

Early Morning Restriction Orders		
Pros	Cons	Comment
<p>Will assist control of any alcohol related crime and disorder between midnight and 6am that can be proven as coming from a certain area.</p> <p>Will stop the sale of alcohol from a time to be decided by the Licensing Authority between midnight and 0600 hours thereby influencing when the NTE finishes, with the consequent effect on police resources.</p>	<p>Could increase the fear of crime by the public which could result in certain areas of the town wrongly becoming 'no go' areas and affecting licensees within the area who do run their premises properly</p> <p>Introduction of an EMRO in one area could cause shifting of late night alcohol problems to another area within the borough</p> <p>Introduction of an EMRO without sufficient and robust evidence would leave Maidstone at the risk of judicial review</p> <p>An EMRO stops the sale or supply of alcohol. It does not close the premises.</p> <p>EMROs will have the effect of zoning ie the sale of alcohol will stop in a particular specific zone or area of a council, possibly pushing any issues into another area of the council. Premises that are not affected and outside of the EMRO may try to take advantage and open later.</p> <p>Politically this could be seen as anti business, in a climate where the promotion of business and associated jobs is an important part of council's</p>	<p>This type of legislation is probably more appropriate to cities and large towns with a large crowds of clientele going from premises to premises being anti-social.</p> <p>Pre LA 2003 it was law for premises to stop the sale of alcohol at 0200 hours but it was common practice for entertainment to be continued until a later time ie 0300 hours or 0400 hours. Premises may do the same in an attempt to increase business.</p> <p>Careful thought will have to given as to where an EMRO is brought into effect as it could simply move problems to other areas.</p> <p>The imposition of an EMRO could have the effect of closing some businesses with associated loss of jobs. Many licensed premises are running on tight margins and this</p>

	<p>policies.</p> <p>If neighbouring councils do not impose an EMRO, people may travel to premises that open later in neighbouring towns, rather than use local businesses.</p>	could be perceived as anti business.
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Late Night Levy

Pros	Cons	Comment
Premises reduce their hours for the sale of alcohol	<p>Licensees could reduce the amount of door supervisors they employ if they reduce their hours</p> <p>Usually only obliged to provide after X hours by condition.</p>	This will involve more work for the licensing section without any income being generated cost of minor variations will be deductible from first levy period.
Licensees could apply for more Temporary Events Notices if they reduce their standard hours resulting in more income for the Council	An increase in TENs will result in an increase in administration for police. Conditions that are on a premises licence can only be put onto a TEN if the police and Environmental Health put in representations to the council.	<p>This will inevitably lead to more work for the licensing section and could also result in more Licensing Sub committee hearings if the Police or Environmental Health object to a TEN</p> <p>TEN income would not cover the cost of the administration generated as TEN's cost £21 currently.</p>
	Those licensees who pay the levy could decide that to make it worthwhile they will open longer.	<p>This could lead to more anti-social behaviour and nuisance as revellers make their way home especially as a lot of off-licences open at 06.00am.</p> <p>If licensees did wish to stay open longer then they would need to submit a variation application in the normal way which would be a source of income to the Council but would be more likely to come in one mass which would clog up the system.</p>
	There could be an expectation by licensees and the public alike that more police officers would be readily available	A levy will be council wide, not just in a town centre. While there is an discretionary exemption available for some rural business, this will not exclude many pubs etc. and certainly those in larger villages will still have to pay. There will be an

		<p>expectation from premises that believe they have paid for extra policing (which is how the levy is being promoted by the government) and for that policing to be present and available. This expectation will also be held by town centre premises. Kent Police will not be able to fulfil these expectations, especially as the amount collected will be relatively small. How will these expectations be managed.</p>
	<p>There could be bad publicity for the Council from businesses which perceive the Council of not helping them to create a vibrant night-time economy and of causing them economic difficulties</p>	<p>As with the EMRO above this is seen by the trade as a 'tax', and the council may be reluctant to be seen to be 'anti-business'.</p>
	<p>There could be increased problems in obtaining payment for both the annual retainer fee as well as the levy</p>	<p>The licensing authority do now have the ability to suspend licences for non-payment but this could impact severely on the work of the licensing team in having to deal with a lot more suspensions and re-instatement notices</p>
<p>Give Kent Police an additional funding stream to address issues of alcohol related crime and disorder.</p>		<p>Even a relatively small amount of money could fund either a reduced hours dedicated officer or targeted operations.</p>
	<p>It is unclear how much money will actually be raised by this measure.</p>	<p>While this measure will be enforced council wide it is still very unclear how much money will be collected from it. Not only are there discretionary exemptions, but there are discounts available and premises will also be allowed to remove themselves free of charge (this point is important to councils as it has a cost implication, and they will have to do this free) from any levy that is imposed.</p>
	<p>Councils may not feel it is financially worth their while collecting a levy that does not benefit them to any great extent.</p>	<p>Councils will be able to take from the levy their costs incurred in calculating, collecting and enforcing the collection. In addition they can then take 30% of what is left, leaving the remaining 70% for the police. It is proscribed in the regulations what this can be spent on, giving councils few options on how to spend the money. How much of an incentive is there to impose the levy in order to collect money for another organisation ie the police?</p>

