

**Comhairle Bhaile Atha-Luain**  
**Athlone Town Council**  
**OIFIG AN BHAILE, AN CORRAN, ATHA-LUAIN**  
**CIVIC OFFICES, CHURCH STREET, ATHLONE**

LICENCE APPLICATION FORM FOR TABLES AND CHAIRS, ADVERTISEMENT ETC. ON PUBLIC ROAD, PATH, SPACES.

**PLANNING AND DEVELOPMENT ACT 2000 (Section 254)**  
**&**  
**Planning & Development Regulations 2001 (article 201)**

*\*\* THE GRANTING OF A LICENCE DOES NOT EXEMPT THE LICENSEE FROM THE PROVISIONS OF ANY OTHER LEGISLATION.*

*PLEASE USE BLOCK CAPITALS ONLY WHEN FILLING IN FORM*

**APPLICATION FOR NEW LICENCE /RENEWAL OF EXISTING LICENCE** (delete as appropriate)

*Fee for new application €100 Fee for renewal €50*

1.	Postal Address of Site or Building (if none, give description sufficient to identify):	
2.	Name, address and telephone number of Applicant (Principal, not Agent):	
3.	Name, Address and telephone number of person or firm responsible for preparation of drawings:	
4.	Name and address to which notifications should be sent:	
5.	<p>Street name and location for which licence is requested (submit site location map)</p> <p><b>* See copy of Schedule 12 attached for annual fees.</b></p> <p>*Please note that the licence will be deemed invalid automatically, if on inspection of licensed area, items are found for which a licence has not been granted.</p>	<p>Proposed hours of operation:</p> <p>From _____ To _____</p>
6.	<p>(a) State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc) from which licence will be operated:</p> <p>(b) Date such interest acquired:</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

7.	Description of advertisement structure  (Submit dimensioned drawing of same)	
8.	Details of Advertisement proposed  (eg. Menu, Wording on advertisement)	
9.	List of documents to be enclosed with application.	<p>(1) 1/100 scale drawing. (showing all in situ items of street furniture e.g. litter bins, kiosks/pedestals, public lighting, telecom cabinets, surface gulley etc. within 50metres either side of the proposed area)</p> <p>(2) Photograph of premises.</p> <p>(3) Copy of newspaper advertisement.</p> <p>(4) Letter of acknowledgement from adjoining properties.</p> <p>(5) Confirmation of sale of food on the premises (if applicable).</p> <p>(6) Confirmation of Intoxicating Liquor licence (if applicable).</p> <p>(7) Appropriate application fee.</p> <p><b>If any of these requirements are omitted, the application will be deemed invalid and returned to the applicant.</b></p>

I confirm that all the above information is correct and that I am aware that if a licence is granted it does not exempt me from the provisions of any other legislation. I agree to abide by the conditions specified and any other conditions which may be attached by the Licensing Authority.

**I agree to pay the following fees within two weeks of notification by Athlone Town Council, otherwise the licence will not be granted.**

Fee payable: € \_\_\_\_\_

Signature of Applicant  
(or his Agent): \_\_\_\_\_

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

<b>For Office Use Only</b>	
Licence Application No.:	History:
Application/Renewal fee Received: €	Receipt No:
Checked:	

## **LICENCE APPLICATION PROCEDURE**

The application shall be dealt with under the Planning & Development Regulations, 2001, made under the Planning & Development Act 2000, and the General Conditions for the issue of street furniture, Advertisement licences and subject to the payment of the appropriate fees.

Prior to formally submitting an application, the applicant should contact Athlone Town Council (pH. 090 6442100) to arrange an on-site consultation with the Senior Executive Engineer, to establish if capacity exists on the street to accommodate the number of tables & chairs or other goods proposed by the applicant, taking into account the number and location of existing appliances, apparatus, or structures, and the convenience and safety of other road users, including pedestrians. This meeting is consultative only, and not a commitment that a licence will issue. Licence may only be granted for an area immediately adjacent to the premises, which is under the applicant's control.

### **Prior Requirements for an on-site meeting include:**

#### **A 1/100 drawing of the area to be licensed indicating all services, lampposts, bollards, fire hydrants etc. within 50 metres either side of the proposed area, showing**

- All utilities/services in the area;
- All in situ items of street furniture;
- Dimensions of proposed licensed area and the location and dimensions of the tables, chairs or other goods within the area.
- A site location map and **photograph of the premises;**

### **Following on-site consultation which results in establishing that capacity exists on the street to accommodate the proposed number of tables & chairs:**

1. Applicants shall publish a notice in the newspaper of the making of an application. The notice must be in the prescribed format, must appear in one of the prescribed newspapers
  - a) Westmeath Independent
  - b) Athlone Topic
  - c) Athlone Observer
  - d) Athlone Voice
  - e) Irish Independent

Circulating in the Town of Athlone and must be published not earlier than two weeks prior to the date of lodgement of the application.

2. The premises on either side of the applicant must be notified in writing by the applicant of the making of an application for a licence and stating that observations may be lodged with Athlone Town Council within a period of four weeks from the date of lodgement of the application. The applicant should furnish proof of said notification to Athlone Town Council when lodging the licence application.
3. The notice in the newspaper and the site notice must state the following:
  - (i) The name of the applicant

- (ii) The nature of the licence applied for, (whether for goods or tables & chairs). Quantify the number of tables and chairs if applicable.
  - (iii) The address to which the licence will relate.
  - (iv) The extent of the area to which the licence will apply, in square metres.
  - (v) That the application may be inspected at the offices of Athlone Town Council, The Civic Offices, Church Street, Athlone.
4. A site notice shall be placed on the site of the application for a period of one month from the date of lodgement of the application. The applicant should furnish proof of said notification to Athlone Town Council when lodging the licence application.
  5. Confirmation of sale of food on the premises to be submitted (if applicable).
  6. Confirmation of Intoxicating Liquor licence to be submitted (if applicable).
  7. All applications must be made on the official application form and must be accompanied by a 1/100 scale drawing of the area to be licensed indicating all services, lampposts, bollards , fire hydrants etc. within 50 metres either side of the proposed area, to show
    - All utilities/services in the area;
    - All in situ items of street furniture;
    - Dimensions of proposed licensed area and the location and dimensions of the tables, chairs or other goods within the area.;
    - A site location map and photograph of the premises;
    - Details of screens proposed to enclose the licensed area for approval by Athlone Town Council. (Please refer to General Licence Conditions)
    - The application fee which is non-refundable; (€100 for new licence & €50 for renewal of existing licence).

N.B: Any change in original licence will be deemed to be a new licence.

*If any of these requirements are omitted, the application will be deemed invalid and returned to the applicant.*

8. A street space rental charge of €630.00 annum will apply for the use of the public road / path or space. This charge along with the appropriate licence fee (see attached schedule) is payable before a licence will be issued.
9. If the application is for tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises, written confirmation that food is being sold is required. If alcohol is being consumed in the licensed area written confirmation that the area is appropriately licensed is required.
10. Objections / representations in relation to an application must be lodged within four weeks from the date of the application.

**Planning and Development Act 2000**  
**(Section 254)**  
**Planning and Development Regulations 2001**  
**[(article 201)(b)]**

**GENERAL LICENCE CONDITIONS FOR THE PLACING OF TABLES AND CHAIRS OUTSIDE A HOTEL, RESTAURANT, PUBLIC HOUSE OR OTHER ESTABLISHMENT WHERE FOOD IS SOLD FOR CONSUMPTION ON THE PREMISES.**

1. The granting of this licence refers only to the placing of tables and chairs in a public space and is not permission for the advertising or storage and display of goods at the location save where the licences provides for advertising.
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, must be agreed by Athlone Town Council.
4. A copy licence shall be prominently displayed at the main entrance outside the premises, so as to be clearly visible by members of the public and for inspection by Athlone Town Council officials. 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 renewal in subsequent years. The Licensee shall not sub-let the licensed area.
6. A change in use of the licensed area shall require a new application for a licence, with appropriate fees.
7. 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 Athlone Town Council may be necessary under any other legislation.
8. The Licensee shall maintain the area used for tables and chairs clean and in a condition so as not to be a nuisance and shall indemnify and keep Athlone Town Council harmless 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 on the footpath.
9. The Licensee shall be required to submit for inspection to Athlone Town Council, and to continue to maintain a Public Liability Insurance cover to a minimum value of €2.5 million indemnifying Athlone Town Council against third party claims. The name of the Insurance Company providing this cover, together with Policy Number and Date of Expiry shall be stated on the Licence.
10. (a) Furniture and other items shall be removed immediately if requested by Athlone Town Council. Equally, Athlone Town 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 Athlone Town 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 Athlone Town Council, including any repairs to the public road and services necessary arising as a result of or during the period of the licence, shall be at the expense of the licensee. Work on the public road shall only be carried out by Athlone Town

- Council. The Licensee shall enter into an agreement with Athlone Town 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 footpath/carriageway without the permission of Athlone Town Council.
11. A clear and direct entry between the public footpath and the entrance to the premises shall be maintained at all times.
  12. Visibility at junctions, accesses, etc. shall not be obstructed by the tables and chairs.
  13. No musical apparatus shall be used within the licensed area.
  14. Access for maintenance purposes for public lighting equipment and the associated underground or over-head services shall be available at all times.
  15. No public lighting columns or apparatus shall be enclosed by the licensed area and use of public lighting equipment for unauthorised supports or attachments is not permitted.
  16. 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.
  17. Removal of public lighting equipment in the vicinity of proposed temporary structures shall only be considered in exceptional cases. In these circumstances, the full cost of removal and relocation shall be levied on the licence applicant.
  18. All watermain covers, sewer manholes and service access points for ESB, Gas Company and Telecom services shall be accessible at all times and no table or chair shall be positioned over a fire hydrant.
  19. If intoxicating liquor is being served in the area covered by this licence, such area must also comply with the requirements of the Intoxicating Liquor Acts.
  20. The Licensed area in any particular case may be reduced where the occupied space is required for additional public amenity during the course of the licence period.
  21. The tables and chairs shall be of robust and stable construction to prevent movement in adverse wind conditions.
  22. Screens as agreed by Athlone Town Council are 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 flame/fire retardant;
    - Base plates or weighted bases to screening posts not to extend outside the licensed area;
    - All screens, posts and bases to be demountable;
    - Screens to be sufficiently robust to prevent overturning in adverse wind conditions.
    - No advertising apart from the name of the premises to be used on the screens.
  23. Colour type and size of logos, lettering and names applied to screens, ancillaries, etc. must be approved by Athlone Town Council.
  24. Side awnings or front awnings may only be used to cover the licensed area where planning permission has been granted.
  25. Free Standing Heaters used should not impede means of escape for both patrons and staff and should comply with:  
The requirements of I.S. 3213: 1987 "Code of practice for the Storage of L.P.G Cylinders & Cartridges.

26. 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.*
27. Street Furniture may only be placed on the street between the times specified on the licence except in cases where alternative written permission has been obtained from Athlone Town Council.

**Planning and Development Regulations, 2001.**

**Schedule 12**

**Licence Fees under section 254 of the Act in respect of specified appliances,  
apparatus and structures.**

Column 1 Appliance, Apparatus or Structure	Column 2 Licence Fee
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<p><b>Part 1</b></p> <p>Appliances, apparatus and structures:</p> <p>(a) A vending machine or coin operated machine (not being a weighing machine).</p> <p>(b) A town or landscape map for indicating directions or places.</p> <p>(c) A hoarding, fence or scaffold (not being a hoarding, fence or scaffold bounding a public road).</p> <p>(d) An advertisement structure.</p> <p>(e) A cable, wire or pipeline (not being a cable for conducting electricity for domestic or agricultural purposes or a drain or waterpipe).</p> <p>(f) A telephone kiosk or pedestal.</p> <p>(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.</p> <p><b>(h) Tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises.</b></p> <p>(i) An advertisement consisting of any text, symbol, emblem, model, device or logo.</p> <p>(j) 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.</p> <p>(k) A weighing machine.</p> <p>(l) A bring facility.</p>	<p>€125</p> <p>€25</p> <p>€1250</p> <p>€630</p> <p>€25 per 100mtres length or part thereof</p> <p>€630</p> <p>€125</p> <p><b>€125 per table</b></p> <p>€630</p> <p>€25</p> <p>€63</p> <p>€25</p>
<p><b>Part 2</b></p> <p>(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</p> <p>(b) A lamp-post</p> <p>(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 October 1964.</p> <p>(d) A cellar or other underground structure constructed on or after 1 October 1964.</p> <p>(e) A cable for conduction electricity for domestic or agricultural purposes.</p>	<p>€125</p> <p>€25</p> <p>€125</p> <p>€125</p> <p>€125</p>

