

Nottingham City Council

Licensing Committee

Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 6 May 2022 from 10.00 am - 10.30 am

Membership

Present

Councillor Toby Neal (Chair)
Councillor Gul Nawaz Khan (Vice Chair)
Councillor Audrey Dinnall
Councillor Dave Liversidge

Absent

Councillor Nicola Heaton
Councillor Zafran Nawaz Khan
Councillor AJ Matsiko
Councillor Mohammed Saghir
Councillor Wendy Smith
Councillor Linda Woodings
Councillor Cate Woodward
Councillor Audra Wynter

Colleagues, partners and others in attendance:

Ann Barrett - Solicitor
Melanie Bird - Licensing Compliance Manager
Paul Dales - Chief Environmental Health Officer
Jane Garrard - Senior Governance Officer

12 APOLOGIES FOR ABSENCE

Councillor Nicola Heaton – Personal
Councillor Zafran Khan - Personal
Councillor Rebecca Langton – Maternity Leave
Councillor AJ Matsiko – Other Council Business
Councillor Mohammed Saghir - Unwell
Councillor Wendy Smith – Other Council Business
Councillor Linda Woodings – Other Council Business
Councillor Audra Wynter – Other Council Business

13 DECLARATIONS OF INTERESTS

None

14 Minutes

The Minutes of the meeting held on 4 October 2021 were agreed as an accurate record and signed by the Chair.

15 Review of Nottingham City Council Late Night Levy Scheme

Paul Dales, Chief Environmental Health Officer, and Melanie Bird, Licensing Compliance Manager, introduced the report seeking approval to commence a statutory consultation on the proposal to revoke the Late Night Levy scheme with effect from the end of the levy period on 31 October 2022. They highlighted the following points:

- a) The Levy has been in place in its current form since 2014 and it is reasonable to review it, particularly as the Covid pandemic highlighted the financial pressures on businesses and revocation of the Levy could be an approach to reducing that burden and reducing barriers to incoming or expanding businesses.
- b) Approval from the Committee is required to commence the statutory consultation, but any decision to revoke the Levy has to be taken by Full Council.
- c) Consultation has to take place with parties defined in the Police Reform and Social Responsibility Act 2011: Police and Crime Commissioner, Chief Officer of Police, holders of premises licences issued under the Licensing Act 2003 where the scheme applies.
- d) 30% of the income from the current Levy is allocated to the Council to spend on tackling late night alcohol related crime and disorder. 70% of the income is transferred to the Police and Crime Commissioner. There are no restrictions on what the Police can spend this money on. The Council is entitled to deduct its administrative costs for collection prior to the money being apportioned.
- e) The BID has an exemption from the Levy granted by the Council because it has been determined that they contribute to community safety schemes such as managing anti-social behaviour in the night time economy and are involved in projects that target retail and leisure issues, including delivering crime prevention measures in the night time economy. There are currently 109 premises eligible under the BID exemption at a total cost of £129,556.
- f) Income was also reduced after the first year as operators were allowed to submit a free minor variation to change the hours on their premises licence so as to no longer be liable to pay.
- g) The Levy now disproportionately impacts on businesses located outside the city centre. These local businesses are more likely to be family owned, single premises rather than a franchise, entry level small businesses and BAME owned enterprises.

During subsequent discussion, and in response to questions the following additional information was provided:

- h) The Council has not received any official information from the Police about how it has spent its portion of income from the Levy.
- i) Nottinghamshire Police is aware of the proposal to consult on revoking the Levy and the statutory consultation is the appropriate way to get its feedback.
- j) There has been no strong representation from the business community about financial pressures created by the Levy and many now view it as a routine business expense, but during the Covid pandemic some licensing solicitors did highlight it as a pressure. Therefore, it is appropriate to seek business views during the consultation.

- k) While the Act sets out statutory consultees it is possible to consider the views of citizens and other businesses. The report on consultation findings will differentiate the views of different consultees.

Committee members supported the proposal to consult on revocation of the Levy, and wanted to ensure that the consultation is as open and wide as possible.

Resolved to authorise a period of statutory consultation, that is as wide and open as possible, seeking views on the revocation of the Late Night Levy scheme to take effect from the end of the levy period on 31 October 2022.