

**Wanaka Community Board
14 September 2017**

Report for Agenda Item: 2

Department: Property & Infrastructure

Wanaka Table & Chair Licence Renewals 2017

Purpose

The purpose of this report is to consider the renewal of all existing *Licences to Place Tables and Chairs in a Public Space* in the Wanaka area which are due for renewal on 31 August 2017.

Recommendation

- 1 That the Wanaka Community Board:
 1. **Note** the contents of this report;
 2. **Approve** the renewal of the following Licences to Place Tables and Chairs in a Public Space for a further one year term commencing 1 September 2017:

Prepared by:

Reviewed and Authorised by:

Trading Name of Licensee	Location	Area (m ²)	Rental Income
Speights Ale House	Ardmore Street	93.00	\$4,650.00
Lake Bar	Ardmore Street	67.20	\$3,360.00
Kai Whakapai	Ardmore Street	44.84	\$2,242.00
Ritual Café	Helwick Street	18.23	\$638.06
Relishes Café Wanaka	Ardmore Street	15.56	\$778.00
Trout Bar	Ardmore Street	54.80	\$2,740.00
Fitzpatrick's Irish Pub	Brownston Street	25.00	\$875.00
Alchemy	Ardmore Street	11.52	\$576.00
Big Fig	Ardmore Street	25.50	\$1,275.00
The Doughbin Bakery and Café	Ardmore Street	10.20	\$510.00



Blake Hoger
APL Property Limited

18/08/2017



David Wallace
Manager – Resource
Management Engineering
Queenstown Lakes District
Council
1/09/2017

Background

- 1 The Queenstown Lakes District Council oversees a number of *Licences to Place Tables and Chairs in a Public Space* (herein called the "Licence") throughout the district. These licences are in place to encourage al fresco dining, and provide an active street frontage that is vibrant, dynamic, comfortable and attractive.
- 2 All Licences have an annual renewal clause and, in accordance with the terms of the Licence, all licensees have been invited to renew their Licence this year. Their responses are due prior to 31 August 2016 should they wish to renew.

Comment

- 3 All existing licensees have paid their annual licence fee for the 2016-2017 licence period.
- 4 An audit of all Licences was undertaken in August 2017. All licensees were found to be adhering to their licence terms and conditions.
- 5 All licences are charged at a square meter rate in accordance with Queenstown Lakes District Council's Tables and Chairs in Public Space Policy 2006 (herein called "the Policy"). The total income earned by Queenstown Lakes District Council for Wanaka Licences is now \$18,550.06 plus GST per annum.
- 6 No complaints have been received in respect to the various licensee's operations in the past 12 months.

Options

Option 1 The Wanaka Community Board can agree to renew all existing licences in accordance with the terms and conditions of those licences.

Advantages:

- 7 The licensees will be able to continue operating in the designated public space.
- 8 Council will continue receiving the rental income.
- 9 Wanaka's pavements will remain improved through increased vibrancy of the subject area.

Disadvantages:

- 10 Pedestrian flow can be marginally restricted through the placement of furniture on the pavement however minimum clearances are required under the Policy.
- 11 Option 2 The Wanaka Community Board can agree to renew only some of the existing licences or vary their terms and conditions.

Advantages:

- 12 Similar to Option 1 however the WCB may wish to renew some licences but not others or they may wish to vary the licences by amending the allowable furniture being used or the area that is being occupied.

Disadvantages:

- 13 Council may receive less rental income.

- 14 Option 3 The Wanaka Community Board can decline the renewal of all of the existing licences.

Advantages:

- 15 Public space will be freed up for pedestrians or other uses as deemed appropriate by Council.

Disadvantages:

- 16 Businesses will not be able to use the public space and will lose the opportunity to promote patronage with a more visible presence.

- 17 Council will no longer receive rental income for the public space.

- 18 The vibrancy of Wanaka's pavements may be decreased.

- 19 This report recommends **Option 1** for addressing the matter as it enables all licensees to continue operating within the public space in accordance with the existing terms and conditions of their licence for a further 12 months.

Significance and Engagement

- 20 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy as it relates to Council's roading network which is identified as a significant asset.

Risk

- 21 This matter related to the operational risk OR11 decision making – working within legislation, as documented in the Council's risk register. The risk is classed as low. The matter relates to this risk because the options highlighted require the Council to follow a regulatory process in order to grant a licence. A variety of operational risks (such as meeting levels of service, regulatory compliance and the health and safety risks associated with parties using reserves land) are triggered when the Council considers whether or not to renew the licences. This report therefore recommends that risk OR11 is tolerated.

Financial Implications

- 22 A total income of \$18,550.06 plus GST per annum is received for the Licences.

Council Policies, Strategies and Bylaws

- 23 The following Council policies, strategies and bylaws were considered:

- Tables and Chairs in Public Space Policy 2006.

24 The recommended option is consistent with the principles set out in the named policy.

25 This matter is not included in the 10-Year Plan/Annual Plan

- Rental income derived by these licences will contribute to existing property budget provisions.

Local Government Act 2002 Purpose Provisions

26 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by improving the vibrancy and attractiveness of Wanaka's Pavements.
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Consultation: Community Views and Preferences

27 No consultation is proposed for the renewal of existing licences.