

2021

Outdoor Dining Guide

Fire Safety & Universal Access Guidance

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Comhairle Cathrach Chorcaí
Cork City Council



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2.0 Revision History

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REVISION APPROVAL			
Process Owner	Signature:	Print Name:	Date:
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3.0 Introduction/Background

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 Cork. It can enable businesses to improve services to their customers, and generate additional revenues.

Cork City Council and its Local Enterprise Office have been assisting businesses in these challenging times to reopen safely in the new environment we find ourselves in. Many businesses have extended their outdoor seating areas with the support of Cork City Council.

In winter time, Cork City Council is cognisant of the need to support local businesses further to weatherproof their outdoor seating areas. It is with this in mind that this guidance document has been drafted to assist with further street furniture applications.

4.0 Purpose & Scope

This document has been prepared to offer fire safety, universal access and branding guidance to the relevant stakeholders of the hospitality sector as part of Cork City Council's "Re-imagining Cork City" programme. The guidance within this document pertains to street furniture and ancillary equipment used for outdoor dining or similar with regards to fire prevention, access for the fire service and universal access and the proper use of advertising/branding. Advice on Covid-19/Social Distancing and general Health and Safety can be obtained from Health Safety Executive and the Health and Safety Authority.

Outdoor dining facilities have been categorised into four main types within this document and are as follows:

- Basic outdoor dining
- Outdoor dining with low level wind breakers
- Outdoor dining with high level wind breakers
- Enclosed outdoor dining

It is important to highlight that business premises are not entitled to place tables, chairs and ancillary street furniture equipment, on the public footpath or street until a licence has been granted. Licence application forms for tables and chairs on the public Road/Footpath may be obtained online at <https://corkcity.submit.com/show/80>, by post from Room 333 City Hall (Telephone 021 492 4758/4189/4671) or from the Reception Desk City Hall

It should be noted that the guidance contained herein applies to outdoor seating areas in public areas only.

N.B. This guidance is not intended to be a general Health and Safety document and therefore should not be interpreted as such.

5.0 Policy Details

This document should be read in conjunction with Cork City Council's Street Furniture Licence policy. Application forms for Street Furniture Licences can be obtained online at <https://corkcity.submit.com/show/80>, by post from Room 333 City Hall (Telephone 021 492 4758/4189/4671) or from the Reception Desk City Hall

Asset Management/Roads Maintenance Division will decide on the area where tables and chairs may be placed, following consultation with An Garda Siochana and the Fire Department. As a general guide a minimum of 1.8 m footpath clearance shall be required in front of the licenced area and in pedestrianised streets a continuous channel of at least 3.0 m in width is required. This is to facilitate visually impaired persons, wheelchair users, etc

All application forms must be accompanied by an accurate dimensioned drawing of the area to be licensed showing the proposed number of tables and chairs, the types of tables, chairs and removable barrier to be used together with all statutory services in the area and obstructions.

The insurance policy of the premises 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. Cork City Council reserves the right to review this limit of indemnity for adequacy. Information regarding Cork City Council's Public Liability Insurance cover policy may be obtained from Cork City Council's website.

6.0 Roles & Responsibilities

6.1 Cork City Council

- (1) Cork City Council is responsible for the licensing system for the placement of table and chairs and ancillaries on city streets and roads.

- (2) Cork City Council is responsible for ensuring the control 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.

6.2 Licence Applicant

- (1) The Licence Applicant is responsible for ensuring all Street Furniture Licence conditions are fully adhered to.

- (2) The Licence Applicant is responsible for ensuring that Street Furniture Licence applications are prepared by a competent person.

- (3) The Licence Applicant is responsible for ensuring that the competent person employed on his/her behalf possesses sufficient training, experience and knowledge appropriate to the nature of the task to be undertaken.

7.0 Basic Outdoor Dining

Basic outdoor dining consisting of the following:

- Tables
- Chairs
- Parasols

7.1 Basic Guidelines:

- Emergency egress routes from any premises shall not be obstructed by street furniture at any time.
- The fabric covering of parasols shall comply with **BS 7837:1996 Flammability performance for textiles used in the construction of marquees and similar textile structures**, or equivalent.
- For more detailed guidance please refer to Section 11.0 and Section 12.0



Examples of Basic Outdoor Dining

N.B

- Individual Basic Outdoor Dining street furniture applications should be completed by a competent person
- Where a Basic Outdoor Dining street furniture application involves multiple stakeholders, a full Fire Safety Risk Assessment may be required. A full Fire Safety Risk Assessment should only be carried out by a competent person e.g. Chartered Engineer. The Applicant should satisfy him/herself that the fire safety guidance given in this document is fully adhered to.

8.0 Outdoor Dining with Low Level Wind Breakers

Outdoor dining with low level wind breakers consisting of the following:

- Tables
- Chairs
- Parasols
- Low level wind breakers

8.1 Basic Guidelines:

- Emergency egress routes from any premises shall not be obstructed by street furniture at any time.
- The fabric covering of parasols shall comply with **BS 7837:1996 Flammability performance for textiles used in the construction of marquees and similar textile structures**, or equivalent.
- Low level windbreakers/screens shall be manufactured from flame/fire-retardant material
- For more detailed guidance please refer to Section 11.0 and Section 12.0.



Examples of Outdoor Dining with Low Level Wind Breakers

N.B

- **Individual Outdoor Dining with Low Level Wind Breakers street furniture applications should be completed by a competent person**
- **Where an Outdoor Dining with Low Level Wind Breakers street furniture application involves multiple stakeholders, a full Fire Safety Risk Assessment may be required. A full Fire Safety Risk Assessment should only be carried out by a competent person, e.g. Chartered Engineer. The Applicant should satisfy him/herself that the fire safety guidance given in this document is fully adhered to.**

9.0 Outdoor Dining with High Level Wind Breakers

Outdoor dining with high level wind breakers consisting of the following:

- Tables
- Chairs
- Parasols
- High level wind breakers
- Outdoor heating
- Outdoor lighting

9.1 Basic Guidelines:

- Emergency egress routes from any premises shall not be obstructed by street furniture at any time.
- The fabric covering of parasols shall comply with **BS 7837:1996 Flammability performance for textiles used in the construction of marquees and similar textile structures**, or equivalent.
- High level windbreakers/screens shall be manufactured from flame/fire-retardant material and have a classification of the surface spread of flame of **Class 0**, in accordance with **BS 476: Parts 6 and 7**, or equivalent.
- There shall be a suitable gap of at least 500mm between the top of the screen and the lowest point of the parasol.
- For more detailed guidance please refer to Section 11.0 and Section 12.0.



Examples of Outdoor Dining with High Level Wind Breakers

N.B

- **Applications for both Individual Outdoor Dining with High Level Wind Breakers and applications involving multiple stakeholders should be completed by a competent Chartered Engineer.**
- **A full Fire Safety Risk Assessment may be required. A full Fire Safety Risk Assessment shall be carried out by a competent Chartered Engineer. The Applicant should satisfy him/herself that the fire safety guidance given in this document is fully adhered to.**

10.0 Enclosed Outdoor Dining

Enclosed outdoor dining consisting of the following:

- Tables
- Chairs
- Outdoor heating
- Outdoor lighting
- Enclosure

10.1 Basic Guidelines

In accordance with the *Building Control Regulations 1997 – 2020*, outdoor dining enclosures require the following:

- **A Fire Safety Certificate.**
- **A Disability Access Certificate**



Examples of Enclosed Outdoor Dining

11.0 General Guidance

11.1 General

- No cooking of any kind is permitted under or in the area adjacent to any outdoor seating.
- No candles are permitted in any outdoor seating area.
- No general ornamentation, excessive lighting or excessive heating is permitted in the outdoor seating area. All combustibles are to be kept to an absolute minimum.
- No Christmas trees or Christmas decorations are permitted in the outdoor seating area.
- Consideration should be given to the proximity of any street furniture to any other adjacent street furniture or other potential fire spread risk. (Street furniture includes awnings, parasols, tables and chairs, windbreakers etc.)

11.2 Parasol Specifications:

- The fabric covering shall comply with **BS 7837:1996 Flammability performance for textiles used in the construction of marquees and similar textile structures**, or equivalent. (It is also noted that Class 0 parasols are currently on the market – these are also acceptable).
- Parasols shall be of robust, sturdy construction. The central pole, arms and frame should be of stainless steel, powder coated metal or aluminium construction.



Examples of Parasols

11.3 Awning/Canopy Specifications:

- The fabric covering shall comply with **BS 7837:1996 Flammability performance for textiles used in the construction of marquees and similar textile structures**, or equivalent
- The minimum distance between the top of any high level windbreakers/screen and the underside of any awning/canopy directly over should be not less than 500 mm.



Examples of Awnings/Canopies

N.B

The erection or display of a canopy will materially affect the external appearance of the building to which it is to be affixed and it, therefore, constitutes development.

Currently if a business wishes to put up an awning or canopy they need to apply for planning permission

11.4 Table and Chairs Specifications:

- Tables and chairs should be in accordance with the guidance provided in “**Code of Practice for Fire Safety of Furnishings and Fittings in Places of Assembly**”, published by the Department of the Environment, Heritage and Local Government.
- General safety requirements should be in accordance with **IS EN 581, Outdoor furniture - seating and tables for camping, domestic and contract use**, or equivalent.
- Tables and chairs should be a hardy and sturdy, yet portable. The use of a metal or timber frame is required.



Examples of suitable tables and chairs

11.5 Low level windbreakers/screens Specifications:

- Low level windbreakers/screens shall either be canvas type or of solid material construction.
- Low level windbreakers/screens shall be manufactured from flame/ fire-retardant material.
- Low level windbreakers/screens shall span between or be framed by simple metal type posts and all screens, posts and bases should be demountable.



Examples of suitable low level windbreakers/screens

11.6 High level windbreakers/screens Specifications:

- High level windbreakers/screens **shall be of solid material construction** which may or may not incorporate an appropriate type of glass/glazing.
- Ideally the high level windbreakers/screens should have lockable caster wheels.
- High level windbreakers/screens shall be manufactured from flame/ fire-retardant material and have a classification of the surface spread of flame of **Class 0**, in accordance with **BS 476: Parts 6 and 7**, or equivalent.
- The minimum distance between the top of high level windbreakers/screen and the underside of any parasol/awning directly over should be not less than 500 mm.



Examples of suitable high level windbreakers/screens

11.7 Outdoor lighting Specifications:

- Electrical installations shall be in accordance with the current edition of the National Rules for Electrical Installations, IS 10101:2020
- All lighting shall be to current EU Standards and have the appropriate IP rating.
- Only qualified, registered and insured Safe Electric affiliated electricians/electrical contractors should be engaged to undertake any electrical works.



Examples of Outdoor Lighting

11.8 Outdoor heating Specifications:

- Electric infrared radiant commercial outdoor heating **should** only be used.
- These should be fitted strictly in accordance with the manufacturer's installation instructions, i.e. safely secured, recommended safe clearance distances etc.
- All electric infrared radiant commercial outdoor heating appliances **shall be to current EU Standards**
- Electrical installations shall be in accordance with the current edition of the ***National Rules for Electrical Installations, IS 10101:2020***
- Only qualified, registered and insured Safe Electric affiliated electricians/electrical contractors should be engaged to undertake any electrical works.
- Where electrical heaters are used, at least one carbon dioxide extinguisher should be immediately to hand. Fire extinguishers should be serviced and maintained in accordance with ***I.S. 291:2015 "Selection, commissioning, installation, inspection and maintenance of portable fire extinguishers***



Examples of Outdoor Heating

11.9 Fire Extinguishers

First-aid fire fighting equipment appropriate to the fire risk shall be provided in/adjacent to the licensed area or within the premises having control over the licensed area. Staff shall have the appropriate training in the use of portable fire extinguishers. Fire extinguishers should be serviced and maintained in accordance with ***I.S. 291:2015 "Selection, commissioning, installation, inspection and maintenance of portable fire extinguishers***

11.10 Ground Coverings

Any ground coverings shall be in accordance with guidance provided in ***"Code of Practice for Fire Safety of Furnishings and Fittings in Places of Assembly"***, published by the Department of the Environment, Heritage and Local Government.

N.B

Materials that have been specified by their manufacturer as being flame/fire-retardant are generally designed/treated to impede ignition and slow the surface spread of flame if exposed to an open flame source, and should not be interpreted as being non-combustible

12.0 General Considerations

Licence applications for the placement of tables and chairs tend to fall into two categories i.e. placement on public road and placement on public footpath.

12.1 Public Road

12.1.1 Fire Prevention Considerations for Public Road Placement:

- As these tend to involve a number of stakeholders, a fire safety risk assessment report for the area as a whole is required. Fire Safety Risk Assessment Reports should only be carried out by a recognised Fire Safety Consultant/Chartered Engineer. General guidance on Fire Risk Assessments of this type can be obtained from **PAS 79: 2012 Fire Risk Assessment – Guidance and a Recommended Methodology and Fire Safety Risk Assessment Open Air Events and Venues**.
- Scaled drawings clearing showing proposed street furniture layouts, emergency exits, circulation areas etc., are to accompany submissions.
- The use of street furniture and ancillary equipment shall be within the proposed licensed area and shall be so positioned as to not to affect any of the emergency exit doors or entrance/exit doors.
- The street furniture and ancillary equipment when not in use shall be stored in such a manner as not to obstruct any emergency exit route/door within each premises.
- Upon request certificates to current I.S EN standards for street furniture and ancillary items, first aid fire fighting equipment, outdoor infrared heaters (if applicable), outdoor lighting (if applicable), shall be made available for inspection by Cork City Council/Cork City Fire Dept.

12.1.2 Fire Operations Considerations for Public Road Placement:

- With numerous stakeholders involved in street closures the Fire Safety Risk Assessment Report provided for outdoor dining must outline the methods employed to ensure that emergency fire brigade vehicle access is provided along the route of the street together with emergency ingress into premises.
- Electrical cables used to service licensed areas should be easily unplugged (when safe to do so) and removed so as not to impede fire services operations.
- Sufficient space should be allowed on the streets to facilitate fire operations set up of a mustering area to coordinate firefighting command and attack.
- No hydrants or hydrant markers should be blocked / covered over / or obscured
- Outdoor dining enclosures should be dismantled and stored away at night in accordance with fire prevention guidance

12.1.3 Universal Access Considerations for public Road Placement:

A Universal Design Approach should be considered when designing areas for outdoor dining.

- Street environment: The existing street gradient should be considered when designing the area to ensure that a safe environment is created for all.
- Ramp construction forming part of the dining area will not be permitted to project outside the licence area.
- Access and egress to the dining area should be so designed to ensure that is usable by all.
- Steps and ramped, access / egress routes should be designed in accordance with the **Building Regulations 2010, Technical Guidance Document Part M – Access and Use.**
- The proposed dining area should visually contrast with the surrounding background.
- Internal layout should have a logical design with unobstructed access routes for patrons and staff.
- The use of fixed seating and chairs will not be permitted.
- Within the enclosure tables and chairs should visually contrast with surrounding surfaces.
- Tables and chairs layout format should be easily reconfigured to enable access by people using wheelchairs.
- Information and signage format should be usable and informative to everyone.
- Lighting illumination levels should provide a safe, well illuminated access and egress and circulation routes for patrons and staff to use the facilities.
- Surface water drainage consideration. Existing road gullies location should not be obstructed by the installation of the temporary structures.
- Trees, planting and soft landscaping: Temporary structure shall not be fixed to trees. Planting and soft landscaping area is not to be obstructed.

12.1.4 Property Maintenance

Building owners are reminded of their statutory responsibilities to ensure their buildings are properly maintained. Regular inspections or surveys of your building by competent persons will help you in meeting your obligations and to plan for any future repairs that may be required. The external fabric of a building needs frequent and careful examination including roofs, rainwater removal and external joinery etc. Building maintenance must be carried out on an ongoing and regular basis by the building owner.

12.2 Public Footpath

12.2.1 Fire Prevention Considerations for Public Footpath Placement:

- The use of street furniture and ancillary equipment shall be within the proposed licensed area and shall be so positioned as to not to affect any of the emergency exit doors or entrance/exit doors.
- The street furniture and ancillary equipment when not in use shall be stored in such a manner as not to obstruct any exit route or exit door within each premises.
- Scaled drawings clearing showing proposed street furniture layouts, emergency exits, circulation areas etc., are to accompany submissions.
- Upon request certificates to current I.S EN standards for street furniture and ancillary items, first aid fire fighting equipment, outdoor infrared heaters (if applicable), outdoor lighting (if applicable), shall be made available for inspection by Cork City Council/Cork City Fire Dept.

12.2.2 Fire Operations Considerations for public Footpath Placement:

- Clear access to the front of premises must be maintained
- Electrical cables used to service licensed areas should be easily unplugged (when safe to do so) and removed so as not to impede fire services operations.
- No hydrants or hydrant markers should be blocked / covered over / or obscured

12.2.3 Universal Access Considerations for public Footpath Placement:

A Universal Design Approach should be considered when designing areas for outdoor dining.

- Street environment: The existing footpath gradient should be considered when designing the area to ensure that a safe environment is created for all.
- Ramps construction forming part of the dining area will not be permitted to project outside the licence area.
- Access and egress to the dining area should be so designed to ensure that is usable by all.
- Steps and ramped, access / egress routes should be designed in accordance with the **Building Regulations 2010, Technical Guidance Document Part M – Access and Use**.
- The proposed dining area should visually contrast with the surrounding background.
- Internal layout should have a logical design with unobstructed access routes for patrons and staff.
- The use of fixed seating and chairs will not be permitted.
- Within the enclosure tables and chairs should visually contrast with surrounding surfaces.
- Tables and chairs layout format should be easily reconfigured to enable access by people using wheelchairs.
- Information and signage format should be usable and informative to everyone.
- Lighting illumination levels should provide a safe, well illuminated access and egress and circulation routes for patrons and staff to use the facilities.

12.2.4 Property Maintenance

Building owners are reminded of their statutory responsibilities to ensure their buildings are properly maintained. Regular inspections or surveys of your building by competent persons will help you in meeting your obligations and to plan for any future repairs that may be required. The external fabric of a building needs frequent and careful examination including roofs, rainwater removal and external joinery etc. Building maintenance must be carried out on an ongoing and regular basis by the building owner.

13.0 Reference Material

- (1) *BS 7837:1996 Flammability performance for textiles used in the construction of marquees and similar textile structures.*
- (2) *BS 476-6:1989 Fire tests on building materials and structures. Method of test for fire propagation for products (+A1:2009) (incorporating corrigendum No. 1)*
- (3) *BS 476-7:1997 Fire tests on building materials and structures. Method of test to determine the classification of the surface spread of flame of products (incorporating corrigendum No. 1)*
- (4) *“Code of Practice for Fire Safety of Furnishings and Fittings in Places of Assembly”, published by the Department of the Environment, Heritage and Local Government.*
- (5) *IS EN 581, Outdoor furniture - seating and tables for camping, domestic and contract use.*
- (6) *National Rules for Electrical Installations, IS 10101:2020*
- (7) *I.S. 291:2015 “Selection, commissioning, installation, inspection and maintenance of portable fire extinguishers*
- (8) *PAS 79: 2012 Fire Risk Assessment – Guidance and a Recommended Methodology and Fire Safety Risk Assessment Open Air Events and Venues.*
- (9) *Technical Guidance Document Part M – Access and Use.*
- (10) *National Disability Authority: <http://universaldesign.ie/Built-Environment/Building-for-Everyone/>*
- (11) *BS 8300-1: 2018 Design of an accessible and inclusive built environment.*