

**From:** [Rob Hawkesworth](#)  
**To:** [Licensing Policy](#)  
**Subject:** Late Night Levy - Consultation  
**Date:** 30 July 2014 15:34:17  
**Attachments:** [Southampton - LNL response by Stonegate Pub Co.docx](#)

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### **Summary Overview – (Full answers to the Consultation Questions are attached)**

This submission is made on behalf of Stonegate Pub Company. We are the largest privately held managed pub operator in the UK and we employ over 12,500 people. The company operates 620 pubs and bars trading in all parts of the UK, but specifically with 6 venues in Southampton, employing over 150 people, all of which would attract the levy. This response should therefore be taken as 6 separate and individual responses, one for each of our operating venues.

We are full members of the ALMR and have contributed to their comprehensive “industry” response, which we fully endorse and which has been submitted separately. As a national operator we, along with the ALMR, continue to oppose the imposition of an additional tax on late night businesses at a national and local level, particularly when it will be not be levied on all the businesses engaged in late night activity and contributing towards the anti-social behaviour and disorder problems arising from it. We would urge the Council to work to support voluntary initiatives and partnership schemes which are effective and successful in addressing alcohol related harm and which have led to declining levels of crime and disorder across many other towns and cities.

Whilst we do acknowledge that our businesses should play a proactive role in tackling alcohol related harms, crime and disorder in the Night Time Economy is not simply the responsibility of late night licensed bars. Crimes or incidents which occur within the late night supply period will be generated by a range of factors and behaviours that are not directly attributable to NTE businesses, including consumption earlier in the evening or at home. Despite this, it is only late night licensed hospitality businesses which will bear the extra levy costs and we believe it may undermine financial support for any other voluntary initiatives.

The night time economy is fundamentally linked to all aspects of the offer that Southampton represents: it supports and sustains the city as a destination venue; those visiting will need food, drink and licensed accommodation as do those working in offices and living in the city centre. The businesses that we operate not only provide a vibrant late night offer but are the same businesses which provide those services throughout the day – and vice versa. The health of the sector and the economy are interlinked and measures which undermine late night businesses will have a knock on effect on the viability of trade during the day and earlier evening.

We firmly believe that consideration should be given to the impact that pre-loading has on alcohol related crime and disorder more generally. Research suggests that those who drink at home are two and half times more likely to have been in a fight in the last 12 months, and pre-loading is more strongly associated with being involved in nightlife violence than the total amount of alcohol drunk. Pre-loading is driven primarily by price and further increasing the cost of alcohol in the on-trade – where it is already up to 10 times more expensive to drink than the off trade – will only exacerbate this.

We agree that there is a need to tackle all alcohol related disorder and we have to ensure that ours are pleasant and safe environments for our customers. We believe that a partnership approach which deals with the root cause of any problems and is targeted and proportionate is a better means than a fixed rate tax on businesses. A levy may raise revenue to clean up any problems, but it will do nothing to deliver better management standards and responsible retail practice which may prevent them occurring in the first place.

In summary, therefore we oppose the introduction of a late night levy at this time. Whilst we support the strategic aims and objectives, we believe that there are more cost effective mechanisms to deliver them rather than a blanket tax on a small part of the NTE. The cost of a levy could be passed on, the effect of which may be to widen further the price differential between on and off trade and act as a further disincentive to drink in a supervised and responsible environment. A levy may also discourage the positive working objectives of many of the partnership working initiatives such as Best Bar None, BIDs and Pubwatch. The levy could consequently have a negative impact upon the council's strategic objective of capturing more and different leisure visitors and place Southampton at a further competitive disadvantage.

kind regards

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**Southampton Late Night Levy - Consultation response by Stonegate Pub Company**

1. **Do you agree that the costs of policing and other arrangements for the reduction or prevention of crime and disorder in connection with the late night supply of alcohol are a fair assessment? Do you think that there are any costs which should not be taken into account? Do you think that there are other costs which should not be taken into account?**

No, the figures quoted are gross figures for policing or dealing with any late night issue and not necessarily specific to the problems arising directly from those businesses that will be affected by the levy. There will already be a cost for policing the city centre even when all businesses are closed. Moreover, figures quoted for the costs of dealing with alcohol-related harms both in respect of the police and the health service include problems and issues which are far broader than those touched by the levy, such as consumption at home, street drinking or issues related to fast food takeaways, or other similar businesses.

More accurate estimates should be produced for the cost of policing those businesses which will be subject to the levy. It is also vital that any levy proceeds represent additional expenditure over and above that already committed to tackling alcohol related harms and are not simply used to subsidise existing public services.

2. **Do you agree with the assessment of crime and disorder in connection with the late night supply of alcohol?**

Our sources advise that the latest figures would show a significant decline in current levels of crime and the parameters used are very wide, classifying the NTE as between 7pm and 7am, which will include a number of incidents that are not specifically related to the true NTE – broken down further to just 27 incidents a week, or 0.0004 per visitor. It is also noted that a very small proportion of all offences occur in or directly around licensed premises (9% in a club, 8% in a pub and 1% in a queue for a licensed premises); it goes on to highlight city parks and the general street scene as of greater concern.

The consultation document clearly states that Southampton is a safe city with a reputation for vibrant and varied nightlife enjoyed by residents and visitors. This is in large part due to the significant investment made by licensed hospitality businesses in internal standards and voluntary initiatives such as BBN, taxi marshalls and street pastors. Another example would be the significant extra cost incurred in the employment of competent and registered doorstaff.

3. **Do you agree with the benefits of the Night Time Economy in the City?**

Whilst we believe they are understated, we do agree with the benefits listed in the consultation document. However, the proposed increase in operating costs as a result of a levy could place it at a competitive disadvantage. The NTE is a strong factor in drawing people into the city centre; this could be jeopardised by the imposition of a levy.

We also believe that a high number of smaller pubs will adjust their hours to avoid the levy, which will have an impact on projected levy revenues. Evidence from Newcastle supports this theory. The NTE is not just an important economic sector in its own right, it also underpins the success and contribution of other businesses within the city. Our businesses that thrive and provide a vibrant late night offer are the same businesses which provide those services throughout the day – and vice versa. The health of the sector and the economy are interlinked and measures such as the levy which undermine late night businesses will have a knock on effect on the viability of trade during the day and evening.

4. **Do you have any comment on the amount of revenue the levy is likely to raise?**

We are keen to ensure that Southampton retains a vibrant and diverse evening and night time economy which is sustainable, which allows and encourages us operators to invest in their staff, their premises and their offer and which delivers the highest standards of management practice in order to minimise any problems which may arise. In considering the case for a levy the Council should have regard to the unintended consequences of taxing businesses which have late night permissions, some will surrender the permissions rather than be taxed, thereby reducing choice, and others who regularly trade in the late night economy may have to sell more alcohol to generate the margin to pay the additional tax. Meanwhile the off-trade is able to capitalise on the opportunity to fill any gap and sell more alcohol free of a levy. The levy is a significant additional overhead which will be a material consideration in decisions on operating practice and model as well as investment in premise and location. We note that the Council's best estimate could be optimistic if more operators amend their hours which would result in the local authority retaining much less than anticipated.

5. **Do you agree that there is a need to raise the revenue that a levy may produce?**  
We believe it is important to manage out the problems where possible rather than simply paying to clean up after them, remedies for which already exist within Licensing law. As stated previously, we have a real interest in driving down crime and improving the city centre environment, but it is key that investment is focused on the solutions which will deliver the greatest results. For this reason, partnership working rather than a mandatory blanket tax remains our preferred, more effective approach.

6. **Do you agree that it is desirable to raise the revenue through a levy?**  
In deciding whether to introduce a late night levy, the licensing authority must bear in mind that any increase in operating costs will be a challenge to an already over-taxed industry in this current economic climate.

As responsible operators throughout the day and all sectors, we continue to oppose the imposition of an additional tax on late night businesses at a national and local level, particularly when it will be not be levied on all the businesses engaged in late night activity and contributing towards any anti-social behaviour and disorder problems which may arise from it. There are legitimate concerns about street drinking, off-licence sales and concentration of premises and crime and disorder within the City centre occur throughout the day and early evening periods. Very few of the businesses which contribute to these problems will be paying the levy.

7. **Do you agree that the Late Night Supply Period should begin at 0.01 and ends at 6am?**  
We do not believe that the imposition of a levy is the right way to tackle issues in the late night economy and therefore do not believe any levy period is appropriate or justified.

Many incidents occurring after midnight will be caused by consumption before then or may not be related to the NTE at all. Our preference therefore remains for business-led solutions to clearly identified problems delivered through voluntary best practice initiatives. Our concern is that the imposition of a flat rate tax may undermine this. Furthermore, in the absence of any information on the volume of crime or problems arising at various times, it is almost impossible to provide a meaningful response to this question. However, given that only a small number of premises are licensed between midnight and 1am, our preference would be for the levy to commence at 01.01.

8-16. **Do you agree that certain types of premises should be exempt?**  
While we do not support the imposition of a levy on any business we agree that, if the problems are sufficiently serious to warrant its imposition, then all businesses selling alcohol at that time should be liable. We therefore do not support the Council's proposals to exempt a large number of premises and only impose a levy on late night pubs, bars, restaurants and nightclubs.

17-18. **Do you agree that prescribed premises should not be granted a discount from the levy?**  
We disagree with the proposal not to offer discounts. As stated previously, partnership based best practice schemes are the most effective at tackling identified problems of crime and disorder and failure to offer a discount to those businesses actively involved in Pubwatch, Best Bar None, Street Pastors and taxi marshalling or other similar initiatives will undermine our support for those voluntary measures

Best Bar None in particular has proved effective at reducing not only levels of crime but the costs of policing. Evidence from towns like Durham shows that implementation of the scheme has increased footfall in the important early evening bridge period, encouraged a more diverse customer base, with families and older customers returning, and reduced policing costs. Concentrating a late night economy into fewer venues and reducing trade competition is as likely to exacerbate social disorder issues as solve them.

The consultation goes on to ask whether we would support the development of a best practice scheme which may be eligible for discount. While we would of course support this and would be willing to work with the Council to deliver this, we believe that those schemes are already in existence and that the discount should be applied to them. Any discussion about an additional best practice scheme should be led by and be derived from BBN.

19. **Do you agree that the net revenue from the levy should be split 70:30 between the Hampshire Police and Crime Commissioner and the Council?**

The precise split in revenue proceeds is arguably less relevant than whether the levy should be imposed in the first place. We continue to believe that a voluntary approach will be more flexible and more effective in addressing problems and issues as they arise.

We note, however, that the revenue will go to the Hampshire Police and we are understandably concerned to ensure that guarantees are in place to ensure that it will be spent on policing within Southampton town centre.

20. **Do you have any comments on the range of activities which the Council would wish to develop using its share of the levy revenue?**  
We do not agree with the introduction of a levy, but strongly support partnership schemes such as BBN to resolve any perceived issues.
21. **Consultation Question 21 – IMPLEMENTATION DATE & TIMETABLE**  
We do not agree with the introduction of a levy at any time.

**PERSONAL DETAILS**

**MY FULL NAME:** Rob Hawkesworth, Head of Risk Management,  
Stonegate Pub Company Limited

**MY ADDRESS:** 500 Capability Green, Luton, Beds, LU1 3LS

**MY TELEPHONE NUMBER:** 0845 129 7570

**MY EMAIL ADDRESS:** rob.hawkesworth@stonegatepubs.com

We are Premises Licence Holders for 6 venues operating in Southampton and are likely to be subject to the LNL.



# Hampshire Constabulary

Chief Constable Andy Marsh

Southampton Central  
Police Station  
Southern Road  
Southampton  
Hampshire

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Late Night Levy Consultation  
Licensing  
Southampton City Council  
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**Our Ref:** JF

31 July 2014

Dear Sir

As police commander for Southampton, I would like to take this opportunity to confirm Hampshire Constabulary's support for the proposed Late Night Levy (LNL) for the city as part of the public consultation process.

The city's Night Time Economy (NTE) places a heavy burden on officers and staff as we work to minimise the effects of alcohol related crime and disorder, and ensure public safety. When assessing the 'opportunity costs' of policing in these areas; patrols, dealing with crime, incidents and prisoners; it has been conservatively estimated to reach levels in excess of £1.5 million per annum.

As chair of the Safer City Partnership, I am also aware of the significant responsibilities taken on by our partner agencies; from the city council, health services through to the wider criminal justice system; all so frequently linked to alcohol consumption and drink related crime and disorder. The voluntary sector also plays an important role in promoting safety and supporting the vulnerable.

None of the above should be interpreted as criticism for the vast majority of venues and licensed premises with whom we work as key stakeholders in the NTE. Many have been recognised through national awards on their 'whole team' approach to problem solving and crime reduction.

Public Authorities recognise their statutory responsibilities to protect the vulnerable and manage incidents; the introduction of a LNL ensures, at a time of reducing budgets, that the supported infrastructure across the NTE; Street Pastors, Ice Bus, taxi marshals and CCTV Citywatch, remain funded and continue to deliver their effective services focusing on the safety and security of those using these venues.

The funding for these essential services is presently absorbed within current police and local authority budgets, these will be "at risk" due to public sector funding cuts across the police and local authorities.



# Hampshire Constabulary

Chief Constable Andy Marsh

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I can confirm the organisational position of the Chief Constable remains as set out in the letter dated 04/03/2014 from the Police and Crime Commissioner (PCC) for Hampshire, Simon Hayes. The letter outlines the promise of the PCC to "*devote all income generated to improving the safety of the people using the City's night time economy*".

In conclusion, I am fully supportive of the proposals for the LNL and hope it will continue to support the excellent initiatives used to make the NTE thrive and ensure people are safe when visiting.

This letter will accompany the completion of the public consultation questionnaire by Inspector Justin Roberts (Western Area Community Safety & Licensing).

Yours sincerely

A handwritten signature in black ink, appearing to read 'James Fulton'.

**James Fulton**  
**Superintendent**  
**Southampton**

Bryn Lewis  
Director and Manager  
The Brook Music Venue  
466 Portswood Road  
Southampton  
SO17 3SD

Mr Richard Ivory  
Head of Legal and Democratic Services  
Southampton City Council  
Civic Centre  
Southampton  
SO14 7LY

Dear Mr Ivory,

29<sup>th</sup> July 2014

### **Late Night Levy Consultation**

Thank you for your letter inviting us to be involved in the consultation on the proposal to introduce a late night levy on licenced and club premises in Southampton.

With regards our premises, The Brook, we strongly believe that a levy of this kind is totally unjust and potentially places a disproportionately high financial penalty on our venue with no valid justification. Various positive managerial, organisational and demographic factors contribute to our outstanding reputation as premises that do not make demands upon the resources utilised by other licenced and club premises in Southampton, especially those in the city centre.

Whilst we are authorised to sell alcohol between 0001 and 0200, provision of entertainment is our primary use and the alcohol sale element of our licence compliments this, the vast majority of our customers having left the building by midnight.

As detailed in the late night levy consultation document, we do not use, or have need for, extra policing, suffer from anti-social behaviour or the need for clean-up so do not believe that we should contribute financially to these costs.

We have no need for taxi marshals, and the nature and age of our customer base coupled with persuasive notification and our excellent door staff, help ensure that our customers leave quietly. Despite living in an area of domestic housing rather than retail, we have not received any complaints or negative comments about noise pollution, late night or otherwise, since 2004. At that time, the complaint was based on noise generated by transport delivering sound and other band equipment rather than from customer behaviour. Subsequent building and procedure changes at The Brook have meant that this potential for noise pollution is now eliminated.

We have not had need to call for police assistance for over 4 years.



We do not make extra demands on police and council services above and beyond those made by other licenced premises that do not hold a licence to sell alcohol after midnight, indeed, our business is less demanding than some domestic situations in the city.

Whilst we appreciate the potential need to recoup some of the extra costs of resourcing the demands of certain licenced and club premises in Southampton, we believe that a blanket levy based on all premises with a licence to sell alcohol between 0001 and 0600 would not necessarily be recouping from those premises which use the police and council resources most severely.

In addition, we would query why the time frame of late night levy in Southampton has been altered from 0100 and 0600 that was trailed and subsequently approved for implementation in (for example) Chelmsford?

Any levy to be introduced, in our opinion, should be 'means tested' on an individual basis. It would recoup financially from those premises with the greatest usage. Over time, positive management and organisational choices made within those businesses would, coupled with the proposed 'best practice' discount scheme, act as an incentive and help reduce the need for more support from outside agencies.

Thank you again for this opportunity to comment on the proposal and please do not hesitate to contact me further if necessary.

Yours sincerely,

*Bryn Lewis*

Director and Manager 'The Brook'

07776255500

*Dylan Clarke*

Director and Manager 'The Brook'

RECEIVED

To Whom It May Concern:

This is my letter answering the Late Night Levy (LNL) – Consultation.

1,A. I do agree that this is a fair assessment in general. But flash point areas should be highlighted and maybe a higher premium set for them.

B, Street cleaning should come under Business Rates. (at my establishment we sweep pavement and clear rubbish left by our patrons. Maybe more business's in the NTE should make this normal practice.)

C, Taxi drivers should have to contribute to Taxi Marshalls. The drivers gain from their existence so why not pay towards them.

2.A, The figures shown, show the highest numbers between the 1am and 2am columns, so I would assume from that, that the alcohol consumed by offenders was not done in the late night venues but at peoples homes, in public places and pubs. It has become a common trend that people Preload with alcoholic drinks before they arrive at late night venues.

Articles on Preloading:

[www.theage.com.au](http://www.theage.com.au)>National

[www.alcohollearningcentre.org.uk](http://www.alcohollearningcentre.org.uk)

[www2.potsdam.edu/alcohol/files/Alcohol-Pre-loading.html](http://www2.potsdam.edu/alcohol/files/Alcohol-Pre-loading.html)

So the whole supply of alcohol has to be taken into account, not just putting the Levy on the late night venues selling alcohol. Because at the end of it all, anyone selling alcohol contributes to people's drunkenness. The LNL is been considered to help with the cost of services needed for a night time economy. So why shouldn't supermarkets, off licenses, taxis and late night food outlets, have to pay an "extra tax". Because they all profit from late night economy and use the services.

3. A, I do agree with the assessment of the NTE in the City.

B, I think they are all covered.

C, No

4.A, There is no guarantee where the money will actually go. Only thing I heard with the police was that it would go to a central fund. That does not mean it will go to policing NTE.

5. Yes I agree that revenue needs to be raised, but I feel it could be done in a fairer way. As I understand, the LNL can only be charged to premises that sell alcohol. So why not put it on every premise that sells alcohol from any time of day. Or no LNL and increase license fees for:

On sale alcohol

Off sale alcohol

Late night food outlets

Taxis.

Maybe make the consumer more responsible for their drunkenness, increase fines drunk and disorderly, charges at A&E.

6.A, The LNL singles out late bars and clubs, when there are many more subjects involved.

The LNL in theory is to raise revenue for Police, Council. To help fund taxi marshalls (there is no taxi rank in Onslow road Bevois Valley area). To help fund Street Pastors (we only see them on Onslow road at 10pm, when they are heading for town). To help fund street cleaning (like the police that is part of the business rates that my company pays).

The LNL in my view is unfair, another way should be found to raise revenue, so that all business's involved with the NTE contribute to the use of the state facilities.

B, The figures in section 4, do not show the worst areas of the NTE or premises that attract the most problems.

The areas that make most mess i.e.litter need to be shown.

LNL as I understand will be charged at an amount in accordance with rateable value.

So companies with good business practice get no credit, just charged the same as the ones with problems.

7.A, No, as I mentioned earlier, the consumption of alcohol is done at all different times of day. e.g. Pre-Loading. So if council feels the LNL is for them, all alcohol selling premises should have to pay the Levy.

B, The Levy, if it does get implemented should start in afternoon so the preloading outlets get charged too.

8-15, LNL is only interested in the sale of alcohol. So there should be no exemptions for alcohol outlets, they all contribute to the use of the NTE facilities.

16. New Years Eve is just another day.

17. Yes, reductions should only be there for business's that show best practice.

18. I think reduction's for a business involved with 'Business -Led Best Practice Schemes' is a good incentive. It could help the weaker outlets that attract problems improve.

Best Bar None is an example of one of these schemes.

19. I agree with the split as council carrying the administration costs.

20. I would like to know where the money will actually be spent if the LNL is implemented.

MY DETAILS:

Thomas Lennon

Lennons Nightclub, Onslow Road. SO14 0JD

07968354195

thomaslennon73@hotmail.com

I am DPS of Lennons Nightclub



## QUESTIONNAIRE

Please complete and return this questionnaire by **31<sup>st</sup> July 2014**

**BY E-MAIL to:** [licensing.policy@southampton.gov.uk](mailto:licensing.policy@southampton.gov.uk)

**BY POST to:** Late Night Levy Consultation, Licensing, Southampton City Council, PO Box 1767, Southampton. SO18 9LA

PLEASE INCLUDE ADDITIONAL SHEETS IF THERE IS NOT ENOUGH SPACE

### Consultation Question 1 – COSTS

- (a) Do you agree that the costs of policing and other arrangements for the reduction or prevention of crime and disorder in connection with the late-night supply of alcohol are a fair assessment?
- (b) Do you think that any of the costs ought not to be taken into account?
- (c) Do you think that there are other costs that should be taken into account?

*(a) No. Given that the figures quoted are generic there is no visibility of the actual cost of additional resources specifically deployed to NTE duties over and above the levels required to manage other demands on police resources. It is also inevitable that such resources are used to supplement the response to non NTE incidents.*

*(b) The police have a duty to police the culture they find themselves working in, for better or worse, without fear or favour. Targeting groups who are undertaking lawful activities yet perceived to be the root cause of a particular demand on the police sets in motion a process that could change the fundamental nature of the provision of policing, with activities that they find irksome ultimately being taxed out of existence. An increase in the Police precept is the fair way to meet any increase in policing costs, however a cynic might take the view that this would be considered politically damaging.*

*Overtime costs are also something that should be challenged. If a perceived public disorder issue is as regular, known, and therefore predictable as it is alleged NTE issues are, then police resources should be deployed appropriately. If there are insufficient to achieve this whilst covering other obligations, that is not something the NTE should be penalised for. There is no levy on town centre shops that create the need to deal with shoplifters etc. during the day, (and I believe have a dedicated police unit) or recovery fees for missing persons.*

*Whatever might be said to the contrary, Street Pastors, Taxi Marshals and the ICE bus operate in a small area of the city, the requirement for them being generated by very few premises. The same can be said of the police public order vans. By collecting a levy from all premises and then spending it to the*

*indirect benefit of a very few, does the City Council risk giving what might be described as 'State Aid' to those premises?*  
(c) No.

## **Consultation Question 2 – CRIME AND DISORDER**

- (a) Do you agree with the assessment of crime and disorder in connection with the late-night supply of alcohol?
- (b) Do you think anything has been left out?
- (c) Do you think that anything mentioned should not be taken into account?

*(a) No. The statistics quoted are selective and do not show fair comparison to the incident rates across a full 24 hour period. If they seek to demonstrate that the NTE has a clear impact on incident rates then the full 24hr period should be shown.*

*The per hour incident rate for VAP offences compares the 5 hour period from 1900 to 0000 with the 6 hour period from 0000 to 0600, which distorts the figures in favour of the point they seek to make. A per-hour incident rate analysis shows that on Sunday, Monday, Wednesday and Thursday the incident rate is lower after midnight than it is before. The increase on Tuesdays is attributed to certain premises catering for the student market – that being the case, given that those premises are presumably known to the authorities, there is already sufficient legislation to deal with any attributable burden on the authorities created by them rather than imposing a levy on the vast majority of premises not involved. It's also the case that more people socialise on a Friday and Saturday night, so demand on police for all incidents, alcohol related or not, rises. If the rise in incident numbers is commensurate with the increase in people out and about then it's not the NTE that's the issue.*

*The statistics for ASB show only incidents recorded after midnight. Only with visibility of the numbers recorded across the rest of the day can we see a true assessment of the alleged impact. Cynically I wonder if the number of ASB incidents generated before midnight by juveniles is actually greater and that's why the figures are not shown.*

*(b) A full set of credible properly interpreted statistics that prove the point.*

*(c) 4.12: The cost of street cleaning. Unless all the debris from the day time economy is cleared at say 1800, then it is impossible to determine what amount has been generated by the NTE. In addition, unless the litter is comprised completely of discarded beer glasses and bottles, it is not likely to have come from the premises to be subject of the levy. Perhaps the council should also consider a 'Kebab Tax' to address this issue.*

*Section 4.17 and 4.18 can be paraphrased as 'and there's probably other stuff too' and don't really contribute credibly to the argument.*

*4.25: I don't believe the figures quoted show anything 'clearly'.*

### **Consultation Question 3 – BENEFITS OF A NTE**

- (a) Do you agree with the assessment of the benefits of the Night Time Economy in the City?
- (b) Do you think there are any other benefits?
- (c) Do you think that any benefits mentioned are not relevant?

(a) *They are somewhat selective, focussing only on what happens at night.*

(b) *A town gains a reputation as a good place to live / work / shop from the overall experience of being there. A 'vibrant' NTE spawns a variety of premises that are also there during the day to enhance the experience of shoppers, office workers and residents. The NTE also undeniably attracts large amounts of students to the City's universities, they in turn spend in our shops and keep the Uni's viable which in turn generate huge amounts of business, income and prestige.*

(c)

### **Consultation Question 4 – INCOME FROM THE LNL**

- (a) Do you have any comments on the potential income that the levy may raise?

(a) *It is low when set against the quoted alleged costs and will not have a huge impact, whilst risking damage to the good relationship that exists between the authorities and the majority of the NTE.*

### **Consultation Question 5 – NEED TO RAISE REVENUE**

- (a) Do you agree that there is a need to raise the revenue that a levy may produce?
- (b) Are there any other issues that you would like the Council to consider?

(a) *I understand that local authorities and police forces are under huge financial pressures, and this is not the forum for a diatribe about the reasons, however the levy is nothing more than an unfair tax on the vast majority of premises that never see, or need the services of, the resources it is intended to support.*

*I pay 40% income tax on a full time separate income, I pay council tax and I pay business rates. I look forward to one day paying corporation tax as that will mean our bar is in full profit – meanwhile I think I pay my fair share to the policing of Hampshire.*

(b)

### **Consultation Question 6 – DESIRABILITY OF THE LNL**

- (a) Do you agree that it is desirable to raise the revenue through a levy to be used by the police and the Council?
- (b) Have you any comments on the considerations expressed in section 4?
- (c) Are there any other matters which you think that the Council should take into account in deciding whether it is desirable to introduce a levy?

- (a) *No. See above.*
- (b)
- (c)

### **Consultation Question 7 – LATE NIGHT SUPPLY PERIOD**

- (a) Do you agree that the Late Night Supply Period should be a period that begins at one minute passed midnight and ends at 6am? What are your reasons for this?
- (b) If you think that the Late Night Supply Period should be for a different period, what should be the hours? What are your reasons for this?

*(a) The whole theory of a 'supply period' is flawed in that it takes no account of the cumulative effect of alcohol consumed before that time and in this case infers that alcohol sold before midnight is good alcohol, and that sold after is bad. A simple examination of where the alleged problems take place, and the marketing practices of the premises in the area should suggest ways of mitigating against any problems long before they develop, rather than requiring a vast majority of premises to pay for the remedy to a problem they do not cause.*

- (b) *No. See above.*

### **Consultation Question 8 – EXEMPTIONS – OVERNIGHT ACCOMMODATION**

- (a) Do you agree that prescribed premises providing overnight accommodation should be exempt? Please explain your views.

*(a) No. There is an illogical assumption that residents will remain in their hotel and not leave to seek out other refreshment thus becoming as much a part of the LTE as anyone else. It is a matter of recorded fact that the vast majority of licensed premises do not 'contribute significantly to the detrimental effects of the NTE between midnight and 6am' yet they are to be penalised. The same logic should apply to all.*

### **Consultation Question 9 – EXEMPTIONS – THEATRES**

- (a) Do you agree that prescribed theatres should be exempt? Please explain your views.

(a) *No. For similar reasons to Q8. Alcohol sold in theatres has the same properties as alcohol sold in pubs. Are we to understand that the council regards people who attend Theatres etc. as somehow a different class of person?*

#### **Consultation Question 10 – EXEMPTIONS – CINEMAS**

(a) Do you agree that prescribed cinemas should be exempt? Please explain your views.

(a) *No. As above.*

#### **Consultation Question 11 – EXEMPTIONS – BINGO HALLS**

(a) Do you agree that prescribed bingo halls should be exempt? Please explain your views.

(a) *No. As above.*

#### **Consultation Question 12 – EXEMPTIONS – COMMUNITY AMATEUR SPORTS CLUBS**

(a) Do you agree that prescribed Community Amateur Sports Clubs should be exempt? Please explain your views.

(a) *No. For reasons as above. In addition any events where alcohol is sold can be less well regulated than in full time sales outlets.*

#### **Consultation Question 13 – EXEMPTIONS – COMMUNITY PREMISES**

(a) Do you agree that prescribed Community Premises should be exempt? Please explain your views.

(a) *No. For reasons as above. In addition any events where alcohol is sold can be less well regulated than in full time sales outlets.*

#### **Consultation Question 14 – EXEMPTIONS – COUNTRY VILLAGE PUBS**

(a) Do you agree that prescribed Country Village Pubs should NOT be exempt? Please explain your views.

(a) *Yes. In that if we must have a levy, the same logic should be applied to all sources of alcohol.*

#### **Consultation Question 15 – EXEMPTIONS – BUSINESS IMPROVEMENT DISTRICTS**

(a) Do you agree that prescribed BID premises should NOT be exempt? Please explain your views.



(a) Yes. As above at Q14. .

#### **Consultation Question 16 – EXEMPTIONS – NEW YEAR’S EVE/DAY**

(a) Do you agree that premises that only operate on New Year’s Day between midnight and 6am should be exempt? Please explain your views. .

*(a) Given the inflexible all-or-none approach in the rest of the document, this is inconsistent. It’s entirely possible for a single premises to generate a greater draw on police resources in one night than another well run place does in a year.*

#### **Consultation Question 17 – REDUCTIONS – SMALL BUSINESS RATES RELIEF**

(a) Do you agree that prescribed premises that receive Small Business Rate Relief should NOT be entitled to a reduction in the levy? Please explain your views.

*(a) No. The relief is a welcome reduction in our annual running costs, in a business that just about breaks even. It was awarded presumably by way of recognition from Central Government that a lot of small businesses are in the same position and need relief. The levy would take away a significant proportion of the benefit. I would propose a proportionate reduction.*

#### **Consultation Question 18 – REDUCTIONS – BUSINESS-LED BEST PRACTICE SCHEMES**

(a) Do you agree that at this time members of Business-Led Best Practice Schemes should NOT be entitled to a reduction? Please explain your views.

(b) Do you agree that such a scheme should be developed? If so, what should be the details? How can it be developed? How will it be led?

(c) If such a scheme were to be developed, do you agree that members should be entitled to a discount?

*(a) No. This touches on the relationship between the NTE, the vast majority of whom do not come into regular contact with the police, or need taxi marshals or street pastors, and the authorities. Premises should be being encouraged to co-operate with any proposed initiatives. With no potential for reduction in the tax, the message is clearly ‘No matter what you do, we’re having the money’.*

*(b) Best Bar None, a full time NTE Officer and the Yellow car scheme worked well and put Southampton on the map as having significantly reduced NTE issues. The council should look to the reasons that was ceased and examine if that coincided with any perceived increase the level of alleged NTE issues.*

*(c) If, as seems inevitable despite this consultation process, the levy is introduced, without any discount there would be no incentive to join in any*

*scheme or offer anything more than the bare minimum cooperation required. In addition it could be argued that funds to support the joining of such a scheme had been spent on the levy.*

#### **Consultation Question 19 – SPLIT LEVY BETWEEN POLICE & COUNCIL**

(a) Do you agree that the net revenue from the levy should be split 70:30 between the Hampshire Police and Crime Commissioner and the Council? Please explain your views.

(b) If you think that the Hampshire Police and Crime Commissioner should receive a larger (than 70%) proportion of the net revenue, please state what percentage you propose? [N.B. It is not possible to reduce the proportion to below 70%.] Please explain your views.

(a) *As it seems to be impossible to obtain accurate figures as to the alleged financial impact there is no basis to offer an alternative.*

(b)

#### **Consultation Question 20 – USE OF THE REVENUE**

(a) Do you have any comments on the range of activities which the Council would wish to develop using its share of the levy revenue? Is there anything else that you would like to see? Please explain your views.

(b) Would you support developing a single programme delivered in partnership between the Council and the police? What would you like it to cover? Please explain your views.

(a) *I would simply ask that the initiatives are visible and accessible to all who are being forced to pay rather than just focussed within 500 metres of Bedford Place. If that's impractical it rather proves my points above.*

(b)

#### **Consultation Question 21 – IMPLEMENTATION DATE & TIMETABLE**

(a) Do you agree that the Council should seek to implement the LNL on 1<sup>st</sup> February 2015? Please explain your views.

(b) If you think that the LNL should be implemented on a different date, what date do you propose? Please explain your views.

(c) Have you any other comments on the proposed timetable? Please explain your views.

(a) *No – because I think the levy is an unfair punitive tax on the vast majority of premises.*

(b)

(c)

**PLEASE INCLUDE YOUR PERSONAL DETAILS  
MY DETAILS ARE:**

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**Owner, Oasis Bar, 137 High Street Southampton.**

**Likely to be subject to the LNL**

**HAVE YOU ANY OTHER COMMENTS THAT YOU WISH THE COUNCIL TO  
CONSIDER?**

**CONFIDENTIALITY**

The Council cannot guarantee that any information that you pass to us can be treated as confidential. The Council is subject to a number of regimes that affect disclosure, including the Local Government (Access to Information) Act 1985, the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. In particular, your response is likely to be classed as a background paper to future committee reports and open to public inspection.

