

## Cabinet

**Tuesday, 21st May, 2013  
6.00 - 6.15 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), John Rawson (Cabinet Member Finance), Rowena Hay (Cabinet Member Sport and Culture), Peter Jeffries (Cabinet Member Housing and Safety), Andrew McKinlay (Cabinet Member Built Environment), Jon Walklett (Cabinet Member Corporate Services) and Roger Whyborn (Cabinet Member Sustainability)
<b>Also in attendance:</b>	Councillor Diggory Seacome

## Minutes

**1. APOLOGIES**

There were no apologies.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES OF THE LAST MEETING  
RESOLVED THAT**

**The minutes of the meeting held on 16 April 2013 were approved and signed as a correct record subject to the following amendments :**

Agenda Item 6-third paragraph: He said that whilst Cheltenham did not have a greater problem than other places, a problem did exist and it was therefore appropriate to ask the relevant bodies to examine the report and this would then be fed back to Cabinet.

Agenda Item 7- fifth paragraph: He explained that being a full member of the Board would restrict what the member could do, but the issue should be explored further.

**4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**

There were no public or member questions or petitions.

**5. PROPOSAL TO ADOPT A LATE NIGHT LEVY**

The Cabinet Member Housing and Safety introduced the report and explained that Part 2 of the Police Reform and Social Responsibility Act 2011 introduced a new discretionary power for Licensing Authorities to introduce a late night levy. This levy can be charged to persons who are licensed to sell alcohol between midnight and 6 am as a means of raising a contribution towards the costs of policing the late-night economy.

The Cabinet Member explained that should the proposal to adopt the levy be approved, the Council would then be required to consult on its proposal with residents, the Police and Crime Commissioner, the Chief Constable and all premises licensed and club premises certificate holders whose authorisations permit the supply of alcohol during the late night supply period. It is recommended that a 12 week consultation be undertaken after which Cabinet would assess the consultation responses. The final decision to introduce the levy will be made by Full Council. If approved, the levy would be introduced across the whole licensed areas to those premises operating between midnight and 6 am. This would mean 135 premises in Cheltenham. Cheltenham Borough Council would be entitled to retain up to 30% of the net income whilst the remaining 70% must be paid to the Gloucestershire Police and Crime Commissioner. However, it was proposed that in order to use the levy in the most efficient and cost effective manner, rather than see the levy revenue split between two separate programmes, the intention would be to reach agreement with the Police and Crime Commissioner to develop a single programme delivered in partnership between the Council and the Police in line with guidance.

It was not currently proposed to apply any exemptions as the view was that this would involve an administrative cost. The Council may however decide to apply a 30 % reduction for premises that participated in business led best practice schemes.

The Cabinet Member tabled a note which provided an indication of items that the levy could fund which included taxi marshalling, Operation Scorpion, Funding for Night Safe, Supporting joint police/licensing/environmental health operations, expanding/maintaining CCTV, promoting best practice schemes, funding for research around the late night economy and supporting current initiatives.

The Cabinet Member then clarified that the word "Council" in the second resolution of the recommendations should be amended to read "authority" for clarification. This amendment was supported by members.

In response to a question the Cabinet Member Housing and Safety clarified that the implementation date would be 1 April 2014. He also clarified that should a particular case be made for an exemption under the scheme, this would be considered.

Members supported the proposal which would contribute to the cost of policing the late night economy in the town. It would also enable the police and the council to work in a creative way to tackle problems which arise. The list of items that the levy could pay for was useful and would form part of the consultation document.

## **RESOLVED**

1. To adopt a Late Night Levy in Cheltenham;
2. That the authority should consult on proposals for the introduction of a levy;

3. That the draft consultation document attached at Appendix 2 be approved;
4. That authority be delegated to the Executive Director to undertake the necessary consultation; and
5. That the arrangements for the operation of a late night levy with a target date for implementation of 1 April 2014 be noted.

**6. BRIEFING FROM CABINET MEMBERS**

There were no updates from Members.

**7. CABINET MEMBER DECISIONS TAKEN SINCE THE LAST MEETING OF CABINET**

The Leader of the Council informed Cabinet that he had taken a decision with regard to three revised applications under the Community Pride Scheme, namely to award Cheltenham in Bloom £1,500 to purchase and install interpretation boards in the Italian Gardens in Sandford Park, to award £1,500 to FOLK (Friends of Leckhampton Hill and Charlton Kings Common) to purchase and install interpretation boards to help visitors appreciate the Iron Age hillfort on top of Leckhampton Hill and to award £3,500 to the Friends of the Honeybourne Line to help them make improvements to the Queens Road entrance to the Honeybourne Line.

**Chairman**