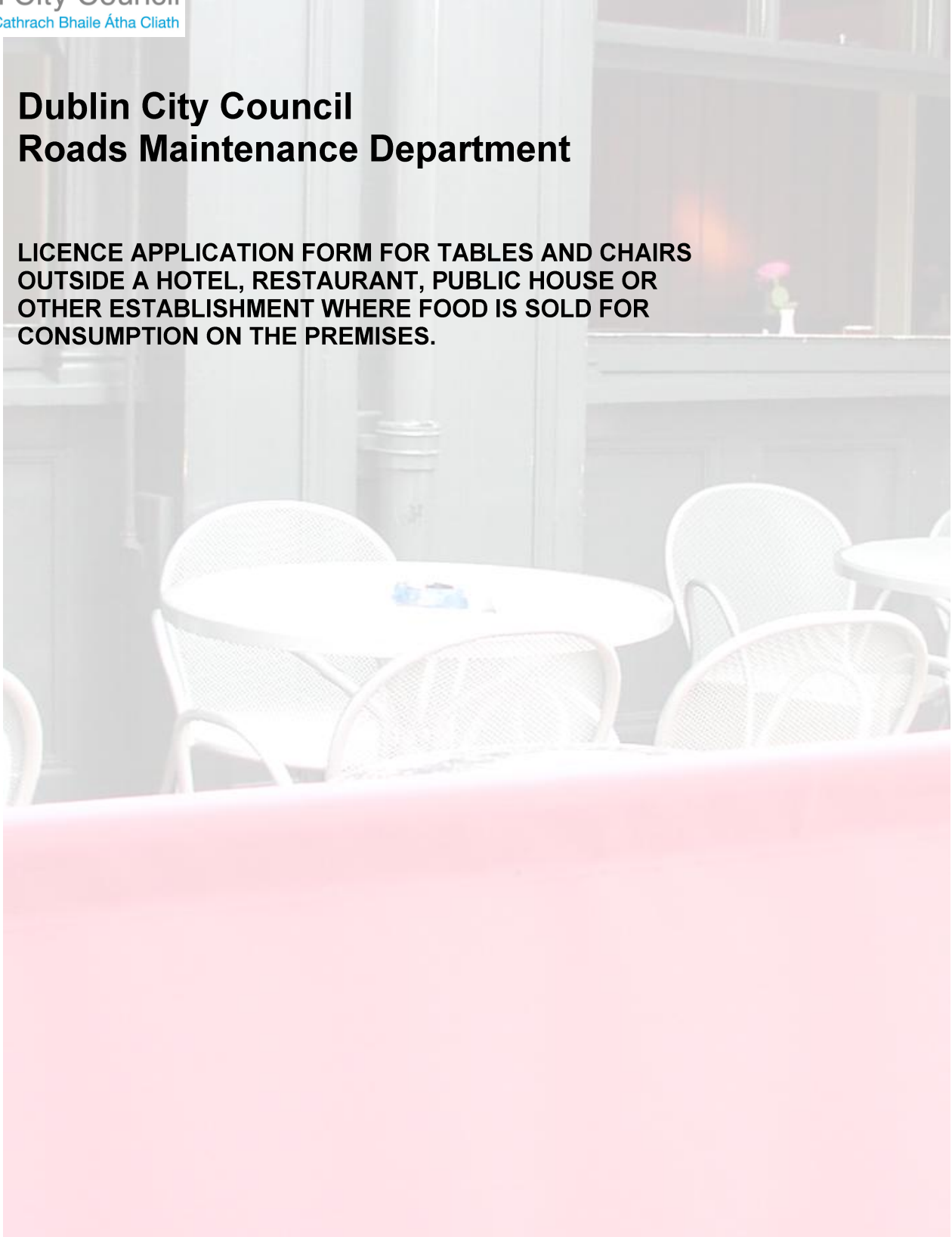




Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

Dublin City Council Roads Maintenance Department

**LICENCE APPLICATION FORM FOR TABLES AND CHAIRS
OUTSIDE A HOTEL, RESTAURANT, PUBLIC HOUSE OR
OTHER ESTABLISHMENT WHERE FOOD IS SOLD FOR
CONSUMPTION ON THE PREMISES.**



Street Furniture Licence Application Procedure

Applications for street furniture licences are dealt with under the Planning & Development Regulations, 2001 (made under the Planning & Development Act, 2000).

Every licence is issued subject to the General Conditions for street furniture licences (see pages below). In addition specific conditions may be applied in respect of a particular licence. The issue of a licence is subject to payment of an application fee, a licence fee and a space rental charge. Acceptable evidence of public Liability Insurance Cover indemnifying Dublin City Council must also be provided.

Prior to formally submitting an application, the applicant should contact the Street Furniture Unit, Dublin City Council at 2222546 / 2223802 to arrange an on-site consultation meeting. The purpose of the meeting is to establish if capacity exists on the pavement to accommodate the proposed number of tables and chairs etc. taking into account the existing street furniture and the convenience and safety of road users, including pedestrians. This meeting is consultative only, and does not bind Dublin City Council to issue a licence.

A licence may only be granted for an area immediately adjacent to the premises, which is under the applicant's control.

Following the on-site meeting the applicant should do the following:

1. Publish a Notice in the newspaper of the making of an application. The notice must be in the prescribed format (see example), must appear in a daily newspaper circulating in Dublin and must be published not earlier than two weeks prior to the date of lodgement of the application. A copy of the notice must be included with the licence application.
2. Erect a Site Notice in the prescribed format (see page 2 below) in relation to making of an application. The Site Notice shall be placed on the site of the application for a period of two weeks from the date of lodgement of the application. The applicant must furnish photographic proof of erection/existence of the required Site Notice with the licence application.

The notice in the newspaper and the site notice must contain the following information:

- (i) The name of the applicant,
- (ii) Details of the street furniture to be placed on the public footpath including the number tables and chairs,
- (iii) The address to which the licence application relates and
- (iv) The extent of the area to which the licence will apply, in square metres.

The newspaper notice and site notice must state that the application may be inspected at the offices of the Street Furniture Unit, Roads Maintenance Department, Dublin City Council, Block 2, Floor 2, Civic Offices, Wood Quay Dublin, 8 and that observations etc. on the licence application may be submitted in writing to the above address within a period of 5 weeks from the date the application is lodged.

3. Return a completed application form with enclosures to:
Dublin City Council,
Street Furniture Unit,
Roads Maintenance Dept
Block 2, Floor 4,
Civic Offices,
Dublin 8.

With a non-refundable application fee of €100

If a licence is granted, an annual street space rental charge, based on the area covered by the licence will be applied (see table on page 8 below) for the use of the public footpath. In addition, a licence fee of €125 per annum per table will apply. Fees are payable before a licence will be issued.

Details of all other Street Furniture to be placed on the public footpath must be supplied but are not subject to further charges.

Notes:

- (a) The applicant may be required to submit either of the following:
 - (i) Evidence that food is sold for consumption on the premises
 - (ii) Evidence than an Intoxicating Liquor Licence has been issued in respect of the premises.

(iii) Details of screens proposed to enclose the licensed area.

(b) All applications must be made on the official application form (pages 6 & 7 of this leaflet) and must be accompanied by 4 x 1/100 scale drawings of the area to be licensed indicating the following:

- All utilities/services in the area including lampposts, bollards, fire hydrants, manholes, cycle stands, litter bins and all 'in situ' items of street furniture, etc. within 10m of the proposed area.
- Dimensions of the proposed licensed area and the location and dimensions of the tables, chairs or other items of furniture to be located within the area and
- A site location map and photograph of the premises, with site notice in situ.

4. If any of these requirements are omitted, the application may be deemed invalid and returned to the applicant.

5. Objections/representations in relation to an application must be lodged within five weeks from the date of the application.

Example:



**DUBLIN CITY COUNCIL
STREET FURNITURE LICENCE APPLICATION
SITE NOTICE**

I/WE _____

INTEND TO APPLY FOR A LICENCE TO PLACE STREET FURNITURE ON THE PUBLIC FOOTPATH IN FRONT OF THIS PREMISES. THE STREET FURNITURE WILL CONSIST OF

THIS LICENCE APPLICATION MAY BE INSPECTED BETWEEN THE HOURS OF 9.00A.M. – 4.30P.M. AT THE OFFICES OF:

**DUBLIN CITY COUNCIL
ROADS MAINTENANCE DEPT
STREET FURNITURE UNIT
BLOCK 2, FLOOR 4
CIVIC OFFICES
WOOD QUAY
DUBLIN 8**

SUBMISSION OR OBSERVATIONS IN RELATION TO THIS APPLICATION MAY BE MADE IN WRITING TO DUBLIN CITY COUNCIL AT THE ABOVE ADDRESS.

SIGNED: _____

ADDRESS: _____

DATE OF ERECTION OF SITE NOTICE: _____

GENERAL LICENCE CONDITIONS FOR THE PLACING OF TABLES AND CHAIRS OUTSIDE A HOTEL, RESTAURANT, PUBLIC HOUSE OR OTHER ESTABLISHMENT WHERE FOOD IS SOLD FOR CONSUMPTION ON THE PREMISES.

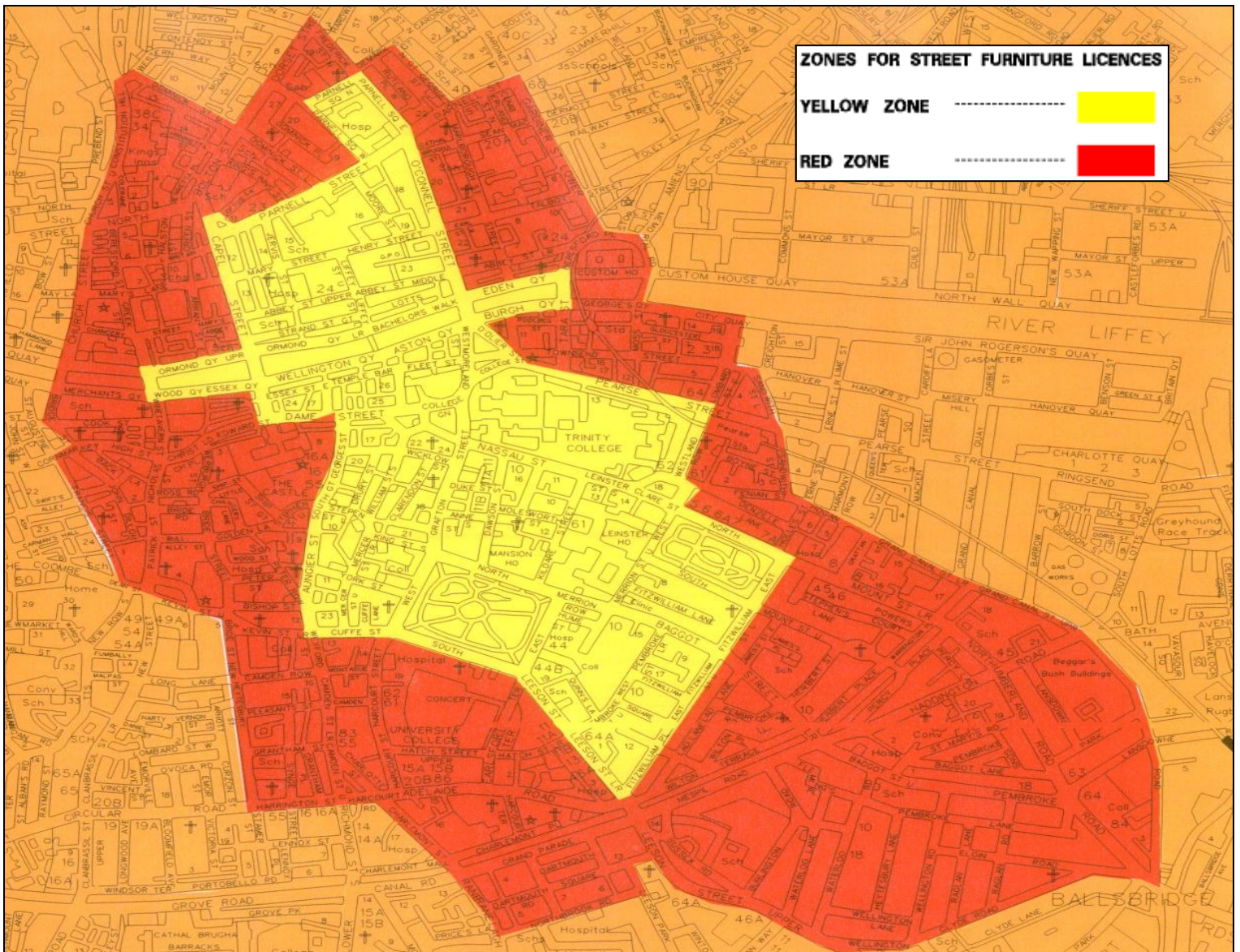
1. The granting of this licence refers only to the placing of tables and chairs etc. on a public footpath immediately adjacent to the applicant's property. It does not permit any advertising or the storage and display of goods at the location.
2. The maximum number of tables and chairs including dimensions, and total area of required street space in square metres shall be as specified in the licence.
3. The licensed area for tables and chairs shall be enclosed by way of screens, the design of which, including material proposed to be used, must be approved by Dublin City Council.
4. A copy of the licence shall be prominently displayed at the main entrance outside the premises, so as to be clearly visible by members of the public and officials of Dublin City Council. The licence will be deemed invalid if on inspection items are found in the licensed area for which a licence has not been granted.
5. The granting of a licence does not automatically guarantee the renewal in subsequent years.
6. The licensee shall not sub-let the licensed area.
7. A change in use of the licensed area will require the submission of a new licence application.
8. The granting of a street furniture licence may not be taken as authorisation to proceed with building or other operations in respect of which the permission of Dublin City Council may be necessary under any other legislation.
9. The licensee shall maintain the area used for tables and chairs or other furniture in an acceptable condition so as not to constitute a nuisance. He/she shall indemnify Dublin City Council against all actions, suits, claims, demands by any person arising from injury or damage to person or property in consequence of the placement of the said table and chairs or other furniture on the footpath.
10. The Licensee shall be required to submit for inspection to Dublin City Council, and to continue to maintain a Public Liability Insurance policy, which provides cover to a minimum value of €2.6 million **indemnifying Dublin City Council** against third party claims.
11.
 - (a) Furniture and other items shall be removed immediately if requested by Dublin City Council. Equally, Dublin City Council reserves the right to cancel, suspend or vary the terms of the licence at any time. No claim for damages or loss of income under any heading shall be taken against Dublin City Council for suspending, cancelling or varying the terms of the licence.
 - (b) No claim for compensation shall be entertained in respect of damages or losses suffered as a direct or indirect consequence of the maintenance requirements of any statutory undertaker.
 - (c) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary arising as a result of the operation of the licence, shall be at the expense of the licensee. Only Dublin City Council shall carry out work on the public road/footpath. The licensee shall enter into an agreement with Dublin City Council to pay for any repairs to the footpath or public roadway arising from the licence.
 - (d) Holes may not be made in the public road/footpath without the permission of Dublin City Council.
12. A clear and direct entry between the public footpath and the entrance to the premises shall be maintained at all times.
13. The tables and chairs or other items of street furniture etc, shall not obstruct visibility at junctions, accesses, etc.
14. No musical apparatus shall be used within the licensed area. And no music etc. shall be played or broadcast within the licensed area.
15. Access for maintenance purposes to public lighting equipment and the associated under-ground or over-head services shall be available at all times.

16. The licensed area shall not enclose any public lighting columns or apparatus or use public lighting equipment for unauthorised supports or attachments.
17. The siting of temporary structures in the vicinity shall be such as not to increase the hazard level of public lighting equipment beyond that normally experienced in the street environment.
18. Removal of public lighting equipment in the vicinity of proposed temporary structures will only be considered in exceptional cases. In these circumstances, the full cost of removal and relocation will be borne by the licence applicant.
19. All water main covers, sewer manholes and service access points for utilities shall be accessible at all times.
20. No table or chair or other item of street furniture shall be positioned over a fire hydrant.
21. If intoxicating liquor is being served in the area covered by this licence, the licensee must also comply with the requirements of the Intoxicating Liquor Acts. The attention of the Licensee is also drawn to the Corporation of Dublin Intoxicating Liquor Bye-Laws, July 2000, which prohibit the consumption of intoxicating liquor in public places. Failure to comply with the provisions of the Act & Bye Laws may result in the withdrawal of the Street Furniture Licence.
22. Dublin City Council may reduce the licensed area in any particular case, where the occupied space is required in the interests of public safety to facilitate an event during the course of the licence period.
23. The tables and chairs or other furniture shall be of robust and stable construction to prevent movement in adverse wind conditions.
24. Screens as agreed by Dublin City Council are subject to the following conditions;
 - Screens to be plain, coloured or neutral canvas type, not more than 1 metre high, spanning between or framed by simple metal type posts.
 - Screens to be manufactured from flame/fire retardant material.
 - Base plates or weighted bases to screening posts must not extend outside the licensed area.
 - All screens, posts and bases must be demountable.
 - Screens must be sufficiently robust to prevent overturning in adverse wind conditions.
 - No advertising apart from the name of the premises to be used on the screens, without the permission of Dublin City Council.
25. Colour type and size of logos, lettering and names applied to the screens, ancillary equipment etc, must be approved by Dublin City Council.
26. Side awnings or front awnings may only be used to cover the licensed area where planning permission has been granted.
27. Heating appliances are subject to the following conditions;
 - No heaters are to be used without written approval from the Chief Fire Officer, Dublin City Council.
 - Heating appliances and seating must be located so as not to obstruct escape routes.
 - LPG cylinders must be stored in accordance with the recommendations contained in I.S. 3213: 1987 Code of Practice for the storage of LPG Cylinders and Cartridges
 - All heating appliances should have the CE Mark and must be installed by a competent installer, maintained and used strictly in accordance with the manufacturer's requirements.
28. The footpath clearance as specified in the licence must be maintained to front of the licensed area at all times. '*Footpath clearance*' is defined as the distance between the front edge of the licensable area and the edge of the footpath or the inside edge of any street furniture elements, bollards, columns etc., wherever such exist.
29. Street Furniture may only be placed on the street between the times specified on the licence and will be removed except in cases where written permission has been obtained from Dublin City Council, not later than 10:00p.m daily.

Table A

Tariff Zone*	Annual Space Rental Charge Per Square Metre	
	Area under 4m ²	Area over 4m ²
	€	€
City Centre Pedestrianised Street	200	500
Non-Pedestrianised areas in Yellow		
Yellow Tariff Zone	200	400
Areas in Red Tariff Zone	200	300
Other Areas	200	200

*Applicants can determine the tariff zone from the map below.



PLANNING AND DEVELOPMENT ACT 2000 (Section 254)
PLANNING AND DEVELOPMENT REGULATIONS 2001 (Article 201)

APPLICATION FORM FOR A LICENCE TO PLACE TABLES AND CHAIRS OUTSIDE A HOTEL, RESTAURANT, PUBLIC HOUSE OR OTHER ESTABLISHMENT WHERE FOOD IS SOLD FOR CONSUMPTION ON THE PREMISES.

PLEASE USE BLOCK CAPITALS ONLY WHEN FILLING IN FORM

1	Name, address and telephone number of Applicant (Principal, not Agent).	<hr/> <hr/> <hr/> Phone : _____ Mobile: _____
2	Name, address and telephone number of person or firm responsible for preparation of drawings & submission of application.	<hr/> <hr/> <hr/> Phone : _____ Mobile: _____
3	Street space of proposed licence area Number of tables/chairs Description of canvas screen(s) to be used Proposed hours of operation	Length _____ M Width _____ M Total Area _____ M ² No of Tables _____ No. of Chairs _____ Table Dimensions _____ <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> from _____ hrs to _____ hrs
4	State applicant's legal interest in premises (i.e. freehold, leasehold etc.)	
5	Name of Insurance Company Policy No. Expiry Date	

Calculation of Licence Fee/Space Rental Charge

Application fee		€ 100.00
No. of Tables	_____ Tables X €125 per table	€ _____
Street Space Rental: (See table A overleaf for details of charge)		
Total Area under 4m	_____ m ² X € 200 per m ²)	€ _____
Total Area over 4m ²	_____ m ² X € _____ per m ²)	€ _____
Total Charge		€ _____

Documents to be enclosed with this Application

- (1) **4 No.** 1/100 scale drawing. (Showing all in situ items of street furniture e.g. litter bins, kiosks/pedestals, public lighting columns, telecom cabinets, surface gullies, cycle stands, fire hydrants etc. within 50metres either side of the proposed area). Please also include specifications of proposed tables and chairs.
- (2) **4 No.** Photograph of premises with site notice in situ.
- (3) **4 No.** Copy of newspaper advertisement
- (4) **Application fee**

If any of these documents are omitted, the application may be deemed invalid and returned to the applicant.

DECLARATION

I confirm that all the above information is correct. I am aware that if a licence is granted it does not exempt me from the provisions of any other legislation.

I am aware that Screens as agreed by Dublin City Council are subject to the following conditions;

- **Screens to be plain, coloured or neutral canvas type, not more than 1 metre high, spanning between or framed by simple metal type posts.**
- **No advertising apart from the name of the premises to be used on the screens, without the permission of Dublin City Council.**

I understand and accept that Dublin City Council does not licence solid screens or screens displaying advertising . Such screens may be removed and disposed of by Dublin City Council without further notice.

I am aware that advertising boards on the public pavement are not permitted at any time and will be removed by Dublin City Council.

I have been notified that breaches of the Conditions of this licence may lead to this licence being suspended or revoked.

I have read and agree to abide by the general conditions that apply in respect of street furniture licences and by any specific conditions, which may be attached to the licence by Dublin City Council.

I agree to pay the licence fee and space rental charge, as calculated above, within two weeks of notification by Dublin City Council of a decision to grant a licence.

Signature of Applicant: _____

Date : _____