

ISLINGTON COUNCIL

CONSULTATION ON INTRODUCING A LATE NIGHT LEVY (LNL)

Please note that additional information has been added to the consultation document and if you responded before 3 December 2013 you may wish to comment again.

1. Background

- 1.1. Islington is an inner city area known for its vibrant night time economy. Since the introduction of the Licensing Act 2003, the number of late night licensed premises selling alcohol has increased substantially with Islington having one of the highest concentrations of premises per resident in the country. Whilst this brings benefits to our economy, along with our good reputation for offering a safe, night-time environment, it generates additional costs for the council, police and other partners.
- 1.2. The data we collect shows that the incidence of crime and anti-social behavior are directly linked to the hours when the night time economy operates, as is the need to clean our streets and provide refuse removal services. As we have no separation of commercial and residential areas in Islington, this invariably means that our residents suffer the impacts of the late night economy.
- 1.3. The council revised its licensing policy in January 2013, following a full consultation with businesses and residents, and introduced a number of changes such as cumulative impact areas, suggested core hours and expected standards of management.
- 1.4. Whilst these steps have helped us to manage any negative impacts associated with the further expansion of the night time economy the council is now consulting on its proposal to introduce a late night levy (LNL) on all late night licensed premises selling alcohol between midnight and 6am on one or more days in any year. This will produce additional funding for the council and police to use to address the impacts and strains on local services that occur between midnight and 6am in Islington. In conjunction with the Metropolitan Police we have considered the existing costs associated with managing the night time economy, including policing, and we believe that the LNL can be used to reduce the instance of crime, disorder and anti-social behavior during the levy hours as well as improve the local environment. The fees set for licensed premises have not increased since their introduction in 2005. During the intervening eight years, the demands for services have increased along with the number of premises opening late

and it is now necessary to look to alternative ways of financing the services needed to manage the impacts

- 1.5. The decision on whether to adopt the LNL will be made by the council in February 2014, taking into account the views expressed through this consultation.

2. What is the Late Night Levy (LNL)?

- 2.1. The Police Reform and Social Responsibility Act 2011 created the ability for councils to introduce a LNL. It is an additional fee, based on ratable value and set by the government, which all premises licensed to sell alcohol and operating within hours set by the council (called the supply period) have to pay. The council selects the hours of operation –but they have to start at or after midnight and end at or before to 6am. The additional funds raised have to be spent on extra services that benefit the late night economy.
- 2.2. The LNL will apply to all venues holding a premises license or club premises certificate that permits the sale of alcohol during the proposed hours of midnight to 6am on one or more days in any year – even if the full licensable hours are not used. It will apply to premises supplying alcohol for consumption for on and off the premises. It will not apply to any venue operating between midnight and 6am under a Temporary Event Notice.

3. Are there any exemption or reductions?

- 3.1. The LNL will apply to the whole of Islington, although the council can grant certain exemptions and reductions. The council is only intending to exempt premises that open between midnight and 6am on New Year's Day. Across Islington, the highest levels of alcohol-related crime, anti-social behavior, ambulance calls and nuisance occur on the street and in public places. In the main, it is impossible to link problems to specific premises given the density of licensed venues in our area. The services we intend to provide through the levy will be street-based across Islington and all our premises will benefit from their provision.
- 3.2. We propose to exempt venues from the levy if the only time that they are licensed to supply alcohol for consumption on the premises between midnight and 6am is on 1st January each year.
- 3.3. The other premises we could exempt are
 - Premises with overnight accommodation - only where they serve alcohol to their residents

- Theatres – but only where they serve alcohol to ticket holders, participants in the production or invited guests to a private function
- Cinemas - but only where they serve alcohol to ticket holders, participants in the production or invited guests to a private function
- Bingo halls – where they are licensed under the Gambling Act and bingo is the primary function
- Registered community amateur sports clubs
- Community premises – where they have successfully applied for the replacement of the mandatory ‘designated premises supervisor’ condition
- Businesses participating in a Business Improvement District

3.4. We can also apply a reduction of 30% to

- Premises licence holders that are in receipt of Small Business Rate Relief and have a rateable value of £12,000 or less and the licence allows alcohol to be drunk on the premises.
- Membership to a suitable best practice scheme designed to reduce alcohol crime and disorder.

3.5. We have proposed not to apply any reductions to these categories of premises. The LNL will be used to improve the environment in the public realm and all premises in Islington will benefit from this. Our data shows that there are hotspots across Islington and that there is no type of premises that particularly contributes. The use of best practice schemes and pub watch has driven up standards within premises but has not significantly improved the area in which they are located. The Angel BID area does contribute to policing but remains a primary hot spot area within the late night economy. The proposals for spending the LNL go further than providing additional policing and will allow targeted action to support licensees across Islington.

4. Are any Late Night Premises not affected?

- 4.1. The LNL only applies to premises supplying alcohol so it will not affect those providing only regulated entertainment or late night refreshments.
- 4.2. It will not apply to any premises supplying alcohol whilst holding a Temporary Event Notice.

5. How long does the LNL continue for and can it be varied?

- 5.1. Once the LNL has been introduced, it will continue unless the council decides that the levy should no longer apply.

- 5.2. The council can vary the hours of the levy, the exemptions and reductions, or change the split of the proceeds between the police and the council (however the police must be given a minimum of 70%) once it's in place, subject to consultation.
- 5.3. Any changes can only take effect at the start or finish of the levy year.
There must be further consultation before any changes are made.

6. Can licensees vary their licenses to avoid the LNL?

- 6.1. If the LNL is introduced, licensees have a right, to make an application to vary their license so that the premises will not be subject to the LNL. They can alter the days or hours of operation free of charge so long as this is done before the LNL is in place.

7. When is the LNL payable and how is it enforced?

- 7.1. In the case of existing licenses, the LNL is payable annually along with the license fee. In the case of new licenses, the first LNL is payable within 14 days after the grant of the license and, in subsequent years, at the same time as when the annual fee is payable.
- 7.2. If the LNL is not paid within 21 days, the council is required to suspend the premises license or the club registration certificate until it is paid. It is also recoverable as a debt.

8. How much is the Levy?

- 8.1. The amount of the LNL is fixed by the UK Government and depends on the ratable value and use of the premises. The amounts are set out below:

Ratable Value Bands Equivalent	Annual LNL	Weekly
(based on the existing fee bands)		
A. No ratable value to £4,300	£299	£5.75
B. £4,301 to £33,000	£768	£14.76
C. £33,001 to £87,000	£1,259	£24.21
D. £87,001 to £125,000	£1,365 (£2,730)	£26.25 (£52.50)
E. £125,001 and above	£1,493 (£4,440)	£28.71 (£85.38)

- 8.2. Where premises within Bands D or E primarily or exclusively sell alcohol for

consumption on the premises, a multiplier is added to ensure that larger clubs and bars make a higher contribution. This figure is shown in brackets.

- 8.3. If the premises have no ratable value, Band A is used. If the premises are in the course of construction, they will fall within Band C.
- 8.4. The liability for the LNL is reduced if the license lapses or if an Early Morning Alcohol Restriction Order comes into force. The council can also decide to reduce the liability for the LNL if the license is surrendered but not if it is revoked.

9. How much money will the Levy raise?

- 9.1. Based on the current number of premises opening between midnight and 6am and using our proposed scheme, we would raise £450,000 This figure will vary if premises apply to reduce their operating hours and close before midnight. The council is able to deduct the costs of applying and collecting the levy and we estimate this to be £40,000 in the first year but reducing in subsequent years.
- 9.2. We have to allocate a minimum of 70% of the levy to the police but the percentage can be increased. The proposals for spending the levy are flexible so that they can be adjusted to fit the available budget. Based on our current calculation we would be able to allocate £270,000 – 70% - to the police and £115,000 – 30% - to the council to be used on services. The current estimated spend on policing the levy hours is £161,500, with costs to the council of £550,000 in managing licensing, littering, noise and anti social behavior during the same period.

10. How will the Levy be spent?

- 10.1. The way in which the police can spend their allocation is not restricted however the council can only use its share of the levy for:
- The reduction or prevention of crime and disorder
 - The promotion of public safety
 - The reduction or prevention of public nuisance
 - The cleaning of streets, land or spaces that is free to the public to use.
- 10.2. The council and the police currently work in partnership to manage the nighttime economy in Islington. It is proposed that rather than see the levy revenue split between two separate programs, a single programme is delivered in partnership between the council and the police. The proposals we have for spending the levy are to :

- Have a uniformed presence patrolling at weekends to deal with enforcement issues, drunkenness, street urination, rowdy and nuisance behaviour and assistance to vulnerable individuals identified.
- Provide additional policing to support operations targeting crime and disorder
- Work with business to undertake crime prevention initiatives and introduce a safe haven scheme to operate at night
- Provide outreach services to assist with street drinking
- Provide additional cleaning and service such as litter removal, graffiti removal and cleaning

10.3. A review of alcohol related crime and anti-social behaviour is included at the end of this document which illustrates the need to provide additional resources through the levy.

11. How will the decision be made?

11.1. The decision will be made at the Council meeting on 27th February 2014. The council will be considering the costs of policing and other arrangements for the reduction or prevention of crime and disorder relating to alcohol use between midnight and 6am; and the desirability of raising revenue through the levy. The consultation results will be used as part of this decision making process. If adopted, it's proposed that the levy will be in force from 1st June 2014, with payments collected at the same time as the annual fee.

12. What happens next?

12.1. The consultation will be open from 3rd December 2013. The survey can be found on our website – www.islington.gov.uk/latenightlevy - however we will accept paper copies or other representations.

12.2. We have to consult with

- The Deputy Mayor for Policing and Crime for London
- The Metropolitan Police Commissioner
- Holders of premises licenses and club registration certificates who will be affected by the LNL.

12.3. We also want to hear the views of residents and other interested parties in Islington such as councillors, ward partnerships, trade and voluntary sector organisations.

12.4. The consultation will close on 31st January 2014.

12.5. Details of the responses to the consultation will be available from the licensing team once it has closed.

If you wish to discuss, you can contact the licensing team at latenightlevy@islington.gov.uk or by telephoning 0207 527 3031.

Appendix 1 – Alcohol related crime figures October 2012-September 2013

1. All Alcohol Related Offences between 0000-0600hrs

1.1. During the 12 month period there were **516** reported Alcohol flagged Crimes between 0000-0600hrs.

1.2. Hotspot mapping indicates that the main priority areas for these offences were:

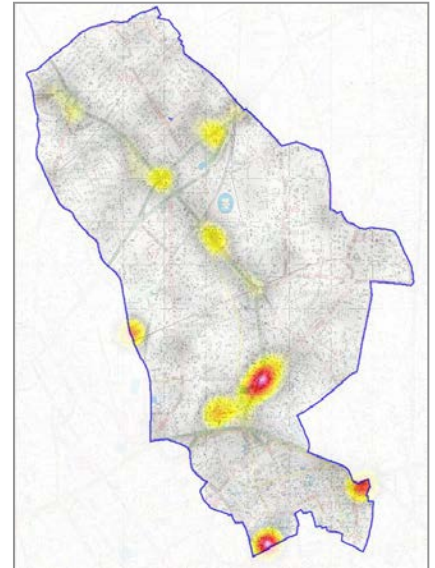
1. Islington Green along Upper Street / Essex Road.
2. Charterhouse Street
3. Old Street / Cowper Street
4. York Way

*Note: Islington Police Station shows as a false hotspot

1.3. The top three crime types for these offences were Assault with Injury 16%, Other Accepted 12% and Serious Wound GBH 10%.

1.4. The busiest three months for offences were December 2012 (51), May (51), October (49).

1.5. The combined peak days times for offences were Saturday and Sunday between 0000-0400hrs.



Crime Type	Count	%
Assault with Injury	82	16%
Others - Other Accepted Crime	64	12%
Serious Wounding	53	10%
Common Assault	43	8%
Other Theft Person	39	8%
Harassment	39	8%
Personal Property	37	7%
Other Theft	37	7%
Possession Of Drugs	20	4%
Other Sexual	15	3%
Rape	11	2%
Criminal Damage To Other Bldg	11	2%
Offensive Weapon	10	2%
Other Notifiable	10	2%
Other Criminal Damage	9	2%
Criminal Damage To a Dwelling	8	2%
Criminal Damage To M/V	7	1%
Burglary in a Dwelling	5	1%
Other Violence	5	1%
Drug Trafficking	4	1%
Other	7	1%
Total	516	100%

Month	Total
Oct 2012	49
Nov 2012	47
Dec 2012	51
Jan 2013	41
Feb 2013	43
Mar 2013	47
Apr 2013	32
May 2013	51
Jun 2013	44
Jul 2013	34
Aug 2013	35
Sep 2013	42
Total	516

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
0000-0059	10	13	6	13	20	35	37	134
0100-0159	7	10	7	14	6	29	38	111
0200-0259	12	5	6	3	9	34	31	100
0300-0359	8	8	6	7	6	18	28	81
0400-0459	3	5	3	4	5	22	15	57
0500-0559	1	2	2	1	2	11	14	33
Total	41	43	30	42	48	149	163	516

2. Alcohol Related VAP (Violence Against Person) Offences between 0000-0600hrs

2.1. During the 12 month period there were **232** reported Alcohol flagged Violence Against the Person Crimes between 0000-0600hrs.

2.2. Hotspot mapping indicates that the main priority areas for these offences were:

1. Islington Green along Upper Street / Essex Road.
2. Old Street / 32 Cowper Street
3. Below Holloway Road Station / London Met University
4. Charterhouse Street

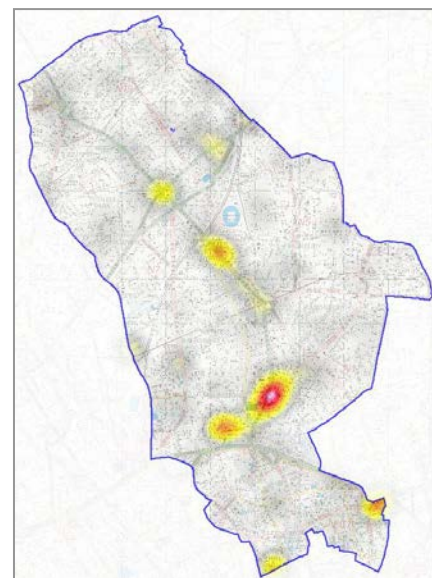
*Note: Islington Police Station shows as a false hotspot *

2.3. The top three crime types for these offences were Assault with Injury 35%, Serious Wound GBH 23% and Common Assault 19%.

2.4. The busiest three months for offences were November (25), May (25) and December (24).

2.5. The combined peak days times for offences were Saturday and Sunday between 0000-0400hrs.

2.6. Using the cost of crime methodology developed by the Home Office for these offences suggests that the cost society incurred as a result of alcohol related VAP was £2,414,656. (HOR 30/5). These figures do not account for inflationary rises therefore in real terms the costs are likely to be even greater. (Calculation was developed to look at three significant areas; cost in anticipation of crime, i.e. insurance and prevention, cost as a consequence, such as victim and health services, physical and emotional cost, property stolen/damaged and lastly costs in response to crime).



Month	Total	Crime Type	Count	%
Oct 2012	19	Assault with Injury	82	35%
Nov 2012	25	Serious Wounding	53	23%
Dec 2012	24	Common Assault	43	19%
Jan 2013	21	Harassment	39	17%
Feb 2013	14	Offensive Weapon	10	4%
Mar 2013	19	Other Violence	5	2%
Apr 2013	16			
May 2013	25			
Jun 2013	19			
Jul 2013	20			
Aug 2013	17			
Sep 2013	13			
Total	232	Total	232	100%

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
0000-0059	3	5	1	7	9	16	19	60
0100-0159	4	4	4	7	2	15	17	53
0200-0259	5	3	3		4	17	14	46
0300-0359	5	1	2	2	4	6	13	33
0400-0459	2	3		2	1	11	5	24
0500-0559		2	2		2	5	5	16
Total	19	18	12	18	22	70	73	232

3. Alcohol Related CAD Calls between 0000-0600hrs

3.1. During the 12 month period there were **357** Cad calls with an Alcohol qualifier between 0000-0600hrs.

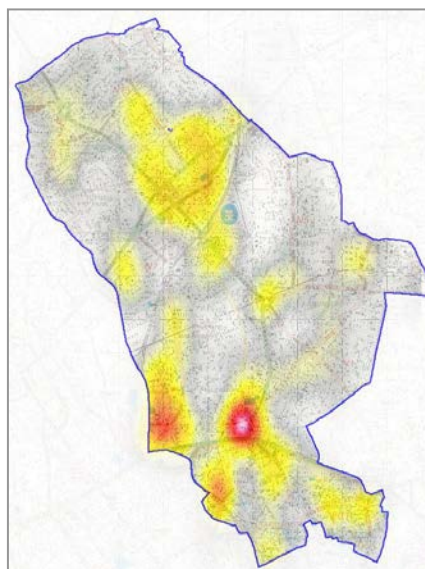
3.2. Hotspot mapping indicates that the main priority areas for these offences were:

1. Angel Area: Chapel Market, Upper Street, Islington High Street. Liverpool Road
2. King Cross Border Area: Lower York Way, Lower Caledonian Road, West End of Pentonville Road.
3. Exmouth Market and Wilmington Square Area.

3.3. The top three cad call types for these offences were Rowdy or Inconsiderate Behaviour 36%, Concern For Safety 13% and Violence Against The Person 11%.

3.4. The busiest four months for calls were June (40), April (38), September (34) and August (33).

3.5. The combined peak days times for calls were Saturday and Sunday between 0000-0400hrs.



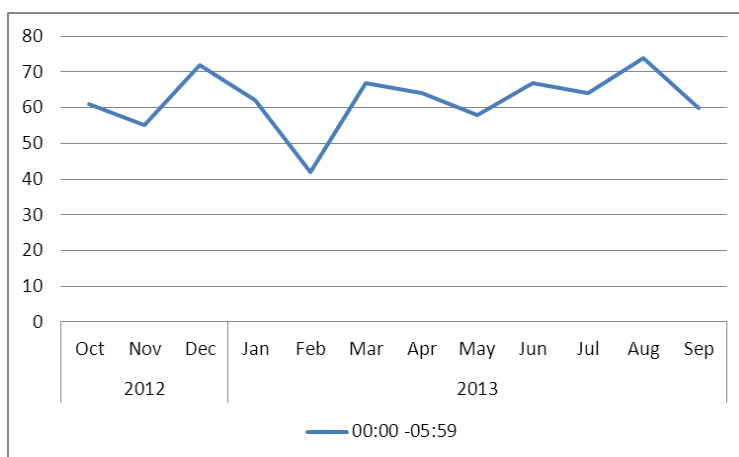
Cad Type	Count	%	Month	Count
Rowdy Or Inconsiderate Behaviour	127	36%	Oct 2012	30
Concern For Safety	46	13%	Nov 2012	19
Violence Against The Person	39	11%	Dec 2012	30
Contact Record	18	5%	Jan 2013	27
Collapse / Illness / Inj / Trapped	18	5%	Feb 2013	22
Domestic Incident	17	5%	Mar 2013	26
Road Related Offence	16	4%	Apr 2013	38
Suspicious Circumstances	12	3%	May 2013	28
Police Generated Resource Activity	11	3%	Jun 2013	40
Criminal Damage	7	2%	Jul 2013	30
Abandoned Call	7	2%	Aug 2013	33
Civil Disputes	7	2%	Sep 2013	34
Theft Other	6	2%		
RTC / Incident - Damage Only	4	1%	Total	357
Begging / Vagrancy	4	1%		
Sexual Offences	3	1%		
RTC / Incident - Injury	3	1%		
Hoax Call To Emergency Services	3	1%		
Other	9	3%		
Total	357	100%		

Time Range	MON	TUE	WED	THU	FRI	SAT	SUN	Count
0000-0059	17	8	14	8	10	24	10	91
0100-0159	8	5	6	11	12	24	20	86
0200-0259	5	4	8	15	4	17	16	69
0300-0359	3	3	3	3	2	19	18	51
0400-0459	2	4	1	4	2	10	11	34
0500-0559	3	3			5	6	9	26
Total	38	27	32	41	35	100	84	357

4. London Ambulance Service Attendance

4.1. Alcohol Flagged Attendance

Between October 2012 and September 2013 London Ambulance attended 2460 calls where the consumption of alcohol was flagged as a factor. Of these calls 30% (746) occurred between the hours of 00:00 – 05:59. The graph below illustrates the distribution of alcohol related attendances over the year that occurred overnight, with notable peaks identified during December (72), corresponding with the festive season and August (74).



4.2. LAS Attendance Assault

Over the last 12 months, October 2012 – September 2013, London Ambulance Service attended 1551 incidents where the main complaint or incident type was noted as an assault. Twenty-nine per cent (455) of these occurred between the hours of 00:00 – 05:59. The graph below displays the distribution of attendances between midnight and 05:59 over the year. December and March both equally had the greatest number of attendances (51)

