



ON THE PUBLIC ROAD/FOOTPATH.

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 Cork. 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, Cork City Council has now put in place a licensing system for the placement of tables and chairs on city streets.

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 Síochána 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 calendar year from the 1st. of January to the 31st. of December of that year.

Licence Application Procedure:

Licence application forms for tables and chairs on the public Road/Footpath may be obtained from the Reception Desk City Hall or by post from Room 333 City Hall (Telephone 021 492 4758/4189/4671) or Cork City Council's website at www.corkcity.ie. 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 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 Cork City Council.** Cork City 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 Reception Desk, City Hall or posted to Room 333, City Hall, Cork, T12 T997, together with a non-refundable Administration Fee of €110.

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 of €125 per table and/or per bench/other seating structure not associated with a table. The area must be enclosed by a removable barrier. A fee of €100 for the use of public space also applies per licence. All fees must be paid by the applicant at the time of issue of the Licence.

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.**

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

Attachments:

Please find attached:

- (1) *General Licensing Conditions*
- (2) *Licence Application Form*
- (3) *Insurance Declaration*

**SPECIFIC LICENCE CONDITIONS THAT WILL APPEAR ON THE FRONT OF THE LICENCE
FOR THE PLACING OF TABLES AND CHAIRS ON THE PUBLIC ROAD/FOOTPATH.**

**THIS LICENCE MUST BE PROMINENTLY DISPLAYED WITHIN THE PREMISES AND BE AVAILABLE
FOR INSPECTION BY CORK CITY 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 AND/OR SCREENS FIXED OR HINGED TO THE PREMISES IS NOT
AUTHORISED UNDER THIS LICENCE. (Planning Permission must be sought separately)**



Roads and Transportation Directorate – Asset Management/Roads
Maintenance Division.

ROOM 333, CITY HALL, CORK, T12 T997. Tel: Orla Torpey 021-492 4671

**FORM SF LICENCE APPLICATION FOR THE PLACEMENT
OF TABLES AND CHAIRS, ON THE PUBLIC ROAD/FOOTPATH
ROADS ACT 1993 - SECTION 71
PLANNING & DEVELOPMENT ACT 2000 – SECTION 254**

FIRST APPLICATION RENEWAL OF PREVIOUS LICENCE PREVIOUS LICENCE No. _____

<u>Name of Premises and Address at which Licence is applied for:</u>	
<u>Name and Address of REGISTERED OWNER/COMPANY of Premises that licence is being applied for:</u>	Mobile Telephone No: _____ Business Telephone No: _____
<u>Name and Address to which notifications should be sent:</u>	
<u>Brief Description of proposed Licence Application: (Include Number of desired Tables And Chairs)</u>	
<u>Description of proposed area when furniture and ancillary equipment will be stored outside of the operating hours of this licence</u>	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 <input type="checkbox"/> No <input type="checkbox"/> Note: A smoking area cannot form part of the allocated area licenced for the placement of tables and chairs.	
Dimensions of Area – Length X Breadth to be enclosed by Removable Barrier	

Public Liability & Employer Liability Insurance Details (See Condition 25 of General Licence Conditions)

Name of Insurance Company:

Policy Number: Expiry Date: Value:

Documents to accompany this Application:

Drawing (Accurate Dimensioned Sketch)	Insurance Declaration	Insurance Policy Details	Administration Fee € 110.00
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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: _____

For Office Use Only	
Licence Application No:	Licence Issue Date:
Administration Fee: €110.00	Receipt No.
Licence Fee: €	Receipt No.



ROOM 333, CITY HALL, CORK, T12 T997 Tel: 021-492 4671

INSURANCE DECLARATION

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

- *ROADS ACT 1993 - SECTION 71*
- *PLANNING & DEVELOPMENT ACT – SECTION 254*

*I hereby confirm that the insurance policy as set down hereunder provides
for indemnification of Cork City Council against third party claims arising from
the use by me of the public road/footpath in respect of the Licensed area.*

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**