

Appendix 5

Late Night Levy Consultation – Summary of Responses Received via Letter/Email/Public Meeting

Do you believe it is appropriate for the Council to introduce the Levy?

Companies

- Whitbread PLC: No
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: No
- British Beer and Pub Association: No
- The ALMR: No. A petition against the levy also submitted with 21 signatures from various venues in LBTH.

Local Business/Organisation

- Public House: No
- Bethnal Green Pubwatch: No (response rec'd 24/8/17, 1 day after close)

Members of Business-led Best Practice (BBN) Schemes (conditional reduction for Best Bar None):

Companies

- Whitbread PLC: Yes
- Punch Taverns Plc: Qualified Agreement – other scheme that can be shown to meet the criteria to improve standards should be considered for a reduction.
- JD Wetherspoon Plc: Yes. Consideration also for Pubwatch Members

Trade Associations

- Campaign for Real Ale: Yes
- British Beer and Pub Association: Yes
- The ALMR: yes. Full exemption for BBN, consideration also for Pubwatch members and discount for BID

Do you agree the Levy should start at midnight?

Companies

- Whitbread PLC: No
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No

- The ALMR: No. Unfair on those with special occasions such as Christmas Eve, Bank Holidays

Exemptions and Reductions

Premises with overnight accommodation:

Companies

- Whitbread PLC: Yes, but believe Hotel's should be exempted as a whole.
- Punch Taverns Plc: Yes
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Theatres and Cinemas:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: Yes
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Bingo Halls:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: Yes
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Community Amateur Sports Club:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No, do suggest exemptions for members of qualifying Business Improvement Districts (BIDs)

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Community Premises:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Country Village Pubs (Not Applicable to LBTH) (not to provide a reduction):

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: Yes
- The ALMR: No

Business Improvement Districts (Currently none in LBTH) (not to provide a reduction):

Companies:

- Whitbread PLC: No
- Punch Taverns Plc: Provisional no – specific BIDs that deal with the night time economy (NTE) should qualify for a reduction.
- JD Wetherspoon Plc: no

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

New Year's Eve:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: Yes
- JD Wetherspoon Plc: yes, obtained rights through Grandfather permissions, even if unused. Burden on licensees to pay levy or apply for minor variation for a single nights trading.

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No

- The ALMR: yes. All incidental hours such as Bank Holidays, Christmas eve, Saints Days etc should be exempt.

Small Business Rate Relief (not to provide a reduction):

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: No, these types of premises are least likely to be able to afford the levy.

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: Not answered however should consider reducing business rates burden that are affected by levy.

What areas should the levy income be spent on?

Companies

- Whitbread PLC: Cannot Answer, as do not agree with LNL
- Punch Taverns Plc: Cleaning of relevant highway or land; Crime and disorder through additional policing; they query whether income can be spent on Public Safety or Prevention of Public Nuisance under the Levy Legislation.
- JD Wetherspoon Plc: Wider leisure industry should have input in all decisions as to how proceeds are spent as well as accountability and transparency.

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: Not Answered
- The ALMR: Not answered

Public Consultation Meetings

Though generally businesses were not generally in support of the Levy many of the questions/comments raised related to concerns over transparency of where the revenue would be spent and whether businesses would see any benefit from the levy revenue. There was also a comment raised by some which was agreed by most present asking whether there could be a system in place to allow businesses to feed into where and how the revenue is spent.

Summary of Points Raised:

1. Meeting found that not all businesses were aware of Best Bar None (BBN) scheme, or the proposed discount of 30% off the levy to those businesses who have achieved BBN accreditation.
2. Concern that businesses that close at 00:00 hours will not have to pay levy yet they may still be contributing to issues that levy is designed to tackle.

3. Businesses Licensed for Late Night Refreshment are not covered by the levy, yet are likely to contribute to issues the levy revenue will be used to tackle. Therefore they will see a benefit from the levy without paying it.
4. Concern raised about transparency in terms of where and how the revenue from the levy would be spent. Business wanted to be assured that there are system in place to ensure transparency as to Council spending of the levy revenue. The Council's Transparency Policy explained.
5. Business would like to have a link into the Community Safety Partnership arrangements in determining how the revenue for the levy is spent. This would ensure revenue spent in the right areas. Business asked if a business group for similar could be part of the Community Partnership Scheme.
6. Businesses would like to see the benefits of the Levy in terms improving the Night Time Economy and asked if the borough produce any reports etc. on what the levy revenue has achieved.
7. Businesses wanted to be assured that there were process/procedures in place to hold Council to account where businesses/residents felt the money raised by the levy was not being spent correctly.
8. Concern raised that this is yet another tax on businesses and the levy charge would have a negative effect on smaller businesses.
9. Concern raised that businesses already pay a large amount for Licence Fees (annual) and do not see anything for this.
10. Businesses asked if they could reduce their hours and then use TENs if they wanted to undertake sale/supply of alcohol within the Levied hours.
11. Some businesses raise the point that a reduction in licensable hours for sale/supply of alcohol would not be a viable option.
12. Concern raise about what systems/rules are in place to stop the Council making the levy revenue part of the Licensing Budget, i.e. it is seen as regular revenue that can be relied upon year on year.
13. It was asked what exemptions were in place for charities and hotels; this was explained as detailed in the proposal.
14. Some businesses felt that they would not receive any benefit from the levy as their customers are of such a clientele that they do contribute to Crime and Disorder, Public Safety, Public Nuisance or cleanliness of the streets/highways. Due to this they feel they are being penalised by having to pay the levy at the same amount as those premises/areas of the borough with recorded issues.
15. Businesses asked if they would be able to increase their licensable hours for sale/supply of alcohol, it was explained that they could apply but that normal

charges would apply and only applications for reductions would be free as per the proposal. Guarantees could not be made on whether those who apply to increase licensable hours would be granted as this would depend on a number of factors similar to any Licensing application.

16. Businesses wanted to know why the Council is going through another consultation process regarding the Late Night Levy as they thought it was due to be introduced this year. It was explained about the Judicial Review and that it was decided not to introduce and to go back to consultation.
17. Businesses asked if they would be liable to pay the Levy where the only have levied hours on a few days i.e. nonstandard times, e.g. Friday only. This was explained that they would be liable as per the proposal.
18. Businesses asked if the Council are likely to increase the levy charge on Licensees. It was explained that the levy charge is set by local government and cannot currently be set or change locally.
19. Businesses asked what the estimated revenue expected from the levy were; this figure was given as per the proposal £300,000 to £350,000.
20. Businesses asked about the geographic location the levy would affect; it was explained that if introduced the levy would affect the borough as a whole as the Council cannot currently target the levy via geographic locations e.g. ward based.

Attendance:

Meeting 1:

1. The Backstreet Nightclub, Wentworth Mews, London E3
2. The London Cocktail Club, 253 Paradise Row, Bethnal Green, London E2 9LE & 29 Sclater St, London E1 6HR
3. Sultan Sofrasi Restaurant, 72 Parnel Road, London E3 2RU

Meeting 2

1. Rich Mix, 35-47 Bethnal Green Road, London E1 6LA
2. All Seasons Food and Wine, 799-801 Commercial Rd, London E14 7HG
3. The Green Light Youth Club, 223 Bow Road, London E3 2SJ
4. BewDog Bar, 51-55 Bethnal Green Road, London E1 6LA
5. Hilton
6. Soho House and Co
7. White Hart, 1 Mile End Road, London E1 4TP