



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Street Furniture Guidelines

May 2021



Business Use of Public Spaces FAQs

FAQs

- 1. Can I use a public space outside my business as an extension to my business?** The policy of the City Council is to assist hospitality businesses wishing to operate in public spaces adjacent to their premises.
- 2. Is there a limit to what I can do?** Yes. Dublin City Council has responsibility for managing public spaces throughout the City. We need to make sure that the public domain is safe and navigable for all citizens, therefore businesses must operate within certain regulations and guidelines.
- 3. Can I use the footpath in front of my business for furniture?** Generally you can but you need to apply for a **Temporary Street Furniture COVID Permit**. You cannot block or interfere with fire exits and you will need to maintain a 2 metre circulation space on the footpath over and above your temporary seating space requirement, for safe movement of pedestrians, as well as people with disabilities. It may not be possible to accommodate your application if our requirement cannot be complied with. Please see attached Temporary Street Furniture COVID Permit Information.
- 4. What type of furniture is covered under a Temporary Street Furniture COVID Permit?** Tables, Chairs, Barriers/Windbreakers, Awnings/Coverings, Heaters (electric or permanently fed gas heaters only), Lights, Gazebos, Dining Pods and Umbrellas. All furniture etc. must be capable of being removed every evening and stored off street.
- 5. What type of furniture is not covered under a Temporary Street Furniture Permit?** Signs attached to a building and any permanent structure attached to the outside of a building or in the public realm needs full planning permission. In general, any structure that cannot be removed every evening, including outdoor pods, parklets etc. needs full planning permission see planning@dublincity.ie
- 6. Can I use a parking space/loading bay in front of my business premises for furniture?** In some cases you will be able to. However, each application will need to be assessed, to see if the parking space/loading bay can be suspended. Please follow the Temporary Street Furniture COVID Permit process and send an e-mail to streetfurniture@dublincity.ie outlining your proposal. Agreement with adjoining businesses may be required.
- 7. Can I use the public road in front of my business for furniture?** In most situations the answer here is No, but please make an enquiry via email to streetfurniture@dublincity.ie.
- 8. Can I make an application in combination with a neighbouring similar businesses?** Yes, in appropriate locations and subject to additional requirements, DCC support businesses coming together to make combined applications.
- 9. How do I begin?** Get in touch with us here at Dublin City Council at streetfurniture@dublincity.ie. Tell us what you are proposing. We can also point you in the direction of other businesses, that are approved and are operating successfully, that can be observed as models of best practice.
- 10. Is there anything else I need to consider?** The safety of customers and of members of the public is paramount. Please see General Guidance and Dublin Fire Brigade Fire Safety and Operational Requirements outlined below.





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Temporary COVID Street Furniture Permit Application Procedure

Applications for temporary COVID street furniture permits are dealt with by way of permission granted under Section 71 of the Roads Act, 1993. Every temporary permit is issued subject to the general conditions for street furniture permits (see below). In addition, specific conditions may be applied in respect of a particular temporary permit. Temporary permits will be issued free of charge for a 6 month period.

Acceptable evidence of Public Liability Insurance cover indemnifying Dublin City Council must be provided.

Formal applications will only be invited, where proposals have been assessed in advance by the Council. The assessment is to establish if capacity exists on the pavement to accommodate the proposal or if a parking space/loading bay can be suspended. The assessment will take account the following:

- existing street furniture
- the convenience & safety of road users, including pedestrians and cyclists
- fire safety
- public health requirements including social distancing

Applicants will be required to provide full contact details for the following personnel;

- the applicant
- the on-site manager
- the businesses COVID Compliance Officer

Any breaches of public health or fire safety guidelines will result in the **immediate** withdrawal and cancellation of the temporary permit.

Completed application forms should be returned to:

Email streetfurniture@dublincity.ie



Notes:

The applicant will be required to submit one of the following:

- (i) Evidence that food is sold for consumption on the premises or
- (ii) Evidence that an Intoxicating Liquor Licence has been issued in respect of the premises.

All applications must be made on the official Application Form and must be accompanied by drawings, including measurements of the proposed area and dimensions of clear space, providing the required access widths for vehicular and pedestrians, and also indicating the following:

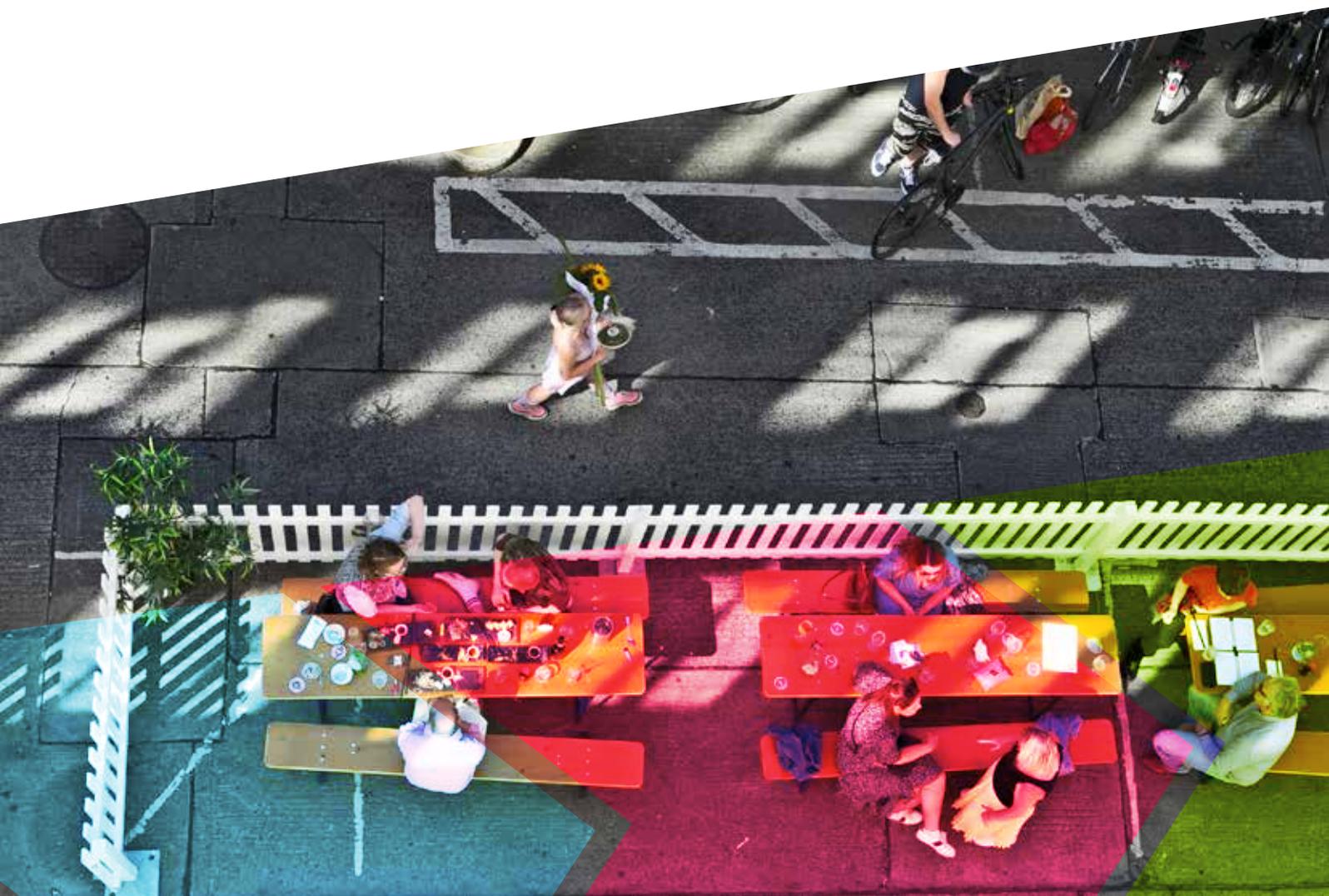
- (i) All utilities/services in the area including lampposts, bollards, fire hydrants, manholes, cycle stands, litter bins and all 'in situ' items of street furniture, etc. within 10m of the proposed area.

- (ii) Dimensions of the proposed area and the location and dimensions of the tables, chairs or other items of furniture to be located within the area. Information on the type of outdoor seating and screens to be provided e.g. metal seating, fabric screening etc.

- (i) Dimensions and locations of fire exits.

- (ii) Details of screens proposed to enclose the permitted area. All permitted areas **must** be securely screened.

- (iii) A photograph of the premises.



Temporary COVID Street Furniture Permit Application Procedure

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

1. The granting of a temporary COVID permit refers only to the placing of furniture on a public footpath/roadway, adjacent to the applicant's property. It does not permit any third party advertising or the storage and display of goods at the location.
2. The dimensions and total area of permitted street space in square metres shall be as specified in the Permit.
3. The area for street furniture 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 Permit 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 permit will be deemed invalid if on inspection items are found in the permitted area, for which a permit has not been granted.
5. The granting of a temporary permit does not automatically guarantee its renewal.
6. The applicant shall not sub-let the permitted area.
7. A change in use of the permitted area will require the submission of a new application.
8. The granting of a COVID street furniture permit will be for a 6 month period.
9. The applicant/applicant's agent shall maintain the area used for street 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/road. The applicant/applicant's agent will be responsible for compliance with public health advices, including social distancing requirements.
10. **The Applicant 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 €6.5 million indemnifying Dublin City Council against third party claims.**
11. Furniture and other items shall be removed immediately if requested by Dublin City Council. Dublin City Council reserves the right to cancel, suspend or vary the terms of the Permit 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 permit.
12. 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.
13. 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 permit, shall be at the expense of the permit holder. Only Dublin City Council shall carry out work on the public road/footpath. The permit holder shall enter into an agreement with Dublin City Council to pay for any repairs to the footpath or public roadway arising from the permit.
14. Holes may not be made in the public road/footpath.
15. A clear and direct entry between the public footpath/road and the entrance to the premises shall be maintained at all times.

16. The tables and chairs or other items of street furniture etc., shall not obstruct visibility at junctions, accesses, fire exits and fire hydrants, access for fire appliance etc.
17. No musical apparatus shall be used within the permitted area and no music etc. shall be played or broadcast within the permitted area.
18. Access for maintenance purposes to public lighting equipment and the associated under-ground or over-head services shall be available at all times.
19. The permitted area shall not enclose any public lighting columns or apparatus or use public lighting equipment for unauthorised supports or attachments.
20. All water main covers, sewer manholes and service access points for utilities and fire hydrants shall be accessible at all times.
21. No table or chair or other item of street furniture shall be positioned over or obstructing a fire hydrant.
22. If intoxicating liquor is being served in the area covered by this permit, the permit holder must also comply with the requirements of the Intoxicating Liquor Acts. The attention of the permit holder is drawn to the Dublin City Council (Prohibition of Consumption of Intoxicating Liquor on Roads and in Public Places) Bye-Laws 2008, which prohibit the consumption of intoxicating liquor in public places. Failure to comply with the provisions of the Act & Bye Laws **will** result in the withdrawal of the Street Furniture permit.
23. Dublin City Council may reduce the permitted area in any particular case, where the occupied space is required in the interests of public safety or to facilitate any works/event during the course of the permitted period.



24. The street furniture shall be of robust and stable construction, to prevent movement in adverse wind conditions.
25. Screens as agreed by Dublin City Council are subject to the following conditions:
 - (i) Screens to be plain, coloured or neutral canvas type, not more than 1 metre high, spanning between or framed by simple metal type posts.
 - (ii) Screens to be manufactured from materials of limited combustibility.
 - (iii) Base plates or weighted bases to screening posts must not extend outside the licensed area.
 - (iv) All screens, posts and bases must be demountable.
 - (v) Screens must be sufficiently robust to prevent overturning in adverse wind conditions.
 - (vi) No advertising apart from the name of the premises to be used on the screens, without the permission of Dublin City Council.
26. Colour type and size of logos, lettering and names applied to the screens, ancillary equipment etc., must be approved by Dublin City Council.
27. Electric or permanently fed gas heaters only are permitted and these must comply with the following conditions:
 - (i) 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.
 - (ii) Please refer to Dublin Fire Brigade requirements, outlined below, for further information in relation to heating appliances.
28. The footpath/road clearance, as specified in the Permit, must be maintained at all times.
29. Street Furniture may only be placed on the street between the times specified on the permit and must be removed outside these hours. If any street furniture is in place outside of permitted hours, the permit will be **immediately** rescinded and furniture will be removed at the permit holder's expense.
30. When furniture is placed in a parking space/loading bay a robust barrier/edge must be provided to provide protection. This should also have high visibility markings.
31. When placing furniture in parking space/loading bay, consideration should be given to height differences between the carriageway and the footpath, ensuring that this is made safe for customers.
32. The operator is required to provide their own litter bins (include provision for cigarette litter for licensed premises) and to carry out regular cleaning within & around the outside space and retain a cleaning log for inspection. The recommended cleaning schedule is hourly. The area should be cleaned down at the end of trading to remove any spillage, staining or litter, created as a result of the activity.
33. The placing of A-boards outside or within the permitted area is not allowed.

Dublin Fire Brigade Fire Safety and Operational Requirements

Awnings (requiring Planning Permission)

Where awnings can open directly opposite each other on both sides of the street, a minimum separation distance of 3.5m is required between fully extended awnings to allow for Fire Brigade access.

Heating

Outdoor heating should consist of one of the following options:

Permanently piped gas heating in compliance with I.S. 820:2019.

Electric Heating (achieving a minimum IP Rating of IP55).

Infra-red Heating (achieving a minimum IP Rating of IP55).

All outdoor heaters should comply with the relevant Irish Standards, should be installed by a competent person, and the installation should be certified, as outlined in the standard.

Outdoor heaters are to be located so that they do not block escape routes

The use of portable LPG heaters is not permitted.

Barriers/Windbreakers:

Barriers and windbreakers should not impede escape from the outdoor seating area. Where barriers or windbreakers extend for more than 18m in length, they are required to have clear openings achieving a width of 900mm to allow occupants to escape the outdoor seating area.

Pods/ Gazebos:

A Fire Safety Certificate Application will be required in respect of all dining pods.



Dublin Fire Brigade Fire Safety and Operational Requirements

A Fire Safety Certificate Application in addition to Planning Permission will be required in respect of gazebos that are permanently fixed in situ i.e. that are not considered a temporary structure.

Information on the Fire Safety Certificate process can be found at: <https://www.dublincity.ie/business/dublin-fire-brigade/fire-safety-prevention/fire-safety-businesses-employees-and-employers/fire-safety-certificate-application>

The applicant should obtain the services of Fire Consultant / Chartered Engineer, in order to make the Fire Safety Certificate Application on their behalf.

All furniture and fittings within pods and gazebos are to comply with the "Department of the Environment Code of Practice for Fire Safety of Furnishings and Fittings in Places of Assembly".

<https://www.housing.gov.ie/sites/default/files/migrated-files/en/Publications/Community/FireandEmergencyServices/FileDownload%2C818%2Cen.pdf>

All wall, ceiling, floor linings and materials in Gazebos, are required to comply with Part B of the Building Regulations.

Where pods and gazebos are located in adjacent to roadways, a minimum clear separation distance of 3.5m is maintained at all times for Fire Brigade Access.

Tables and Chairs

Tables and chairs are to be located so that they do not:

- Block or impede the means of escape from the premises, or adjacent premises.
- Block or impede access to fire hydrants.
- Reduce the clear minimum width of the roadway to less than 3.5, which is required for Fire Brigade Access.

In addition to the above, all tables and chairs are to be constructed of non-combustible materials, or are to comply with the "Department of the Environment Code of Practice for Fire Safety of Furnishings

and Fittings in Places of Assembly". <https://www.housing.gov.ie/sites/default/files/migratedfiles/en/Publications/Community/FireandEmergencyServices/FileDownload%2C818%2Cen.pdf>

Parklets (requiring Planning Permission)

All parklets shall be:

Constructed throughout of materials of limited combustibility. Where parklets are constructed of timber, the timber is required to be impregnated and is to comply with Part B of the Building Regulations.

Located so that they are not directly in front of the exit door from the premises.

Not provided with LPG Heating

Enforced as non-smoking areas.

Located in such a manner that a minimum clear separation distance of 3.5m is maintained on the adjacent roadway, at all times, for Fire Brigade Access.

In addition to the above, a Fire Safety Certificate Application may be required in respect of some parklets. Information on the Fire Safety Certificate process can be found at

<https://www.dublincity.ie/business/dublin-fire-brigade/fire-safety-prevention/fire-safety-businesses-employees-and-employers/fire-safety-certificate-application>

The applicant should obtain the services of a Fire Consultant/Chartered Engineer, in order to make the Fire Safety Certificate Application on their behalf.

Umbrellas:

No smoking shall be permitted under outdoor umbrellas

Where infra-red or electric heaters are located within, or directly in contact with an umbrella used for outdoor seating, the umbrella shall be certified for use with an outdoor heater.



Use of parking spaces/loading bays

If parking spaces/loading bays are used for outdoor seating, they should not:

Block or impede access to fire hydrants.

Block or impede Fire Brigade Access on the roadway. A minimum clear width of 3.5m is required for Fire Brigade Access.

Extend beyond the line of the existing loading bay onto the roadway.

Block or impede the means of escape from the premises, or adjoining premises.

Use of Public Footpath

The use of the public footpath for outdoor street furniture, should not:

Block or impede the means of escape from the premises, or adjacent premises.

Block or impede access to fire hydrants.

Temporary structures attached to a premises

The definition of a temporary structure is a structure *"of a temporary nature erected on a site for a period not exceeding 28 consecutive days or 60 days in any period of 12 months"*. If the structure cannot be defined as a

temporary structure, a Fire Safety Certificate may be required. Information on the Fire Safety Certificate process can be found at

<https://www.dublincity.ie/business/dublin-fire-brigade/fire-safety-prevention/fire-safety-businesses-employees-and-employers/fire-safety-certificate-application>

The applicant should retain the services of a Fire Consultant/Chartered Engineer, in order to make the Fire Safety Certificate Application

In addition the following general comments apply in respect of Fire Safety:

Fire safety in a premises is the responsibility of owners, occupiers and management of the premises, as outlined in the Fire Services Act 1981 and 2003 (as amended). The owners, occupiers and management of the premises should familiarise themselves of their responsibilities under the Fire Services Act.

The requirements outlined above may need to satisfy other regulations and/or legislation, and the applicant should seek further advice as necessary.

The Fire Authority is available to provide clarification and advice to applicants, if required, prior to making a licence application.



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