
DRAFT STATUTORY INSTRUMENTS

2012 No.

**The Late Night Levy (Application
and Administration) Regulations 2012**

Late night levy: procedure on introduction or variation

- 9.—(1) A licensing authority must—
- (a) in relation to any proposal to make a relevant decision—
 - (i) consult the persons set out in paragraph (2),
 - (ii) publish notice of the proposal in the manner set out in paragraph (3);
 - (b) in relation to a relevant decision, publish notice of it in the manner set out in paragraph (3); and
 - (c) in relation a decision under section 125(2) of the Act, make arrangements in accordance with paragraph (5).
- (2) The persons referred to in paragraph (1)(a)(i) are—
- (a) the relevant local policing body,
 - (b) the relevant chief officer of police, and
 - (c) holders of relevant late night authorisations.
- (3) For the purposes of paragraphs (1)(a)(ii) and (1)(b), the notice of the proposal or the relevant decision must be—
- (a) placed on the licensing authority’s website containing the information set out in paragraph (4),
 - (b) published in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the licensing authority’s area, and
 - (c) sent to—
 - (i) all holders of relevant late night authorisations,
 - (ii) the relevant local policing body, and
 - (iii) the relevant chief officer of police.
- (4) For the purposes of paragraph (3)(a), the notice must set out—
- (a) the date on which the late night levy requirement is first to apply,
 - (b) the late night supply period,
 - (c) the permitted exemption categories (if any) which are to apply,
 - (d) the permitted reduction categories (if any) which are to apply, and
 - (e) the specified proportion.
- (5) For the purposes of paragraph (1)(c)—
- (a) the holder of a relevant late night authorisation may make an application to vary the authorisation under section 34, 41A, 84 or 86A of the 2003 Act to the effect that the

authorisation would cease to be a relevant late night authorisation before the beginning of the levy year, and

(b) no fee is payable under section 55(1) or 92(1) of the 2003 Act in relation to an application under sub-paragraph (a).

(6) In this regulation, “relevant decision” means a decision of a licensing authority under section 125(2), 132(1) or 133(1) of the Act.