

# Code of Practice for attachments to lamp columns granted under the Highways Act, 1980 Section 178



SURREY  
COUNTY COUNCIL



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## 1. Introduction

This document applies to both temporary and permanent items which are proposed to be attached to lamp columns.

Accidents have happened where inappropriate attachments or fixing methods have been used on lamp columns. It is the legal duty of the person organising attachments (the applicant) to ensure competent people are used for these works.

The purpose of this document is to highlight the issues that must be addressed when putting attachments or seasonal decorations on lighting columns. Ignorance is unlikely to be an acceptable defence if something goes wrong in the public realm and nobody wants to suffer the reputational damage or possible criminal proceedings if it does.

This document has been written in the spirit of and refers to the Institution of Lighting Professionals 'Guidance on installation and Maintenance of Seasonal Decorations and Lighting Column Attachments'. Surrey County Council and its Agent (Milestone Infrastructure, formerly Skanska) require that the contents of this document are adhered to as a basis for making an application to attach items to lamp columns.

## 2. Construction, Design and Management (CDM) Regulations

Works in the public domain must be compliant with Construction, Design and Management (CDM) Regulations. This document places the responsibility and a legal duty on the person organising or project managing these works for ensuring the right people are engaged on the various aspects of the work.

The emphasis of CDM is on ensuring:

- The people engaged are competent.
- There is sufficient time to undertake their work.
- Information about risks, hazards and special arrangements are shared with all parties.
- Risk assessments and method statements are in place before works commence.
- Where necessary a CDM co-ordinator is appointed.

Construction is a high-risk industry. Around one third of all workplace fatalities occur in construction and many thousands are injured each year. Such incidents often have a significant and long-lasting effect on the individuals, their colleagues, family, friends and business.

### **3. Structural considerations**

Seasonal decorations and attachments such as signs, hanging baskets, banners radio equipment, CCTV and public transport information are invariably installed at places with maximum exposure to users and lighting columns are the most common form of support chosen to display these. Older lighting columns which may be in less than prime condition can suffer sudden and catastrophic failures, sometimes with tragic results. The risk of personal injury following failure of a lighting column is intrinsically linked to numbers of people using the space and any additional load imposed on a lighting column increases the risk of failure.

This document consequently calls for the applicant to declare accurately the nature of any proposed attachment in order that Milestone may judge that any attachments made to a lamp column will not compromise its structural integrity. Though an application to make an attachment onto the lighting column may appear to be within structural limits to a layman, Milestone will make a final decision regarding this.

Catenary installations (items from one lamp column to another) will only be permitted if;

- 1) no straining wire is used
- 2) the lamp columns are designed to take additional loading

For Banners, only mesh material will be permitted.

### **4. Electrical considerations**

Electrical equipment used for temporary installations must be to the same safety standards as those on a permanent installation and every person undertaking the work must be competent and not cause danger to themselves or others. Any person who instructs work from incompetent persons or any person undertaking the work without proper skills and experience could become subject to criminal proceedings and this document contains specific guidance on the various standards, including BS 7671 which must be adhered to. Consideration needs to be given to the use and the circumstances where the use of low voltage equipment is appropriate together with the standards for electrical protection.

The usual method of supplying electrical energy to street lighting is via an unmetered supply, where energy is accounted for by calculating use from the electrical load and operating hours. Powering electrical items from the lamp columns' unmetered supply is permissible, but only if properly accounted for via unmetered supply arrangements. If applicants propose to draw electricity from street lighting columns, they must be able to provide comprehensive details of the electrical load together with dates and times of operation. The authority or the applicant must also be able to declare these within their unmetered supply arrangements which will involve holding an appropriate Estimated Annual Consumption certificate with the Unmetered Supplies Operator, as failure to do so could be construed as theft of electrical energy exposing the applicant and the authority to penalty or prosecution. Applicants must allow sufficient time within their plans for these matters to be completed, which could take several months.

## **5. Traffic Management considerations**

The industry standards for the safety of operatives and the travelling public when undertaking works on the highway is by reference to Chapter 8 of the Traffic Signs Manual and Safety at Street Works and Road Works etc.

Depending on the specific location there may be a requirement under The Traffic Management Act to obtain a Permit to work on the highway, so that activity is coordinated to ensure no clashes between roadworks, or Lane Rental provisions, where the applicant is charged for any occupation of the road during restricted hours.

Surrey Highways will be able to advise what provisions apply in each particular case. In the busiest of locations applicants may need to allow three months or more for Permit applications to be processed and road space allocated.

The applicant must be aware that Surrey Highways are rolling out Lane Rental from 1 April 2021. This needs to be taken into consideration when planning works. It falls to the installation contractor to ensure Lane Rental requirements are observed.

## **6. Highways Act 1980 and Indemnity**

Section 178 of the Highways Act 1980 enables the highway authority to control the erection of apparatus on or over the highway, including seasonal decorations, by way of a licence. Charges for the consideration of licence applications are authorised by the Local Authorities Transport Charges Regulations of 1998, but those Regulations make no provision for charges to be levied for section 178 licences. The applicant is required to indemnify the authority against any and all claims which may arise as a consequence of the installation, in which case liability is unlimited. Surrey County Council require that liability is to be supported by evidence of Public Liability insurance to a value of at least £10m. Applicants should appreciate that they are potentially exposed to claims beyond that value.

## **7. Competency**

A competent person is someone with the skill, knowledge and/or experience of the particular type of work to be undertaken, and other qualities, so as to be able to identify and avoid danger. Training provides underpinning knowledge to support competency.

It is important that all installers are conversant with hazards and risks, whether directly employed or employed by contractors or sub-contractors. Therefore they should receive comprehensive training, training updating and instruction on relevant aspects related to the assembly, installation, commissioning and on-going operation and maintenance of masts.

It is also necessary to re-examine periodically the scope of work, equipment employed, procedures and standards of workmanship.

The following advice is best practice guidance in the United Kingdom. Similar or equivalent competency and training requirements should be considered for schemes being installed outside the UK.

The competence of a person should be supported by underpinning training.

Persons involved with site works should work only within the scope of their evidenced competence. Both organisational and employee competence should meet the key principles of CDM.

## 8. Competency assessment and training

The industry standard for training and assessment of competence for Highway electrical equipment on or near the Highway in the UK is the Highway Electrical Registration Scheme (HERS), also called the National Highways Sector Scheme 8 (NHSS 8).

If electrical work is to be undertaken on site, the installation contractor as named on the application **must** be HERS registered. All operational staff carrying out electrical work on site must be HERS approved and in possession of valid Electro-technical Certification Scheme (ECS HERS) Cards at all times whilst on site.

A list of all registered organisations can be viewed on the [Highways Electrical Academy website](#).

As part of HERS, all operatives shall be assessed for competency and shall undertake a recognised course or system of training as appropriate leading to a Competence Based Qualification (CBQ) such as a National Vocational Qualification (NVQ) to agreed national occupational standards. The assessment of competence on site and training certificates shall be valid for a maximum of 5 years and shall be reviewed thereafter, with repeat assessments and refresher training being instituted as appropriate.

For non-electrical work such as event signing, HERS Registration is not required, but all operational staff must still be in possession of valid relevant training and proof of satisfactory assessment i.e. New Roads and Street Works Act units for Traffic Management as well as operator licences for mechanical or hydraulic plant.

A licence will not be issued if an installer is not qualified to undertake the required work; checks may and will be undertaken on the nominated installer.

When making an application where a HERS registered company is the installer, the submission of the HERS certificate only will be sufficient. The certificate awarded by the HEA demonstrates the required training and competency of the company, hence adherence to HERS and NHSS 8.

## 9. Electricity and legal provisions

Whilst recognising the pleasure a well-designed lighting display gives to the public, organisers and installers of festive lighting (and other approved items) must keep in mind that such installations, when powered by mains electricity, are, because of their temporary nature, potentially hazardous. It must be remembered that outdoor lighting is subject to adverse weather conditions, especially in winter, and a hastily erected display could easily bring tragedy instead of joy.

All work must be carried out to the requirements of IET Wiring Regulations 18th Edition BS 7671:2018 Regulations for Electrical Installations and it should be noted that the Electricity at Work Regulations 4, 5, 6, 7, 8, 9,10, 11, 12 and 15 are particularly relevant to such installations. Due reference should also be given to the requirements within the ILP Electrical Safety, document 'Code of practice for electrical safety in highway electrical operations'. In addition, HERS registration includes a qualification to G39/1 (Working in the vicinity of DNO equipment); any

person or persons who is engaged in the attachment or removal of electrical attachments **must** hold a current G39/1 certificate.

It is a legal requirement that everyone undertaking electrical work is a competent person (as described under the Competency Assessment and Training section above) and does not cause danger to themselves or others. If anyone knowingly employ staff to undertake works that is beyond their level of knowledge and competence then that person could be liable for any danger or damage that occurs.

Only attachments and power use can be licensed; any lamp column that is currently not facilitated to require the use of a 230 Volt supply cannot be utilised. If a new power supply is required from a lamp column, only Milestone can undertake this work at the full cost of the applicant.

Bearing in mind the expected short temporary nature of festive installations they should be treated, routinely inspected and tested as special temporary installations. Equipment used for temporary installations must be of the same standards as a permanent installation although it is appreciated that for installations of this nature, cables may be installed temporarily.

In most situations, highway electrical equipment is supplied unmetered direct from the Distribution Network Operator (DNO) cables in the Highway.

Only an authorised competent person will be allowed to remove inspection covers, doors or panels affording access to their apparatus to make connections from Highway Authority and DNO equipment.

Where lamp column base compartment doors have been removed for inspection by the applicant's installer, they must be replaced securely to prevent unauthorised access. The attaching of access doors with tape or banding is not permissible. Where it is not possible to secure the access door with the locking mechanism, it must be reported to Milestone immediately.

Milestone have made or can make power supplies available where electrical items are regularly installed but neither Surrey County Council nor Milestone are responsible for consumption of energy.

Only Milestone can make new external power supplies available under contractual arrangements that exist between Surrey County Council and Milestone. If a new external power supply is required, this should be noted on documentation submitted to the County Council as part of the application. If the licence application is successful, the licence - when issued - will provide information to enable the licensee to obtain a quote from Milestone. Milestone should not be asked for such quotes before a licence is issued.

## **10. Structural safety**

All information relating to the additional loading request must be accurate and provided in advance to Surrey Highways by submission of a completed temporary attachments application before any structural assessments by Milestone can begin. If Milestone judge that a lamp column will not be able to support the weight / wind loading of a particular attachment item, a licence will not be issued for that item.

## **11. Height of attachments**

Surrey County Council and Milestone must ensure that the height of any attachment is not in conflict with, or pose a hazard to pedestrians or other Highway users. Although signs and other items may be attached to lamp columns with a minimum 'above ground height' of 2.1M (2.4M if within a cycle route), items which require a power supply (Festive lighting, CCTV etc.) must be placed higher to avoid contact (either accidental or deliberate) with electrical components. To this end, Festive lighting, CCTV and possible other items which require a 230V supply will not generally be permitted to be attached to any lamp column under 8M tall (illuminated traffic signs do not fall into this category as these do not require an external power socket). The applicant must indicate the size and weight of all proposed attachments.

## **12. Testing of electrical attachments**

Installations (attachments) must be inspected and tested before being commissioned.

Testing of temporary attachments shall be carried out in accordance with the IEE inspection and testing guidance note 3 on installation and for periodic testing at no greater than three monthly intervals.

Each individual item should be subject to an electrical conformance (PAT) test which forms part of the documentation submitted to Surrey Highways.

Where any attachment is found to be defective, the installation may be disconnected without notice.

## **13. Type of festive display**

All Festive decorations should be designed to be fit for purpose and have an Ingress Protection (IP) of at least IP44.

No decorations that contain flashing red, yellow or green lamps will be allowed within 10 metres or within the motorist's sight lines of a set of traffic signals, light controlled pedestrian crossing facility or zebra crossing.

Only Festive lighting that is attached to lamp columns can be licensed unless specifically through historic precedent. No new remote power can be licensed.

## **14. Maintenance of attachment**

### **14a Temporary attachment**

The licensee must ensure that the fixings used for the attachment are suitable and appropriate to support the attachment for its whole life cycle. The licensee must, at their own expense, maintain the temporary attachment and infrastructure in good repair throughout the period of operation, including its installation and removal. The Applicant should make arrangements for a weekly visual inspection of the attachment and to keep a log of such inspections. Any damage caused to lamp columns or any associated equipment, including damage to the protective coatings

by the licensee, his agents or Contractors will be repaired by Milestone. The licensee will be rendered an invoice and be responsible for payment of the repair costs

#### **14b Permanent attachment**

The licensee must ensure that the fixings used for the attachment are suitable and appropriate to support the attachment for its whole life cycle. Any damage caused to lamp columns or any associated equipment, including damage to the protective coatings by the licensee, his agents or Contractors will be repaired by Milestone. The licensee will be rendered an invoice and be responsible for payment of the repair costs.

#### **15. Emergency situations**

The applicant must ensure that adequate Competent Persons are available at all times for emergency attendance within two hours of being so requested.

Milestone reserves the right to disconnect and remove any or all equipment that, in the opinion of the Highway Authority, is unsafe or dangerous. The cost of this work will be recharged to the applicant.

Milestone nor Surrey County Council will accept any responsibility for vandalism or accident damage. Where equipment is removed by Surrey County Council, Milestone or another approved Surrey County Council agent following accident damage or vandalism, Milestone will endeavor to recover any equipment attached, but will not be responsible for any consequential loss.

The applicant will be responsible for the immediate removal of their equipment when requested to do so by the Highway Authority at their own expense.

#### **16. Use of electricity**

The Distribution Network Operators (DNO's) in Surrey must be advised of all powered equipment being installed on unmetered supplies. Details relating to the electrical load, burning hours and duration of the installation must be provided to enable a tariff to be agreed. This agreement needs to be signed prior to energising of the electricity supply to the festive decorations.

For reference, some Districts within the County (Guildford, Runnymede, Spelthorne, Surrey Heath, Waverley) have Scottish & Southern Energy PLC as the predominant DNO.

The remaining Districts (Elmbridge, Epsom & Ewell, Mole Valley, Reigate & Banstead, Tandridge and Woking) have UK Power Networks PLC as the predominant DNO.

The applicant is responsible for arrangements with the DNO for electrical supplies and the payment of charges in relation to energy consumption. No supply is to be taken from any lamp column for powered equipment without prior written approval in the form of an attachment licence.

## **17. Timing devices**

Although a large number of lamp columns have been fitted with timers as an integral part of the protective equipment within the base compartment of a lamp column which has been facilitated for Festive lighting, it is the responsibility of the installer to set and maintain the switched settings of the timer. Any Festive display which is to be attached to a lamp column that does not have an integral timer should ideally be fitted with a timer mounted on the display to avoid the unnecessary use of power during daylight hours.

## **18. CCTV**

Applications for any type of CCTV whether the equipment has a moveable camera or is in a fixed position will not be approved unless the applicant:

- Is a member of the Information Commissioners' Office and provides evidence of their licence as part of the application.
- Provides their policy regarding Data Protection.
- As with all other applications, evidence of the current Public Liability insurance certificate must be provided.

Applicants should be aware that cameras and recording equipment in Public areas can generate concern so are sensitive items within local communities.

Due to the sensitive nature of CCTV, if a County Officer or representative of Milestone requests that the equipment is removed, the applicant must make arrangements to remove the equipment within one working day. If this request goes unheeded or if any unauthorised recording and/or transmission equipment is found attached to lamp columns, the equipment will be removed without notice and retained securely by Surrey County Council or Milestone.

Applicants for any type of CCTV equipment are reminded that this application process and Code of Practice applies for items to be attached to lamp columns only.

Any lamp column that is currently not facilitated to require the use of a 230 Volt supply cannot be utilised. If a new power supply is required from a lamp column, only Milestone can undertake this work at the full cost of the applicant.

### **18a. Temporary CCTV**

A suitable information notice must be attached to each lamp column where CCTV equipment is to be used. The notice shall show an image representing temporary CCTV and must give the Information Commissioner's Office licence number, Surrey County Council's attachment licence number and date of intended date of removal.

The notice should ideally be A4 lightweight plastic 'Correx', laminated or similar non-metallic material and affixed to the lamp column via cable tie. When the CCTV equipment is removed, the notice and fixing must also be removed. The notice design must be submitted as part of the overall attachment application.

### **18b. Permanent / Peripatetic CCTV**

A suitable information notice must be attached to each lamp column or in the vicinity where CCTV equipment is to be used, but according to guidance provided by the Information Commissioner's Office.

## **19. Traffic Counters and similar equipment**

Temporary devices that utilise carriageway tubes, cables or loops will require an attachment licence even though these are not weight-bearing as these devices use a security measure wrapped around a lamp column against theft. Protection of the lamp column base must be achieved using suitable material such as a rot-proof textile outer sleeve for chains or the use of plastic coated braided steel.

Data Boxes or any associated component part of the data recording installation must not cause an obstruction or unduly affect Highway users.

## **20. Vegetation**

Vegetation can cause obvious problems for attachments to lamp columns as vegetation continues to grow year on year. Milestone are obliged to keep street lighting lanterns and lamp column access doors free from obstruction. However this obligation does not extend to lamp column attachments. For new applications, locations that have large vegetation in immediate proximity to or which envelop the lamp column shaft should be avoided.

For existing locations, Milestone cannot cut obstructing vegetation back. It is recommended that prior to submitting either a new or 'repeat' application, each location is checked to make sure that vegetation is not an issue. If vegetation is or soon will become a problem for the attachment, the applicant must make arrangements to deal with the vegetation. Note that vegetation can be either public (a street tree in a verge for example) or private (a tree growing in a garden for example), but this section refers to both.

Prior to undertaking any works on public street trees, Surrey Highways must be approached to ensure that any proposed reduction is approved. The County Council nor Milestone will not accept any responsibility or intervene in any dispute regarding private vegetation removal.

It is important to note that Tree Preservation Orders (TPO's) are widespread across Surrey so an approach to the local Borough Councils (to check a particular tree for a TPO) is highly recommended prior to any works.

## 21. References

- [Highway Electrical Academy](#) (Telephone: 01903 705140)
- PD 6547:2004+A1 : 2009. Guidance on the use of BS EN 40-3-1 and BS EN 40-3-3
- Institution of Lighting Professionals Guidance Note 22, Asset-Management Toolkit: Minor Structures (ATOMS)
- GP03: Code of Practice for Electrical Safety in Highway Electrical Operations
- IET Wiring Regulations 18th Edition - BS 7671:2018 Regulations for Electrical Installations
- Traffic Management Act 2004
- Construction Design and Management (CDM) Regulations 2020
- Health and Safety at Work etc Act 1974
- Electricity at Work Regulations 1989
- New Roads and Street Works Act 1991
- Electricity Supply Regulations 1988
- Highways Act 1980
- [Information Commissioner's Office](#)