

Homes and Neighbourhoods  
Community Safety Security and Resilience

Report of: Corporate Director of Homes and Neighbourhoods

Meeting of: Licensing Committee

Date: 12 March 2024

Ward(s): All

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## Subject: Licensing Update

### 1. Synopsis

1.1. This report updates the Licensing Committee on three key issues relating to Licensing:

- Late Night Levy Annual Report for 2022-23 (Appendix A).
- Draft Cultural Strategy (Appendix B)
- Guidance for Licensing Committees on Planning and Licensing (Appendix C)

### 2. Recommendations

2.1. To note

- Late Night Levy Annual Report for 2022-23 (Appendix A)
- Draft Imagine Islington Culture Strategy and action plan (Appendix B1 and B2)
- Guidance for Licensing Committees on Planning and Licensing (Appendix C)

### 3. Background

#### **Late Night Levy Annual Report 2022-23**

3.1. Islington Council adopted the Late Night Levy on 1<sup>st</sup> November 2014 and from that date any licence holder permitted sell alcohol after midnight was required to pay the

levy. All income raised by the levy must fund activities that benefit the night time economy.

3.2. In Islington, the Late Night Levy income funds

- Operation Nightsafe – delivered by Parkguard Patrol Service
- The deployment of both a rapid response and intelligence lead policing capability at night and daytime follow up action.

3.3. The Levy Year runs from 1 November to 31 October.

3.4. The annual report explains in more detail the activities funded by the levy, the achievements in 2022/23 and summary of levy income and expenditure. (see appendix A)

### **Draft Cultural Strategy**

3.5. In 2023 the Employment Skills and Culture Division undertook an extensive consultation to help develop a Cultural Strategy for Islington. The draft strategy is attached as Appendix B

### **Licensing Committee Guidance on Planning and Licensing**

3.6. Planning and Licensing are two separate regimes used by the council to achieve strategic aims and perform statutory duties as a Licensing Authority and Planning Authority. This siloed approach to decision making can create difficulties at local authority level, where a joined-up approach to decision making is the preferred approach.

3.7. At the last Licensing Committee members requested written best practice guidance to assist members when making decisions about a licence application that does not appear to be aligned with planning permission.

## **4. Implications**

### **Financial Implications - Late Night Levy Annual Report**

4.1. All premises licence holders permitted to sell alcohol beyond midnight are required to pay the Late Night Levy. The amount payable is determined by the rateable value of the premises and is set nationally. All income raised by the levy must be spent on activities that benefit the nighttime economy. There are no financial pressures or benefits arising for Homes and Neighbourhoods from the operation and management of the Late Night Levy. The scheme will be financially net neutral.

4.1.1. The levy funds:

- the Islington Patrol Service to deliver Operation Night Safe
- Two police officers
- Operation Leuctra

4.1.2. There is currently a surplus in the Late Night Levy budget.

4.1.3. Any accumulated surplus is carried forward by the Council to be used in full in future years. There is strict governance for the Levy reserves, with Islington Council holding the money, but a split in ownership with the Metropolitan Police (70%:30% respectively with the Council). Plans are currently being developed with stakeholders to ensure these reserves are brought down and the money is fully utilised in the medium-term.

4.1.4.

	22/23 (actuals)	23/24 (forecast)
Brought Forward	£975,575	£1,044,646
Expenditure	(£401,481)	(£453,000)
Income	£459,551	£511,514
Carried Forward	£1,044,646	£1,103,160

Note: The accumulated surplus are partly higher than it would normally be due to increases in rateable values and the impact of Covid.

There are no financial implications for Homes and Neighbourhoods in relation to the draft Cultural Strategy and the Licensing Committee Guidance on Planning and Licensing.

### **Legal Implications**

4.1.5. The Late Night Levy is a power, conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011.

4.1.6. The council adopted the levy in 2014 which means that it can charge a levy to persons who are licensed to sell alcohol after midnight.

4.1.7. The levy income is shared by the council and police and should be used to fund policing and other activities designed to improve safety in the night time economy.

4.1.8. There are no legal implications in relation to the draft Cultural Strategy and the Licensing Committee Guidance on Planning and Licensing

## **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

- 4.1.9. An environmental impact scoping exercise has been carried when the service was created in 2014 identified that the Late Night Levy impacts positively on the environment, particularly minimising noise and nuisance.
- 4.1.10. The 2023 Patrol Service Contract with Parkguard includes measures that the contactor will implement to achieve net zero carbon.

### **4.2. Equalities Impact Assessment**

- 4.2.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 4.2.2. An Equalities Impact Assessment is not required in relation to this report, because:
- The Resident Impact Screening Assessment, completed on 13 February 2014, indicated no negative equality impacts arising from the adoption of the Late Night Levy and there has been no change to the service since it was set up in 2014.
  - The Equalities Impact Assessment for the Imagine Islington Culture Strategy will be reviewed and updated by Community Wealth Building as part of the governance process for adopting the final version of the Strategy.
  - The Licensing Committee Guidance on Planning and Licensing explains existing best practice on reconciling legal processes for planning and licensing.

## **5. Conclusion and reasons for recommendations**

- 5.1. This report updates Licensing Committee on three issues relating to Licensing.

### **Appendices:**

Appendix A Late Night Levy Annual Report 1 Nov 2022 to 31 Oct 2023

Appendix B Draft Imagine Islington Culture Strategy and action plan

Appendix C Guidance for Licensing Committees on Planning and Licensing

**Background papers:**

None

**Final report clearance:**

Authorised by:

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Date: 7 March 2024

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