

PH 3 – Blues Festival Trading

1 Objectives

The annual ‘Blues at Bridgetown’ Festival is held on the second weekend of November and is a significant event for Bridgetown. During the Saturday of the festival portions of Hampton Street and Steere Street are closed for a street party and many food stalls, mobile traders and merchandise stalls operate.

The purpose of this Policy is to regulate the operations of the food stalls, mobile traders, merchandise stalls and extensions of local businesses onto the footpath so that the patrons of the festival and general public have an enjoyable experience and sufficient stalls are in place to cater for the volume of patrons, particularly during the Saturday street party.

However there is also a need for the Shire to have input into the location of stalls and traders so as to avoid conflict between stalls and adjacent businesses selling the same or similar product. The Policy also seeks to protect local businesses from excessive or unreasonable competition from stalls and mobile traders outside of the Saturday street party period (being the peak trading period of the Festival) as the local businesses provided local employment opportunities and there is a significant local multiplier effect to the income received during the festival by local businesses.

2 Scope

This Policy applies to all land (public or private) within the Shire of Bridgetown-Greenbushes.

Control of trading within public places such as a road reserve, park or reserve is governed by the Shire of Bridgetown-Greenbushes ‘Activities on Thoroughfares & Trading in Thoroughfares & Public Places’ Local Law. The same Local Law also governs trading on private property which the public are allowed to use. With respect to the Blues Festival this would include private land such as that used for the food court off Hampton Street and/or food stalls set up on private property adjacent to a road reserve or reserve.

3 Policy

3.1 Festival Permits

All stallholders or traders (including extensions of trading of existing business out onto the adjacent footpath unless an annual permit for such use has already been granted by the Shire) will require a permit from the Shire of Bridgetown-Greenbushes.

For the period of each annual Blues at Bridgetown Festival, the Shire will only approve applications for eating in streets, stallholders and trader’s permits and liquor licensing permits (including Extended Trading Permits), for applicants that have been endorsed by the Blues at Bridgetown to operate in approved venues and/or public areas close to venues for that year. This will allow Blues at Bridgetown to charge a fee or fees in addition to the fees required to be paid to the Shire of Bridgetown-Greenbushes. Blues at Bridgetown is authorised to collect the Shire fee from traders or stallholders together with their own fees but are required to forward the Shire fee component to the Shire within 4 weeks of the end of the Blues at Bridgetown Festival.

The Shire will not be bound to approve any activity endorsed by the Blues at Bridgetown Committee, and reserves the right to refuse any application if that is in the best interest of the public and if refusal is in accordance with all other requirements of the relevant legislation.

Food premises with an existing permit to conduct an alfresco dining eating area in a public place will be able to conduct that eating area during the Blues at Bridgetown Festival. Any application to extend that area however will require endorsement by the Shire and Blues at Bridgetown.

Businesses with existing approval to conduct trading within a public place adjacent to their business will be able to conduct that trading during the Blues at Bridgetown Festival. Any application to extend that area however will require endorsement by the Shire and Blues at Bridgetown.

3.2 Location of Stallholders and Mobile Traders

3.2.1 The Shire is to have input and final approval for the location of stallholders and mobile traders within and adjacent to public places. This will require Blues at Bridgetown to present a plan to the Shire showing the proposed location of all stallholders and traders, including a description of the food or goods to be sold. The Shire, in considering final approval to the plan will seek to avoid conflict between stalls and adjacent businesses selling the same or similar product. The Shire can request relocation of stallholders or traders shown on the plan as a condition of issuing approval to that plan.

3.2.2 The placement of stalls within the section of Memorial Park east of Geegelup Brook is to be limited to community groups only. Under no circumstances will commercial traders or mobile traders be permitted in this area.

3.2.3 All stalls not on the road pavement must face the road.

3.3 Duration of Permits

3.3.1 As a general principle the operation of “commercial” stallholders and mobile traders on public property or private property adjacent to public places will be restricted to the Saturday only (being the road closure period) of the Festival. However the Shire is cognisant of the need to provide a suitable quantity and variety of eating options for patrons of the festival over the whole of the festival period and therefore Blues at Bridgetown has discretion to approve a maximum of 6 separate food stallholders or mobile foot traders to operate for more than just the Saturday of the festival.

3.3.2 The location of the ‘whole of festival duration’ (maximum of 6) stallholders or mobile traders will require the approval of the Shire and the Shire will ensure that these stalls/traders are reasonably separated from competing businesses. The establishment of a ‘food court’, being the grouping of 4 or more traders in a dedicated area is prohibited.

3.3.3 “Community Group” stallholders or traders may be permitted to trade on private property adjacent to public places on the Friday and/or Sunday of the Festival subject to the location of the stalls/traders not impeding the flow of vehicular or pedestrian traffic. If these stalls are to trade on either or both of the Friday or Sunday of the Festival this must be noted on the plan submitted to and approved by the Shire by Blues at Bridgetown.

3.3.4 “Commercial” stallholders and traders will be permitted within venue areas (i.e. Blues Owl Nest) for the whole of the duration of the Festival.

4 Applicable Legislation and Documents

| | |
|--------------------------|---|
| Act | s.2.7(2)(b) <i>Local Government Act 1995</i> – The council is to determine the local government’s policies <i>Food Act 2008</i> <i>Liquor Licensing Act 1988</i> <i>Health Act 1911</i> <i>Public Health Act 2016</i> |
| Regulation | N/A |
| Local Law | Shire of Bridgetown-Greenbushes Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law |
| Shire Policies | LE 1 – Commercial Activities on Thoroughfares |
| Related Documents | N/A |
| Related Procedure | N/A |

5 Administration

| | |
|--------------------------------|---------------|
| Original Adoption Date | 29 May 2014 |
| Last Reviewed | 28 April 2022 |
| Scheduled Reviewed Date | 27 April 2023 |