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Ditch broken licensing committees to boost pub trade, Lords say



Powers granted to councils to ban drinking after midnight could be scrapped following a critical House of Lords report

By **Bradley Gerrard**

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Local council committees tasked with granting bars licences and curbing anti-social behaviour could be scrapped after being dubbed a “mistake” by an influential House of Lords committee.

The Licensing Act 2003, which came into force two years later, gave powers to 350 local councils in England and Wales to launch a specific committee to deal with applications by pubs and bars for licences and later to enforce the late night levy, a charge to help the costs of policing and cleaning up after revellers.

Baroness McIntosh of Pickering, who chaired the select committee that scrutinised the laws, said the licensing committees were not up to the task and should be scrapped, with their job handed over to planning committees.

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“The committee was shocked by some of the evidence it received on hearings before licensing committees,” she said.

Measures aimed at helping councils pay for a police presence for late-night drinkers look set to be overhauled or scrapped

“Their decisions have been described as 'something of a lottery', 'lacking formality', and 'indifferent', with some 'scandalous misuses of the powers of elected local councillors'.”

Baroness McIntosh said pubs, clubs and live music venues were a “vital part of our cultural identity” and any decline in city night life “ought to be prevented and the businesses supported”.

She acknowledged the night-time economy in towns and cities still needed regulating but the current system of late night levies and early morning restriction orders “are not being used because they do not work”.



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Since being launched in 2011, the late night levy has only been introduced in nine local authorities out of the 350 with the power to implement it, while 13 others considered it but did not introduce it, the Lords' report found.

The London Borough of Tower Hamlets approved the implementation of one in January this year but this proposal is now undergoing a three-month public consultation.

No local authorities have introduced early morning restriction orders, which give councils the power to issue a blanket ban on pubs and bars opening during a period from midnight to 6am.

How much are Late Night Levy fees?

Rateable value of pub	Annual levy	Weekly cost
Band A (up to and including £4,300)	£299	£5.75
Band B (£4,301 to £33,000)	£768	£14.76
Band C (£33,001 to £87,000)	£1,259	£24.21
Band D (£87,001 to £125,000)	£1,365* (£2,730)	£26.25 (£52.50)
Band E (£125,001 and above)	£1,493* (£4,440)	£28.71 (£85.38)

*For pubs primarily serving alcohol [House of Lords Select Committee](#)

Analysts at Peel Hunt said the move to give planning committees powers over licensing was “positive for all expansive licensed retailers, removing a level of bureaucracy and potentially reducing the time and cost of the licensing process”.

“There could be a small benefit from abolishing the late night levy for Revolution Bars Group (saving £4,440 per annum per affected venue), and JD Wetherspoon (extending trading hours beyond midnight in affected areas).”

Tim Martin's JD Wetherspoon is a company some analysts think could benefit from the proposed changes

However, the broker noted the much-maligned late night levy could be reintroduced in a way that becomes more widely adopted in the future.

Baroness McIntosh said she recognised the suggestion of abolishing licensing committees and their work being passed to existing planning committees “is a radical one” and so should be trialled in a small but representative sample of local authorities over two years.

The report will now be debated in the House of Lords and then Parliament will have to respond within two months ahead of a debate in the House of Commons.

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