



AGENDA ITEM: 8.

**LICENSING & GAMBLING
COMMITTEE: 5 APRIL 2016**

Report of: Director of Leisure and Wellbeing

**Contact for further information: Paul Charlson (ext 5246)
(E-mail: paul.charlson@westlancs.gov.uk)**

SUBJECT: LICENSING ACT 2003 – LATE NIGHT LEVY SCOPING EXERCISE

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To provide Members with information regarding a scoping exercise to determine the potential impact of the Late Night Levy within the Borough.

2.0 RECOMMENDATIONS

2.1 That the Late Night Levy is not adopted at this time.

3.0 BACKGROUND

3.1 Members will recall the report to this Committee on 2 February 2016 attached as Appendix 3 to this report. The recommendation at that time was that a Cumulative Impact Policy and/or Late Night Levy should not be adopted. However, an alternative motion was presented and agreed that a further scoping exercise be undertaken to determine the impact of the Late Night Levy, particularly on smaller premises throughout the Borough and any steps that can be taken to alleviate unnecessary financial hardship and that the findings be brought to the next Committee for further consideration.

4.0 SCOPE OF THE LATE NIGHT LEVY

General

4.1 The Late Night Levy (the Levy) is a power conferred on licensing authorities by Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 (the 2011 Act), which would enable the Council, acting as Licensing Authority (the Authority) under the Licensing Act 2003 (the 2003 Act), to charge a levy to

persons who are licensed to sell alcohol late at night as a means of raising a contribution towards the costs of policing the late-night economy. The income derived from the Levy is split between the Council and the Police and Crime Commissioner (PCC) as detailed in this report.

4.2 The Levy would be payable by the holders of any non-exempt Premises Licence (PL) or Club Premises Certificate (CPC) in the related payment year for premises which authorise the sale or supply of alcohol on one or more days during the “late night supply period” (the Period) beginning at or after midnight and ending at or before 6am.

4.3 The key points to note from the above definition are:

- The Levy applies to all PL and CPC (unless exempt). Like many local authorities, the issues relating to late night crime and disorder are not prevalent right across the Borough. However, the Levy must apply to the whole of the Borough or not at all. Given Members’ concerns about the impact of the Levy on smaller premises throughout the Borough, it should be noted that those public houses located in the more rural parts of the Borough, which are less likely to cause crime and disorder issues, would be subject to the Levy in same way as public houses in the more urban parts of the Borough. Accordingly, the Levy could be considered a blunt instrument in that it cannot be targeted at specific areas or problems;
- In setting the Period, the Authority should take account of the hours during which key crime and disorder issues arise as well as how many premises will be affected, but the Period must be between midnight and 6am and must be the same hours on every night of the year. The Period cannot be changed on differing days of the week or different weeks of the year. Again, the Levy could be considered a blunt instrument in that it cannot be targeted at the times of the night or the nights of the year that may be more likely to cause crime and disorder issues;
- The Levy only applies to alcohol. It does not apply to late night refreshment or regulated entertainment and such premises could continue to operate without paying the Levy;
- Operators who wish to trade during the Period and avoid paying the Levy could either use their temporary event notice entitlement and/or amend their alcohol sales hours;
- The Levy would not apply to operators that reduce their alcohol sales hours outside of the Period, but keep the premises open to the public during the Period;
- Any relevant licence holder would be liable to pay the Levy, regardless of whether the holder’s premises are actually operating during the Period. For example, a holder in relation to a supermarket with a 24 hour PL will be required to pay the Levy regardless of its actual opening hours or whether they are adding to any problems in the Late Night Economy;

- A venue need only be authorised for one or more night during the related payment year to be required to pay the Levy. For example, a restaurant whose PL gives extended hours for the sale of alcohol during the Period on Valentine’s Day would have to pay the Levy. Operators may therefore view the Levy as unfair, as those who trade late on a few nights, or even one night, a year pay the same as a venue which trades late on every night of the year;
- The Authority may choose to exempt certain types of premises or offer reductions, but it can only choose from a prescribed list. These are described later in this report.

4.4 The amount of the Levy is set by statute and depends upon the rateable value of the premises, as follows:

Rateable value (£)	Band	Levy amount (£)
0 – 4,300	A	299
4,301 – 33,000	B	768
33,001 – 87,000	C	1,259
87,001 – 125,000	D	1,365
87,001 – 125,000 (exclusively or primarily alcohol)	D	2,730
125,001 +	E	1,493
125,001 + (exclusively or primarily alcohol)	E	4,440
Exemption premises	X	0

4.5 For Members’ information, Appendix 2 provides detail on those local authorities which have implemented or are considering the Levy. It is important to note that very few Authorities have currently implemented the Levy and those that have are mostly larger towns or cities. Cheltenham BC was one of the first authorities to impose the Levy, but this decision has been recently reversed. It was estimated that the Levy would provide approx. £199k income, but only £76K has been received - not all of which has been spent within Cheltenham. It is understood that their Licensing Service had to process a significant number of free [explained in paragraph 7.1] variation applications submitted by existing operators seeking to reduce their alcohol trading hours outside of the Period. It is also understood that the decision to introduce the Levy has been criticised, which has been compounded now that the Levy is to be abolished, as many operators will have to pay for a variation application to reinstate their previous trading hours.

Exemptions to the Levy

4.6 Members had expressed particular concern about the impact of the Levy on the smaller premises in the Borough and the identification of any steps that could be taken to alleviate unnecessary financial hardship. Some aspects of these concerns are addressed in the list of permitted exemptions, but it is important to note that the exemptions are not automatic. The Authority must determine which of the exemptions apply in the Borough. In so deciding, economic considerations are paramount as is whether the particular category of premises contribute in any material way to late night crime and disorder.

4.7 Each of the exemptions is considered in turn:

- Premises with overnight accommodation
Applies to hotels, guest houses, lodging houses or hostels at which the supply of alcohol between midnight and 6am is only made to persons staying there for consumption on the premises. The exemption does not apply if the premises serves alcohol to members of the public who are not staying overnight such as a hotel bar that can be accessed by the general public. Whilst there are currently 15 such premises in the Borough, each would need to be verified to ensure the exemption would be applicable.
- Theatres
Applies to such venues where the supply of alcohol between midnight and 6am is only made to ticket holders, guests at private events and those concerned in the performance, organisation or management of a production and not the general public as a whole. It is estimated that there are currently no such premises in the Borough.
- Cinemas
Applies to such venues where the supply of alcohol between midnight and 6am is only made to ticket holders and guests at private events as above. It is estimated that there are currently no such premises in the Borough.
- Bingo halls
Applies to premises where there is an Operating and a Premises Licence in force under the Gambling Act 2005 that authorises the playing of bingo and bingo is the primary activity. It is estimated that there are currently no such premises in the Borough.
- Community amateur sports clubs
Applies to those venues registered for relief from business rates under Section 658 of the Corporation Tax Act 2010. It is estimated that there are currently no such premises in the Borough.
- Community premises
Applies to PL with a condition made under Section 25A of the 2003 Act releasing it from the obligation to have a designated premises supervisor and a personal licensee. It is estimated that there are currently 2 such premises in the Borough.
- Country village pubs
Applies to public houses designated for rural rate relief in Part III of the Local Government Finance Act 1988. It is estimated that there are currently no such premises in the Borough.
- Business Improvement Districts
No such areas designated in the Borough.
- New Year's Eve
Applies only to premises whose only entitlement to supply alcohol for consumption on the premises is between midnight and 6am on New Year's Eve. If the venue is entitled to supply alcohol during those hours on any other

night of the year, the exemption does not apply. It is estimated that there are currently no such premises in the Borough.

Permitted reductions

4.8 In addition to potential exemptions, there are 3 categories of premises that may be eligible to a 30% reduction in the Levy. These categories are:

- That the venue participate in a relevant arrangement (i.e. involvement in schemes such as Purple Flag, Best Bar None and Pub Watch); and/or
- That the venue is of a low rateable value (i.e. does not exceed £12,000);
- Business Improvement Districts (BIDs).

4.9 Notwithstanding that there are currently no such arrangements, BIDs or relevant premises of such low rateable value within the Borough, the statutory qualification for involvement in the above is highly restrictive to the point that, in most cases, it could be self-defeating. This aspect of the Levy requires more information than is within the remit of this report and would be one of the aspects which would require the advice of legal Counsel.

5.0 THE TEST

5.1 As the Levy is a discretionary power, Members may consider that it is not appropriate to exercise it. It is therefore appropriate to decide whether or not the Authority has a viable proposal to introduce the Levy before incurring the costs of the formal consultation process.

5.2 The test as to whether a Levy should be introduced is described in Section 125(3) of the 2011 Act. Accordingly, the Authority must consider:

- the costs of policing and other arrangements for the reduction or prevention of crime and disorder, in connection with the supply of alcohol between midnight and 6am; and
- having regard to these costs, the desirability of raising the revenue to be applied (noting that at least 70% of the net Levy must be given to the PCC and is not ring-fenced to be spent within the Borough).

5.3 From the wording of the legislation, it is not clear whether the 2011 Act directs the Authority to only take account of the above items (and nothing else) or whether the Authority must consider the above items in addition to other factors the Authority may also consider relevant. The current debate would suggest that the latter is correct and so Members would be directed to consider the following as part of any decision to introduce the Levy:

- Whether there are alternative means of reducing crime and disorder;
- The economic effects of the Levy on operators;
- The existing of voluntary schemes for the reduction of crime and disorder, the cost of those schemes for operators, their success in reducing crime and disorder and the effect of the Levy on those schemes;
- The fairness of passing the burden to operators rather than their being borne by the community at large;
- The police's own capacity to fund crime prevention;

- The fairness of non-town centre operators funding town centre policing.

5.4 Whilst it could be argued that all of the above are potentially material to the decision to introduce the Levy, it would be for the Authority to decide what weight is given to each. This aspect of the Levy requires more information than is within the remit of this report and the lack of clarity in the legislation would require the advice of legal Counsel.

6.0 THE PROCESS

6.1 Theoretically, the Authority could carry out a simple consultation exercise before placing the outcome before Members to decide whether or not to introduce the Levy. In practice, this would not be a recommended course of action because:

- The Authority should be in a position to fully justify why it is proposing the Levy prior to consultation;
- The introduction of the Levy is highly likely to cause significant debate and so the Committee need a clear understanding of the issues relating to the adoption of the Levy – legally, economically and politically. This would clearly require the involvement of legal Counsel;
- There are five key matters that need to be consulted upon and are detailed in paragraph 6.6. It is essential that the Committee approve the exact terms of the consultation because it will not be open to them to subsequently change those terms in response to the Consultation;
- There is some constraint how the Authority may spend its share of the Levy, but there is no such constraint on the PCC. Given that the boundaries of Lancashire Constabulary are different to those of the Borough, this may mean that money raised would not be spent in the Borough. In this regard, it is important to note that there other areas, including cities, within the jurisdiction of Lancashire Constabulary that present greater risks to crime and disorder than those within the Borough. A clear understanding is therefore essential between the Authority and the PCC.

6.2 The following are therefore recommended as essential parts of the process:

Discussion with the Police and PCC

6.3 The purpose of this is to:

- Gauge the opinion of the Police as to whether the Levy is necessary relating to the costs of policing and other arrangements for the reduction or prevention of crime and disorder. This would include the scope of material required to proceed to public consultation – i.e. crime and disorder statistics and trends, the cost of policing the night time economy between midnight and 6am.
- Agree how the share of the Levy would be used, including a service level agreement - if needed.

6.4 The outline view of Lancashire Constabulary has already been sought and previously provided to Members. It is of paramount importance to note that Lancashire Constabulary has not made any approach to the Authority regarding the adoption of the Levy and that the information provided by them does not support the adoption of the Levy.

- 6.5 Without this support, the Authority cannot demonstrate that the two aspects of the statutory test [detailed in paragraph 5.2] have been addressed and therefore the Levy should be considered inappropriate at this time.

Presentation to Members

- 6.6 Notwithstanding the above information, the decision to introduce the Levy is to be made by full Council. The information required for Members would include the following as a minimum:

- The material relied upon by Officers and the Police to support the introduction of the Levy;
- The rationale based on the above information;
- Whether this information passes the requirements of the statutory test;
- The process;
- Budgetary considerations;
- The costs of policing and other arrangements for the reduction or prevention of crime and disorder, in connection with the supply of alcohol between midnight and 6am;
- The desirability of raising the revenue to be applied;
- Other material considerations;
- The net likely proceeds;
- The proposed use of the specified and non-specified proportions;
- The process;
- The need for the ultimate decision of the five matters which need to be consulted upon - the date of implementation, the late night supply period, the permitted exemption categories, the permitted reduction categories and the specified proportion (the specified proportion is the proportion of the net levy receipts paid to the Police, which must be at least 70%);
- Explanation why the late night supply period, the permitted exemptions and reduction categories and the specific proportion have been selected for consultation;
- Financial implications (i.e. costs and benefits);
- Legal risks;
- Equality considerations;
- Human right considerations.

- 6.7 As not all of the above information exists, it again highlights that the Authority is not currently in a position to introduce the Levy. Accordingly, the remit of this report cannot address the above issues in sufficient detail, and moreover, due to the amount and complexity of the information required, it would likely require additional staff resource to obtain and collate. The above information also demonstrates the level of detail that is needed to implement the Levy to avoid/mitigate against legal challenge throughout the process. The opinion of legal Counsel is therefore essential on this matter.

- 6.8 Members would also need much more financial information than has currently been presented to clearly demonstrate the amount of the Levy that is likely to be provided for the Authority and the PCC. This is a complex projection requiring accurate information on all licensed premises and would include:

- An assumption of the late night supply period;

- Accurate identification of the premises whose licences permit trade within the late night supply period;
- Estimation of those likely to vary their licences to fall outside of the late night supply period;
- An assumption as to the likely exemption categories and an accurate assessment of those premises likely to gain full exemption;
- Assessment of the remaining numbers of premises, their rateable bands, and in respect of D and E premises, whether they are exclusively or primarily for the sale of alcohol on the premises;
- An assumption as to the likely reduction categories and which of the likely non-exempt premises are within them;
- A projection of the gross income for those fully or partially liable for the Levy;
- The amount deducted as likely expenses required by the Regulations;
- An assumption of the specified portion given to the PCC;
- Deduct from the remaining sum the Authority's expenses which are not deductible according the Regulations;
- The balance is the net income to the Authority.

6.9 The remit of this report cannot address the above issues in sufficient detail, and moreover, due to the amount and complexity of the information required, it would likely require additional staff resource to obtain and collate. Again, the opinion of legal Counsel is essential on this matter. Nevertheless, it is important that the projection is done at an early stage. As a guide to Members, an estimate of the amount of Levy that could be expected is provided below:

Band	Levy amount (£)	Total properties selling alcohol between 00:00 & 06:00	Approx. Levy (£)
A	299	4	1,196
B	768	73	56,064
C	1,259	25	31,475
D	1,365	2	2,730
D	2,730	0	0
E	1,493	3	4,479
E	4,440	0	0
X	0	N/A	N/A

6.10 The total number of licensed premises within the Borough is currently 341. The estimated number of premises that could be addressed by the Levy is 107. If the Levy were set to address premises selling alcohol between 00:00 and 06:00, this could yield an estimated Levy of £95,944 pa. Members' attention is drawn to the fact that a significant number of the 107 premises currently sell alcohol until 00:30 or 01:00 and those operators may simply choose to reduce these hours to avoid the Levy. It should also be noted that if the Levy were set at a later hour, the income would be significantly reduced. At least 70% of the Levy (£67,160 approx.) must be paid to the PCC for the Police area in which it is proposed the Levy will be introduced, leaving approx. £28,784 to the Authority. However, these figures do not take into account the deduction that will have to be made for implementation and on-going administrative costs outlined in paragraph 6.8.

- 6.11 As the Levy is applicable across the Borough, the following provides an estimate of the distribution of potentially effected licensed premises:

Area	No. of premises
Ormskirk	31
Burscough	11
Newburgh, Parbold, Wrightington	11
Skelmersdale, Up Holland, Bickerstaffe	32
Aughton, Downholland, Halsall, Scarisbrick	13
Rufford, Tarleton, Hesk. with Becc., North Meols	9
Total	107

- 6.12 In the event the premises fail to pay the Levy, the Council will be required to recover the monies as a civil debt in the County Court. This will result in the use of more resources and court costs for the Council. Non-payment of the Levy can result in the suspension of the PL or CPC.

Consultation

- 6.13 The relevant Regulations only require the following to be included in the consultation:

- The PCC;
- Chief Officer of Police;
- The holders of relevant late night authorisations (i.e. those who would pay the Levy)

- 6.14 The Authority must also publish notice of its proposals on its website, in a local newspaper and to all holders of relevant late night authorisations, the PCC and the Chief Officer of Police. The notice must contain the five matters of the Levy detailed in paragraph 6.6.

- 6.15 The Regulations do not require it, but for the purposes of transparency, wider consultation would also be recommended. The Regulations also do not state the duration of the consultation period or the level of detail to be provided. However, the length of time must be sufficient for those to compile a response and the information must be proportionate and targeted at those affected by the Levy, particularly businesses, the Police, residents and other interested parties so that an informed decision can be reached (i.e. the consultation should ask direct questions as to whether each of the five matters are supported or not).

The Decision

- 6.16 The Authority should assess the consultation responses and make a final decision about whether to introduce the Levy, and if so, its design. The decision to introduce the Levy should then be put to full Council to consider. For the purposes of transparency, it is also recommended that neighbouring authorities and the Secretary of State [via the Home Office] are informed of the decision.

- 6.17 Members should also note that if the decision on the parameters of the Levy is different from that consulted, the legislation would suggest that a further consultation would be required and the process repeated. However, there is no provision for appeal against a decision to introduce, vary or abolish the Levy. Challenge may only be made by judicial review.

- 6.18 The Levy would apply indefinitely until the Authority decided that it will cease to apply. Licensing authorities are recommended to review the requirements of the Levy at appropriate intervals. A decision that the Levy should cease to apply can only be made at the end of the levy year.

7.0 ADMINISTRATION OF THE LEVY

- 7.1 The relevant Regulations allow the holders of relevant late night authorisations to submit a free variation or minor variation application so that the authorisation would fall outside the proposed late night supply period. This may be particularly attractive to operators as that could simply reduce their alcohol sales to immediately before the late night supply period to avoid the Levy.

PCC use of funds

- 7.2 The PCC have complete freedom as to where, when and how they spend their portion of the Levy. Authorities are encouraged to enter into Service Level Agreements with the PCC regarding the use of the funds, but the PCC can refuse to do so and there would be limited sanction if they later failed to adhere to the agreement. In addition, the Regulatory Impact Assessment to the 2011 Act suggests the use of:

- Multi agency educational and information programmes;
- Financial support for the use of volunteers in the night time economy;
- High profile policing initiatives;
- Operations to tackle alcohol related offences;
- Increased partnership working with licensing authorities.

Application of non-specified proportion

- 7.3 This is the sum of what is left to the Authority after deduction of expenses and the amount supplied to the PCC. Regulations dictate that this can only be spent on:

- The reduction or prevention of crime or disorder;
- The promotion of public safety;
- The reduction or prevention of public nuisance;
- The cleaning of any relevant highway or open land to which the public are permitted or have access.

- 7.4 Again, the Regulatory Impact Assessment to the 2011 Act suggests that the above can include the use of:

- Late night street wardens;
- Late night taxi marshals;
- Late night CCTV.

- 7.5 Prior to the start of each levy year the Authority would be required to publish statement of the Levy showing how the income has been administered.

8.0 CONCLUSION

- 8.1 The process to implement the Levy is complex and the resources required should not be underestimated. Additional work is required to accurately justify the rationale for, and impact of, the Levy, which cannot be delivered within existing staff resources. It is important to note that this level of detail is needed before the

consultation stage as it is essential to demonstrate why the Authority is proposing the Levy.

- 8.2 Given Members' concerns regarding the potential impact of the Levy on smaller businesses, it is also important to note that very few premises would benefit from an approved exemption or reduction. Furthermore, given the available definitions, ascertaining which particular premises fall within which category is more problematic. Accordingly, the information provided in this report regarding exemptions is only an estimate, as each potentially exempted venue would need to be individually verified to ensure accuracy and compliance with the relevant legislation.
- 8.3 Nevertheless, the estimations provided in this report demonstrate that the net income to the Authority is likely to be low, particularly when considered that this resource must be applied across the Borough. It has also been highlighted that the cost to the Authority could be significant.
- 8.4 More importantly, there is a lack of suitable evidence to support the adoption of the Levy at this time. The outline information from the most relevant partner agencies does not support the adoption of the Levy, a view which is supported by Officers. It is of paramount importance to note that there is currently insufficient information and support from Lancashire Constabulary that would mean the Authority could not demonstrate that it had complied with the statutory test detailed in paragraph 5.2. Without this information and support, the Authority cannot proceed with the Levy regardless of whether it is felt that the income could be used for the benefit of the Borough.
- 8.5 If Members wish to implement the Levy at this time, it would be in direct contradiction of the statute and Officer's recommendations. Counsel Advice is essential prior to any further work, particularly given the potential resource implications. Initial advice would be approx. £2k, but this would undoubtedly be higher if Members were to proceed with the Levy. However, there is no current budget allocated for this purpose and it is likely that the initial Counsel Advice would support the current Officer view.

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 9.1 The 2003 Act has the potential to impact upon the Community Strategy. The contents of this report have the following links with the Community Strategy: Community Safety (issues A and E); Economy and Employment (issue D).

10.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 10.1 The initial financial and resource implications are detailed in this report.

11.0 RISK ASSESSMENT

- 11.1 The Council is not under a statutory obligation to address the options contained in this report. Concerns regarding antisocial behaviour are not solely linked to issues that can be addressed by licensing controls. Members must therefore be

mindful of the remit of this Committee under the Licensing Act 2003 and the Police Reform and Social Responsibility Act 2011.

- 11.2 Criticism of the Levy has centred on it being an overly bureaucratic and politically sensitive process which may only provide a very slight economic return. This in itself may cause unnecessary criticism and detract away from the good work the Authority undertakes under the 2003 Act.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

- 1 Equality Impact Assessment
- 2 Current national status of Late Night Levy implementation
- 3 Licensing and Gambling Report: 2 February 2016

Appendix 1:

Equality Impact Assessment Form



Directorate: Leisure and Wellbeing		Service: Licensing
Completed by: Paul Charlson		Date: 15/03/16
Subject Title: LICENSING ACT 2003 – LATE NIGHT LEVY SCOPING EXERCISE		
1. DESCRIPTION		
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No	
Is a commissioning plan or contract specification being developed:	No	
Is a budget being set or funding allocated:	No	
Is a programme or project being planned:	No	
Are recommendations being presented to senior managers and/or Councillors:	Yes	
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No	
Details of the matter under consideration:		
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>		
2. RELEVANCE		
Does the work being carried out impact on service users, staff or Councillors (stakeholders):		<i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>		
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>		
3. EVIDENCE COLLECTION		
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	All licensed operations under LA03.	
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	All sections of the public use licensed businesses.	
Which of the protected characteristics are most relevant to the work being carried out?		<i>*delete as appropriate</i>

Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	All licensed operations under LA03 and the public.
What will the impact of the work being carried out be on usage/the stakeholders?	Potential implementation of licence fee structures.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Any options considered will be subject to consultation.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Any options considered will be subject to consultation.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	None.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No actions <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	Assessment will be reviewed if options are approved for further consideration.

Appendix 2: Current national status of Late Night Levy implementation

Approved

- Newcastle
- Cheltenham – now seeking to revoke the Levy
- City of London
- Islington
- Nottingham
- Chelmsford
- Southampton
- Camden

Consultation concluded

- Liverpool
- Plymouth – on hold for 2 years

Under consultation

- Tower Hamlets

Considering consultation

- Brighton – on hold
- Cheshire East
- Blackpool
- Gloucester
- Hartlepool
- Lambeth
- Hounslow
- Canterbury
- Colchester
- Warwick
- Milton Keynes
- Derby
- Oxford
- East Riding
- Stockport

Appendix 3: