

Application Form – Street Furniture and Advertising Structures Licence



What legislation deals with these licences?

We issue these licences as directed by the:

- Roads Act 1993 – Section 71
- Section 254, Planning and Development Act, 2000; and
- Part 17, articles 200 - 204, Planning and Development Regulations, 2001, as amended.
- If breaches occur, fines may be issued under the Litter Pollution Acts, 1997 - 2009.

Granting of a licence does not remove your responsibilities under any other relevant legislation. Licences are granted on an annual basis for one calendar year, from 1st January to 31st December of that year.

How do I apply for this licence?

Please fill in this form using block capitals and send it together with your insurance details to: Traffic Section, Municipal Services Department, Dún Laoghaire-Rathdown County Council, County Hall, Marine Road, Dún Laoghaire, Co. Dublin or email it to info@dlrcoco.ie.

A dlr representative will examine the location and make an initial assessment as to its suitability for street furniture. The applicant will then be informed if the location is considered suitable. If your application is approved, you will be asked to provide details of current Employer's and Public Liability Insurance (see Insurance, below) before we can issue your licence.

Insurance - Indemnity

You **must** indemnify Dún Laoghaire-Rathdown County Council against all actions, suits, claims or demands by anyone who is injured or suffers damage to themselves or their property due to tables, chairs, advertising boards or other goods on the footpath (see 'Insurance and Claims' heading under 'General Licence Conditions' below for more information). Your insurance company or broker can provide information as to this procedure.

If you have any questions or if we could be of any help in filling in this application, please contact the Traffic Section of the Municipal Services Department: phone (01) 205 4700; info@dlrcoco.ie.

1. I wish to apply for (please tick one):

Please tick one.

New licence

Renewal licence

(With material changes)

2. Name of Premises and address at which the licence is being applied for

Name:

Address:

Email:

Business Phone: _____ Mobile: _____

3. Name and address of REGISTERED OWNER/COMPANY of Premises that the licence is being applied for

Name:

Address:

Email:

Business Phone: _____ Mobile: _____

4. Name and address to which notifications should be sent:

Name:

Address:

5. 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).

6. What item(s) do you propose to place on the public footpath?

Item	Number	Item	Number
*Tables (Max. 2 free of charge)		Umbrellas	
*Chairs (Max. 4 free of charge)		Gas braziers	
Advertising structures		Gas heaters	
Plant stands		Screens/windbreaks	
Case/Rack/Shelf		Other – describe below	

Item	Number

No fee applies to applicants for any advertising sign or any structure (including a case, rack, shelf or plant stand).

***No fee applies to applicants for Tables & Chairs up to and including two tables and a seating provision for up to 4 persons. A fee will be charged for Tables & Chairs over and above this amount (see Tables & Chairs Licence Fee, below).**

Each application will be assessed by the Area Traffic Engineer, taking account of the requirement for such items and suitability of the location, having consideration for the safety of pedestrians and other road users. For this reason, we ask the applicant to list ALL items that they wish to place on the public footpath.

7: In the case of Tables & Chairs, how much space on the pavement do you propose to use ?

Length (metres) _____ Width (metres) _____ Total Area m² _____

8: What time is your business open ?

From _____ to _____

From _____ to _____

9: During what time of day do you propose to place items on the public footpath?
Street Furniture and advertising structures must be removed and stored away from the public footpath at close of business every day or by **11pm**, whichever is the earlier.

From _____ to _____

10. Public Liability and Employer's Liability Insurance Details (see General Licence Conditions):

Name of Insurance Company
(not the broker):

Policy Number: _____ Expiry date: _____

Value: Employer's Liability cover: € _____ Public Liability Cover: € _____

11. Documents to accompany this application:

- Insurance Declaration (see p.7 of this form)
- Copy of insurance policy
- Fee, if applicable (see below for information on fees, where applicable)

12. I confirm that all the above information is correct. I accept that if you grant me a licence, I must still obey the law as outlined in any other legislation.

I will obey the conditions you specify for this licence, including the items outlined in the attached 'General Licence Conditions' and any other conditions the Licensing Authority outlines.

Signature of applicant (or person applying for them)

Date _____

STREET FURNITURE LICENCE - GENERAL LICENCE CONDITIONS

Any advertising sign or any structure (including a case, rack, shelf, or tables and chairs) on the public footpath must have a valid license issued under the above legislation. Any sign or structure or goods placed on the public footpath without a valid license, or placed on the public footpath outside of a licenced 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 street until a licence is granted.

Specific guidelines

1. Only **one** sign (advertising structure) per business establishment.
2. A minimum footpath width of 1.5 metres must be maintained.
3. Signs should only be displayed during the business's operating hours (up to **11pm** latest) and after 9.30am in order to facilitate street cleansing.
4. Signs should not be tied to poles, trees or other street furniture and should be suitably positioned so as not to create a risk to public safety.
5. Signs should be not higher than 1 metre, and not wider than 700 millimetres.
6. Lights, banners or flags or similar objects should not be placed on the sign.
7. The licensed structure must not obstruct visibility at junctions or places of public access.
8. You must keep the area you use for tables, chairs or other goods clean and in a way that they are not a nuisance.
9. Street Furniture and advertising structures must be removed and stored away from the public footpath at close of business every day or by **11pm**, whichever is the earlier.
10. All patrons within the licenced area must be seated.
11. Consumption of intoxicating liquor is expressly confined to seated patrons within the licenced area.
12. The use of overhead canopies and/or screens fixed or hinged to the premises is not authorized under this licence. Planning Permission must be sought separately for such items.

Indemnity

You must indemnify Dún Laoghaire-Rathdown County Council against all actions, suits, claims or demands by anyone who is injured or suffers damage to themselves or their property due to tables, chairs, advertising boards or other goods on the footpath.

SAMPLE TEXT FOR INDEMNITY:

The indemnity can be as follows: "Dún Laoghaire-Rathdown County Council are hereby indemnified under the terms and conditions of the above policy in respect of all claims, proceedings and/or expenses of whatever nature arising in connection with the activities covered by this application." **The Council must be named.**

Insurance and claims

The applicant must have Employers Liability and Public Liability insurance cover for limits of not less than €6.5 million for each. Furthermore, the applicant shall ensure and provide evidence that these insurances contain a notation of indemnity to Dún Laoghaire-Rathdown County Council. You must submit to us for inspection, in the format outlined below evidence of these insurances, before we will issue the licence. The licensee is required to maintain a valid policy for the duration of the licence period.

Insurance details (copies) must accompany any licence application and must be on the original headed paper of either the Insurance Company or the Broker.

The following insurance details are required:

- A. Name of Insurance Company
- B. Policy Number(s)
- C. Commencement and Expiry Dates
- D. Name of Policyholder: - (must be the same name as the licence applicant)
- E. The Insured Business Description: – (The Insured Business must be in accordance with the activities being undertaken by the licence applicant)
- F. Level of Employers Liability - €6.5m
- G. Level of Public Liability - €6.5m
- H. Specific Indemnity to Dún Laoghaire-Rathdown County Council. *See above for sample text.*

We can cancel, suspend or vary the terms of the licence at any time and you cannot take any claim for damages or loss of income under any heading against us for doing so. We will not entertain any claim for compensation in relation to damages or losses you suffer due directly or indirectly to maintenance carried out by any statutory body including dlr.

Your Responsibilities

- A copy of your licence must be displayed at the main entrance to the premises so as to be clearly visible to members of the public and officials of Dún Laoghaire-Rathdown County Council.
- The licensee shall not sublet the licenced area.
- No musical apparatus may be used within the licenced area and no music may be played or broadcast within the licenced area.
- You must always maintain the direct entry between the public footpath and your premises.
- You must not use side or front awnings to cover the licensed area.
- The tables, chairs, advertising sign or any structure (including a case, rack, shelf, or other goods) must be robust and stable so that they cannot be moved easily – by wind for example.
- Goods for sale/distribution should at all times be held in a robust, stable structure (i.e. a case, rack or shelf) so that they cannot be moved easily – by wind for example.
- You must service the area all the time it is in use and provide ways to gather litter. You must wash and sweep the area at the beginning and end of each day's use.
- You must comply with other relevant legislation in relation to your premises, including legislation enforced by us and by An Garda Síochána.

Service access points

You must allow access to dlr and utility companies at all times to maintain:

- watermain covers;
- sewer manholes;
- service access points;
- fire hydrants; and
- public lighting.

Breach of licence

The information you supply in your application form, including the times you propose to place street furniture on the public footpath, will be used to help make the decision on issuing a licence or on setting any conditions. Any use of the licenced area that does not correspond to the information supplied in this application form may be considered a breach of the licence.

Licence Renewal

Licences are issued for the calendar year up to 31st December. If we grant you a licence, it does not mean we will automatically renew your licence the following year.

Revoking of a Licence

It is a condition of the issue of any licence that the applicant accepts that the Council can revoke the licence on giving one months notice, if it deems it to be in the interests of road safety or in order to facilitate work in/near the area covered by the licence.

Fees - Tables and Chairs Licence Fee

No fee applies to applicants for street furniture up to and including two tables and a seating provision for up to 4 persons. Where an application is received for over and above this threshold, an annual licence fee will be charged as follows:

- (a) €50 per square metre and (b) €125 per table (includes accompanying chairs) per year

If you have any questions on any item outlined above, just give us a call and we'll try and help

An Rannóg Seirbhísí Bardasacha [Municipal Services Department](#)

INSURANCE DECLARATION

Re: Licence Application for the Placing of Tables, Chairs, Advertising Boards and other structures on the Public Road/Footpath

- Roads Act 1993, Section 71
 - Section 254, Planning and Development Act, 2000; and
 - Part 17, articles 200 - 204, Planning and Development Regulations, 2001, as amended.
 - If breaches occur, fines may be issued under the Litter Pollution Acts, 1997 - 2009.
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I hereby confirm that the insurance policy as set down hereunder provides for indemnification of Dún Laoghaire-Rathdown County Council against third party claims arising from the use by me of the public road/footpath in respect of the Licenced area.

The Licencee 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 (*not the insurance broker*): _____

Policy No.: _____

Expiry Date: _____

Value: Employer's Liability: € _____ Public Liability: € _____

Signature _____ Print Name: _____

Date: _____

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