

**CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND WASTE – CLLR BRIDGET WAYMAN**  
**HIGHWAYS, TRANSPORT AND WASTE SERVICE**

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**REFERENCE:** HTW- 05-18

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**FESTIVE LIGHTING APPROVALS**

**Purpose of Report**

1. To:
  - (i) Update the guidance for the installation of festive and Christmas lighting in the highway.
  - (ii) Approve the application process for considering requests for the installation of festive and Christmas lighting in the highway.

**Relevance to the Council's Business Plan**

2. The proposed scheme helps to meet two priorities of the Wiltshire Business Plan, they are as follows:
  - Growing the Economy. (Making our town centres and villages more attractive for visitors businesses.)
  - Strong Communities. (Creating community events and getting residents and businesses involved.)

**Background**

3. Festive and Christmas lighting adds greatly to the appearance of towns and villages during Christmas and special events, and is encouraged as it can play an important role in community life. However, installing or connecting decorations to street lighting columns, or placing decorations over a road, needs to be done safely and it is necessary to get permission.
4. For many years the Council has had a procedure for approving applications for fixing decorations to lighting columns and enabling connections to be made to them. In most cases this has worked well, but in some places this has not been followed. As a result, town and parish councils could be putting the public at risk, and could be leaving themselves open to prosecution or legal action.
5. There have previously been incidents in Wiltshire, including a fire caused by faulty wiring of Christmas decorations and overhead decorations being pulled down by a high vehicle. Street lighting columns are not always as strong as they appear, and over two hundred lighting columns in the county had to be replaced last year because of concerns about their structural strength.

## **Detail**

6. The guidance and approval processes have been reviewed to ensure they are appropriate, not too onerous, and conform to current standards. Some minor changes have been made to bring them up to standard, and to make them consistent with those applied by other local authorities.
7. The new guidance (see **Appendix 1**) sets out the steps that an organisation will have to follow to install festive lighting and make connections to street lighting columns. The intention has been to keep the process as simple as possible, whilst still ensuring that the safety and legal requirements are met.
8. The applicant will have to provide information on the lighting to be installed and the connections proposed (see **Appendix 2**). This form remains unchanged.
9. Where lighting, other decorations or banners are over the highway there is a need to get separate approval from the highway authority under Section 178 of the Highway Act 1980. In order to simplify this process a form is available to make this application (see **Appendix 3**).
10. Town and parish councils are encouraged to put up festive decorations, and the application process is being made as simple as possible. Approval can expect to be granted provided the basic safety measures are followed.
11. Some town and parish councils may not realise that they do need to pay for the energy used by their festive lighting as this is not covered by this Council's arrangements with the supply company. A form will be provided (see **Appendix 4**) so that they can make the necessary arrangements with the electricity supply company.

## **Main Considerations for the Council**

12. It is important to encourage communities to install festive lighting at Christmas and for special events, but it is also important to ensure public safety. The festive lighting may be temporary in nature, but it is in place in all weathers, including torrential rain and high winds. It can also be prone to damage through accident or vandalism.
13. The proposed guidance, approval process and conditions, will help ensure that the town and parish councils meet the safety requirements and their legal obligations.
14. Most town and parish councils have been complying with the proposed standards for many years. The few incidents there have been have generally occurred when the guidance has not been followed and permission has not been obtained. Fortunately, they have not so far resulted in fatalities, injury or serious damage, but the safety risks associated with electrical equipment need to be acknowledged and safeguards put in place.
15. There have been cases of decorative lighting strung across the road from lighting columns without the necessary permissions and without a Section 178 licence. This cannot be allowed as lighting columns are not usually designed to carry such additional loading, and may need to be tested.
16. Many towns already have anchorages attached to buildings to provide suitable catenary arrangements for their lights, and others contemplating such arrangements should take the appropriate steps at the earliest opportunity to ensure they are ready for when the decorations need to be installed.
17. The proposed guidance and application process would not be too onerous on those applying for and installing festive lighting.

18. Where prior approval has not been obtained, the Council will have to remove decorations and festive lighting so it is important that town and parish councils make the necessary arrangements in plenty of time.

### **Overview and Scrutiny Engagement**

19. There is none for this proposal.

### **Safeguarding Implications**

20. None.

### **Public Health Implications**

21. There are public safety implications of electrical equipment in the highway, and in connection with decorative lighting over footways and carriageways. The proposed guidance and approval process should reduce these risks.

### **Corporate Procurement Implications**

22. There is none in this proposal.

### **Environmental and Climate Change Considerations**

23. The use of festive lighting will increase energy consumption and the consequent carbon foot print, but the increase in energy consumption should be small when compared to the large street lighting energy savings made in recent years, and the community value of the lighting needs to be taken into account.
24. The lighting and decorations are temporary in nature and should not affect the appearance of the area in the longer term. Promoters will need to give consideration to the appearance of the lighting in the day time and when not operational.

### **Equalities Impact of the Proposal**

25. There is none in this scheme.

### **Risk Assessment**

26. There are serious risks associated with the use of electricity in public areas, and it is important to ensure the structural stability of the lighting, decorations, lighting columns and street furniture. The proposed approval process should significantly reduce the risks to the safety of the public.

### **Financial Implications**

27. Some authorities charge for approving and inspecting festive lighting. It is not proposed that Wiltshire Council should do so under the current guidance as it is important to ensure that town and parish councils do follow the correct procedures and have the necessary approvals.

### **Legal Implications**

28. There is a requirement under Section 178 of the Highways Act that approval is obtained for any banner or decoration over the highway. There are also legal requirements in connection with the safety of electrical equipment. Failure to ensure the safety of decorations and associated equipment could result in prosecution or legal action. The proposals will help reduce the risks to town and parish councils.

### **Options Considered**

29. To:
- (i) Implement the proposals.
  - (ii) Not implement the proposals.
  - (iii) Implement the proposals with amendments.

### **Reason for Proposals**

30. Festive and Christmas lighting adds greatly to the appearance of towns and villages during Christmas and special events, and it is encouraged as they can play an important role in community life.
31. Installing or connecting decorations to street lighting columns, or placing decorations over a road, needs to be done safely and it is necessary to get permission. The proposed guidance and procedures will significantly reduce the potential risks associated with festive lighting.

### **Proposal**

32. That the application process for considering requests for the installation of festive and Christmas lighting in the highway be adopted.
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### **The following unpublished documents have been relied on in the preparation of this Report:**

None