

25/01479/PRVM

As an overview of events leading to this Licensing Hearing

- Japes was issued a Pavement license on 11<sup>th</sup> March. This license allowed for 64 covers (chairs) in the area as detailed in our license.
- Following communication was made by Jake Johnstone in reply to a query about the market layout for the Antiques Market that was due to cover 44 of our seats. Jake highlighted that markets should take precedence over local businesses but that this clause was not listed within our license. Michelle agreed with the market to work around our footprint, and they left a gap enabling us to trade as per our license.
- Subsequently we held a meet with John who runs the Antique Market to confirm he was happy to operate with this setup moving forward.
- Hannah Ward kindly arranged a meeting with Dave Joynes who runs the Cotswold Markets held on 25<sup>th</sup> April 2025. At this meeting Dave agreed he was happy to accommodate our seating area within his layout so we can trade on market days.
- We had one further issue on May 31<sup>st</sup> where market traders set up early over our seating area and whilst we reached an amicable conclusion to this on the day with the stall holders, we emailed Michelle to ask for her support in communicating our license with the Market in question.
- Following this email we received an email from Sarah Hughes, Licensing Officer detailing

*'After much discussion we can only see that the only solution is to require the removal of your tables and chairs (near to the old telephone boxes and up to the tree) during markets. **We would not expect the tables and chairs nearest to your premises to be removed during the markets.** In the first stage we would ask that you support the decision which would allow us to rectify this matter quickly. If you do not wish to support this simple amendment we will refer this matter for consideration at our licensing committee, where, having read the officers report, they will make the final decision.'*

We would like to highlight the following in defence of this hearing

- Japes has already reached an agreement with the key organisers of the markets who are happy to trade around our licensed area. This agreement allows both the markets and our local business to trade on key peak days.
- Given the agreements already in place there is no justifiable reason for our license to be amended.

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- Removing the ability to trade on market days during the warmer would remove 44 covers on 16 out of 21 Saturdays and 12 Fridays. As highlighted in the attached calendar this trading period covers 4 school holidays. On a busy Saturday we have used each of these covers twice so the cost to us is around 88 covers in lost sales, over £1500 in revenue per day.
- There have not been any issues during market days concerning trade within our licensed area. We maintain the area within our agreed boundaries and ensure full accessibility along the Promenade.

We have letters from both traders outlining they are happy to continue with our agreed layout and the relationships we have formed. We are happy to hand over the back seating area over the winter months for the Christmas Markets as we will not be needing it during this period. We propose an addendum to the existing license highlighting this rather than the full exemption clause. This allows for a mutual and beneficial outcome for all parties involved.

Japes is a family owned and run business. We are proud to be open in the town we grew up in and feel we add huge value to the Promenade, a stretch of Cheltenham that has seen numerous voids and vacancies over the last 4 years, not least with the closure of House of Fraser. We are currently aware of 5 restaurants on the market in Cheltenham that will only add to the number of empty units in town.

Removing or restricting the ability for us to make money during key trading dates places us in an extremely precarious position financially; we do not have the backing of a large corporation behind us.

We are fully aware that the Council and its members are not responsible for the increased pressures that the current Government has placed on the hospitality sector. We do however feel this is an opportunity for our council to stand alongside us to support local businesses within the framework they set. We are asking for this case to be reviewed with an outcome that works for everyone concerned, not solely the market traders as proposed by the licensing department.

We have letters of support in from our MP Max Wilkinson and Fran Inman the chief Executive of BID. We hope these will be reviewed favourably and their detail considered.

I also attach a copy of extracts from Cheltenham Council's Corporate Plan 2023-2027.

Kind regards

Paul Hunter

### Cheltenham Corporate Plan 2023 - 2027

As we look beyond the difficult financial and economic pressures that we face, we are clear in our future ambition for Cheltenham. We're setting a higher standard for ourselves, and our town, to build a better future for everyone in Cheltenham, ensuring that everyone who lives and works here can equally share the benefits of Cheltenham's successes.

We will continue to develop our local networks and partnerships, working to ensure residents, communities and businesses are best placed to take advantage of these opportunities. This will include building on our strengths in cyber-tech, culture, hospitality, the creative industries and professional services.

#### Goals

- Strengthen our working relationship with Gloucestershire County Council to help improve Cheltenham's infrastructure, public realm and environment
- Work with partners to ensure all of our communities benefit from the investment and growth in our town by embedding our approach to social value
- Identify and take forward regeneration opportunities that enhance Cheltenham as a place to live, work and visit
- Identify and drive opportunities in all aspects of economic development across Cheltenham at every level, using economic evidence and data to inform our priorities and outcomes
- Support the promotion of Cheltenham as a place to do business with a particular focus on inward investment

#### How success will be measured

- Number of new businesses started
- Number of visitors to Cheltenham
- Retail occupancy rate

Market Dates 2025

2025

Vegan Fair

Arts & Crafts

Farmers

Antiques

January							February							March							April						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
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