

**BRAY TOWN COUNCIL**  
**PLANNING SECTION, CIVIC OFFICES, MAIN STREET, BRAY, CO.WICKLOW**

**LICENCE APPLICATION FORM**  
**FOR TABLES AND CHAIRS OR OTHER GOODS**  
**SECTION 254 PLANNING & DEVELOPMENT ACT 2000**

\*\*The Granting of a Licence does not exempt the Licensee from the provision  
of any other legislation

<b>1</b>	<b>Postal Address of Site or Building (if none, give description sufficient to identify):</b>	
<b>2</b>	<b>Name and Address of Applicant (Principal not Agent):</b>	
<b>3</b>	<b>Name and Address of person or firm responsible for preparation of drawings:</b>	
<b>4</b>	<b>Name and Address to which notifications should be sent:</b>	
<b>5</b>	<b>Brief Description of proposed licence application:</b>	
<b>6</b>	<b>(a) State applicant's legal interest or estate in site (ie. freehold, leasehold, etc.) from which licence will be operated: (b) Date such interest acquired:</b>	
<b>7</b>	<b>List of documents enclosed with application (to include 1/100 scale drawing of area to be licensed showing all statutory services in the area and the location and dimensions of the tables, chairs or other goods within the licensed area):</b>	
<b>8</b>	<b>Ground floor space of proposed licence area:</b>  <b>Number of tables/chairs/other proposed (if any)</b>  <b>Fee Payable</b>	Tables: ..... Chairs: ..... €.....

I agree to abide by the conditions specified overleaf and any other conditions which may be attached by the Licensing Authority:

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

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

## LICENCE APPLICATION PROCEDURE

1. The application shall be dealt with under the Planning & Development Regulations, 2001-2007
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 their observations may be lodged with Bray Town Council within a period of five weeks from the date of lodgement of the application. The applicant should furnish proof of said notification to the Town Council when lodging the licence application.
3. A site notice shall be placed on the site of the application for a period of five weeks from the date of the lodgement of the application. The site notice must state the following:-
  - (a) The name of the applicant
  - (b) The nature of the licence applied for (whether for goods or tables or chairs).
  - (c) The address to which the licence will relate.
  - (d) That the application may be inspected at the offices of Bray Town Council, Planning Section, Civic Offices, Main Street, Bray, Co.Wicklow.
4. 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 showing all statutory services in the area and the location and dimensions of the tables, chairs or other goods within the area.
5. All applications must be accompanied by the appropriate fee which will be refunded if a licence is not granted.
6. Objections/representations in relation to an application must be lodged within five weeks from the date of the application.

## GENERAL LICENCE CONDITIONS

1. The Licensee shall maintain the area used for tables, chairs or other goods clean and in a condition so as not to be a nuisance and shall indemnify Bray Town 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 tables, chairs, or other goods on the footpath.
2. The Licensee shall be required to have a Public Liability Insurance cover to a minimum value of €6,350,000 indemnifying the Council against third party claims. On the licence, the name of the Insurance Company providing this cover, together with Policy Number and Date of Expiry shall be stated. This insurance policy shall be submitted for inspection **before** the licence will be issued.
3. The amount of licence application fee shall be €125 per table per year and shall be paid by the said Licensee before the licence issues.
4. A ground rental charge of €50 per square metre per year in respect of the licensed area to be paid before the licence issues.
5. (a) No claim for damages or loss of income under any heading shall be taken against the Council for suspending, cancelling or varying the terms of the Licence. Goods shall be removed immediately if requested by the Council. The Council reserves the right to cancel, suspend or vary the terms of the licence at any time.  
  
(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 the Council, including any repairs to the public road and services necessary arising as a result of the licence, shall be at the expense of the Licensee. Work in the public road shall only be carried out by the Council. The Licensee shall enter into an agreement with the Council to pay for any repairs to the footpath or public roadway arising from the licence  
  
(d) Any damage to the public footpath/carriageway resulting from the proposed licence shall be repaired by the Council at the Licensee's expense.
6. A copy of the Licence shall be prominently displayed on the premises where it can be inspected by officials from the Council.
7. The maximum number of chairs shall be as specified in the application and a maximum dimension of table size shall be as specified.
8. Direct entry between the public footpath and the entrance to the premises shall be maintained at all times.
9. Visibility at junctions, accesses, etc. shall not be obstructed by the tables, chairs, or other goods

10. No side awnings or front awnings shall be used to cover the licensed area.
11. The tables, chairs or other goods shall be of robust and stable construction to prevent movement by wind etc.
12. The licensed area shall be surrounded on all sides by a continuous physical barrier, for contrast with the background, to aid detection by people with low vision. For people using a long cane, the barrier should be continuous to the ground, or incorporate a lower rail, which should be no higher than 200mm above ground level.
13. A minimum of 1.80m footpath clearance shall be maintained to front of the licence area.
14. No music apparatus shall be used within the licensed area.
15. In the interests of street cleansing, furniture shall not be put out on the street earlier than 11.00a.m. The area shall be serviced throughout the time it is in use and provision shall be made for the gathering of fugitive litter. On commencement and cessation of usage, each day, the area shall be washed and swept.
16. Access for maintenance purposes for public lighting equipment and the associated underground or over-head services shall be available at all times.
17. The use of public lighting equipment for unauthorised supports or attachments is not permitted.
18. The sitting 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.
19. Adequate clearance with respect to public lighting equipment shall be maintained at all times.
20. 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.
21. The placing of advertising boards, the storage of goods, the display of goods on public footpath, carriageway, or laneway outside the licence area is not permitted.
22. All watermain covers, sewer manholes and service access points for E.S.B., Gas Company and Telecom services shall be accessible at all times and no table, chair or other goods shall be positioned over a fire hydrant.
23. The granting of a licence does not automatically guarantee renewal the following year.
24. The Licensee shall not sub-let the licensed area.
25. A change in use of the licensed area shall require a new application for a licence.
26. That the Licensee complies with other relevant legislation in relation to the premises, including legislation exercised by An Garda Síochána and Bray Town Council.