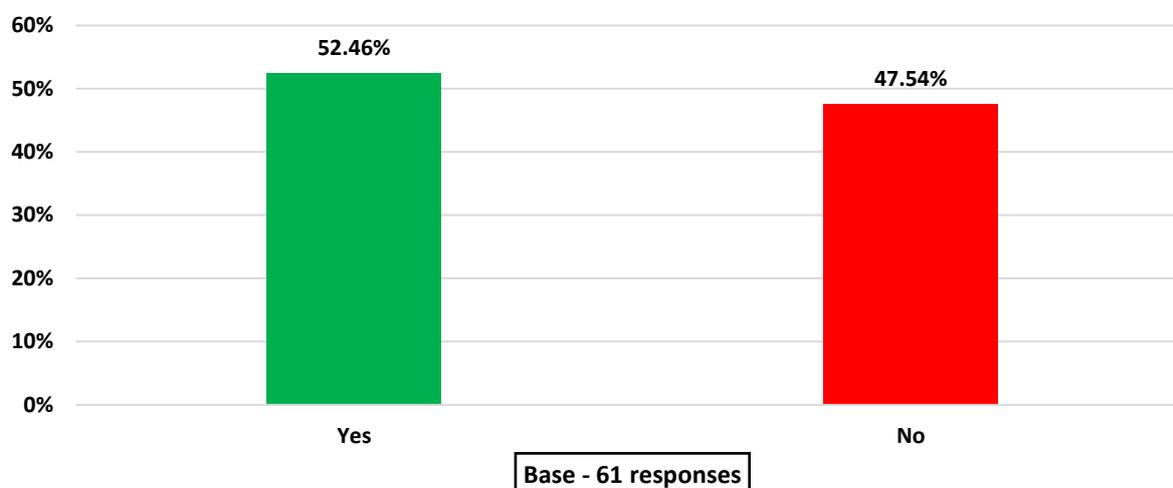
The majority of respondents were ‘Hackney residents’ (42), followed by ‘premises licence holders’ (15), ‘trade or other Hackney business’ (9) and then ‘a visitor to Hackney’ (3). Some respondents selected two options on the basis that they applied to them.

The chart below is a breakdown of the postcode areas where the respondent either lives or their business is located:



E8 (12) and N16 (12) account for the highest percentage of respondents, followed by E9 (8) and then E5 (7) and N1 (7). One respondent selected ‘Other’ and stated that they are a ‘National Trade Association’.

Do you support the introduction of a late night levy in Hackney where the income generated is focussed on reducing crime and disorder related to the late night supply of alcohol?



The chart above shows that there was a very even response with regards to this question.

Although more respondents supported the introduction of a late night levy, the percentage difference stands at 4.92% which is a very small amount between responses. There was no clear majority response for this, so it would be fair to say that there is an even mix of support and opposition for the late night levy.

Below are comments from respondents who were asked if they answered no, what do they think is the best way to pay for the cost of tackling alcohol related crime and disorder. Those who are in support accounted for 7% (2) of the comments, whereas those who opposed account for 93% (27) of the comments. This makes sense that those who are against the late night levy would be more inclined to make a comment.

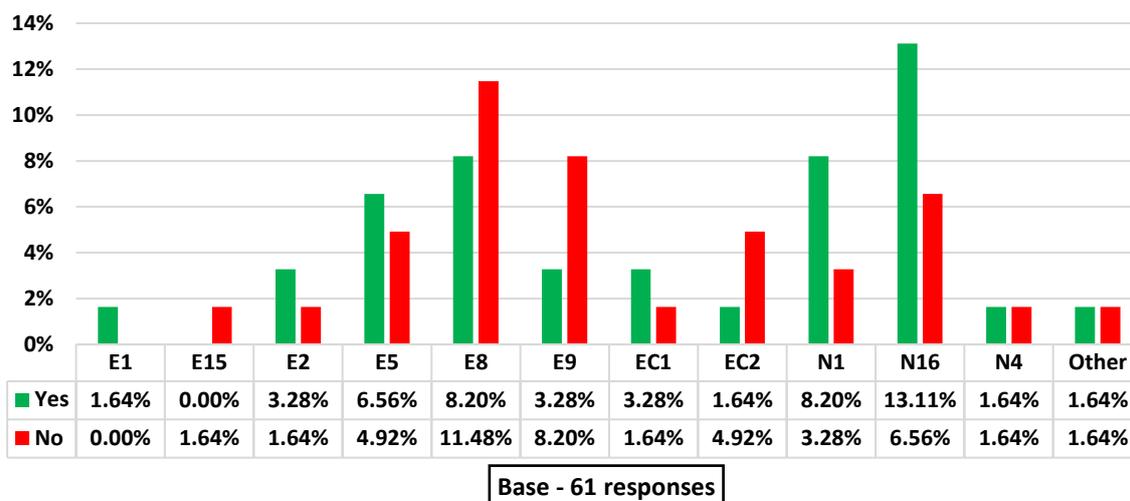
Comments from respondents who said YES (verbatim comments)

- *“I ONLY support it if most of the funds go directly in to providing FRONT LINE police or similar funds. For example, Lambeth have the Safer Lambeth Business Partnership, where each business has a radio that communicates with other businesses in the night time economy in the nearby area. But front-line police to deal with crime is the most important.”*
- *“Take away licenses, and stop handing out pop-up licenses. The late night drinking comes with too many problems such as crime and disorder in the first place. Less licenses = less cost.”*

Summary of comments from respondents who said NO (themes from responses)

- *Seems like a money making scheme. (5 comments)*
- *High costs already in Hackney, so rise of taxes is unfair. (8 comments)*
- *More control – Police Officers (2 comment)*
- *Do more to control ASB (3 comment)*
- *Not focused on venues that are food led and not alcohol led. Should consider nature of business and not make levy for everyone. (3 comments)*
- *Voluntary levy (1 comment)*
- *More working together between industry, police and Council. (2 comments)*

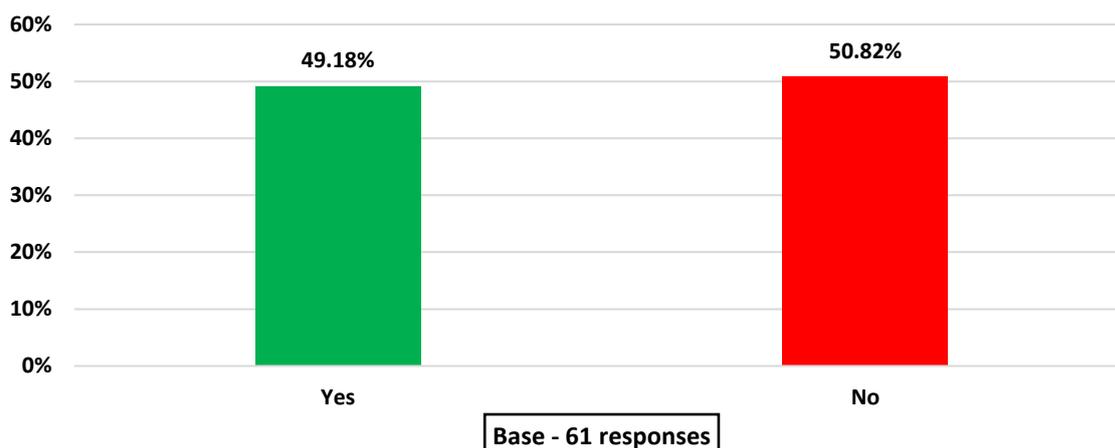
Looking at the different postcodes, we can see which areas were more supportive of the late night levy and those who were more opposed to it.



The chart above shows that N16 (8) accounted for the highest percentage of respondents who supported the late night levy. E8 (7) accounted for the highest percentage of respondents who opposed the late night levy, although those who supported it in this area were the second highest along with N1 (5).

E9 (5) had a higher percentage of respondents who opposed the late night levy, with EC2 (3) also showing the same but a smaller percentage overall.

We are proposing to introduce a late night levy for premises that supply alcohol between midnight and 6am. Do you think this is the right time period we should focus on? (Please note that the Late Night levy can only be imposed on licensed premises selling alcohol between midnight and 6am. We could propose a shorter period within these hours.)



The chart above shows that there was a very even response with regards to this question.

A smaller percentage more (1.64%) responded 'No' to this question, which then gave them the option to tell us what other time periods should be in place.

From the comments made, the following times were suggested:-

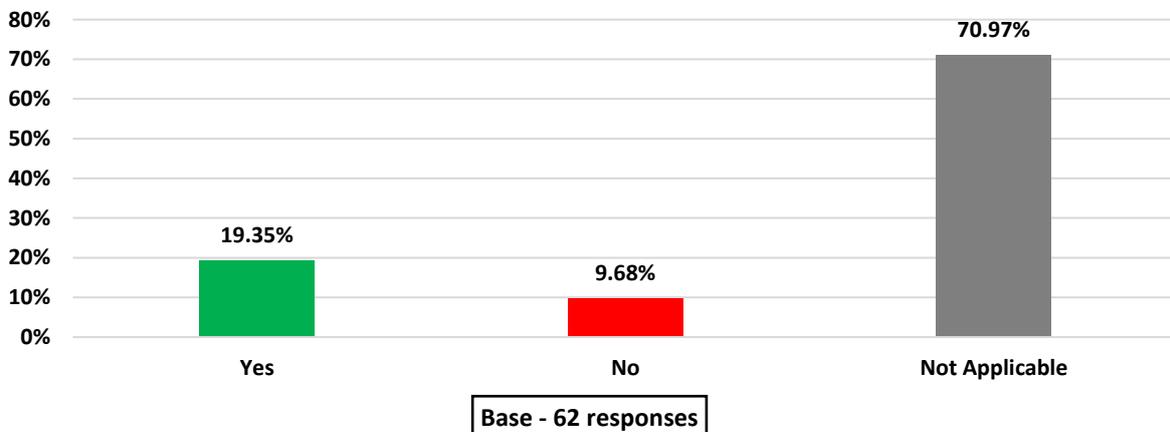
- 6pm to 6am (1 comment)

- 11pm to 6am (1 comment)
- 12am to 5am (1 comment)
- 1am to 6am (4 comments)
- 1am to 8am (1 comment)
- 2am to 5am (1 comment)
- 2am to 6am (6 comments)
- 2am onwards (3 comment)

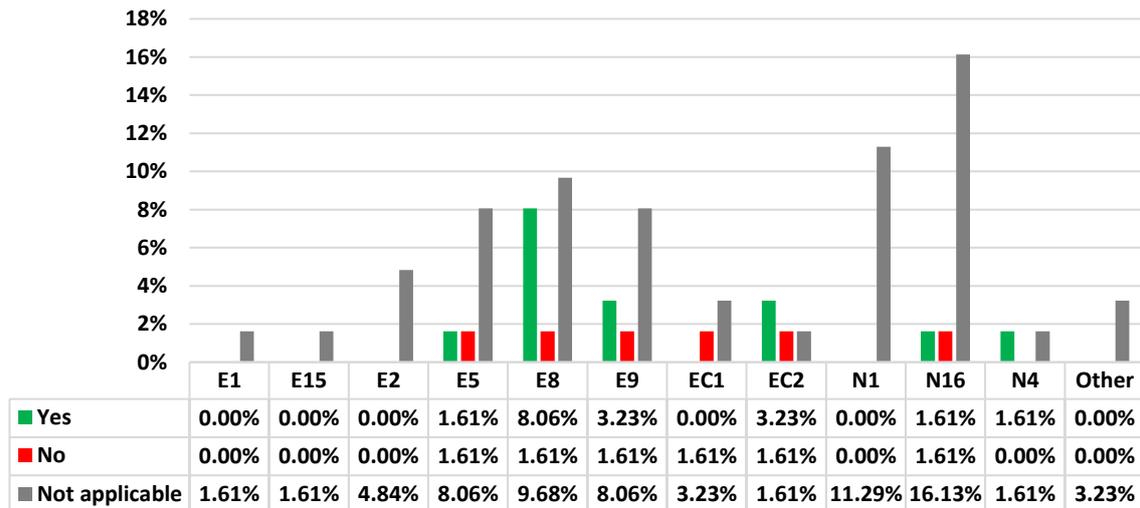
Some other comments made were based around those who opposed to the late night levy (verbatim comments):-

- *“There should be a 3rd option to this question, namely - There should be no Late Night Levy.”*
- *“The problem starts when people start consuming alcohol, and this will always be before midnight. The culprits may leave the establishments after midnight, but they will already be drunk because of what they consumed earlier in the evening.”*
- *“I think there is enough places to sell alcohol during night. Focus your ability in something else.”*
- *“We do not believe there should be a LNL in the borough. If one was to be introduced it should be evidence-based, taking into consideration the data on when disorder does take place, rather than the blanket approach of covering the entire period.”*

If you are currently licensed to sell alcohol between midnight and 6am, are you likely to change your licensed hours so that you are not liable to pay the levy?



The chart above shows that those who are currently licenced to sell alcohol between midnight and 6am are more likely to change their licenced hours so that they are not liable to pay the levy. Those who said ‘Yes’ (12) accounts for just over 19%, and those who said ‘No’ (6) accounts for just under 10%. The majority of respondents said ‘Not Applicable’ (44) for this question, which indicates that they are either not licenced to sell alcohol between midnight and 6am or they are Hackney Residents.



Base - 62 responses

Looking at the different postcodes, we can see those who responded as 'Not Applicable' covering all postcode areas. N16 (10) accounts for the majority of those respondents. E1, E15, E2, N1 and Other all stated this response, so of those who responded do not have a licence for the hours of midnight to 6am.

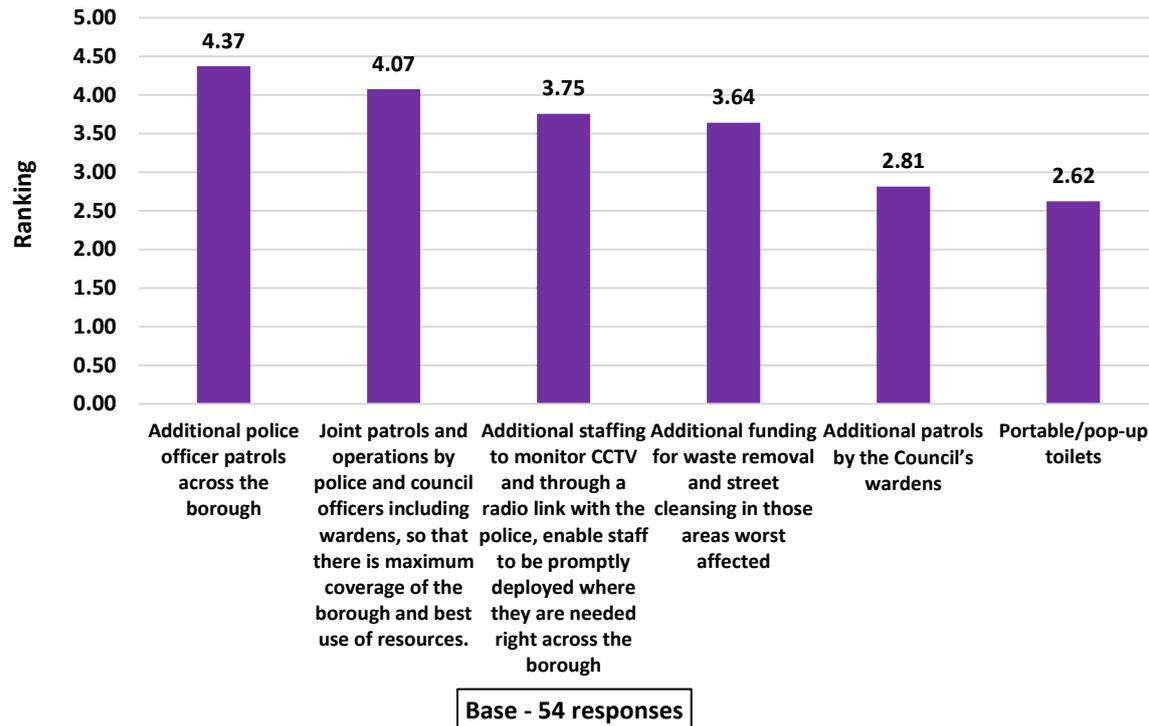
E8 (5) has the highest percentage of respondents who would change their hours, and it is clear that only a small percentage in E5, E8, E9, EC1, EC2 and N16 would not change their hours.

If an LNL is introduced, Hackney Council will be working with the Police to find the best ways to spend the revenue raised. Please indicate your preferences for how the Council and Police should spend the funds raised from the levy

This question asked respondents to indicate their preferences for how the Council and Police should spend the funds raised from the levy. Respondents were able to rank suggestions in order of priority from 1 to 6, with 1 indicating the most preferred option and 6 the least preferred option.

This question uses a ranking feature on Citizen Space. First, a weight is assigned to each possible ranking position. The weighted average score for each item is then calculated.

There were two popular options chosen for spending the money collected from the levy – 'Additional police officer patrols across the borough' and 'Joint patrols and operations by police and council officers including wardens, so that there is maximum coverage of the borough and best use of resources'. The ranking results are shown in the chart below:



Respondents were given the option for other suggestions, and the valid ones are listed below (verbatim comments):-

- *“Have the streets clean and ready before the poor daytime businesses open in the mornings”*
- *“I don’t understand why there is a delineation between day and night time businesses. Are day time businesses being asked to pay for extra street cleaning, police etc.?”*
- *“Providing somewhere for the homeless, drunk, anti-social people to go to.”*
- *“Fewer late night licences granted in the same area. Avoid more than two/three late night licences in the same streets/blocks. Ensure that premises with late night licences are scattered about the borough. Small supermarkets selling alcohol should be shut after 11pm, so no licences granted to these business. Restaurants also selling take away food should stop serving takeaway food to customers at 11pm.”*
- *“Anti-social noise and traffic enforcement as this is a huge problem in the late nights around Hackney (people speeding, excessive use of the horn) and drunk people screaming shouting and loitering.”*
- *“If joint patrols were not an option I would reorder my priorities so that 1 would be additional patrols by the police and 2 would be additional patrols by the wardens.”*
- *“Funding schemes that encourage working with the industry to promote a safer, more attractive Hackney.”*

Exemptions or Reductions

The next two questions were based on exemptions or reductions and allowed respondents to answer with their comments. The survey included the following information for respondents before answering these questions:

Local authorities may choose to exempt certain categories of premises, (e.g. country village pubs and bingo halls) or offer reductions in certain specified circumstances. Licensing authorities are not able to choose a category of premises for an exemption from the levy if it is not one of the specified categories.

We are not proposing to apply exemptions or reductions in Hackney as our data shows that the highest levels of crime and anti-social-behaviour are street based, often difficult to link to individual premises. It is therefore not appropriate to exempt categories of premises or offer reductions as all premises will benefit from the services provided. Further there are very few premises within Hackney that fall within the specified criteria that would be caught by the levy. More information on the exemption and reduction categories can be found within the Guidance issued by the Home Office: <https://www.gov.uk/government/publications/amended-latenight-levy-guidance>.

The first question asked respondents if they did not agree with their proposed approach to explain why, and a summary of the themes from the comments is below:

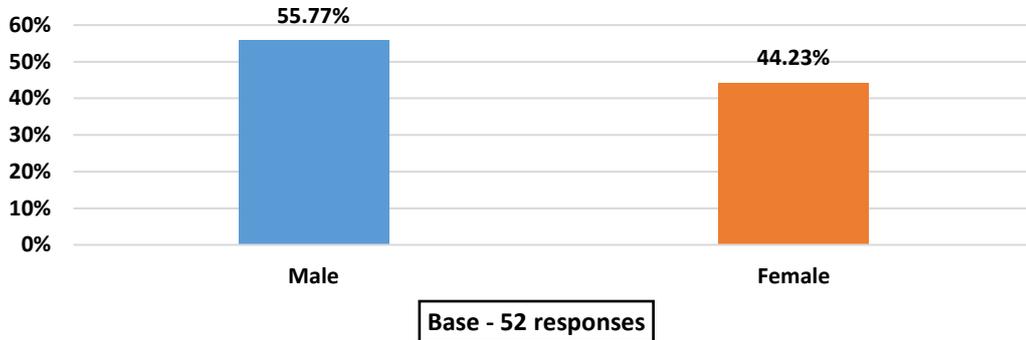
- *Will put businesses out of operation and cause them to close down, or lose revenue. (7 comments)*
- *Unfair if ASB/Crime cannot be linked to premises, as many control in their own ways to prevent such things happening. (5 comments)*
- *Unfair on premises that are not just based around alcohol, such as hotels, restaurants and cafes. They serve alcohol to their guests, being the clientele that would not go on to commit crimes. (4 comments)*
- *Noise pollution for residents (1 comment)*

The second question asked whether they have any other comments on the proposal to introduce a late night levy. A summary of the themes from the comments is below:

- *Introduce to Off-Licences as well as pubs and bars. (1 comment)*
- *Different charges based on the length of time a premises is open, e.g. smaller charge for 12am-2am and greater charge for 1am-6am. Should not all be the same for everyone. (1 comment)*
- *High costs will damage businesses and revenue. (6 comments)*
- *Every licensed premises is different. Charges should be accountable based on the type of premises it is. (1 comment)*
- *Cleanliness of the streets and areas around where residential and commercial properties are. (3 comments)*
- *Effects can have negative consequences. (1 comment)*
- *Too many places where alcohol can be obtained, so levy should apply to supermarkets and corner shops who sell between these hours. (1 comment)*
- *Funds to be spent correctly. (2 comments)*

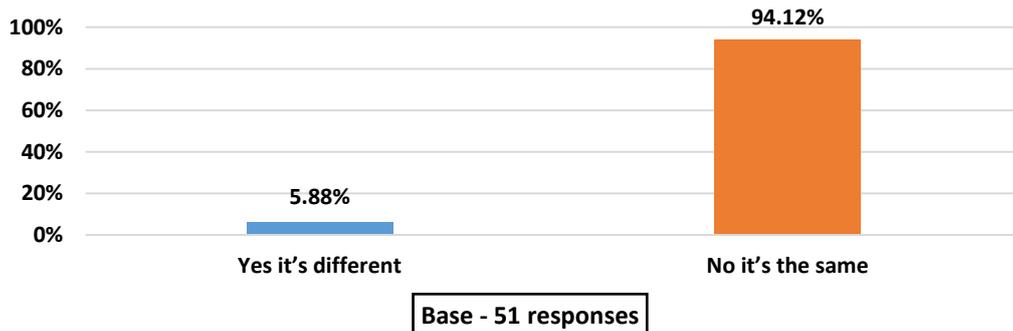
Profile of Respondents

Gender



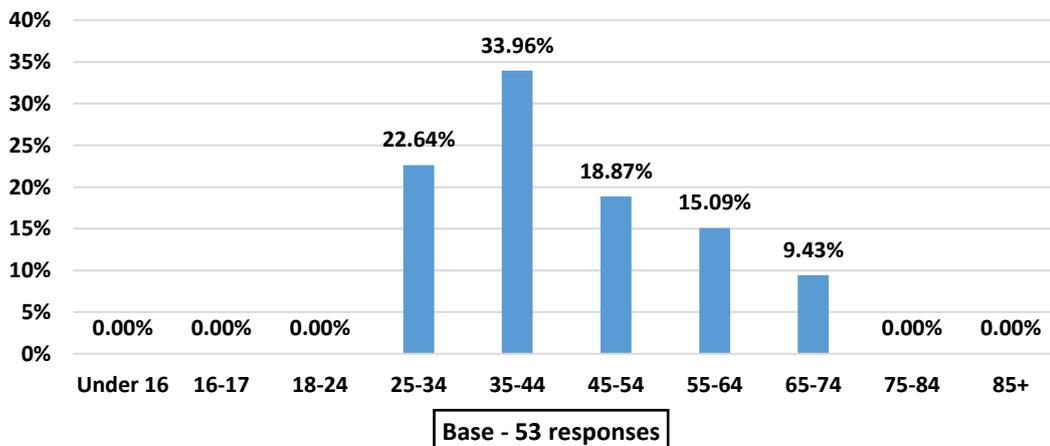
The chart above shows that more males (29) responded to the consultation than females (23). 10 respondents decided not to answer this question.

Is your gender identity different to the sex you were assumed to be at birth?



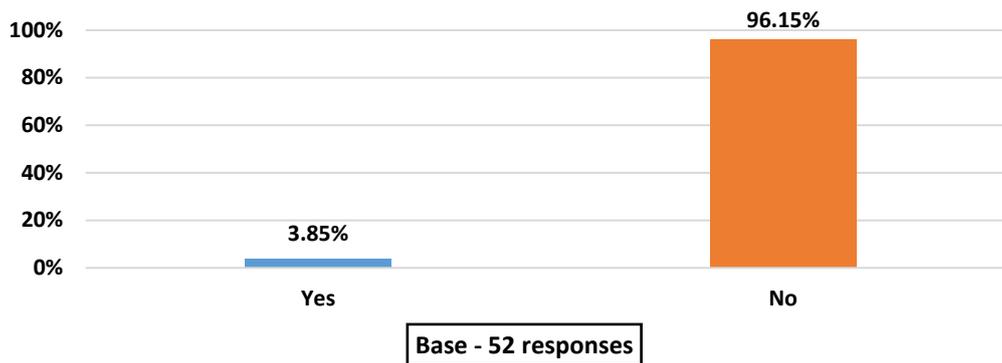
The majority of respondents stated that their gender identity was the same as it was at birth. This accounted for 94.12% (48) of responses, with 5.88% (3) saying it is different. 11 respondents decided not to answer this question.

What is your age group?



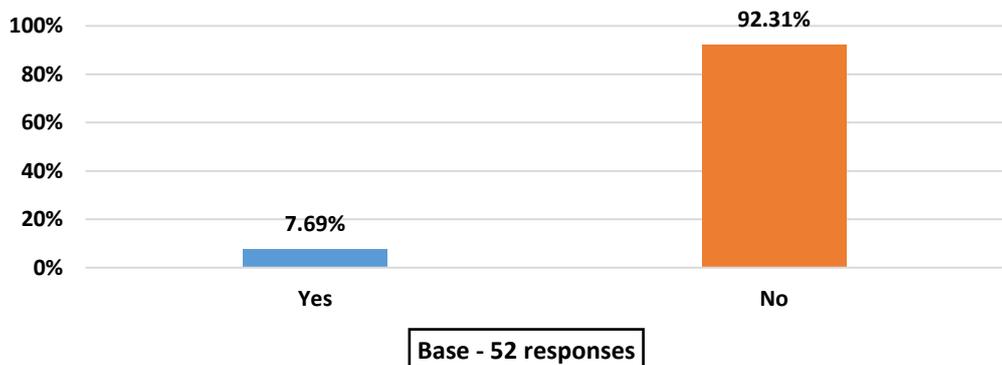
This consultation was responded to by people aged between 25 and 74. Most respondents were aged 35-44 (18), followed by 25-34 (12), 45-54 (10), 55-64 (8) and then 65-74 (5). 9 respondents decided not to answer this question.

Do you consider yourself to be disabled?



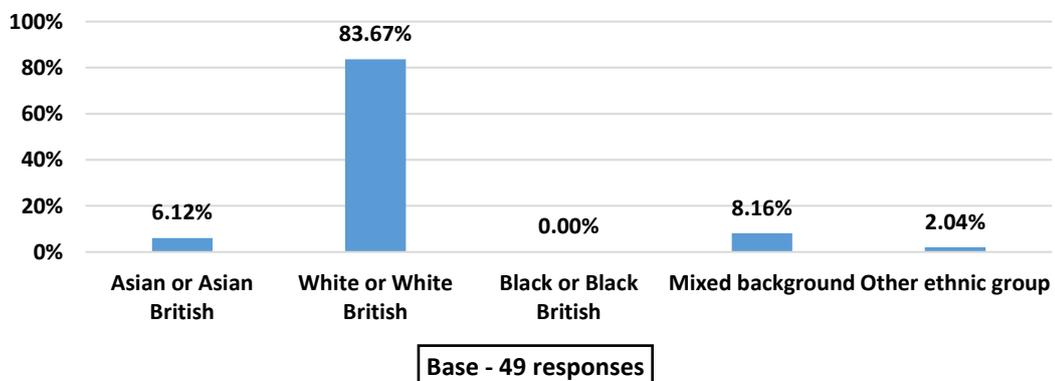
The majority of respondents stated that they did not consider themselves to be disabled. This accounted for 96.15% (50), with only 2 respondent stating that they were disabled. 10 respondents decided not to answer this question.

Do you regularly provide unpaid support caring for someone?



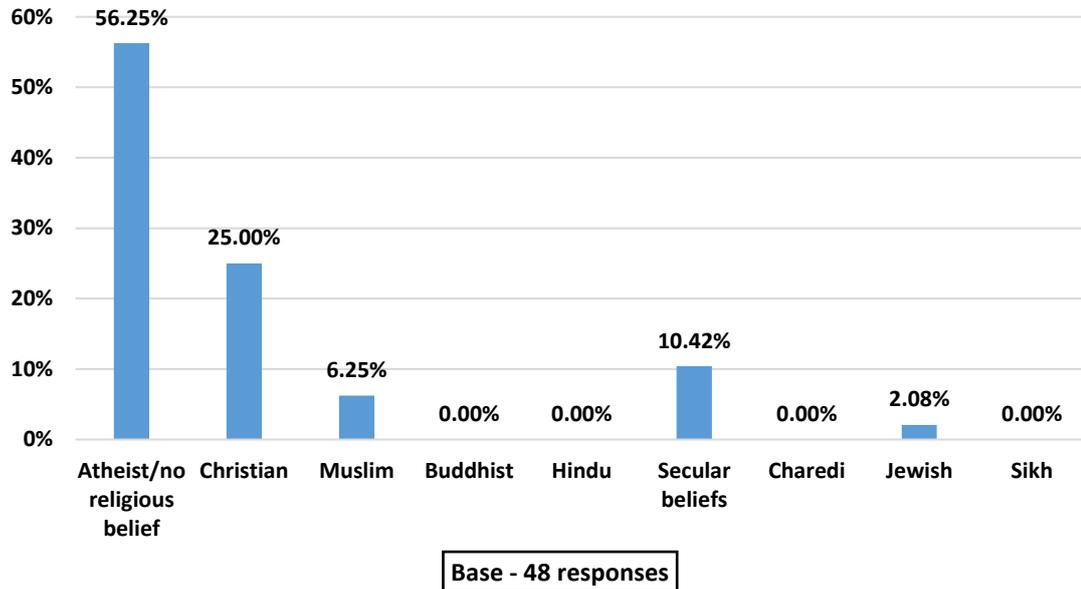
The majority of respondents stated that did not regularly provide unpaid caring support for someone. This accounted for 92.31% (48) of respondents, with 7.69% (4) stating that they did. 10 respondents decided not to answer this question.

What is your ethnicity?



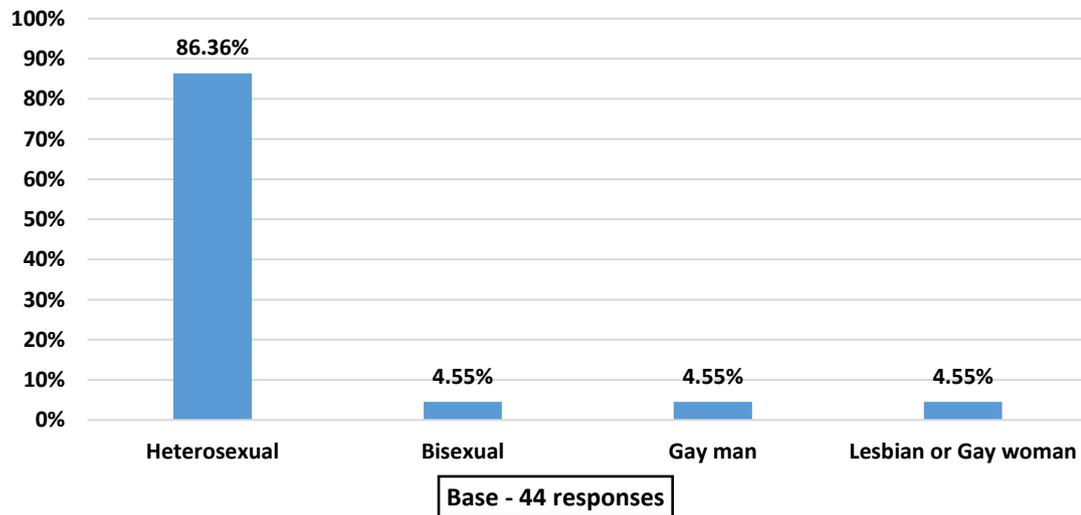
The majority of respondents stated that their ethnicity was 'White or White British'. This accounted for 83.67% (41) of respondents. 1 respondent stated an 'Other ethnic group', which they responded as Turkish. 13 respondents decided not to answer this question.

Are you or do you have any religion or belief?



The majority of respondents stated that they are 'Atheist/no religious belief'. This accounted for 56.25% (27) of respondents. Those who stated 'Christian' was the second highest at 25% (12). 14 respondents decided not to answer this question.

What is your sexual orientation?



The majority of respondents stated that they are 'Heterosexual'. This accounted for 86.36% (38) of respondents. All other sexual orientations were responded evenly by 2 respondents each. 18 respondents decided not to answer this question.

Conclusion

The overall response from respondents was slightly more in support of the late night levy, although there was no clear majority response for this, so it would be fair to say that there is an even mix of support and opposition for the late night levy.

The majority of respondents were 'Hackney residents', and of these just over 69% supported the introduction of a late night levy. This means that just under 31% of Hackney residents opposed the introduction of a late night levy.

Of the 21.74% of 'premises licence holder' respondents, just under 93% of those are opposed to the introduction of a late night levy. There is a general issue with the added costs already to their businesses, and many feel this is not something extra they want to pay for. All those who opposed also stated that they would change their licenced hours so that they are not liable to pay the levy.

Of the 13.04% of 'trade or other Hackney business' respondents, there is a fairly even mix of support and oppose. Those who support account for 44.44% (4) and those who oppose account for 55.56% (5).

N16 postcode area had the highest percentage of respondents who supported the late night levy, with E8 have the highest percentage of respondents who opposed it.

The ranking question asking respondents to indicate their preferences for how the Council and Police should spend the fund raised from the levy, clearly showed two preferred options which ranked higher than the others. These were '*Additional police officer patrols across the borough*' and '*Joint patrols and operations by police and council officers including wardens, so that there is maximum coverage of the borough and best use of resources*'. These options should be considered the most when making a final decision.

The overall response of 62 respondents accounts for just 6% of those contacted from the total of 1124, so this is a very low response rate. Premises licence holders accounts for only 1.33% of those consulted, so as stated in the 'Consultation Approach', the results should be viewed with caution.