

Licence to Trade in Public

Licence Number:
8-82-200###

Trading licences are required for temporary retail and food stalls, retail kiosks and recreational equipment hire.

Licensee details

Name:

Phone:

Trading Name:

Trading activity

Under this licence only the following types of goods may be sold:

Trading hours

Trading may only be carried out on:

Conditions

This licence is granted subject to the stall configuration as shown below and the conditions listed overleaf:

DRAFT

Council Approval

under the provisions of the Wellington City Consolidated Bylaw 2008, Part 5: Public Places:

Signature:

Title:

Date:

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Licence Conditions

- The term of the licence shall be .
- The licensee shall pay a licence fee of \$410 per year (including GST) and any other fees as described below:
 - \$310 application processing fee (including GST) for new applications, payable before the licence is issued.
 - \$xxxx per year (including GST) for private use of public space (paid xxxmonthly/quarterly/annuallyxxxx in advance), to be reviewed annually and adjusted to accommodate inflation.
 - The licensee shall pay the cost of installation and removal of any services and charges for any services.
- This licence may be revoked by either party for any reason by giving one month's notice in writing.
- Only the licensee named overleaf, or the licensee's direct employees, are licensed to conduct the business set out on this licence, from the approved site only. This licence is non-transferable.
- This licence permits an activity and does not create any legal or equitable interest. This licence does not give the licensee a right of uninterrupted use of the area covered by the licence. The Council may require the stall to be removed at any time (including during the permitted hours of use) to allow road works or other public activities to occur. The Council will not be liable for any loss of business or other costs caused by any loss of access to the area covered by the licence regardless of the cause of the interruption or its duration. If access to the site is not possible for two or more consecutive trading days, any fees paid by the licensee for use of the public space may be refunded to the licensee, calculated as the amount paid times the number of trading days affected divided by the total number of trading days in the period paid for.
- The licensee must comply with and observe all Statutes, Regulations, Bylaws and other such legal requirements pertaining to the trading activity.
- The trading activity must not impede traffic or pedestrians – a clear unobstructed footpath width as specified in the Footpath Management Policy is to be maintained at all times. Noise levels must be kept to an acceptable level. The licensees shall not commit any act or omission that causes or is likely to cause a nuisance.
- All physical components of the trading activity, including the stall and any tables, chairs and bins provided by the licensee, are to be high quality, durable, waterproof and weather resistant, designed for outdoor use, be well maintained and must comply with NZS4121 – Design for Access and Mobility. Only the items specifically shown on this licence are permitted – any additional items such as advertising boards are not permitted unless they form part of the stall structure.
- The licensee must comply with all directions issued by Police or Council Officers. Failure to comply with any notice given by an Officer (whether verbal or in writing) within the period stated in the notice may result in the Council implementing any works required by the notice (including cleaning, repairs or the removal of any part of the trading activity) at the cost of the licensee. Failure to comply with any of the licence conditions may result in the licence being revoked.
- The licensee must hold current public liability insurance with a limit of cover of not less than NZ\$1 million at all times that the trading activity is carried out. If the insurance policy expires prior to the end of the licence term, the licensee must provide the Council with evidence that adequate cover has been renewed.
- The stall may only be on site from half an hour before until half an hour after the licensed trading hours.
- The licensee is to provide and service litter containers on and about the trading site and will keep the site and surrounding area (within 30 metres of the trading operation in any direction) clean and free from litter at all times. The licensee may not place trade waste in Council litter bins.
- Personal information included on this licence will be used for the administration of trading in public places and may be made public. This licence form is to be displayed at the stall for public and Council Officers to inspect when requested. The licensee has the right only to modify personal information on this licence.
- This licence agreement may be renewed annually. The condition of renewal will be continued compliance with the conditions of this licence agreement.

Agreement

I hereby agree with the provisions of this licence and undertake to comply with the licence conditions, Wellington City Consolidated Bylaw 2008 and the Wellington City Council's Trading in Public Places Policy. I agree to indemnify the Wellington City Council against any liability arising from the use of the public space by the licensee or the licensee's agents, employees, contractors, invitees or customers, involved with the trading activity.

Signature:

Date: