

**HOBSONS**  
**BAY** CITY  
COUNCIL

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# **FOOTPATH FURNITURE TRADING CODE OF PRACTICE**

**Effective 1 July 2019**

## Purpose of the Code of Practice

Hobsons Bay City Council is committed to ensuring that everyone in our community is able to enjoy the many social, cultural and business benefits of living and working in Hobsons Bay.

While acknowledging the importance of street trading opportunities for traders, we must be mindful that footpaths are available for everyone and it is critical that we understand that commercial use of public space is a privilege, not a right.

Footpaths need to be clear, accessible and inclusive for all of the community, including older persons or people with disabilities. In order to achieve this, any street furniture, signs, trader's activities or displays should be located towards the kerb side, not along the building line. This is consistent with best practice guidelines issued by the Human Rights and Equal Opportunity Commission.

This Code of Practice aims to enable equity of access for all as defined in the Commonwealth Disability Discrimination Act 1992 (the DDA). Footpaths fall within the DDA definition of premises and are intended to enable access to required community facilities.

The following principles have been used in developing this Code of Practice:

1. Council aims to provide clear, safe and unobstructed access at all times for pedestrians of all abilities on the City's footpaths in accordance with Council's statutory responsibilities
2. Footpath activity must make a positive contribution to the urban character and amenity of the area and surrounding residential areas
3. There needs to be a clear policy for traders
4. Council supports the long term viability and sustainability of retail strips
5. Footpath trading is a privilege, not a right

This Code of Practice should be read in conjunction with Council's Community Local Law, Sections 112 and 113, which can be found at [www.hobsonsbay.vic.gov.au](http://www.hobsonsbay.vic.gov.au) under Local Laws.

## Permits required

This Code of Practice applies to the obtaining of permit/s for the placing of advertising signs, display of goods, tables with chairs, benchseats, heaters, screens, planter boxes and street furniture on footpaths.

A person who fails to obtain a permit for a footpath activity is guilty of an offence under Council's Community Local Law.

## Footpath management standards

A number of footpath management principles have been developed to ensure that safety, accessibility, community amenity, quality design, hygiene and cleanliness are maintained on the footpath at all times.

### Safety and accessibility.

The following standards apply to ensure that safe and unobstructed access to the footpath area is available:

- a continuous accessible path of travel is established along the building line, not less than 1.8 metres in width (an absolute minimum walkway width of 1.5 metres will be allowed in areas where the footpath is narrow, and only if the need can be clearly demonstrated)
- footpath activity located in close proximity to intersections must have sufficient protection from vehicles
- required clearances and setbacks to be maintained at all times
- the footpath area is an inviting, clean and safe place
- the owner of any business must ensure that patrons do not congregate at entrances or exits onto a public footpath, thereby impeding the flow of pedestrian traffic

### Community amenity

To ensure the amenity of the footpath and adjacent areas is protected and enhanced, the following standards apply:

- compliance with Environment Protection Authority requirements and Hobsons Bay City Council Local Law in respect to noise. Further details can be found at [www.hobsonsbay.vic.gov.au](http://www.hobsonsbay.vic.gov.au) and [www.epa.vic.gov.au](http://www.epa.vic.gov.au)
- avoid obstructive footpath trading furniture, and excessive signage or displays of goods, which create a hazard for users including people with physical or vision impairments
- footpath trading activity should not increase pressure on the available parking capacity within the area
- footpath trading is to cease by **11pm** for hotels and bars, and **1am** for restaurants and cafes – unless over-ridden by a planning permit. These times are in place to ensure nearby residents are not negatively affected, Council reserves the right to determine footpath trading hours
- all footpath trading furniture must be removed from the footpath at the close of business as stated on the permit

## **Design considerations**

To ensure the appearance of any structures associated with footpath activity are appropriate and in keeping with Council's Urban Design and Heritage controls for an area, the following standards apply:

- any proposed structures within a Heritage Overlay will be referred to Council's Heritage Advisor. Structures that impede views to significant heritage frontages will not be supported
- any proposed structures will be referred to Council's Statutory Planning Unit and City Strategy Unit to determine whether the structures are appropriate to the streetscape
- structures associated with footpath trading shall not enclose public spaces or adversely affect the openness of our public footpaths. Screens exceeding 1.2 metres in height, attached to buildings or enclosing a space by roofing over are unlikely to be approved by Council
- the colour of any structures shall be consistent with the heritage objectives of the location

For further information, refer to the Hobsons Bay Planning Scheme at [www.hobsonsbay.vic.gov.au](http://www.hobsonsbay.vic.gov.au) or telephone the Urban Planning Department on 9932 1000.

## **Hygiene and cleanliness**

To ensure the hygiene and cleanliness of footpath areas is maintained, the following standards apply:

- litter must be cleared from the trading area by the permit holder at all times
- food scraps and any other rubbish within the immediate area must be removed and deposited within the permit holder's own bins kept within the premises
- windproof ashtrays must be provided and made available during hours of trading for patrons wishing to smoke within the footpath trading area
- litter generated by footpath trading must not be swept into the street gutter, or adjacent footpath areas. It must be picked up and deposited within the permit holder's own bins kept within the premises
- trade waste must not be placed in public street bins
- the preparation, handling and serving of food and drinks to patrons located on the footpath must be conducted in accordance with the relevant food safety requirements

For more information, visit [www.foodsafety.vic.gov.au](http://www.foodsafety.vic.gov.au) or contact Council's Public Health Unit on 9932 1000.

Council's street cleaning services operate in the early morning to ensure minimum disruption to local businesses. However, the permit holder has a responsibility to keep the street and footpath clean and must work with the Council to ensure this is achieved.

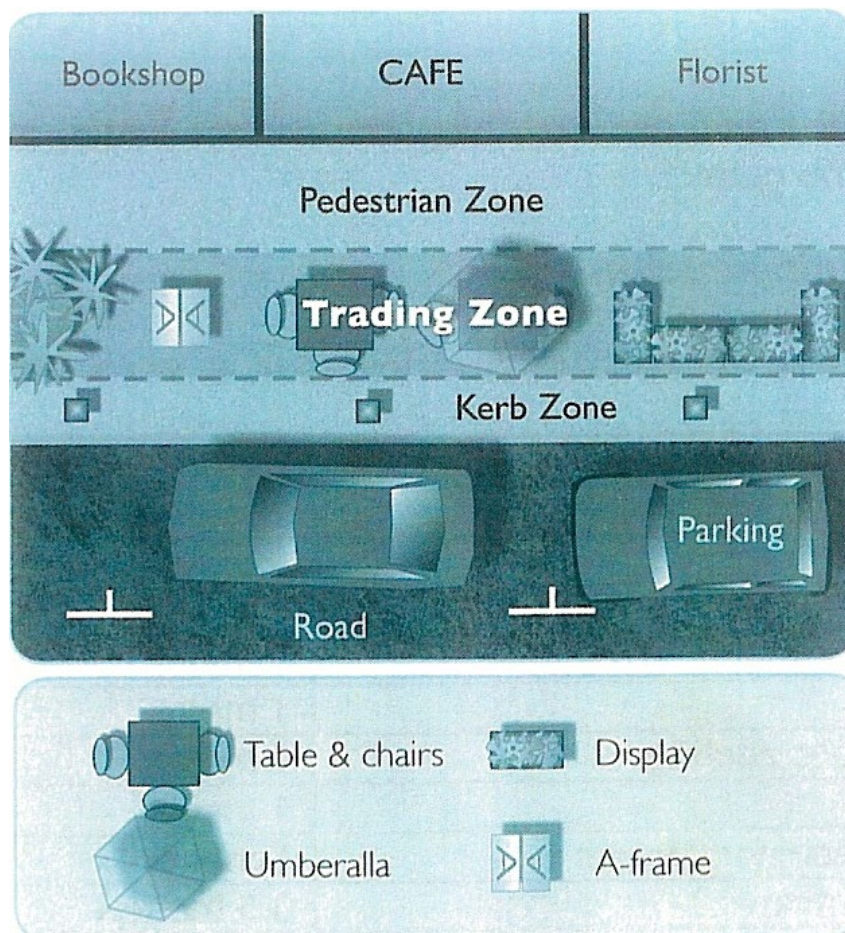
# FOOTPATH ZONES

## Footpath trading zones

To ensure footpath management standards are met, three footpath trading zones apply:

- Pedestrian Zone
- Trading Zone
- Kerb Zone

Existing trees, artwork, street furniture, public infrastructure and the width of the footpath, may prohibit or limit footpath trading activity.



## **Pedestrian Zone**

The pedestrian zone is an unobstructed pedestrian footpath corridor not less than 1.8 metres in width (an absolute minimum walkway width of 1.5 metres will be allowed in areas where the footpath is narrow, and only if the need can be clearly demonstrated).

To ensure a continuous and accessible path of travel, no furniture, signage or displays of goods are permitted within the pedestrian zone at any time.

## **Trading Zone**

The trading zone is the space between the pedestrian zone and the kerb zone (the kerb zone typically 0.7 metres wide from the gutter). The trading zone varies in width from street to street depending on the overall width of the footpath.

The footpath trading furniture, signage and display of goods must be contained within this zone at all times. There must be a minimum of 1 metre between each adjoining trading zones.

To ensure adequate access between the road and the pedestrian zone, a 1.5 metre space must be provided at the centre of trading zones greater than 10 metres in length.

## **Kerb Zone**

The kerb zone is the area between the gutter and the trading zone (the kerb zone is typically 0.7 metres from the gutter).

## **Existing public infrastructure**

Clearance is required from public infrastructure at all times. The following standards apply:

<b>Types of infrastructure</b>	<b>Required clearances</b>
Bus stops	2 metres
Pedestrian crossing	2 metres
Vehicle crossing	2 metres
Bicycle stands	1 metre
Fire hydrants	1 metre
Front/sides of public seating	1 metre
Litter bins	1 metre
Parking ticket machines/meters	1 metre
Back of public seating	0.5 metre
Bollards	0.5 metre
Electricity poles	0.5 metre
Street lights	0.5 metre
Traffic poles	0.5 metre
Tree pits	0.5 metre

Existing public street furniture and infrastructure must not be used for any trading purposes, including for business signage or displays.

Existing public street furniture or infrastructure may only be moved if an appropriate alternative location can be found and if the applicant pays all costs to have the infrastructure moved or replaced.

Council may also reserve the right to replace the item with a new item in accordance with Council's Urban Design Manual.

### **Adjacent premises**

Should a trader seek to extend their trading zone across adjoining premises, written permission is required from the trader occupying the adjacent premises and remains subject to Council review and approval.

As with the normal permit process, this agreement needs to be reviewed annually and must be clearly marked on submitted plans (as per the application process). This agreement would run with the owner of the adjacent business and not with the land/premises. Thus the agreement would be nullified if the business were to close, change hands or the owner of the adjacent business revoke their consent.

Tables and chairs and goods/services are permitted only outside the premises to which they relate and must be contained within the property line with the required set back, unless the above exemption/agreement is valid. The footpath is a public zone and, as such, is not owned by any business. This means that no business is allowed to rent footpath space to an adjoining premises seeking to occupy that area.

# **DESIGN STANDARDS**

## **Footpath dining**

### **Tables and chairs**

All tables and chairs must remain within the trading zone for the duration of their use.

Street furniture must comply with the Australian Standards ([www.standards.com.au](http://www.standards.com.au)) and be of a high standard in appearance and durable in nature. Council must approve all furniture before use.

Opinions from Council's City Image Team (including the urban designer) and Council's Statutory Planning Unit (including the Heritage Advisor) may be taken into consideration as to whether street furniture/structures are appropriate in the streetscape context before being approved.

Tables and chairs need to be portable, strong and windproof. This may include metal and timber, or metal frame and plastic tabletop and chair back/seat..

**The base ends of all street furniture or items must have suitable rubber stoppers (at least 30mm in diameter) on the ends to prevent pavement damage.** It is the responsibility of the business owner to ensure all public assets in contact with the goods/items on the footpath are not damaged.

It is the responsibility of the business owner that no chairs or tables (or other items) on the footpath are moved by patrons and obstruct the pedestrian zone.

Where possible tables and chairs should have a contrasting colour to their background to assist the vision impaired (this means that the colour must be different between the chairs/tables to such elements as the footpath and shop front to allow easy identification.

Table and chair legs should not extend on an angle that would cause tripping points to pedestrians.

**For safety reasons, where the trading zone is narrow (1 metre in width) no chair should back onto the pedestrian zone.**

A set back of 0.5 metres is required from each side boundary of a premises to ensure access points from the footpath to the road are retained between each premises.

All tables and chairs must be removed at the end of business each day.



## Screens

To preserve the general openness of the streetscape, the maximum height for screens is 1.2 metres high across the frontage of the business provided there is a 1 metre break/gap for pedestrian access at the boundary between businesses.

All screens must be secure, preferably fixed into a Council approved socket and sleeve system in the footpath.

All screens must be removed at the close of business every day to allow for daily street cleaning.

Council encourages the use of screens in areas with angle parking.

## Lock-in devices

All lock-in devices must be approved by Council's Engineering department before a Footpath Trading permit can be granted. A Road Opening permit **must** be obtained prior to the installation of the device. If a lock-in device is fitted without prior Council approval and the required specifications are not met, an authorised officer will require that the lock-in device be removed and the footpath be re-instated to its original condition at the traders expense.

All lock-in devices must be maintained and repaired by the current trader using that device. If a premises changes ownership, and the future operator will not be using the lock-in devices, the current trader will be responsible for re-instating the footpath to its original condition, to the satisfaction of the authorised officer prior to vacating the premises.

## Umbrellas

Umbrellas are permitted on footpaths 4 metres or greater in width. The following conditions apply:

- umbrellas are only to be used where there are no existing canopies overhead or where the use of the umbrella will not interfere or damage existing items
- the width of the umbrella is the same or less than the width of the trading zone and does not protrude outside of the trading zone causing a hazard to passing pedestrians or vehicles
- where umbrellas are permitted there must be minimum clearance of **2.2 metres** from the underside of the umbrella to the footpath
- umbrellas must be secure, preferably fixed into a Council approved lock-in device to ensure public safety
- all umbrellas must be removed or closed in times of strong winds or storms
- all umbrellas must be removed at the close of business each day
- Refer to advertising guidelines for permitted advertising

## Heaters

Any heating device must be certified by the Australian Gas Association. For further details, please call the Office of Gas Safety on 1800 069 588.

All heating devices should only be used in accordance with the manufacturer's instructions, particularly in relation to required clearances from other combustible objects. Free standing heaters must only be located within the trading zone and must be removed at the close of business each day.

Any heaters that are part of a Footpath Trading permit must be covered by the trader's public liability insurance.

For heaters fixed to verandahs or awnings, a planning permit may be required.

### Windproof ashtrays

Windproof ashtrays must be provided for patrons at all times. The permit holder is required to regularly remove all cigarette butts and dispose of them in bins kept inside the premises. Failure to provide suitable windproof ashtrays may result in the cancellation of the permit.

Permit holders found sweeping cigarette butts into the gutter, immediately forfeit all rights to trade on the footpath.

**All traders are responsible for ensuring that 1.8 metres in the pedestrian zone is kept completely free of smokers from their establishment. Complaints may result in the trader losing access to trade on the footpath.**

### Liquor Licences

Liquor is not to be sold, consumed or served within the trading zone unless approved by the Council and the Liquor Licensing Commission pursuant to the Liquor Reform Act 1998.

The trading zone must be included within the area licensed by the liquor licence. For further information about licensing, contact the Council's Statutory Planning Unit on 9932 1000.

### Toilet and sanitary facilities

The introduction of kerbside eating will increase the overall customer seating capacity of the premises. The establishment must therefore have adequate and accessible toilet facilities for the use of customers and staff. The Building Code of Australia provides guidance on what is considered an adequate number of toilets. The Building Regulations require toilet facilities to be provided for patrons (including patrons with disabilities) and staff of restaurants, cafes and bars.

Before submitting an application for a permit, the applicant must ensure that adequate toilet facilities are provided for the *maximum allowable number of patrons* capable of being seated inside and outside of the premises. Additionally, it is important to note that the introduction of kerbside eating will increase the overall number of patrons. To accommodate this increase, it may be necessary to upgrade the existing toilet facilities and include accessible toilets.

The following table provides guidance about the required sanitary conveniences for the maximum allowable number of patrons.

Seating capacity	Number and ratio of toilet facilities			
0 - 20	No requirement			
21 – 50	Females:	1 closet pan	1 wash basin	
	Males:	1 closet pan	1 wash basin	
51 – 100	Females:	2 closet pans	1 wash basin	
	Males:	1 closet pan	1 wash basin	1 urinal
101 – 200	Females:	3 closet pans	2 wash basins	
	Males:	1 closet pan	2 wash basins	2 urinals

201 – 300	Females:	4 closet pans	2 wash basins	
	Males:	2 closet pans	2 wash basins	3 urinals

## Advertising

Council understands the need for businesses to engage in marketing and advertising. As such, Council allows for identification and promotion signs that meet the needs of the business and also considers the amenity of the area and streetscape appearance for the whole community. Conditions include:

- the name or logo of a business may be displayed on every alternate panel of a café screen or umbrella within the trading zone
- screens or umbrellas within the trading zone may have commercial advertising (such as the name of the screen provider) on alternate panels only – **NOTE a maximum of 50 per cent of a screen or umbrella may be used in total for advertising for the above points**
- details of any proposed signage on furniture must be submitted with any application to trade on the footpath
- no café or commercial advertising is allowed on chairs or tables unless required for identification purposes **ONLY** and must be placed in an unobtrusive manner allowing for identification by traders of business property
- if a trader has advertising on any surface, over the allowed indicated level, that information should be submitted with the application for review. Each application will be reviewed on a case-by-case basis
- advertising on any awnings or blinds which are affixed to the building may require a planning permit

## Footpath advertising signs (A-boards)

Strict conditions govern the size and location of footpath advertising signs to ensure that they do not create a safety hazards, an obstruction, or an eyesore, including:

- signs may only be displayed within the trading zone and must be securely weighted to avoid causing damage in windy conditions
- portable electric, illuminated or flashing, revolving/spinning signs are prohibited at all times
- signs must not exceed a height of 1 metre or a width of 0.7 metres, they should be constructed of quality materials
- signs can only be displayed during the business's normal hours of operation and must be removed at the close of business each day
- **only one sign per premises will be permitted**
- signs must not be affixed to any footpath, building, street furniture, pole or other structure
- **signs must NOT be placed within the pedestrian zone under any circumstances**

**NOTE: A-BOARDS NOT ON FOOTPATH AREAS MAY REQUIRE A PLANNING PERMIT.**

## Planter boxes

Planter boxes will only be allowed within the designated trading zone, they must not be placed in the centre of the footpath.

Planter boxes must be no higher than 1 metre and no longer than 1.8 metres. They must not be affixed to any footpath, building, street furniture, pole or other structure.

Planter boxes must provide a positive contribution to the visual amenity of the street and must be well maintained with healthy plants.

Planter boxes must be removed at the close of business each day and must not attract rubbish or cigarette butts.

**Planter boxes must not be placed within the pedestrian zone or kerb zone under any circumstances.**

## Display of goods

A 0.5 metre wide customer space must be provided within the trading zone to allow customers to access the display of goods.

Stands to display goods must be constructed of a high standard in appearance and style, and made of quality materials, with finishes that are safe, durable, attractive and in keeping with the amenity of the area, including:

- goods for sale or display must be located within the trading zone
- goods and goods stands must only be placed on the footpath during hours of operation of the business and must be removed from the footpath at the close of business each day
- all goods stands must be suitable/stable and approved by Council
- goods or their displays must not be affixed to any footpath, building, street furniture, pole or other structure
- goods displays will not be allowed to exceed a height of 1.5 metres or a width of 1 metre
- **displays of goods must NOT be placed within the pedestrian zone under any circumstances – including inclement weather**
- goods should have a contrasting colour to their background to assist the vision impaired.
- food displays must comply with any requirements of Council's Public Health Unit.

## Real estate signs (auction/open or inspection signs)

Strict conditions govern the size and location of these signs to ensure they do not create a safety hazard, an obstruction, or an eyesore.

The following conditions apply:

- only one sign will be permitted at either end of the street in which the open for inspection is taking place, and another in front of the property – these signs must be placed within the nature strip
- no signs will be permitted within any roundabout
- no signs will be permitted within central median strips
- no signs will be permitted on a footpath
- open for inspection signs will only be permitted to be put out when an agent is in attendance at a property during the advertised inspection times
- auction signs may be placed at the same locations as the open for inspection signs on auction day only and must be removed immediately or no later than one hour after the auction
- signs must not exceed a height of 1 metre or a width of 0.7 metres and should be constructed of quality materials

The Real Estate Institute of Victoria (REIV) has strict guidelines which include the following:

- open for inspection signs are displayed only when the property is open for inspection and an agent or an agent's representative is in attendance
- auction flags and auction sandwich boards are removed immediately after the auction
- they comply with Local Laws regulating the use of signage and auction flags

# APPLICATION PROCESS

## Applying for a Footpath Trading Permit

Applicants are advised to read and familiarise themselves with these guidelines prior to any formal application being made to Council. It is important to understand the design requirements, legal obligations, costs and responsibilities involved in managing the footpath area. Failure to submit the required information may result in delays in processing the application or a refusal of the application.

Permits are valid from the date of issue to 31 August, after which they are renewed annually.

The following information is required from the applicant when submitting an application form:

- 1. Site plan of proposed footpath trading activity:** a plan at scale 1:100 accurately showing the area and layout of the proposed footpath activity. This includes the proposed location of chairs, tables, screens, heaters, umbrellas, advertising signs, etc. Existing trees, light poles, signs, existing street furniture, pits, fire hydrants, car parking and other features should be shown.
- 2. Public Liability Insurance:** Council requires the policy to note Council's interest and be for the amount of no less than \$20,000,000 in respect of any single occurrence. Public liability insurance must remain current and valid for the life of the permit and **must** be produced annually.
- 3. Form of Indemnity:** to indemnify Council against all claims of any kind arising from any negligent act either by the permit holder or the permit holder's agents and users.
- 4. Letter of consent:** in writing from the owner and/or occupier if the applicant wishes to operate from in front of the adjacent property. This permission must be submitted to Council each year.
- 5. Application fee:** Cash, cheque, money order or credit card can be utilised for payment of this permit and must be made at the time of lodgement with your application when an inspection is required.

## Council assessment and consideration

On receiving an application Council will:

- check that all relevant information has been received
- check that the footpath trading would be associated with a land use legally established under the Planning and Environment Act 1987
- check the application to ensure it meets the intent and requirements of the Hobsons Bay Community Local Law and Footpath Trading Guidelines. Advice may be sought from Council's Statutory Planning and City Strategy Unit
- inspect the site and check accuracy of submitted application plans
- undertake an assessment of compliance with the permit conditions
- assess application against other outstanding matters that may relate to the premises
- approve or refuse permit applications

Following the receipt of all relevant information, approval of the furniture to be used on the footpath and payment has been received, the Council will then make an assessment of the operation to see if it falls within Council's guidelines to operate in accordance with the approved Footpath Trading Policy.

Fees paid are for the financial year 1 September to 31 August. A footpath trading permit applies to the premises for which it is issued and fees are non-refundable.

## Display of permit registration

Permit holders must display the current permit registration sticker clearly and legibly on the shop front window.

**Failing to display the current permit registration sticker is a breach of the permit conditions.**

## Amendments to an existing permit

Permit holders must submit an application in writing for any amendment to their existing permit. Amendments may include changing furniture design, adding furniture or increasing advertising.

Council will notify the permit holder at their earliest convenience of their decision on the amendment.

## Transfer of ownership

A footpath trading permit applies only to the premises for which it is issued and is not transferable from one premises to another. A new business owner of a premises with an existing footpath trading permit must apply for a transfer of ownership to maintain the permit and continue to trade on the footpath.

**NOTE: The permit fee is non-refundable.**

## Renewal of an existing permit

A renewal notification will be sent to all current permit holders prior to expiry.

It is the responsibility of the permit holder to ensure they reapply, provide all required renewal details including public liability, amendments and fees and their application is forwarded to the Council before August 31.

Failure to provide all renewal documentation and fees will result in the cancellation of the permit until all requirements are met.

Any business failing to renew their permit that continues to trade without a permit or found to be in breach of the permit conditions may incur an infringement notice.

On the spot infringement \$500  
Penalty Units 2  
Maximum Court Penalty 10 Units

To download an application form for an amendment or transfer of ownership, go to [www.hobsonsbay.vic.gov.au](http://www.hobsonsbay.vic.gov.au).



# MANAGEMENT AND RESPONSIBILITIES

## Permit holder's responsibilities

### Daily management

It is the permit holder's responsibility to ensure the appropriate management of the footpath trading permit. Permit holders are required to:

- operate in accordance with the conditions of the permit, endorsed plans and the requirements and objectives outlined within these guidelines
- monitor the trading zone, i.e. observe patrons at all times and respond to behaviour that may interfere with the use, enjoyment and personal comfort of others using the footpath area
- observe all Local Law provisions relating to footpath trading, including noise, responsible serving of alcohol, safety, health and amenity
- maintain access for all users in and around the footpath at all times, re-positioning furniture when moved outside the trading zone by patrons
- uphold the cleanliness of the footpath area, ensuring tables and chairs are kept clean and litter is removed and deposited in bins kept inside the premises
- remove all approved furniture from the footpath area at the close of business each day to enable Council services to clean the footpath

### Restitution of a public place

Following the expiration, cancellation or termination of a Footpath Trading Permit all of the former permit holder's fixed and non-fixed furniture must be removed from the public place. The restitution is the responsibility of the permit holder and the pavement must be returned to its original condition at the cost of the permit holder. Hobsons Bay City Council is responsible for approving the quality of the work completed and ensuring the pavement is restored to a satisfactory condition.

All furniture and fittings are to be removed from the footpath area from the date the permit is cancelled.

The re-instatement of a public place includes the removal of sockets and fittings so that there is no visible trace of the fixture.

If the furniture is not removed and the public place is not re-instated to its original condition within a period specified by Council, then works will be carried out at the permit holder's expense.

### Insurance requirements

The permit holder is required to hold valid public liability insurance to the satisfaction of Hobsons Bay City Council. To meet Council's requirements the policy must:

- note the interest of Hobsons Bay City Council on the policy
- state the period covered by the insurance policy, i.e. commencement date and expiration of the policy
- be for a minimum amount of \$10,000,000 in respect of any single occurrence
- indemnify Hobsons Bay City Council against all claims of any kind arising from any negligent act either by the permit holder or the permit holder's agents

- be in a form and with an insurer to the satisfaction of the Council..

A copy of the Certificate of Currency (public liability insurance) must be attached to all applications and renewal applications for a footpath trading permit.

## **Council responsibilities**

### **Maintenance of the footpath**

The Council manages the maintenance of the footpath and reserves the right to reclaim access to the footpath and remove all footpath trading furniture, at any time.

### **Compensation and loss of trade**

There is no compensation for the removal of footpath trading furniture or any loss of trade when service authorities and others are required to carry out works within the road reserve.

It is the responsibility of the permit holder to re-instate fittings or fixtures, not the person, service authority or contractor doing the works.

No compensation is provided for any problems, inconvenience or loss of trade resulting from activities or works carried out by the Council or its contractors, at or adjacent to, a permit holder's footpath trading area.

### **Access to underground services**

Services such as sewers, gas, water, telecommunications and electricity should not be obstructed by any structures, including screens, umbrellas and planters.

The Council and other service authorities reserve the right to access all underground services within the footpath trading area without notice to the permit holder, at all times.

### **Monitor compliance with approved permit**

The Council's Enforcement Officers monitor the operation of footpath trading permits and ensure the conditions of the permit are met.

Following a complaint or observation of a breach of a footpath trading permit, a Council Officer will contact the permit holder and take the appropriate enforcement action where required.