

Police Reform and Social Responsibility Act 2011

Late Night Levy Consultation

Frequently Asked Questions:

What is a Late Night Levy?

A Late Night Levy (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.

The 2011 Act enables local authorities to charge a levy to persons who are licensed to sell or supply alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy.

Who pays the levy?

The levy is payable by the holders of any premises licence or club premises certificate, in relation to premises in the authority's area, which authorise the sale or supply of alcohol on any days during a period beginning at or after midnight and ending at or before 6am.

How much is the levy?

The amount of the levy is prescribed nationally. The levy charges are based on the current licence fee system under the 2003 Licensing Act, with holders being placed in bands based on their premises rateable value. The annual charges are set out below:

| Rateable Value Bands | Annual Levy Charge |
|---|---------------------------|
| A : No rateable value - £4,300 | £299 |
| B : £4,301 - £33,000 | £768 |
| C : £33,001 - £87,000 | £1,259 |
| D : £87,001 - £125,000 * | £1,365 |
| E : £125,001 and above ** | £1,493 |
| * The multiplier would take D x 2 to £2,730 ** The multiplier would take E x 3 to £4,440 The multiplier only applies to premises that primarily or exclusively supply alcohol for consumption on the premises | |

Why are you consulting on a levy?

The late-night economy can generate crime, antisocial behaviour, litter and people needing support. The council and police currently fund officers who deal with many of these issues. To help support this activity, we're proposing that a levy is introduced, to raise money from those businesses licensed to sell or supply alcohol between 3am and 6am.

We think this is the fairest way to fund officers from both Greater Manchester Police and Bolton Council, operating in the night time economy.

Will there be any exemption, reductions to the levy, or can a licence holder reduce their hours, so they don't pay the levy?

We're considering if there should be exemptions or reduction to the levy for some types of businesses and organisation, and there is an opportunity for some businesses to alter their hours of operation, free of charge, to avoid paying the levy.

We're considering if the following types of premises should be exempt:

- **Premises with overnight accommodation:** This exemption is not applicable to any premises which serves alcohol to members of the public who are not staying overnight at the premises, such as a hotel bar which can be accessed by the public.
- **Theatres and Cinemas:** Premises in this category must ensure that, during the late-night supply period, the sale of alcohol is only made for consumption on the premises to ticket holders, participants in the production or invited guests to a private event at the premises. Licensing authorities should be satisfied that premises, which are eligible for this exemption, are bona-fide theatres or cinemas, and that the sale of alcohol is not the primary purpose of their businesses. The definition of a "cinema" or a "theatre" should be readily understood by its plain, ordinary meaning.
- **Bingo Halls:** Premises in this category must be licensed and regulated under the Gambling Act 2005.
- **Community Amateur Sports Clubs ("CASCs"):** Premises in this category must have relief from business rates by virtue of being a CASC (Section 658 of the Corporation Tax Act 2010).
- **Community Premises:** Premises in this category must have successfully applied for the removal of the mandatory Designated Premises Supervisor ("DPS") requirement and demonstrated that they operate responsibly.
- **Country Village Pubs:** In England, premises in this category must be the sole pub situated within a designated rural settlement with a population of less than 3,000. The definition of a rural settlement appears in the qualifications for rural rate relief in Part III of the Local Government Finance Act 1988.

- **New Year's Eve:** Licensing authorities can offer an exemption from the levy for holders in relation to premises which only have a relevant late-night authorisation by virtue of their being permitted to supply alcohol for consumption on the premises on 1st January in every year.
- **Business Improvement Districts (“BIDs”):** Licensing authorities can offer an exemption from the levy for premises which participate in BIDs that operate in the night-time economy and have a satisfactory crime and disorder focus. Licensing authorities have the discretion to determine whether the BIDs in their area are eligible.

Or if premise that benefit from small business rates or are part of business-led best practice schemes should receive a reduction.

How do I give my views on the introduction of the levy?

We want to make sure we've got the details right, and if it's taken forward, ensure it works for local people and businesses, so your assistance with this consultation is important.

To view our full proposal and complete the survey, please visit the Council's website at www.bolton.gov.uk/consultations.

Alternatively, you can write to us at Freepost RTTT-YTEL-YSXS, Consultation & Research Team, 2nd Floor, Town Hall, Victoria Square, Bolton, BL1 1RU.

Or email your views to consultation@bolton.gov.uk

We invite you to give your views on the proposal to introduce this levy, but this must be submitted by **midnight on Sunday 18th June 2023**.

How do I find out more about the levy?

The consultation report considered by the Licensing Act Committee is available to view on the Council website at [Meetings and Events \(bolton.gov.uk\)](#).

If you have any further questions about the proposed levy please email licensing.unit@bolton.gov.uk

How do I find out whether the proposed levy gets approved?

Once a final decision has been made it will be published on the council website, and individual premises licence holders will be notified.