



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 2

LICENSING

CHAPTER 2

LATE NIGHT LEVY

Late night levy requirement: further provision

133 Amendment of late night levy requirement

- (1) [^{F1}Where, in consequence of a decision by a licensing authority under section 125, a late night levy requirement applies,] the authority may decide—
- (a) that the requirement is to cease to apply ^{F2}...;
 - (b) that a different late night supply period is to apply;
 - (c) that any permitted exemption categories or permitted reduction categories are to apply in addition to any that currently apply, or to cease to apply, [^{F3}in relation to the late night levy requirement];
 - (d) that a different proportion of the net amount of levy payments is to be paid to the relevant local policing body.

[^{F4}(1A) Where the late night levy requirement is in respect of both relevant late night alcohol authorisations and relevant late night refreshment authorisations, the power conferred by subsection (1)(b) includes—

- (a) where a single late night levy period applies, power to decide that two late night levy periods are to apply instead;

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 133. (See end of Document for details)

- (b) where two late night levy periods apply, power to decide that a single late night levy period is to apply instead.]
- (2) Subsection (1)(b) is subject to section 126(4) and (5).
- (3) Subsection (1)(d) is subject to section 131(4).
- (4) Where—
- (a) regulations under section 135 alter the permitted exemption categories or permitted reduction categories, and
- (b) by virtue of the regulations any category that applies ^{F5}... as the result of a relevant decision [^{F6}by a licensing authority] ceases to be a permitted exemption category or permitted reduction category,
- the licensing authority must exercise its power under subsection (1)(c) so as to secure that all the categories that apply ^{F7}... in respect of future levy periods are permitted exemption categories or permitted reduction categories.
- (5) In subsection (4)(b), “relevant decision” means a decision under—
- (a) section 132(1)(b)(ii) or (iii), or
- (b) subsection (1)(c) of this section.
- (6) Where—
- (a) regulations under subsection (5) of section 131 amend subsection (4) of that section, and
- (b) by virtue of the regulations the proportion of the net amount of levy payments to be paid to the relevant local policing body ceases to satisfy section 131(4),
- the licensing authority must exercise its power under subsection (1)(d) so as to secure that the proportion of the net amount of levy payments to be paid to the relevant local policing body in respect of future levy years satisfies that provision.
- (7) Any decision made under subsection (1) may take effect only—
- (a) in the case of a decision under paragraph (a), at the end of a levy period,
- (b) in the case of decision under paragraph (b), (c) or (d), in respect of future levy periods.
- (8) Regulations under section 134 apply in relation to any decision of a licensing authority under this section.

Textual Amendments

- F1** Words in s. 133(1) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 18 para. 9\(2\)\(a\)](#); S.I. 2023/789, reg. 2(b)
- F2** Words in s. 133(1)(a) omitted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 18 para. 9\(2\)\(b\)](#); S.I. 2023/789, reg. 2(b)
- F3** Words in s. 133(1)(c) substituted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 18 para. 9\(2\)\(c\)](#); S.I. 2023/789, reg. 2(b)
- F4** S. 133(1A) inserted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 18 para. 9\(3\)](#); S.I. 2023/789, reg. 2(b)

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- F5** Words in s. 133(4)(b) omitted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 9(4)(a)**; S.I. 2023/789, reg. 2(b)
- F6** Words in s. 133(4)(b) inserted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 9(4)(b)**; S.I. 2023/789, reg. 2(b)
- F7** Words in s. 133(4) omitted (31.1.2017 for specified purposes, 13.7.2023 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 18 para. 9(4)(c)**; S.I. 2023/789, reg. 2(b)

Commencement Information

- I1** S. 133 in force at 31.10.2012 by S.I. 2012/2670, **art. 2(b)**

Changes to legislation:

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 133.