

**DEALING WITH THE PROBLEMS OF LATE NIGHT DRINKING
A CONSULTATION ON SECONDARY LEGISLATION FOR THE LATE NIGHT
LEVY AND EARLY MORNING RESTRICTION ORDERS**

**PART 1 EARLY MORNING RESTRICTION
ORDERS**

CONSULTATION QUESTION 1:

Do you think that the proposed processes for Early Morning Restriction Orders include sufficient consultation with those likely to be affected by an EMRO?

Proposed response:

Yes

CONSULTATION QUESTION 2:

The government proposes that EMROs will not apply (i.e. will not restrict alcohol sales) between midnight on 31st December and 6am on 1st January of each year. Do you think that EMROs should apply on New Year's Eve?

Proposed response:

No, an EMRO should not apply on New Year's Eve

CONSULTATION QUESTION 3:

Do you agree or disagree that the categories of premises above should be exempt from **EMROs**?

Proposed response:

Agree that the categories of premises set out in the Consultation Paper should be exempt from EMROs

CONSULTATION QUESTION 4:

Do you have any other suggestions on the types of premises that should be

considered for an exemption from **EMROs**?

Proposed response:

No

CONSULTATION QUESTION 5:

Do you think that there should be an option for local residents / community groups to recommend the implementation of the levy in their area?

Proposed response:

No, because the request for a levy should arise from either the Licensing Authority or the Police but that would not prevent these groups from raising it direct with their local Councillor.

CONSULTATION QUESTION 6:

Do you agree or disagree that licensing authorities should be able to exempt these premises from the **levy**?

Proposed response:

Agreed .

CONSULTATION QUESTION 7:

Do you agree or disagree that licensing authorities should be able to exempt Business Improvement Districts from the late night levy?

Proposed response:

Agreed

CONSULTATION QUESTION 8:

Do you think that premises operating under a club premises certificate should **be exempt** from the late night levy?

Proposed response:

Rather than being automatically exempt, the Licensing Authority should have the opportunity to make club premises exempt if there is a record of having had no problems.

CONSULTATION QUESTION 9:

What are your views on affording a reduction from the late night levy to businesses that receive small business rate relief?

Please give reasons for your answer

Proposed response:

It should be an option available to Licensing Authorities particularly as there would only be a few such properties in any potential area to which a reduction would be applied.

CONSULTATION QUESTION 10:

Do you agree or disagree that there should be an exemption for New Year's Eve?

Proposed response:

Agreed

CONSULTATION QUESTION 11:

Do you agree or disagree that licensing authorities should be able to ask for a reduced levy payment from these businesses?

Proposed response:

Agreed, but should be based on effectiveness of the best practice scheme.

CONSULTATION QUESTION 12:

Do you have any suggestions for benchmarks that can be applied to grassroots schemes to ensure members are actively working to reduce crime and disorder?

Proposed response:

Not relevant to Maidstone as we have no such benchmarks at present but support the principle as long as the scheme works.

CONSULTATION QUESTION 13:

Do you agree or disagree with this set-up of cumulative discounts?

Proposed response:

Agreed, as long as there is a maximum and 30% seems an appropriate amount but more importantly that a discount should not be given for similar schemes.

CONSULTATION QUESTION 14:

Should there be scope for further exemptions and reductions from the late night levy?

Proposed response:

Yes, the Licensing Authority should always have the ability to vary based on specific issues in their area in conjunction with stakeholders.

CONSULTATION QUESTION 15:

What activities do you think licensing authorities should be able to fund with their retained proportion?

Proposed response:

Licensing Authorities should be able to use their retained proportion of the levy for anything pertaining to additional activities it undertakes arising from the late night economy.

CONSULTATION QUESTION 16:

What restrictions do you think there should be on the types of services that licensing authorities will **be able** to fund?

Please state whether you think the types of services should be limited to preventing and tackling alcohol related crime and disorder; or should extend to both preventing and tackling alcohol related crime and disorder and management of night time economy?

Proposed response:

There should be no restriction other than that expenditure should be on services that have arisen as a result of the late night economy.

CONSULTATION QUESTION 17:

If you have any comments on the Impact Assessment, please detail them here?

Proposed response:

No comments, other than the process does take some time to take effect.

CONSULTATION QUESTION 18:

If you are responding on behalf of a licensing authority, how many premises do you expect will be affected by EMROs in your area?

Proposed response:

Approximately 18 if limited to town centre area.