



CHELTENHAM

BOROUGH COUNCIL

COUNCILLOR DR DAVID WILLINGHAM

Jeff Smith MP
Chair of the All-Party Parliamentary
Group for the Night Time Economy

20210129-APPG-NTE-COVID-19

29th January 2021

By email to appg@ntia.co.uk

Dear Mr Smith,

**Re: APPG for the Night Time Economy, Call for evidence:
Inquiry into Covid-19 and the Night Time Economy**

In my capacity as Chairman of Cheltenham Borough Council's Licensing Committee and Cheltenham's Evening and Night Time Economy (ENTE) Champion, I am responding to the APPG for the Night Time Economy's call for evidence.

By way of general comment, Cheltenham has successfully developed and maintained a thriving evening and night-time economy, the largest night life scene between Bristol and Birmingham, exceeding towns comparable to Cheltenham in terms of population size and demographics. This is largely the result of the broad appeal of the night-time offer and the town's reputation as a good and safe night out, confirmed by Cheltenham's status as a Purple Flag town since 2016. Cheltenham's ENTE was also the first recipient of a new ACTM Purple Flag award recognising its appeal as one of the best and safest nights out in the country.

Cheltenham Borough Council published a comprehensive ENTE Strategyⁱ in 2019. Early in 2020, this authority became the first to publish a Licensing and ENTE Recovery Strategyⁱⁱ recognising the important role and contribution made by the ENTE sector and the need to be proactive and pragmatic when considering recovery options and support. Our resolve with regards to this remains unchanged.

In response to the specific questions set out in the call to action:

**1. How many night time economy businesses are operating within your area?
How many people in your area are employed in the night time sector?**

We do not have data on the numbers of people employed in the ENTE in Cheltenham but can confirm we have 55 licensed premises operating in the ENTE within the town centre, broadly broken down as:

- Nightclubs & Late Venues – 10 venues
- Food-led Bars, Café Bars & Branded Food Pubs – 45 venues

It is worth noting that Cheltenham's ENTE saw as many new licensed premises open during the current pandemic as those that have closed leaving the town with a net zero position with regards to premises closures as a consequence of the pandemic.

Whilst we do not have any specific data on employment levels in the sector, we recognise the demographic of people usually employed in the sector are also those that have been most affect by the Government restrictions. Our evolving recovery strategy, for example, recognises that there is likely to be a skill shortage in the sector that we aim to address via offering nationally recognised qualifications such as the Level 2 Award for Personal Licence holders. This is one of a range of options being considered in the evolving strategy.

2. Please describe the importance of nightlife businesses in your local area

As mentioned, Cheltenham's has successfully maintained a thriving and award winning ENTE. Whilst, like other towns, it has severely suffered as a consequence of the Government's restrictions, indications are that it has fared much better than other places. An example of this is the net zero position with regards to venues closing and new ones opening.

Cheltenham's ENTE has always played a very important role in the town's economy and cultural offer. It has attracted people from far afield, provided valuable employment and opportunities for people, is important for making the University of Gloucestershire an attractive place to study and played its part, through close and honest partnerships, in making Cheltenham a safe, vibrant and diverse night out.

Cheltenham's ENTE has, and will continue to, play an important role in the cultural identity of the town. Cheltenham is well known as a festival town hosting one of the country's biggest horse racing events and other very internationally renowned festivals such as the literature and jazz festivals. These festivals attract hundreds of thousands of people to Cheltenham every year and the ENTE plays a vital role in proving diversity and choice for visitors, but also makes its own contribution towards making sure people are safe.

The importance of the ENTE is captured in our strategy document that recognises: *"The evening and night-time economy is crucial to Cheltenham and never more so than now. With the shopping experience progressively moving online, a thriving evening and night-time offer will be fundamental in sustaining the vitality of our town centre. It will attract visitors and residents to the centre and will encourage business growth within the sector. Spending by visitors and residents makes a substantial contribution to the economy of the town. A thriving ENTE will be a key element in plans to promote Cheltenham as a festival town and leisure destination."*

The above is the basis of our approach and important to maintaining a safe, vibrant and diverse ENTE – pre- and post-Covid.

3. How much money did the night-time sector contribute to your local area pre-Covid?

We unfortunately do not have up to date information on this. The last indication of the economic contribution of the ENTE to the town was in 2004 when the value was estimatedⁱⁱⁱ to be between £21 & £31 million. If these values have increased in line with inflation then they would be between £33 & £49 million today.

4. What measures have your local authority implemented to support businesses during the Covid-19 pandemic?

As an authority, Cheltenham is proud to have been very proactive in its support for businesses. This proactive and pragmatic approach has been upheld as good practice and we are pleased to have been invited by the Local Government Association to share our work with other local authorities in February at its national licensing conference.

Specifically, we have taken the following actions:

- Businesses in the nightlife sector are being paid the national business grant schemes for which they are eligible. In addition Cheltenham is prioritising this sector for support from the Local Restriction Support Grant (Open) scheme and the Additional Restrictions Grant which are both discretionary
- Worked proactively to keep businesses informed of regulatory development and changes^{iv}.
- Worked with Cheltenham BID, Cheltenham Safe and other organisations to provide advice and support on regulatory issues through video seminars and engagement directly with businesses.
- Statutory annual licensing fees were delayed in many cases to ensure businesses did not have to deal with the prospect of licence suspensions.
- We supported businesses with relaxation of planning^v and licensing^{vi} regulations locally.

5. What would you like to see from the Government to support your local nightlife businesses?

1. The Government should review the statutory section 182 guidance issued under the Licensing Act 2003 to support local recovery action. It should include a strong emphasis on the need for licensing authorities to give due consideration to recovery strategies and work.
2. Much of the processes and procedures are set out in primary legislation such as the Licensing Act 2003. This leaves little local discretion. Examples of local action to support recovery, but constrained by statutory provisions include:
 - a) Discretion to suspend the requirement to suspend licences for non/delayed payment of fees. Whilst the fees are relatively low, the prospect of a licence suspension carries substantial operational risk. This is particularly relevant to smaller, independent businesses.

- b) More flexibility in relation to how late night levies are adopted and operated to allow more local discretion.
 - c) Similarly, a review of Cumulative Impact Zones (CIZ) to allow for greater local flexibility, for example, by allowing licensing authorities to lift restrictions imposed by CIZs – even on a temporary basis to support recovery.
 - d) Review restrictions relating to the minor variation process to allow greater flexibility for premises to adapt their operation. Current restrictions mean that, in some cases, changes to the operation of business can only be achieved through a full variation that is a long and complex process often attracting local objection. A review of restrictions relating to the minor variations is feasible without removing important local safeguards.
3. Many businesses will benefit from re-opening support and advice. When restrictions are lifted, it is expected that there will be an overwhelming demand for hospitality and ENTE businesses. The Government should work with key industry bodies to work on guidance for the sector to help them carefully consider reopening strategies and approach to ensure this is done in a managed and safe way.
 4. Central government should issue a specific grant to each Licensing Authority allowing them to refund licensing fees paid to that authority by venues that have been unable to use that license due to the Coronavirus restrictions imposed on those premises. This should cover licenses issued under the Licensing Act 2003 and the Local Government (Miscellaneous Provisions) Act 1982.
 5. The government should remove the irrational restriction which currently prohibits licensed restaurants from selling alcohol with food that is ordered by click-and-collect, but permits sale of alcohol with orders that are delivered.
 6. The government should provide support to services ancillary to a successful ENTE. This would include:
 - a) Transport services such as night-buses, taxi and private hire services, which have been equally hard-hit by Covid-19, and are essential to help people get safely home after their night out.
 - b) SMEs in the supply-chain of the ENTE, this could include local breweries, as well as businesses that support the performing arts and live music.
- 6. What role do you envision the night-time sector playing in your local economic recovery, and high street regeneration, following the Covid-19 pandemic?**

As mentioned, there has always been a great emphasis and importance attached to Cheltenham's ENTE and our resolve with regards to this remains unchanged.

The recovery of the ENTE in Cheltenham will not be limited to just reopening the evening and night-time economy. The ENTE in Cheltenham will play a key part in the recovery of wider cultural activities such as the various festivals already referred to above. It will also provide a platform for the recovery of live music, playing its part

in the recovery and reopening of theatres, cinemas, overnight accommodation, night markets and other “ancillary” businesses in the ENTE and supporting other affected sectors such as the transport and security sectors, both which have been badly affected by the pandemic.

It is a well-known fact that young people have been particularly badly affected by the pandemic particularly in relation to unemployment and it is also the case that young people make up a high proportion of employees in the sector. The reopening of the ENTE and wider hospitality sector will support local economic recovery by again providing employment and development opportunities for this demographic. This is particularly important for Cheltenham as a University town.

I would like to thank you for this opportunity to contribute to this inquiry on the strategic recovery of the ENTE, and record my gratitude to the Licensing Team at Cheltenham Borough Council who performed much of the research to produce this submission. If the APPG needs any further information, or evidence, then please feel free to contact me (Cllr.David.Willingham@cheltenham.gov.uk) or Cheltenham Borough Council’s Licensing Team (Licensing@cheltenham.gov.uk), as we would be more than happy to support this important piece of work.

Yours sincerely,

David Willingham

Councillor Dr David Willingham

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- ⁱ https://www.cheltenham.gov.uk/downloads/file/8311/ente_strategy
 - ⁱⁱ <https://www.cheltenham.gov.uk/licensed-premises-recovery>
 - ⁱⁱⁱ https://www.alcoholpolicy.net/files/Cheltenham_NTE_strategy.pdf
 - ^{iv} <https://www.cheltenham.gov.uk/licensed-premises-recovery>
 - ^v <https://www.cheltenham.gov.uk/temporary-structure-guide>
 - ^{vi} https://www.cheltenham.gov.uk/info/11/licensing_and_permits/1608/covid-19_recovery_for_licensed_premises/6