



LEETON SHIRE COUNCIL

Preserving the Past, Enhancing the Future

LEETON SHIRE COUNCIL POLICY

**COUNCIL FOOTPATHS – USE FOR
SALES, ADVERTISING
STRUCTURES, CUSTOMER FURNITURE
ETC.**

Objective: To provide local businesses with the opportunity to promote and sell their goods, provide outdoor dining opportunities and to provide additional facilities for customers.

Policy:

1. Approval may be given on application to local businesses to conduct footpath sales, place advertising structures, customer furniture (tables and chairs) and permit outdoor dining opportunities on Council's footpath.
2. The owner of the item for sale, advertising structure, or customer furniture shall unconditionally agree to indemnify Leeton Shire Council (herein after referred to as "Council") from any claim arising from the placement or use of the sale items, structure or furniture.
3. A public liability insurance coverage of at least \$20,000,000 for the carrying out of the business on the footpath area fronting the business, from a recognised insurer, especially endorsed in relation to the specific risk of industry from footpath structures must be produced to Council and found to be satisfactory.
4. Goods displayed, sales activities or customer furniture must be positioned so as pedestrian access to a minimum width of 1.8 meters, or as directed by Council and must not obstruct the free flow of pedestrian traffic, or be liable to trip or catch onto pedestrian traffic.
5. Applications to conduct footpath sales and placing of any structures are to give details of the types of structures to be used and/or items of sale to be displayed to Council, and will be subjected to such additional conditions as Council may, at their discretion, impose. A plan showing the position of structures, stands etc is to be submitted with the application.
6. Council may revoke any permission if the applicant does not comply with the conditions.
7. Approval will apply for a period expiring 31 December of the year granted, and is renewable subject to Council's policy which is applicable at the time.
8. The owner of the structure or structures is to ensure that all items are removed from Council's footpath at the close of the day's trading, unless approved by Council.
9. Any partition or screen over 1.0 meters in height must be transparent or see through in their entirety for the purposes of pedestrian safety.

10. Council will endeavor to issue reminder notices to existing participants however compliance and currency remains the sole responsibility of the business owner.
11. Where adjoining businesses use partitions, Council reserves the right to require a gap between for safety of car passengers alighting to the footpath.
12. An administration fee as per Council's Management Plan will be applicable, and payable at lodgement of the application.

LEETON SHIRE COUNCIL

**APPLICATION FORM
PERMISSION TO PLACE STRUCTURES ON COUNCIL FOOTPATHS**

Name of Business/Company

Address of Business/Company

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E-mail Address

Descriptions and numbers of structures (chairs, tables, sandwich board, umbrella, partitions) and dimensions

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Layout or site plan of structures in relation to business premises (refer to points 4 & 5 of Policy)

This application must be submitted to Council with a copy of an approved public liability insurance policy and indemnity form. Lodgment does not form or guarantee approval and additional conditions may apply after assessment.

LEETON SHIRE COUNCIL

INDEMNITY FORM

**USE OF FOOTPATHS FOR SALES, ADVERTISING STRUCTURES,
CUSTOMER FURNITURE ETC.**

I/we of (business name)

holding the position in the business of

operating a business at

HEREBY agree unconditionally, INDEMINFY Leeton Shire Council from any claim or action arising from the use of the Council footpath for the siting or locating of any goods for sale, advertising structures, customer furniture or promotional item owned, leased or used by the undersigned.

I/we further undertake to:

1. Notify Leeton Shire Council of any change of ownership or tenancy and to advise any new purchaser, owner or tenant of the requirements as approved.
2. Comply with any special conditions that may be imposed by Leeton Shire Council from time to time regarding the use of the footpath area.
3. Supply to Leeton Shire Council a copy of an appropriate public liability insurance policy from a recognised insurer, specially endorsed in relation to the specific risk of injury from footpath structures.

Signature(s)

Witness(s)

Company Seal (if applicable)

Date

Policy History:

Date of Adoption/Amendment	Resolution Number
24 November 2011	11/335
26 June 2013	13/136
22 February 2017	17/018