

9. Assignment of licence for Bar Beach Kiosk

The assignment of the existing licence for the Bar Beach Kiosk requires a resolution of the Council.

Acting Group Manager, Infrastructure Waste & Water

BACKGROUND

The Bar Beach Kiosk is located near Bar Beach within the Spencer Park (R63203) Reserve. The reserve is managed by Council and the kiosk activity is permissible within the reserve.

10 The former licencees of the business have sold their interest in the café and assignment of the licence to the new licencee needs to be resolved by Council.

DISCUSSION

The existing licence for the Bar Beach Kiosk was endorsed by the Minister of Lands on 8th December and expires in September 2011. The former licencees were Marilyn and Paul Moggridge with the new licencee being Michael Hoorweg. Through the assignment of the licence Michael Hoorweg will assume the privileges and obligations of the existing licence from Moggridge/Moggridge.

The assignment of the licence to Michael Hoorweg has been approved by the Department of Lands as advised in correspondence provided by them on 18 May 2009.

ISSUES

20 Legal

Nil significant legal considerations and the assignment documents have been drawn up by Council's staff.

Economic

The licence returns \$1,500 per year to Council with annual CPI increases from the end of the first year.

CONCLUSION

The assignment of the lease is in accord with agreements endorsed by Council and the Department of Lands which make provision for these types of reserve amenity facilities to be available.

RECOMMENDATION

That Council resolve to assign the licence for the Bar Beach Kiosk, located on Reserve R3203 from Moggridge/Moggridge to Hoorweg and authorise the Mayor and General Manager to execute the necessary documents to affect the assignment.