

## Licensing Committee

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**Date:** Tuesday, 14th January, 2014  
**Time:** 2.00 pm  
**Venue:** Committee Suite 1, 2 & 3, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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The information on the following pages was received following publication of the committee agenda.

**Late Night Levy and Early Morning Restriction Orders – Appendix E (Pages 1 - 2)**

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## Financial Data – Late Night Levy

The Licensing Team has interrogated the Licensed Premises register and has provided the following information as a guide to Members.

|  |                    |
|--|--------------------|
| Total Number of Licensed Premises  | 1494               |
| Total Number of Alcohol Premises   | 1288               |
| Total Number of Alcohol Premises (Licensed from midnight)                    | 857                |
| Authorised on New Year's Eve/New Year's Day only                             | 103                |
| <b>Total gross amount that the Levy might raise (without any exemptions)</b> | <b>£741,478 pa</b> |

The levy payable by each premises caught within the levy period is determined by the rateable value of the premises. The rateable value of each premises is set by the Valuation Office and the levy amount is set by Central Government. The number of premises in each band that authorise the alcohol from Midnight to 06:00 are:

| Rateable Value Bands (based on the existing fee bands) | A<br>No rateable value to £4,300 | B<br>£4,301 to £33,000 | C<br>£33,001 to £87,000 | D<br>£87,001 to £125,000 | E<br>£125,001 and above | D x 2<br>Multiplier applies to premises in category D that primarily sell alcohol | E x 3<br>Multiplier applies to premises in category E that primarily sell alcohol |
|--|----------------------------------|------------------------|-------------------------|--------------------------|-------------------------|---|---|
| <b>Annual Levy charge</b>                              | <b>£299</b>                      | <b>£768</b>            | <b>£1,259</b>           | <b>£1,365</b>            | <b>£1,493</b>           | <b>£2,730</b>   | <b>£4,440</b>   |
| <i>Existing Annual Licence Fee</i>                     | <i>£70</i>                       | <i>£180</i>            | <i>£295</i>             | <i>£320</i>              | <i>£350</i>             | <i>£640</i>   | <i>£1050</i>  |
| <b>Number of Premises</b>                              | <b>109</b>                       | <b>523</b>             | <b>141</b>              | <b>26</b>                | <b>54</b>               | <b>2</b>  | <b>2</b>  |

### Levy by time

The levy period can be set at any time from Midnight to 06:00 and the table below provides Members with a breakdown of premises by time (the figures are based on there being no exemptions).

| Time              | Number of Premises | Amount of Levy | Cumulative Amount |
|-------------------|--------------------|----------------|-------------------|
| NYE only          | 103                | £ 80,052       | £ 80,052          |
| Midnight to 12:59 | 327                | £275,370       | £355,422          |
| 01:00 to 01:59    | 276                | £230,468       | £585,890          |
| 02:00 to 02:59    | 107                | £107,440       | £693,330          |
| 03:00 to 03:59    | 19                 | £ 20,738       | £714,068          |
| 04:00 to 06:00    | 7                  | £ 6,869        | £720,937          |
| 24hrs             | 17                 | £ 20,541       | £741,478          |

### Levy by Town

Cheshire Constabulary has provided data relating to the crime, disorder and anti-social behaviour linked to the late night economy. This data states that the towns of Crewe, Macclesfield, Nantwich and Wilmslow have the highest concentration of incidents. The table below provides Members with a breakdown of how much each of these towns might contribute to the levy (the figures are based on there being no exemptions). It is important to note that the Late Night Levy can only be implemented on a Borough wide basis.

| Town         | Number of Premises | Amount of Levy  |
|--------------|--------------------|-----------------|
| Crewe        | 99                 | £ 95,296        |
| Macclesfield | 127                | £102,550        |
| Nantwich     | 48                 | £ 43,501        |
| Wilmslow     | 49                 | £ 51,097        |
| <b>Total</b> |                    | <b>£292,444</b> |

### Summary

Members should also note that the cost of implementing the levy can be deducted prior to the apportionment of the final figure (that being 30% to the Licensing Authority and 70% to Cheshire Constabulary). This would also include the cost of any legal challenge to the making of a levy. The process to be followed to implement the levy is comprehensive and extensive consultation should be conducted to reduce the risk of any challenge. Providing the information to date has resulted in the diversion from normal duties of over 240 officer hours.

Premises that do not use their authorisations after midnight are likely to take advantage of the free minor variation that must be provided to them if the levy were to be implemented (a minor variation would normally carry a fee of £89.00). It is impossible to estimate the number of premises that would chose to change their licence rather than pay the levy. However, to provide an indication, if 10% of the total premises licensed from midnight varied their licence this would be a reduction of approximately £80,000.

Similarly, it is impossible to estimate the number of premises that might fall into one of the exemption categories. For example, there are a number of hotels that have an authorisation to serve the public after midnight. However, they may choose to lose this ability and only serve residents after midnight and therefore be exempt from the levy if this category of exemption is adopted. Hotels also tend to have a higher than average rateable value and therefore pay one of the higher levy fees.

Members also need to consider the impact of such a charge on the late night economy as a whole including premises that may close as a result of the extra cost (and the impact this would have on employees etc) and any 'ancillary' businesses such as the Private Hire and Hackney Carriage trade.