



SLIGO
COUNTY COUNCIL
COMHAIRLE CHONTAE SHLIGIGH

Sligo.

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City Hall
Quay Street, Sligo
Telephone (071) 9114453 Or 9114455

PLANNING AND DEVELOPMENT ACT 2000 – as amended (Section 254)

APPLICATION FOR NEW LICENCE / RENEWAL OF EXISTING LICENCE IN RESPECT OF SPECIFIED APPLIANCES, APPARATUS & STRUCTURES.

Before you apply for a licence, please read the General Licence Conditions for Tables and Chairs on Public Roads/Footpaths below and answer all applicable questions in full.

Please complete using BLOCK CAPITALS

I wish to apply for: New Licence Renewal of licence (Ref. No. _____)

1. Name of Applicant: (Full First Name Must be Given):

Full Address of Applicant:

Tel No: _____ **Email Address:** _____

2. Registered Office – If a limited company:

3. Address to which correspondence and notice relating to the application should be sent (if different from above) :

4. Name and address of person (if any) acting on behalf of the applicant:

_____ Tel No: _____

5. Insurance Details: (Public Liability Insurance to be a minimum value of €6,500,000 and to indemnify Sligo County Council against third party claims).

(a) Name of Insurance Company: _____

(b) Policy Number: _____

(c) Expiry date of policy: _____

6. Details of Development:

Item	Number	Item	Number
Tables		Umbrellas, canopies, awnings	
Chairs		Heaters (the use of LPG heaters is not permitted)	
Screens/windbreaks		Barriers	
Plant stand		Other -describe below	
Item:			

7. Exact location of object or structure to be licensed: (Location map and drawing to be provided)

8. Description and location of proposed area where furniture and ancillary equipment will be stored outside of the operating hours of this licence. (it is not permitted to store tables and chairs in a public area or where they may impede an emergency exit).

9. Planning reference number _____ & date of planning permission granted for Premises (if applicable): _____

10. License Fee Payable (see schedule of license fees) € _____

I hereby apply for a License in accordance with the foregoing particulars.

SIGNED: _____ DATE: _____

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

Section 254(5) provides that, in considering an application for a licence under this section a planning authority, or the Board on appeal, shall have regard to:

- The proper planning and sustainable development of the area;
- Any relevant provisions of the development plan, or a local area plan;
- The number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and to the convenience and safety of road users including pedestrians;
- Relevant apparatus standards, the impacts on pedestrians, the impacts on residential amenity including those arising from noise impacts and hours of operation, the implications for traffic management, potential impact on Architectural Conservation Areas (ACAs) and Protected Structures.

Following consultation with the relevant sections, Sligo County Council 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, this is to facilitate visually impaired persons, wheelchair users, etc

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 a licence fee, acceptable evidence of public Liability Insurance Cover indemnifying Sligo County Council must also be provided.

Any structure (including tables and chairs) on the public footpath or on public space must have a valid licence issued under the above legislation. Any structure placed on the public footpath or on public space without a valid licence or placed on the public footpath or public space outside of a licensed area, will be removed and disposed of by the Council. Business premises are not entitled to place tables, chairs or other items on the public footpath or on public space until a licence is granted.

This application must be accompanied by

- 1. FOUR** copies of completed Application Form
- 2. Diagram / Layout Plan (Scale 1:100);**
showing Design, Dimensions and all wording/symbols/legends (of Tables & Chairs) & elevation of structure if applicable (**4 no. copies**);
- 3. Site Location Map**
showing precise location of proposed sign on a plan to Scale 1:1000 (**4 no. copies**;
- 4. Licence Fee** (see attached Schedule of Fees);

5. Copy of Insurance Details for applications for table & chairs:

(Public Liability Insurance to be a minimum value of €6,500,000 and to indemnify Sligo County Council against third party claims).

PRIVACY NOTICE

Sligo County Council is obliged to comply with GDPR and Data Protection legislation as set out in Section 71 of the Data Protection Act 2018, in the collection and processing of any personal information, during the course of its business. For further information, the Data Privacy Statement for the Planning Section as well as the Sligo County Council Data Protection Policy is available for viewing at www.sligococo.ie

GENERAL LICENCE CONDITIONS

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 Sligo County 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 Sligo County 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 Sligo County 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 Sligo County 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 Sligo County Council, and to continue to maintain a Public Liability Insurance policy, which provides cover to a minimum value of €6.5 million indemnifying Sligo County Council against third party claims.
11.
 - (a) Furniture and other items shall be removed immediately if requested by Sligo County Council. Equally Sligo County 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 Sligo County 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 Sligo County 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 Sligo County Council shall carry out work on the public

road/footpath. The licensee shall enter into an agreement with Sligo County 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 Sligo County Council.
- 12. A clear and direct entry between the public footpath and the entrance to the premises, and between the emergency exits from premises and other properties 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 or shall impede access to, or visibility of, 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. Failure to comply with the provisions of the Act & Bye Laws may result in the withdrawal of the Street Furniture Licence.
- 22. Sligo County 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 Sligo County Council are subject to the following conditions;
 - (a) Screens to be plain, coloured or neutral canvas type, not more than 1 metre high, spanning between or framed by simple metal type posts.
 - (b) Screens to be manufactured from flame/fire retardant material.
 - (c) Base plates or weighted bases to screening posts must not extend outside the licensed area.

- (d) All screens, posts and bases must be demountable.
 - (e) Screens must be sufficiently robust to prevent overturning in adverse wind conditions.
 - (d) No advertising apart from the name of the premises to be used on the screens, without the permission of Sligo County Council.
25. Colour type and size of logos, lettering and names applied to the screens, ancillary equipment etc, must be approved by Sligo County Council.
26. Side awnings or front awnings may only be used to cover the licensed area where planning permission has been granted.
27. 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.
28. Street Furniture must be removed and stored away from the public footpath or public space at close of business every day or by 11pm, whichever is the earlier.
29. Planters and plant pots should be maintained, kept tidy and free of weeds. Planting should be of native species to encourage biodiversity
30. Planters and plant pots should be placed so as not to create a trip hazard or risk to people with mobility issues

Fire Safety

31. Heating appliances are subject to the following conditions;
- (a) No heaters are to be used without written approval from the Chief Fire Officer, Sligo County Council
 - (b) Heating appliances and seating must be located so as not to obstruct escape routes.
 - (c) The use of portable LPG heaters is not permitted.
 - (d) 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
32. Umbrella Specifications
- (a) Umbrellas shall be of robust, sturdy construction. The central post, arms and frame should be of stainless steel, powder-coated metal or aluminum construction
 - (b) The fabric covering of umbrellas shall comply with BS 7837:1996 Flammability Performance for textiles used in the construction of marquees and similar texture structures, or equivalent.
 - (c) Class 0 (in accordance with BS 476: Surface Spread of Flame Tests for Materials, Parts 6 and 7) umbrellas are also acceptable.

- (d) High Level windbreakers/screens shall be manufactured from flame/fire-retardant materials and have a classification of the surface spread of flame of Class 0 in accordance with BS 476: Parts 6 and 7, or equivalent.
 - (e) There should be a suitable gap (of at least 500mm) between the top of the screen and the lowest point of the umbrella.
33. Tables and chairs should be in accordance with the guidance provided in “Code of Practice for Fire Safety of Furniture and Fittings in Places of Assembly (1989)” updated December 2020. See <https://www.gov.ie/en/publication/a546a-code-of-practicefor-fire-safety-of-furnishings-and-fittings-in-places-of-assembly-1989/>

Schedule of fees	
Appliance, apparatus or structure	Licence fee
<i>Part 1 (Annual Fees)</i>	
<i>Appliances, apparatus and structures:</i>	
(a) A vending machine or coin operated machine (not being weighing machine).	€125
(b) A town or landscape map for indicating directions or places.	€25
(c) A hoarding, fence or scaffold (not being a hoarding, fence or scaffold bounding a public road).	€1,250
(d) An advertisement structure (other than an advertisement structure specified in paragraph (dd)).	€630
(dd) An advertisement structure (being of a finger post type not exceeding 1 metre in length) consisting of a direction sign to indicate tourist accommodation	€50
(e) A cable, wire or pipeline (not being a cable for conducting electricity for domestic or agricultural purposes or a drain or water pipe).	€25 per 100 metres length or part thereof
(f) A telephone kiosk or pedestal	€630
(g) A case, rack, shelf or other appliance, apparatus or structure for displaying articles, whether or not for the purpose of advertisement or sale in or in connection with any adjacent business premises	€125
(h) Tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises	€125 per table
(i) An advertisement consisting of any text, symbol, emblem, model. Device or logo	€630
(j) An advertisement structure (being of a fingerpost type not exceeding 1 metre in length) consisting of a direction sign to indicate tourist accommodation	€50
(k) A pipe or an appliance with a pipe attachment for dispensing air or water, not being a pipe or appliance attached to a petrol or oil pump	€25
(l) A weighing machine	€63
(m) A bring facility	€25
<i>Part 2</i>	
(a) A cabinet used as part of a wired broadcast relay system by a person licensed under the Wireless Telegraphy (Wired Broadcast Relay Licence) regulations, 1974	€125
(b) A lamp-post	€25

(c) A bridge, arch, tunnel, passage or other similar structure used or intended for use other than by the public and constructed on or after 1 st October 1964	€125
(d) A cellar or other underground structure constructed on or after 1 st October 1964	€125
(e) A cable for conducting electricity for domestic or agricultural purposes.	€125