

| Early Morning Restriction Orders | | |
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| Pros | Cons | Comment |
| <p>Will ensure that any alcohol related crime that can be proven as coming from a certain area can be controlled</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 Gravesham BC at the risk of judicial review</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 rather than Gravesend town where an errant licensee could more properly be made accountable for his actions by the bringing of a review against his premises</p> |
| <p>Will stop the sale of alcohol from a time to be decided by the Licensing Authority between midnight and 0600 hours thereby controlling when the NTE finishes, with the subsequent effect on police resources.</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 effected and outside of the EMRO may try and 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>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 may well have the effect of closing businesses with associated loss of jobs. Many licensed premises are running on tight margins and this</p> |

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| | <p>policies.</p> <p>If neighbouring councils do not impose an EMRO, people will travel to premises that open later in neighbouring towns, rather than use local businesses.</p> | <p>could be perceived as anti business. Councillors may be unwilling to impose an EMRO because of this.</p> <p>As with the last comment councillors may see an EMRO as a negative due to the possible loss of business. This argument (along with many others) will be used by local licensed premises to argue against an EMRO.</p> |
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Late Night Levy

| Pros | Cons | Comment |
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| <p>Premises reduce their hours for the sale of alcohol</p> <p>Licensees could join 'G-Safe' in order to pay a reduced levy</p> | <p>Licensees could reduce the amount of door supervisors they employ if they reduce their hours</p> <p>Licensees could decide to cease being members of 'G-Safe' – to save money or because they may perceive there would be less need</p> | <p>This will involve more work for the licensing section without any income being generated</p> |
| <p>Licensees could apply for more Temporary Events Notices if they reduce their standard hours resulting in more income for the Council</p> | <p>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 put in representations to the council.</p> | <p>This will inevitably lead to more work for the licensing section and could also result in more Licensing Panel hearings if the Police or Environmental protection object to a TEN</p> <p>TEN income would not cover the cost of the income generated by the Late Night Levy as TEN's cost £21</p> |
| | <p>Those licensees who pay the levy could decide that to make it worthwhile they will open longer.</p> | <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</p> |
| | <p>There could be an expectation by licensees and the public</p> | <p>A levy will be council wide, not just in a town centre. While there is an</p> |

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| | alike that more police officers would be readily available | exemption 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 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 we manage these expectations. |
| | There could be bad publicity for the Council from businesses who could accuse the Council of not helping them to create a vibrant night-time economy and of causing them economic difficulties | As with the EMRO above this is seen by the trade as a 'tax', and councillors may be reluctant to be seen to be 'anti-business'. |
| | There could be increase problems in obtaining payment for both the annual retainer fee as well as the levy | 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 |
| Give Kent Police an additional funding stream to address issues of alcohol related crime and disorder in the NTE. | | Even a relatively small amount of money could fund either a reduced hours dedicated NTE officer or targeted operations. |
| | It is unclear how much money will actually be raised by this measure. | 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 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. |
| | Councils may not feel it is financially worth their while collecting a levy that does not benefit them to any great extent. | 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 very little options on how to spend the money. How much of an |

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| | | incentive is there to impose the levy in order to collect money for another organisation ie the police? |
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