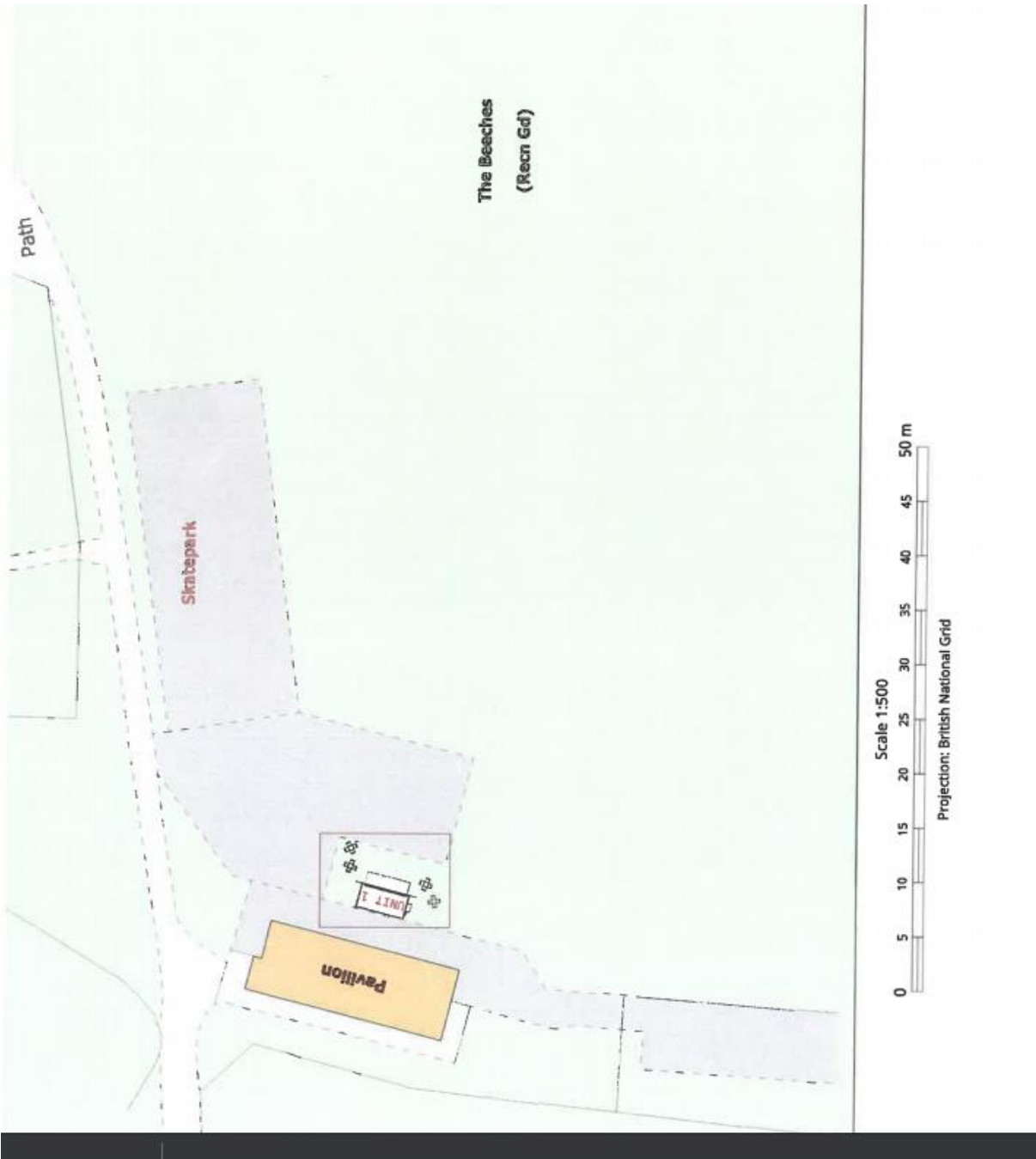


APPENDIX 1



APPENDIX 2



APPENDIX 3

Comments from objector

Email objection received 12.03.21

I am very pleased to have the opportunity to convey my thoughts, concerns and worries in relation to the licence being granted in respect of the Coffee Kiosk on Beeches field.

I believe you are in receipt of full correspondence and representation made to date. In the event that you are not privy to the dialogue, I have attached to this email as a point of reference and to avoid going over too much of what I have already expressed again but it is important that it is noted and considered.

Please also be aware that I am available to discuss matters further and in more depth as deemed necessary either on the phone, in person or on a webex call.

As highlighted in discussions with you, I am approaching this in a very pragmatic and professional manner and with an understanding of the current economic situation we all find ourselves in. It is not my intentions whatsoever to be a "Victor Meldrew" or a NIMBY or be unreasonable in my objectives and objection.

I find myself in the position here that I have very real and serious fears for the future of my business should the licence in question be granted and the café/kiosk at Beeches Field go ahead. We have some very quiet days, such is the dynamic of the village and some busier days that helps to balance the week out. Margins are tight and any slight drop in trade is cause for concern. The fact that the new offering is in direct competition and so close by, would call into question how commercially viable both businesses end up. From studying our figures, we feel that the likelihood is that the Beeches Café will take enough business away from us that will in turn force us into closure. To put it in context, even what may seem to be very small amount - £50 per day (approx. 18 hot drinks) drop in trade would have an enormous long term effect resulting in approximately £1500 per month drop in revenue which would severely impact us to the point of going under. I understand that CBC wants to support local business and assist with the bounce back along with affording others opportunities to thrive. The decision to open up Beeches Field for economic purposes and for the direct purpose of having a café/kiosk is a very unfair one to the local business' who are struggling through as it is. It is not sensible to give an opportunity out that will directly and adversely impact the existing local economy.

From the outset I should say that I am a fan of CBC and genuinely believe the council on the whole is doing a great job. It is difficult to get everything right all the time, however I feel the council is doing a fantastic job.

Throughout Covid my experience with various departments has been very positive and as previously mentioned to you Jason, I am hugely grateful for the support the Government and in particular local government has provided this past year. So many business' have managed to stay afloat owing to the grants and support received from CBC.

We have also been in a fortunate situation and been granted support over this time. Without the support, I am not sure the business would still be operating. With this in mind we have done everything we can to remain open throughout – only closing for Christmas Day and have been a lifeline to the village. We have been providing the service and been there for the community when there was no-one else in a position to be open for one reason or another. We have felt it is our duty to do so and I am very proud of the work we have done.

We have been working extremely hard in extreme circumstances over the past year and have managed to carve out a reputation for ourselves and stay in business. We have had a tough year and we are beginning to see the fruits of our labour with the customer base and evolution of the Café. The announcement a couple of weeks ago relating to the dates that the country and economy can start to rebuild brought a renewed energy and vigour to us and huge positivity across the board. It is the light at the end of a very long tunnel and we might just have a lifeline from the 12th April onward in stages. The hope that we will start to actually make some money as a business and may be in a position to draw some form of wage from it for all the work. Employees of course are paid but as yet I have not taken anything. It is tight but promising.

The creation of a Café (Beeches Café) as they are calling themselves is a major body blow to us. A sucker punch just as we are seeing the possibilities that may lie ahead. It feels like CBC has been financially supportive all these months and in giving with the right hand, it feels as though they are taking with the left by creating such an opportunity and offering so close by.

I understand some of the view points and where CBC is coming from on some of them but I would argue that a coffee kiosk/café on Beeches Field is simply not needed. Moosh has been and continues to provide the refreshments and food needed and sought after by the people of the village within such close proximity to the field.

Like so many businesses we operate on such tight margins and having the threat of Beeches Café hanging over us is very difficult to take. I feel very strongly about this and feel like I have a pretty good understanding of the village and what is needed. I live on Copt Elm Road in the heart of Charlton Kings and Chairman of St. Marys Playgroup. I have two young children, who attend St. Marys Playgroup and The Arc Nursery in Charlton Kings too. We use Beeches playing field and playground on a regular basis and of course we know our customers in Moosh and throughout the village having relationships with the other business's.

We support local artists, crafters and suppliers by purchasing and also providing them with an outlet to sell their products, we also and employ locally too.

We support local charities and schools in their charitable endeavours.

Throughout the pandemic and series of lockdowns, we have been (from the mouths of our customers) a lifeline and a consistent place to come particularly for the local sheltered housing residents, the vulnerable, old age and lonely. We are seen as an integral part of the community for this and many other reasons besides.

I raise these points to reiterate our commitment to the community that we are serving, it's very much a 2 way street as far as we are concerned and it would be a great shame if we were forced into closure, creating another void "on the high street" and in the community that rely on us. This is sure to happen if the Beeches Café / kiosk is permitted to go ahead.

Of specific concern regarding the license is the following

- 1) The unfair commercial advantage that the cafe will be granted by being on the field, the location is not ordinarily a commercial district and is being created out of nothing without much thought or consultation.
- 2) The product range that the café will be serving and providing is essentially identical to what we are currently offering.
- 3) The opening hours are again very similar.
- 4) The lack of consultation and research by CBC and others into the viability and effect such a commercial offering is likely to have on neighbouring businesses.
- 5) The lack of any answers or clarity surrounding the apparent commitment by CBC to review to trial on the grounds of its negative impact on the local economy as stated in the vendor

tender/application pack and cease the trial at any point if a negative impact is been seen and proven.

- 6) It would only take a few weeks for any negative impact on our trade to cause a major negative to the future of Moosh.

I do hope that my concerns are considered seriously and taken into full account when assessing the application for the license.

In the event that the license is likely to go ahead and be granted there are some stipulations or clauses that I would like to see included in order to give us a chance of surviving, at least until we can assess and discuss the impact with some more evidence.

- 1) That the café/kiosk is not permitted to provide the same product range as Moosh currently offer – ie Coffee, Tea, Soft Drinks, Cakes, Sandwiches, Toasties, Milkshakes, Ice Cream and Snacks
- 2) That the café/kiosk provide a different and unique offering, such as a Pizza van or a full range Ice Cream Kiosk or a Noodle Bar. Essentially something that is not in direct and unfair competition to Moosh.
- 3) The opening hours are amended to be closed Monday/Tuesday/Wednesday (generally being the quieter days of the week) where trade is particularly slow.

I would also like to have clarity and confirmation on how the issue of a negative impact on our trade will be assessed and dealt with, I propose weekly or fortnightly catch ups, any longer could spell disaster for Moosh.

I trust that my concerns and ideas will be treated seriously and considered fully. I am available to discuss further and I am looking forward with trepidation to hearing what the outcome is.

Letter attached to email of 12.03.21

Moosh 3A Church Piece Charlton Kings GL53 8JN

15/02/2021

Dear Abigail,

I am writing to get in touch about the vendor opportunity for Beeches Playing Field as Owner of Moosh Café.

I was first alerted to this through social media last week, that the council were encouraging applications to host a refreshments stall at Beeches. Until this point, I had not been aware of this idea, we hadn't received any notification or seen any public notice at, near or around the area, which as a resident, I use daily with my children.

Upon investigation, I can see that this proposal was heard before the Cheltenham Borough Council Cabinet on 22 December 2020 and the recommendations in the report passed.

I note from the report the success and widespread community welcome for the trials at Hatherley and Burrows.

The option of Beeches gives me some cause for concern, given the extreme impact of Covid and restrictions on local businesses including Moosh.

Moosh, for example, has managed to keep afloat despite tremendous restrictions placed upon its trading and core business due to Covid, but this has been a major struggle and the profit margins are not anywhere near what was expected and could ordinarily be expected during pre or non Covid times.

We are very grateful for the community's support through Covid and feel we deliver back to the community immensely. Some very notable examples of this are the amount of elderly and disabled customers we serve who come to us from the local sheltered housing blocks. We have a great number of customers who are lonely and vulnerable who come to Moosh as the highlight of their day and worked into their daily rituals. They come to us as they feel safe, supported and have a comfortable environment where they can shelter and have friendly chat with us and other customers alike.

Moosh is leaned on by various community charitable initiatives such as the CKIS and CKJS amongst others. We provide support and fundraising in conjunction with these bodies. We support and encourage local enterprise by working together with local bakers, crafters, artists and so on to showcase their products and help them with promotion of their business through our window display and sales in our coffee shop.

We distribute our used coffee grind to the local community (FoCK) allotment and other local residents who use them at home and on their allotments.

When Charltonbury festival was put on last August, hosted by FoCK and the Parish Council, there were no public toilets available and Moosh was there to support, not only the event but also the patrons by way of allowing our private coffee shop toilets to be used by them.

Moosh is a cornerstone of the community and many have likened us to a community service as throughout the lockdowns and restrictions we have remained open and consistent giving the local community somewhere they feel they can get out and escape to, bringing them some peace, some treats or just a change of scene. We have worked to improve the outlook of the precinct and on multiple occasions have swept up and weeded the area when it was being neglected, overlooked and at times unsafe due to the vast amount of wet leaves under foot.

In the report it is mentioned that CBC would be looking for reference of working with local businesses within any bid submission. How does CBC envisage that any bidder would work with and support Moosh? I am aware the deadline for submission is this Wednesday 17 February, but I haven't had any approach from any potential bidder.

The report talks in detail about public consultation via S123 for the Hatherley site, but little to no mention of any public consultation on the Beeches site. Was there any public consultation or was there a conscious decision to not consult, and if so, what were the reasons for this?

I am unclear from the report's statements under paragraph 4 and contribution to the corporate plan. It suggests about promoting inclusive growth while the implementation is no doubt a risk to local, independent coffee shops. It also mentions about listening to the community, but CBC don't appear to have spoken to our local community in Charlton Kings, and gave no notification to Moosh of this idea.

I am surprised at Charlton Kings Parish Council's specific support for Beeches, given their location is a matter of metres away from Moosh, and again there was no communication with us about this idea. I will seek to discuss this with the PC directly, but it does further indicate that the community hasn't been wholly involved in the consultation.

There is a further concern that the council's risk assessment gives no consideration to the major risk of putting local operators out of business and the knock-on effect of the loss of a community asset, and the perception of a possible long term vacant unit as a result. I feel for a risk assessment to hold sufficient weight in business terms, this should have been included and perhaps this could be revisited?

In reading the vendor opportunity, I am pleased to see more emphasis on consideration of adverse effect on local markets and that CBC wants to support the local economy and not compete with it.

From a local business perspective, my clear view is that any alternative vendor in the local vicinity can only be competition and not support.

The vendor opportunity document also talks about ensuring stakeholder buy in and support, I am interested to understand how CBC plans to engage with Moosh, particularly given the tight timescale – with deadline for submission this Wednesday.

The document explains that footfall at Beeches is regarded as being potentially high, has CBC undertaken any footfall monitoring to arrive at this assertion? In particular, has it considered the direction of this footfall, and the levels of traffic via Charlton Kings village centre and precinct?

I am pleased that CBC state in this document that “The Council will seek to end this opportunity (possibly earlier than the end of the term) should it result adversely on local businesses and it will not be offered again until this can be resolved.” As mentioned above, the parish council has not discussed with Moosh what the impact might be locally, and I would respectfully disagree with their opinion that Moosh ‘is removed enough’ to not be adversely impacted. To be clear, a substantial number of customers frequent Moosh coming from or on route to Beeches playing fields, often with children visiting the play area (including myself and my wife!)

Regardless of the above, I am keen to understand what the council’s monitoring will be of any adverse effect? I would be grateful for clarification on this point so as I may begin to prepare Moosh’s books in the format you wish to enable you to effectively analyse the impact on local businesses. Will CBC be wishing to consider the impact on a weekly basis? What is the criteria for ‘adverse effect’, is there a percentage? Of turnover, or profit? At what percentage does CBC feel local businesses can survive? Is this percentage to be made clear to any potential bidder or successful vendor?

How does CBC intend to write into any tenancy or contract that the kiosk can be closed down by the council at short notice if adverse effect on local economy is identified?

I would greatly appreciate your urgent attention to this matter. I apologise that I have only been able to make contact now, but there has been no public notification or direct communication, and this was only brought to my attention following some social media activity, much of which shares my concerns above, although of course there is some support on these online posts for CBC’s attempts to think innovatively.

I’d also like to express my appreciation to Cllr McCloskey who has posted publicly about wanting to support the local economy, although I must point out that for a business the size of Moosh, that nine months of lost business would be enough to close down any local independent retailer to the point of no return. My real concern is that the community might lose a local coffee shop, and that the vendor trial or the successful bidder not continue beyond this period, leaving the community with no outlet altogether which would be a massive blow for the Charlton Kings community.

I am aware there is a cabinet meeting tomorrow evening, perhaps some of the concerns and points raised above may feed into the discussion and decision making. I look forward to hearing from you and am available to meet and/or discuss matters further.

Raymond Dowling CC: Parks Kiosk, Dominic Stead, Paul Jones, Cllr. Steve Jordan, Cllr. Chris Coleman

Email attached to objection dated 18.02.21

Dear Ms Freckleton,

I wish to make a formal objection to the proposals at Beeches Playing Field. Section 123 (1), (2A)

I am not sure it is expressly clear whether the objection needs to be against the 'DISPOSAL OF OPEN SPACE' or indeed the proposal to have a "TENANCY AT WILL" for the purpose of a refreshments kiosk.

As a local coffee shop business - Moosh, within extremely close distance from the playing field, I object to the proposals on the grounds that my business and indeed others in the village will be adversely affected by the proposed idea of granting a tenancy for a refreshments kiosk on the site.

I have tried to understand the measure the council are planning to take to support local business and monitor the negative effect on the local economy – as mentioned in the proposals document.

As you are well aware this information and open dialogue has not been forthcoming and attempts made and concerns raised have been masked by officials when reporting on the issue at cabinet meetings.

The main issue is that the impact of the covid 19 pandemic and the lockdown/restrictions Imposed by government have made running a hospitality business extremely challenging. The business is on one of tight margins and profit is very hard to reach.

By creating space and granting a tenancy for a refreshment at the proposed location would severely impact and damage the trade in the already struggling businesses locally and with specific reference to my own business of Moosh Café.

I believe that Beeches playing field is already served well by the outlets in the village and there is not a need to have a kiosk on the site.

Having a kiosk there will I believe dramatically damage the custom of Moosh and other outlets nearby, creating unnecessary and unfair competition that will likely have a devastating impact and instead of supporting local business, it will in-fact go against that and cause severe difficulties which are likely to result in the closure of local outlet(s)

The vendor opportunity pack mentions "to see more emphasis on consideration of adverse effect on local markets and that CBC wants to support the local economy and not compete with it." It also talks about "ensuring stakeholder buy in and support" and also "The Council will seek to end this opportunity (possibly earlier than the end of the term) should it result adversely on local businesses and it will not be offered again until this can be resolved."

It is very unclear how this might be assessed.

You will see below and have been privy to my concerns put forward to date and wish to formally object to the proposals.

Details of my business –

Moosh,

3A Church Piece,

Charlton Kings,

Cheltenham

GL53 8JN

Personal details –

Raymond Dowling

I trust this objection has met with the required process and am available for discussion on the topic as required.

I am hopeful of a positive outcome where the local economy does not suffer any further.

Yours sincerely,

Raymond Dowling