****

F16 **LICENCE APPLICATION FOR PLACEMENT**

**Of Tables, Chairs, Windscreen & Sandwich Boards, Overhead Coverings/Canopies/Awnings etc. On the Public Road / Footpath.**

ROADS ACT 1993 SECTION 71

PLANNING & DEVELOPMENT ACT 2000 (as amended) – SECTION 254

**Introduction**

The placement of furniture on the street, especially pedestrianised streets, fronting restaurants and public houses can enhance the ambience and atmosphere of the streetscape of a modern European City like Limerick. It can enable businesses to improve services to their customers, and generate additional revenues. However, responsibilities to road users must not be forgotten. Control is necessary to ensure that unnecessary restriction is not caused, that access for emergency services such as the Fire Brigade and Ambulance is not impeded and that hazards are not posed to pedestrians from any type of obstruction, spillage or overturning. To enable necessary controls to be implemented, Limerick City & County Council has now put in place a licensing system for the placement of tables, chairs, and overhead awning/canopies on city streets.

**Buildouts**

If the existing footpath is deemed to be not sufficiently wide to facilitate the placing of tables and chairs on the footpath and allow for the continued safe flow of pedestrians, the Council will consider widening the footpath, if appropriate*.*

**Screens / Windbreakers**

Screens/windbreakers must be agreed with Limerick City and County Council and will be 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.
* Holes may not be made in the public road/footpath.
* No screens or furniture is to be bolted or fixed to the public footpath / roadway.
* Permanent / semi-permanent structures are not permitted.
* Screens must be sufficiently robust to prevent overturning in adverse weather conditions.
* No advertising apart from the name of the premises to be used on the screens, without the permission of Limerick City and County Council.
* All Street furniture must be removed from the public realm at the close of business
* **THE USE OF SCREENS FIXED OR HINGED TO THE GROUND/PREMISES IS NOT AUTHORISED UNDER THIS LICENCE**. (Planning Permission must be sought separately)

**Awnings, coverings, canopies, parasols, shades, windbreakers, heaters or other similar structure for the purpose of facilitating outdoor dining:**

Overhead Awning/Canopies etc. must be agreed with Limerick City and County Council and will be subject to the following conditions:

* Overhead Covering/Canopies/Awnings etc. to be plain, coloured or neutral matte finish, both the top and underside. Canopies must not be shiny, high gloss or translucent material.
* Overhead Covering/Canopies/Awnings etc. must not be lit on neither top nor underside.
* Overhead Covering/Canopies/Awnings etc. to be made of high quality fabric or other similarly approved material. Overhead Covering/Canopies/Awnings etc. must not be plastic, PVC, metal or other non-fabric material
* Overhead Covering/Canopies/Awnings etc. must be maintained and/or replaced upon damage or deterioration.
* Overhead Covering/Canopies/Awnings etc. must be positioned to avoid covering architectural elements such as fascias or pilasters.
* Overhead Covering/Canopies/Awnings etc. will not be permitted above ground floor of buildings.
* Overhead Covering/Canopies/Awnings etc. must have a minimum clearance of 2.1m from the ground.
* No advertising apart from the name of the premises to be used on Overhead Covering/Canopies/Awnings etc., without the permission of Limerick City and County Council.
* Overhead Covering/Canopies/Awnings etc. must be retractable and be removed from the public realm at the close of business
* **THE USE OF OVERHEAD COVERING/CANOPIES/AWNINGS ETC. FIXED OR HINGED TO THE GROUND/PREMISES IS NOT AUTHORISED UNDER THIS LICENCE**. (Planning Permission must be sought separately)
* **A FEE OF €630.00 PER ANNUM IS APPLICABLE WHERE OVERHEAD COVERING/CANOPIES/AWNINGS ETC.. ARE ALSO USED AS AN ADVERTISING STRUCTURE.**
* **I CONFIRM THAT I HAVE READ, UNDERSTAND AND AGREE TO THE ABOVE CONDITIONS**

**Yes  No **

**Tables**

The tables and chairs or other furniture shall be of robust and stable construction to prevent movement in adverse weather conditions and be agreed with Limerick City and County Council.

**Before a Licence is applied for:**

Before you apply for a licence, please read the General Licence Conditions for Tables and Chairs on Public Roads/Footpaths enclosed. Asset Management/Roads Maintenance Division, following consultation with An Garda Siochána and the Fire Department, will decide on the area where tables and chairs may be placed. As a general guide a minimum of 1.80m footpath clearance shall be required in front of the licenced area and in pedestrianised streets a continuous channel of at least 3 metres in width is required. This is to facilitate visually impaired persons, wheelchair users, etc.

**Please remember if a licence is granted this licence will only remain in effect for one year**

**Licence Application Procedure:**

Licence application forms for tables and chairs on the public Road/Footpath may be obtained from the Reception Desk Limerick City & County Council Dooradoyle Limerick**.**

**All application forms must be accompanied by:**

1. **A completed application form**
2. **An accurate dimensioned drawing of the area to be licensed showing the proposed location of all street furniture to be used together with all statutory services in the area and obstructions**
3. **The Applicant must provide evidence of Employer’s and Public Liability Insurance cover for limits of not less than €13 million and €6.5 million respectively in respect of legal liability for bodily injury or third party property damage claims arising in connection with the activities, the subject of this application, for the duration of the licence period. These policies must be extended to indemnify Limerick City & County Council and must be noted on the policy.** **Limerick City & County Council reserves the right to review this limit of indemnity for adequacy. The insurance policy shall be submitted for inspection before the Licence will be issued. The licensee is required to maintain a valid policy for the duration of the licence period.**

Completed Application Forms, Drawing(s), Insurance Declaration and Insurance Policy Details should be returned directly to the Customer Service Dooradoyle Limerick or posted to Planning & Environmental Services, Limerick City & County Council, Dooradoyle Limerick.

Telephone: Planning on 061-556556 E-mail: planninglicences@limerick.ie

Business premises are not entitled to place tables, chairs, on the public footpath or street until a licence is granted.

**Successful applicants will be required to pay a licence fee as per Planning & Development Regulations 2001-2018. , Schedule 12 Licence Fees Under Section 254.**

1. €125 per table and associated chairs (per annum).
2. €630 per windscreen. (per annum).
3. €630 per advertisement structure (e.g. sandwich board) (per annum).
4. €630 per canopy if used as advertisement structure (per annum)

Terms of Payment

Payment must be paid upfront before a licence can be issued.

If you wish you may pay by card by contacting our cash office on 061 557296 / 556455 / 556358.

Please quote ref no PLO11 for Street furniture licence when paying the fee.

If you wish to pay by cheque please make it out to Limerick City & County Council.

Please quote ref no PLO11, when paying the fee.

**Non Compliance with the Licensing Procedure:**

Under Section 71 of the 1993 Roads Act any person who without lawful authority or the consent of a Roads Authority erects, places or retains on a public road any structure or thing used for the purpose of advertising, the sale of goods, the provision of services or other similar purpose shall be guilty of an offence. **Such an offence is subject to summary prosecution in the District Court and on conviction, to a fine not exceeding €1270, or at the discretion of the Court to a term of imprisonment not exceeding six months or to both such a fine and imprisonment.**

Limerick City & County Council expects that business premises will comply voluntarily with the licensing procedure as it now exists.

**THIS LICENCE MUST BE PROMINENTLY DISPLAYED WITHIN THE PREMISES AND BE AVAILABLE FOR INSPECTION BY LIMERICK CITY & COUNTY COUNCIL OR A MEMBER OF AN GARDA SIOCHANA.**

**CONSUMPTION OF INTOXICATING LIQUOR IS EXPRESSLY CONFINED TO SEATED PATRONS WITHIN THE LICENSED AREA.**

**ALL PATRONS WITHIN THE LICENCED AREA MUST BE SEATED**

**STORAGE OF TABLES, CHAIRS AND ANCILLARY EQUIPMENT IS EXPRESSLY PROHIBITED IN A PUBLIC AREA OR IN THE VICINITY OF AN EMERGENCY EXIT**

**THE USE OF OVERHEAD CANOPIES FIXED TO THE GROUND/PREMISES AND/OR SCREENS FIXED OR HINGED TO THE GROUND/PREMISES IS NOT AUTHORISED UNDER THIS LICENCE**. (Planning Permission must be sought separately)

**LICENCE APPLICATION FOR THE PLACEMENT**

**OF TABLES AND CHAIRS, ON THE PUBLIC ROAD/FOOTPATH**

**ROADS ACT 1993 - SECTION 71**

**PLANNING & DEVELOPMENT ACT 2000 (as amended) – SECTION 254**

**FIRST APPLICATION**  **RENEWAL OF PREVIOUS LICENCE**  **PREVIOUS LICENCE No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

|  |  |  |
| --- | --- | --- |
| **Name of Premises and Address at**  **which Licence is applied for:** |  | |
| **Name and Address of REGISTERED OWNER/COMPANY of Premises that licence is being applied for:** | **Mobile Telephone No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Business Telephone No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Email \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | |
| **Name and Address to which notifications should be sent:** |  | |
| **Brief Description of proposed Licence Application:**  **Include Number of desired Tables Chairs**  **Wind Screen, & Sandwich Boards.** |  | |
| **Description of proposed area when furniture and ancillary equipment will be stored outside of the operating hours of this licence** | **Note: It is not permitted to store tables and chairs in a public area or where they may impede an emergency exit.** | |
| **Separate area provided in compliance with the Public Health (Tobacco) Act 2002 Yes  No  Note: A smoking area cannot form part of the allocated area licenced for the placement of tables and chairs.** | | |
| **Does this application include a removable windscreen?** | | **Yes  No ** |
| **Dimensions of Area – Length X Breadth to be enclosed by Removable Barrier** | |  |
| **Does this application include Overhead Covering/Canopy/Awning etc.?** | | **Yes  No ** |
| **Description of Overhead Covering/Canopy/Awning etc.** | |  |
| **Dimensions of Area – Length X Breadth Overhead Covering/Canopy/Awning etc.** | |  |
| **Buildout Required:** If the existing footpath is deemed to be not sufficiently wide. | | **Yes  No ** |

**Public Liability & Employer Liability Insurance Details**

|  |
| --- |
|  |

Name of Insurance Company:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Expiry Date: |  | Value: |  |

Policy Number:

**Documents to accompany this Application:**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Drawing**  **(Accurate Dimensioned Sketch)** |  | **Insurance Declaration** |  | **Insurance Policy Details** |  | **Photographs**  **Of Location** |

I agree to abide by the conditions specified overleaf and any other condition which may be attached by the Licensing Authority:

**Signature of Applicant**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**INSURANCE DECLARATION**

**RE: *LICENCE APPLICATION FOR THE PLACING OF TABLES AND CHAIRS & STRUCTURES ON* THE PUBLIC ROAD/ FOOTPATH**

* ***ROADS ACT 1993 - SECTION 71***
* ***PLANNING & DEVELOPMENT ACT (as amended) – SECTION 254***

***I hereby confirm that the insurance policy as set down hereunder provides for indemnification of Limerick City & County Council against third party claims arising from the use by me of the public road/footpath in respect of the licensed area.*** ***Employer’s and Public Liability Insurance cover for limits of not less than €13 million and €6.5 million respectively.***

***The Licensee is required to maintain a valid policy for the duration of the licence period.***

Applicant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address at which Licence is applied for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Insurance Company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Policy No: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Expiry Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Value: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**NOTE: PLEASE ALSO INCLUDE A COPY OF YOUR INSURANCE POLICY WITH THIS APPLICATION**

With respect to licence for placement of Tables, Chairs, Windscreen & Sandwich Boards, Overhead Coverings/Canopies/Awnings, etc. On the Public Road/Footpath licence is required under section 254 of the Planning and Development Act 2000 (as amended) in respect of the erection, construction, placing or maintaining of:-

|  |  |  |
| --- | --- | --- |
|  |  | Fee per annum |
| (1) | Advertisement structure(other than advertisement structure specified in paragraph (2)) | €630.00 |
| (2) | An Advertisement structure (being of a finger post type not exceeding 1 metre in length) consisting of a directional sign to indicate tourist accommodation | €50.00 |
| (3) | Any other appliance or structure which may be prescribed as requiring a licence under this section on, under, over or along a public road  An advertisement structure exceeding 1 metre in length. | €630.00 per annum.  (€63.00 per month or part thereof) |
| (4) | Tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for  consumption on the premises | €125.00 per table |
| (5) | Advertisement consisting of any text, symbol, emblem, model, device or logo | €630.00 |