

## Tables and Chairs Permit Guidance notes

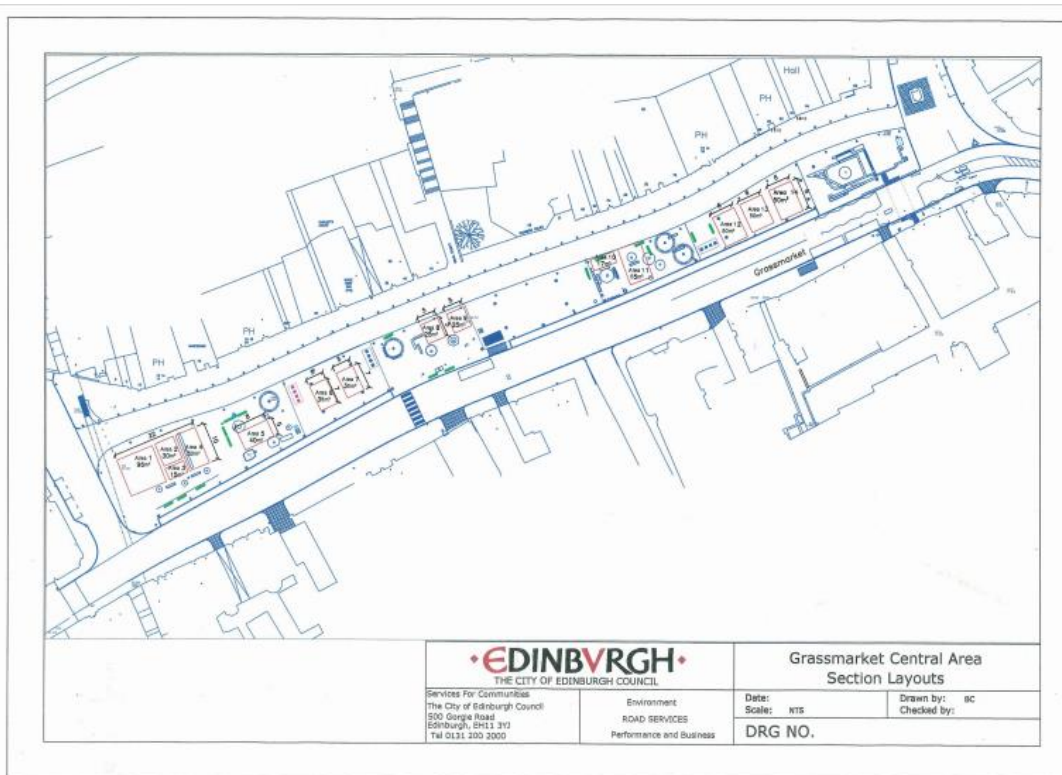
These guidance notes have been provided to help you complete the application form. All questions on the application form must be answered.

Before lodging an application, please ensure that you have read the following guidance.

**Please note:** The application form must be fully completed and submitted electronically, together with all required supporting documentation.

### Hours

1. The area outside their premises – Standard Operating hours from 9am to 9pm with an extension till 10pm.
2. The area in the central Grassmarket -operating hours between 12 noon to 9pm (Usually between April and September). No extension till 10pm possible. See attached plane of Central Grassmarket area and below picture as visual.





## **Fees**

Fees are per sqm. The current cost of a permit is £196 per sqm for sites within the World Heritage site and £155 per sqm for areas out with this area.

See example below:

$2.0\text{m} \times 2.0\text{m} = 4\text{sqm} \times £196 = £784$  for an annual permit within the World heritage site

divide  $£784 / 365$  days = £2.15 per day multiply by no of days requested

an additional one-off payment of £150 is payable if a 10pm extension is requested\*

\*An extension cannot be applied for areas within in the central Grassmarket area

**A Map showing the World Heritage site is attached.**

## **Eligibility**

Permits will only be considered where the primary business carried on at that premises is the serving of food and drink.

## Processing timescales

You should allow at least a minimum of four weeks for the Council to process your application. The exact length of time required will depend on the complexity of your request, and so the Council is, unfortunately, unable to offer set guidance on this.

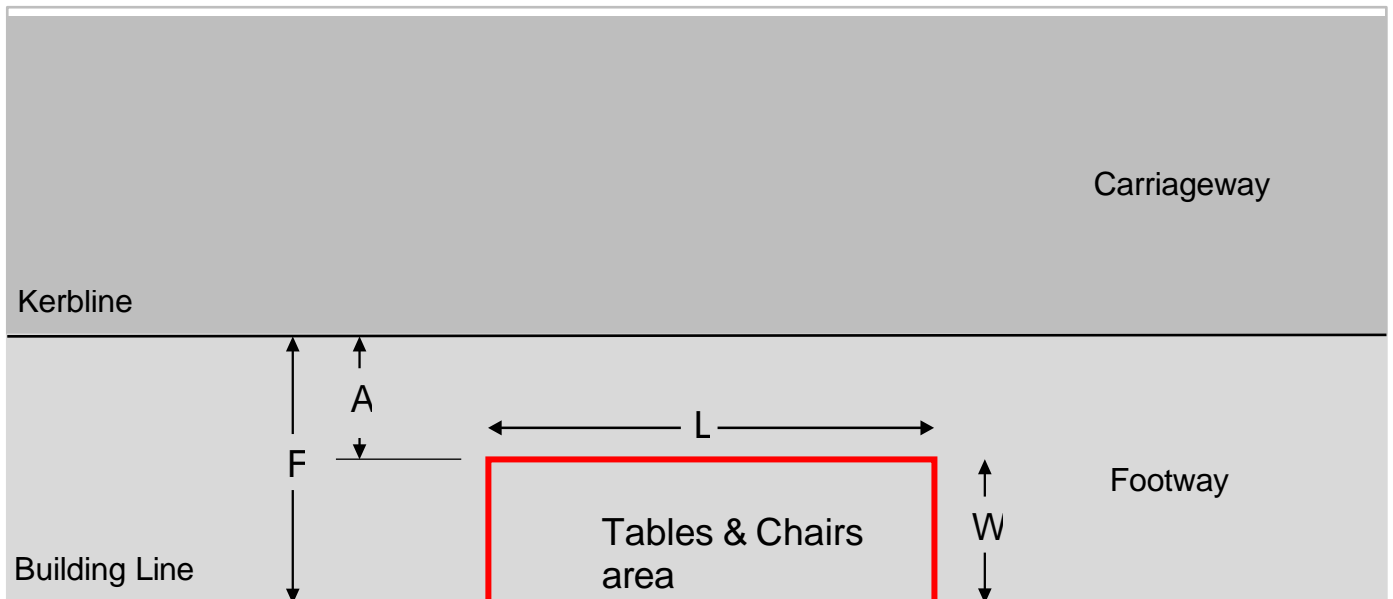
It is in the public interest that the authority must process your application before it can be granted.

## Public Liability Insurance

Applicants must ensure that their present public liability insurance is sufficient to cover the outside area where the Tables and Chairs are to be placed.

## Layout Plan

Please provide a layout plan for new applications and changes to the tables and chairs area. See below example for measurement requirements



L – Length of proposed tables & chairs area

W – Width of proposed tables & chairs area

F – Footway width

A – (Footway width) Remaining footway available for pedestrian. This width should consider any nearby street furniture, for example sign poles, bins, bike racks etc.

## Structural Surveys

The Council is committed to ensuring the safety of the public and particularly the customers using the Tables and Chairs. The application form asks if a survey of the building has been carried out and it is important that this is answered correctly. If no survey has been carried out, it is recommended that you arrange this as quickly as possible to ensure a safe environment for your staff, customers, and the public.

## Barrier requirements

It is a **mandatory** requirement that **solid barriers** are placed at each end of the tables and chairs area specified in your permit. A **detailed description** of your barriers must be given with your application for Tables and Chairs consent. If you fail to include adequate details of your barrier proposals your application will not be considered

- At least one meter in height from the footway level
- Extend the full width of your tables and chairs area.
- Incorporate a tapping rail or other demarcation approximately 150mm above ground level to guide blind or partially sighted pedestrians.
- Be capable of withstanding winds of \*Class B blowing from any direction.
- Fixed to suitable mountings and substantial enough to resist collapse if walked or stumbled into
- Please note: Rope and pole fixtures are not acceptable.
- Should be of a colour and design that takes account of the needs of people with a visual impairment, ideally providing a contrast with its surroundings.
- Should be of a high-quality design and materials. Planters are encouraged, while other solutions including fabric banners and metal, or timber panels are also acceptable (as long as they meet the other requirements). Plastic is not acceptable.
- Co-ordination of colour schemes and canopy types with other businesses on the street is encouraged.

## **Displaying of advertising boards**

The City of Edinburgh Council has implemented a citywide ban on advertising boards ('A' Boards) and other temporary on-street advertising structures. This includes the display of 'A' Boards within your permitted tables and chairs area.

## **Use of additional equipment (Parasols, Gazebos and Canopies)**

The area/s approved for tables and chairs use primarily for the placing of tables and chairs furniture only. If you intend to place any other type of equipment within this pavement area you must first seek permission from the Council and provide full details of your proposals. Gazebos or other tent structures are not permitted within the world heritage site unless being used as a market trader or other event.

Please note that the uses of outside gas space heaters are prohibited.

Any covering for the seating area should meet the following safety and appearance requirements:

- Wind safety: you will need to submit a wind management plan - *a pro-forma and guidance are included in the application pack.*
- Open parasols should be safety secured and contained entirely within the boundaries of your tables and chairs area to ensure that they do not cause an obstruction or present a danger to any other users of the pavement.

## **Use of decking and structures**

The area/s approved for tables and chairs use are intended primarily for the placing of tables and chairs furniture only. The Council will not allow any semi-permanent structures on the footway or carriageway.

## **Site Notice**

It is a mandatory requirement that you complete and display this notice. Its purpose is to inform the general public and interested parties that you have made an application for consent to place Tables and Chairs in a public area. This affords all parties the opportunity to comment on or object to your application and informs the consent process.

If an objection is received during the 14day period, then the applicant will be asked to remove the tables and chairs until the objection is dealt with

### **Guidance on displaying the site notice:**

- Complete the site notice form, making sure that writing or typeface is clear and easy to read.
- Ensure the site notice is signed and that the date the application was lodged is clearly stated.
- The site notice must be positioned where it can be read easily by the public for a period of 14 days from the date on which the application is lodged.
- Take reasonable steps to protect the notice and replace it if necessary.

### **Objections and complaints**

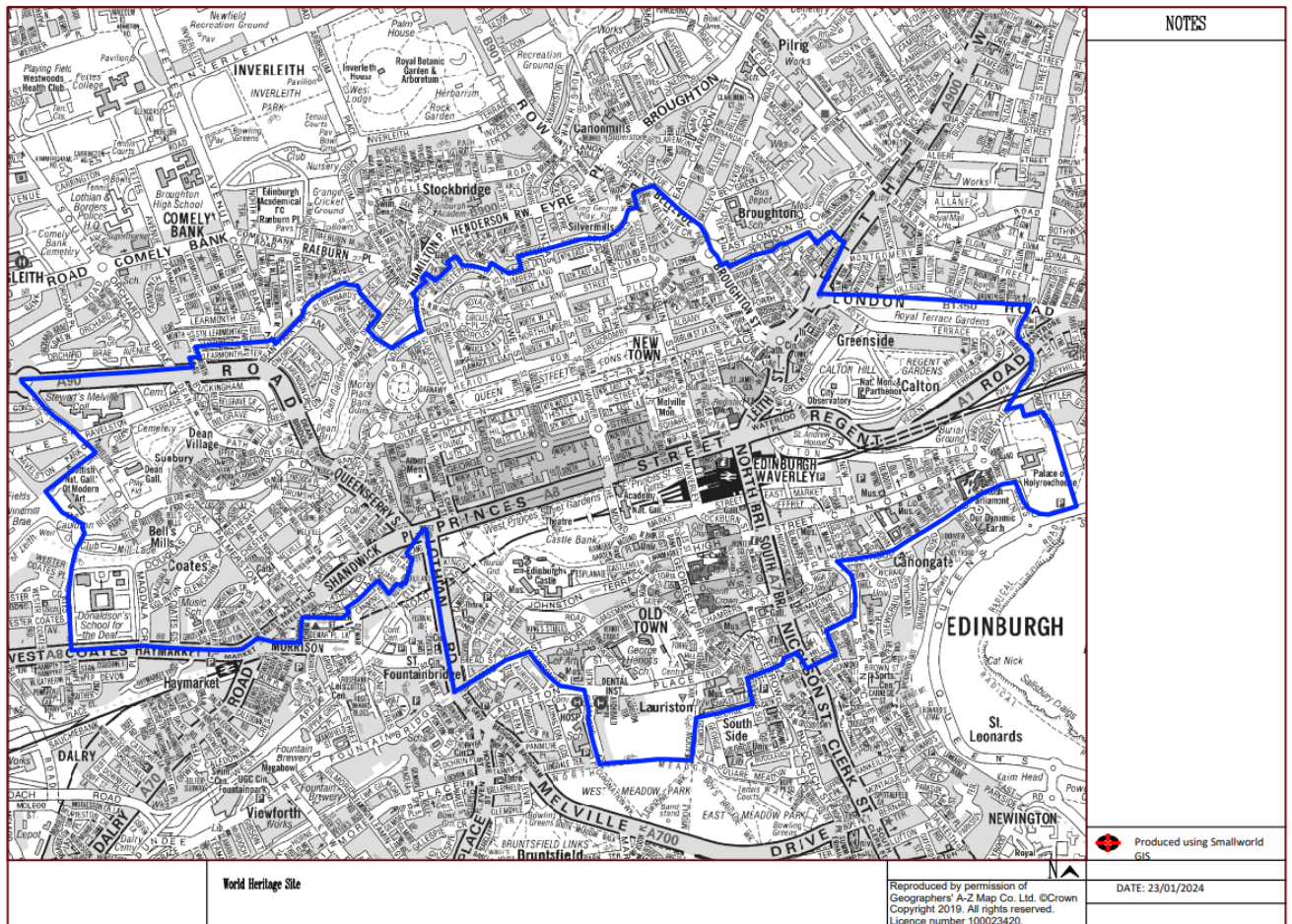
Anyone can raise an objection or make comment to an application. All objections/comments must be lodged within the 14-day period that corresponds with an applicant's mandatory obligation to display the site notice.

#### **Objections must:**

- Be in writing.
- Be signed by or on behalf of the objector.
- Specify the grounds for the objection.

### **General Complaints**

Anyone may lodge a complaint at any time with the Council if they consider an existing permit holder to be causing undue public nuisance or threat to public order or safety.



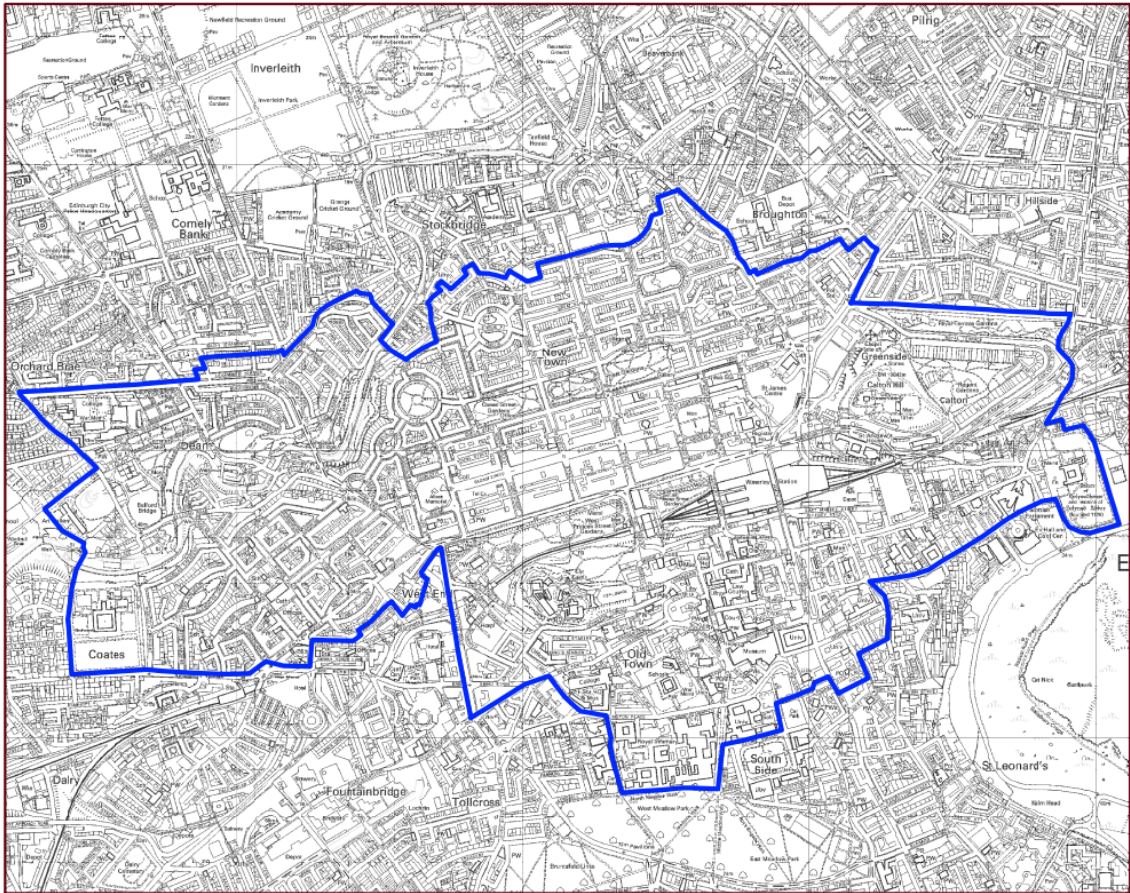
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World Heritage Site

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## TERMS AND CONDITIONS

1. The Permit must be always displayed in a prominent position at all times for inspection purposes and made available to an Authorised Officer or Police Constable upon request.
2. This consent for occupation of the pavement will be for Tables & Chairs and Barriers **only** and will be valid until expiry of permit. The use of barbecues, rotisseries, ice cream machines, drinks machines, fridges or any other equipment for the preparation and/or sale of food and drink for consumption will not be permitted within the area. No other equipment used for the advertisement for event or product shall be permitted.
3. The consent will be for a defined area, as shown on the successful permit. Occupation of the pavement or roadway must not extend out with this area.
4. No permanent fixings are to be place on the pavement/road.
5. Barriers and Tables & Chairs are only allowed on the pavement/road between 0900hrs and 2100hrs unless permissions have been granted until 2200hrs. Exceptions to this are the central Grassmarket area where different timings may apply. Details provided on application.
6. Storage of Furniture/Barriers etc. on the pavement/road is not permitted outwith the times as laid out in condition 5. Any items found on the pavement/road out with these times will be removed/ confiscated under section 59 of the Roads Scotland Act 1984.
7. The type of Furniture and Barriers must be agreed with the Director of Place or his designated representative. All tables & chairs and other equipment must be properly maintained and kept in a clean, tidy and safe condition at all times.
8. Permit holders must ensure that the defined area is kept clear of all waste, including cigarette litter, associated with their business. These areas **MUST** be swept/cleansed when required on a daily basis and after removal of the Tables & Chairs at the end of each day. All waste/litter must be disposed of in an appropriate manner i.e. NOT swept into kerbside. Appropriate disposal will include an adequate Trade Waste contract as per "Duty of Care" in terms of Environmental Protection Act 1990.
9. You must provide access to any public utility plant or fire hydrant in the area occupied when required.

10. The consent will be suspended when public utility or road workings are being undertaken in your immediate area. This shall include the erection of scaffolding at or adjoining your building.
11. The consent holder shall indemnify the City of Edinburgh Council from and against all actions, claims, demands, costs, charges, losses and expenses of whatsoever kind of nature which may be brought or made against them or incurred by them in the occupation of the road or pavement granted under the consent.
12. An Authorised Officer of Place Directorate and/ or a Police Constable may temporarily suspend a permit at any time for reasons of public safety.
13. No music, amplified or otherwise, shall be allowed outside the premises.
14. The number of customers utilizing your tables & chairs area, at any one time, should not exceed the available physical seating provision.
15. The Council shall be entitled to enforce a warning system or even terminate the Permit in the following circumstances:
  - In the event the Permit Holder and/or their employees fail to comply in any way with the terms and conditions of the permit.
  - In the event the Permit Holder fails to remedy any breaches of the terms and conditions of the permit or other default to the satisfaction of the Council and within the period specified by the Council.
  - In the event of persistent and/or continuous breaches or defaults by the Permit Holder and/or their employees.
16. The permitted area is solely for the placing of tables and chairs furniture