

## What you have already told us about food trucks in public places

Council consulted informally about specific topics within the Public Places Bylaw from 20 February to 20 March 2019. The results of the bylaws pre-consultation informed the drafting of the Manawātū District Council's draft Public Places Bylaw 2020.

Figures 1 to 3 below illustrate the results of pre-consultation. The title of each graph is the question that was asked, and the numbers next to each piece of the pie relate to the number of submissions received that expressed that view.

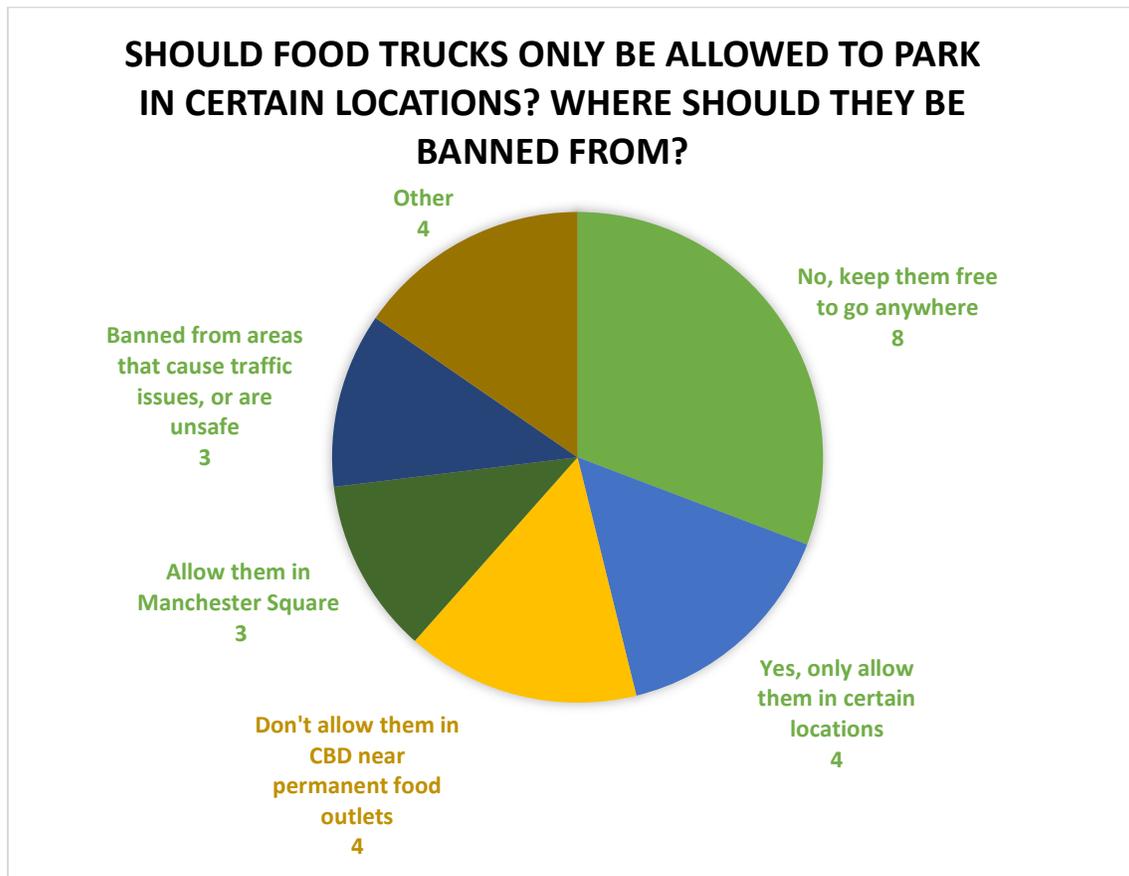
Figure 1



As illustrated in Figure 1, 39% of respondents supported council setting the areas food trucks are able to park, while 36% supported the idea that food trucks should be able to park in any public place. As long as these parks are considerate and safe, a further 14% would support food trucks being allowed to park anywhere. 11% of responses supported food trucks parking in any public place as long as they have a permit.

Based on the results of the pre-consultation Council is proposing to continue with the current approach of requiring street users, including those operating food trucks, to obtain a permit to operate in public places.

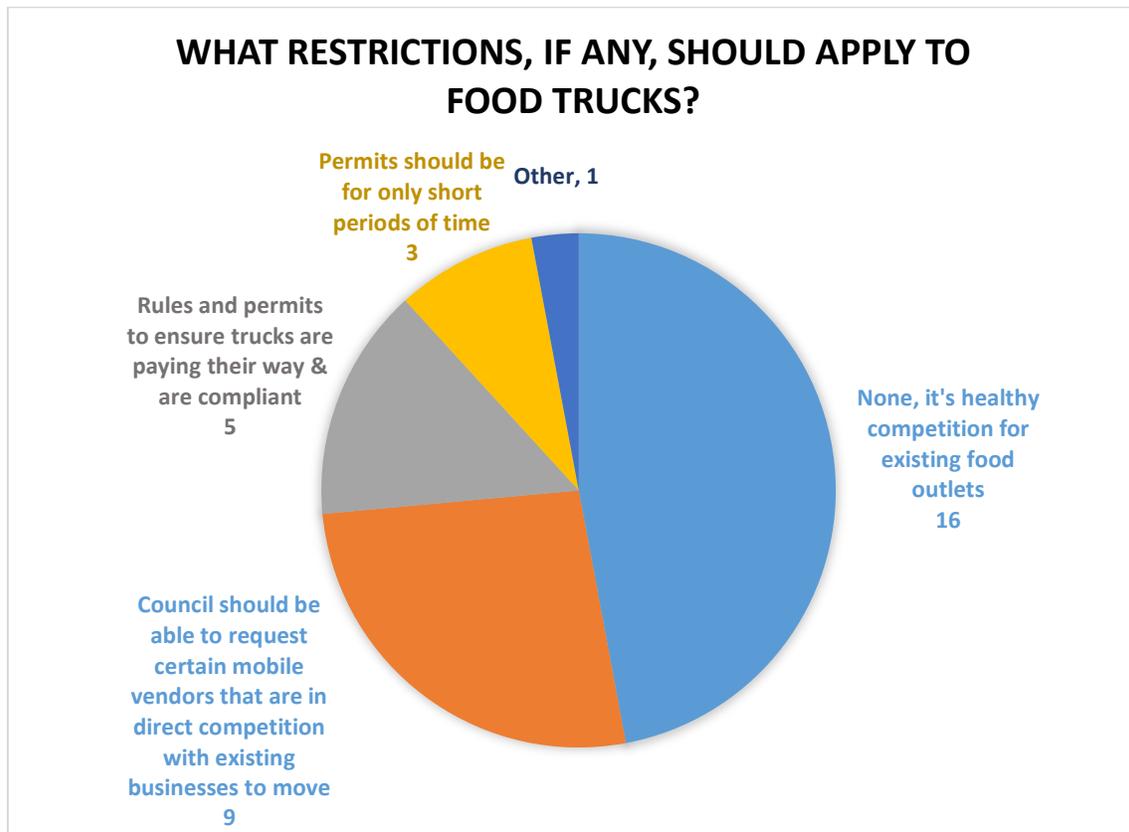
Figure 2



When asked if the food trucks should be banned anywhere, 31% of the 26 responses supported the idea of food trucks being free to park anywhere, 15% of responses said to only allow food trucks in certain locations, while a further 15% specified not to allow food trucks in the CBD near permanent food outlets. Of the 26 responses received, 12% were in favour of allowing food trucks in Manchester square, and 12% said they should be banned from areas that could cause traffic issues or be unsafe.

Based on pre-consultation feedback, Council intends to control street users, including food trucks, through the imposition of terms and conditions on street user permits, and through general provisions that are specified in the Public Places Bylaw. Some of the general provisions that are proposed to apply to street users include ensuring their activity does not endanger the health and safety of the public which are in, at, or around the street user activity; and controlling where street users can be situated so as to minimise potential damage to grass verges and to minimise impacts on traffic or public safety.

Figure 3



As illustrated in figure 3, there is general support for the idea that we do not need specific restrictions to apply to food trucks as they are healthy competition for existing food outlets, at 47% of the 34 responses. 26% of the responses said that council should be able to request vendors to move if they are in competition with existing businesses. 15% of responses supported rules and permits to ensure food trucks are compliant and paying their way, and 9% were in support of permits being issued for only short periods.

Despite the pre-consultation results suggesting some support for the idea of Council having the discretion to request certain mobile vendors in direct competition with existing businesses to move, such a discretion is not proposed within the draft Public Places Bylaw. Clause 6.10 of the Street Users Bylaw 2015, which gave Enforcement Officers the right to require a street user to move to another location or cease operation, notwithstanding any conditions of their permit. This clause is not proposed to be retained in the new draft Public Places Bylaw 2020 due to concerns about its reasonableness. This clause, as drafted in the Street Users Bylaw 2014 provides Enforcement Officers with an unrestricted right to cancel a street permit. This may be appropriate if the street use is giving rise to health and safety concerns, but there are other clauses in the draft bylaw that would allow Council to take action in such instances.