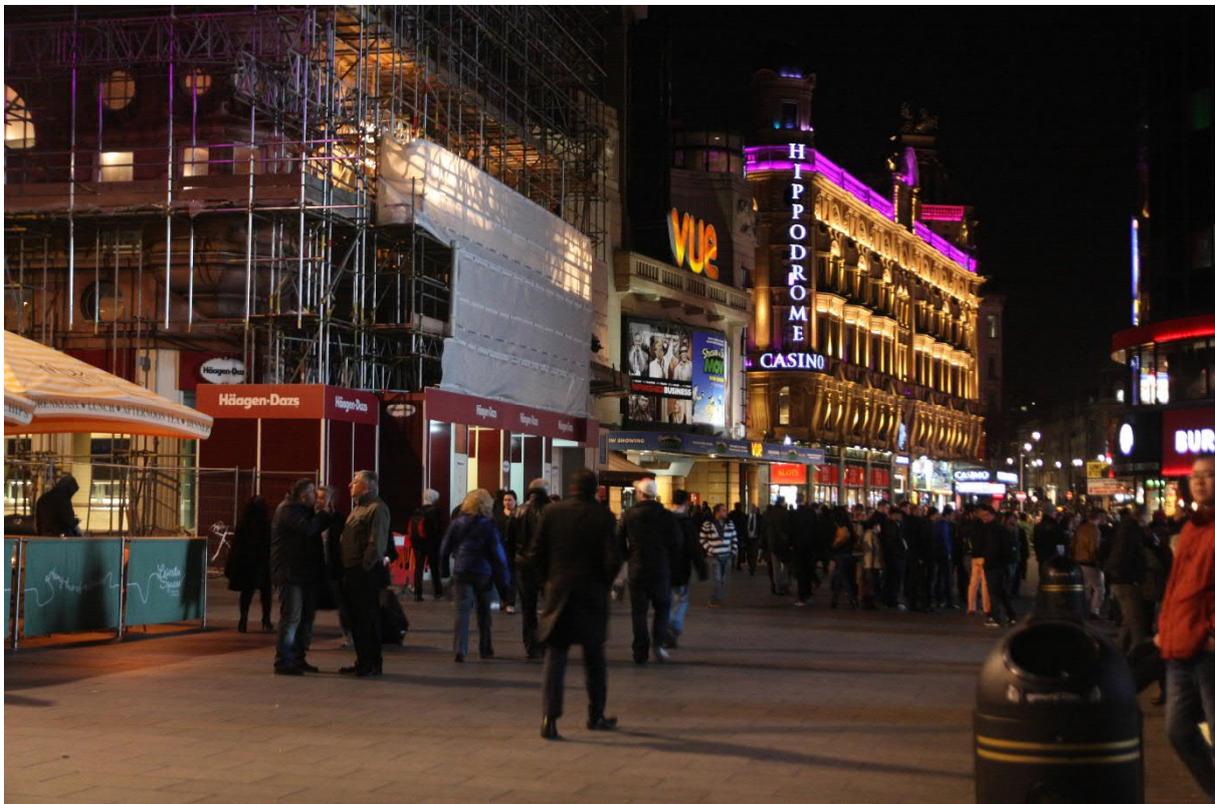




City of Westminster

Temporary public lighting works



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This document

The document covers the approach to be undertaken for any scheme / project that requires the temporary removal or disconnection of the existing highway and public realm lighting equipment.



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1 Scope

1.1 Public lighting strategy

Westminster provides a diverse landscape ranging from historic areas to residential streets, businesses, entertainment and retail areas through to river frontage and bridges as well as parks and heritage and ceremonial routes. A large area of Westminster sits within a historic landscape and in some cases the public lighting is of historic value and is considered a cherished asset.

The City of Westminster is also a constantly changing and evolving environment with public realm, building refurbishments and new developments altering and evolving the city scape.

These very factors can at times require the existing public lighting to be temporarily removed be it to support opportunities for filming, special events or where building works inevitably require scaffolding, sheeting and hoardings to be deployed within the Highway boundary.

This document advises on the procedures and requirements where public lighting is requested to be removed which includes the provision of temporary lighting and to ensure public and workforce safety is assured while also protecting the public realm lighting assets, many of which are Cherished and Listed.

The principle behind this guidance is to aid application to the City Council for a “Scaffolding” or “Hoarding” installation to ensure that its effect on the Public Highway and or highway services such as public lighting is managed. By following the processes laid out, appropriate solutions can be agreed to meet the needs of the development whilst not adversely affecting the highway and related services.

The City Council has a requirement to enable these works to be undertaken through a licensing process.

Note: *This guidance itself is not planning approval and when required all relevant approvals must be in place before a “Scaffold” or “Hoarding” is installed. All unlicensed “Scaffolds” or “Hoardings” will be prosecuted and reported to the HSE when appropriate.*



2 Legal Requirements

2.1 Obligations

The City Council as the Highway Authority has an obligation to manage the Public Highway and ensure that it is intrinsically safe for general use and movement of the public and vehicles.

All scaffolding shall comply with the requirements of the Health and Safety Executive (HSE) check list which can be found at:

<http://www.hse.gov.uk/construction/safetytopics/scaffoldinginfo.htm>

All those undertaking scaffolding activities shall be registered under the Construction Industry Scaffolders Record Scheme (CISRS)

<http://cisrs.org.uk/>

2.2 Lighting

There is no statutory requirement for local authorities in the United Kingdom to provide street lighting.

In England and Wales, the Highways Act 1980 empowers a Highway Authority to provide lighting for any highway or proposed highway for which they are, or will be, the Highway Authority.

Highway Authorities have a duty of care to the road user. Any loss to an individual as a consequence of the inappropriate use of these powers may result in action being taken to recover the loss.

Where an Authority has chosen to provide lighting then they are required to operate and maintain its provision in accordance with good practice.

The statutory duty of highway authorities to maintain that part of the highway defined as being maintainable at public expense is enshrined in s.41 of the Highways Act 1980. Under s.56 of the Act any person may apply to the courts for an order requiring the highway authority to take remedial action in cases of alleged non-repair by that authority which may also face an action for damages resulting from failure to maintain the highway. S.58 of the Act provides that in the event of an action, it shall be a defence to show that the road was kept in a reasonable state of repair having regard to the traffic using it, the standard of maintenance appropriate to its use and public safety.

Councils also have a statutory duty under section 17 of the Crime and Disorder Act 1998 (and 2006 amendments) to “exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area”.

There is a wide range of other legislation affecting highway and lighting maintenance, either directly or indirectly, imposing powers or duties on Highway Authorities. Even in the absence of specific duties and powers, authorities have a general duty of care for users and the community to maintain the highway in a condition fit for its purpose.



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Essentially where any scaffolding or hoarding is being considered the design, construction and maintenance of it must take account of the public lighting service and look to ensure it is not adversely affected by the works.



3 Public Lighting Requirements

3.1 Understanding the potential impact on the lighting service

As an integral part of any application that involves any public lighting assets, either directly or within the scope of the working area, the impacts on the lighting service must be assessed and the safety implications understood and where required, mitigation measures implemented.

It is imperative that Westminster's street lighting project manager is consulted when scaffolding, hoarding or any work area may enclose or affect any public lighting assets in order that advice can be given, and the best plans made to maintain illumination.

Note: the performance of any lighting asset has the potential to be affected if it is within a longitudinal distance of 50 metres either side of the limits of the scaffolding / hoarding).



Hoarding affecting the lighting performance of adjacent column

The public lighting service must be continuously maintained in order that the public realm remains safe. Therefore, where lighting assets remain in situ, full access must be available from the highway.

3.2 Potential considerations

In all instances where lighting needs consideration then Westminster Contract B team are to be consulted. They will advise on any potential impact, mitigation measures or requirements. The contact shall be the Project Manager, Street Lighting, City Highways.

In some instances where wall mounted luminaires or columns will become inaccessible and / or will not be able to fulfil their function, these features may be removed or decommissioned and temporary lighting that meets the existing performance criteria installed.

Any temporary lighting will need to be designed by competent lighting professionals and in compliance with the Westminster lighting design guide which details design process as well as the full application and submission criteria for all third-party lighting designs.



Such installations must then be installed and commissioned by a competent HERS Registered contractor, again as detailed within the Westminster lighting design guidance.

In most cases appropriate temporary lighting solutions can be designed and installed through services of the City Council's Contract B Service Provider (Lighting). They should be engaged to deliver this solution through the Rechargeable Job Order (RJO) process.

Note: If the lighting asset is deemed to be 'Listed' or has Heritage or Cherished status, additional conditions may be put in place to protect it from accidental damage; this could entail shrouding or complete removal of all or part of the equipment. However due to the age of some of the listed assets, removal may not be an option.

Assets fixed to walls are under 'wayleave' agreements and have different conditions imposed which will need to be considered on a site by site basis. Wall lighting may be powered from a remote location, or powers other luminaires and hence a survey shall be undertaken first to ascertain the origin of the power and ensure its impact on temporary removal does not affect other remaining assets.

The main aim being to ensure that at least the current level of lighting performance is maintained.

In some instances where wall mounted luminaires or columns will become inaccessible and / or will not be able to fulfil their function then these features may be removed or decommissioned and temporary lighting that meets the existing performance criteria installed.

3.3 Phasing of works

Unless specifically agreed for special events at no time must the provision of public realm lighting fall below the current performance levels. This will require the contractor to ensure that any temporary lighting is installed, commissioned and signed off by Westminster's representative prior to their works affecting the existing lighting asset.

At the completion of the works / event the reverse applies, and the lighting provision shall be returned to its original operational state, commissioned and signed off by Westminster's representative prior to the temporary lighting being de-commissioned.

For both above stages Westminster's lighting project manager shall be provided with three weeks' notice so their representative can attend site and sign off the installations.

3.4 Lighting columns

It may be acceptable for a lighting column to remain in situ and operational depending upon its location, provided that the luminaire can still fulfil its function and correctly light the area(s) concerned.

However, scaffolding placed near street lamps or illuminated signs have resulted in a few serious but non-fatal accidents in recent years where live, electrically-fed apparatus has been touched by scaffolding operatives resulting in an electric shock.

To ensure these accidents are not repeated and to better protect our assets during building works, it is proposed that scaffolds must be 2 metres clear of an electrically fed asset (EFA). Due to the nature of the streets in Westminster and the types of structure that need to be built, this is often not possible.



It is already a requirement that any scaffolding must not touch an EFA (in case a fault in the column makes the entire scaffold structure live).

If scaffolding has to be erected less than 2 metres from an EFA, we would as a minimum remove the fuse and de-energise the column whilst the scaffold is on site. In such circumstances the applicant will be required to provide and maintain temporary lighting from the structure to a level agreed with the council.



Temporary luminaires mounted on building support frame and poor practice where the existing column-based lighting is included within the scaffolding

In some cases, temporary lighting can be fixed to a temporary structure as shown previously, provided the lighting and electrical design is suitable. The practice of incorporating the column, bracket and luminaire within the scaffolding as shown in the two of the above images is not acceptable.

3.5 Special consideration areas

3.5.1 Covered footways

It has become the norm to extend scaffolding structures over the footway with a support section located adjacent to the carriageway kerb. Quite often these arrangements are then covered in a hoarding for aesthetic and safety reasons.

Such structures essentially create short pedestrian tunnels and may include access arrangements to the building or construction site concerned.

It is important that such structures are considered from a lighting perspective and a good level of lighting provided which, due to ambient lighting levels, may be required to be of a higher level during the day time than at night. The lighting and materials used for the hoarding must be carefully considered and designed to meet the needs of the users.

The following images show various sites around Westminster that are examples of good and bad practice. Essentially the main differentiator is the use of white and reflective surfaces and, if looked at closely, the tunnels with the lighter surface finishes require less artificial light. Being able to incorporate a level of daylight is always beneficial.



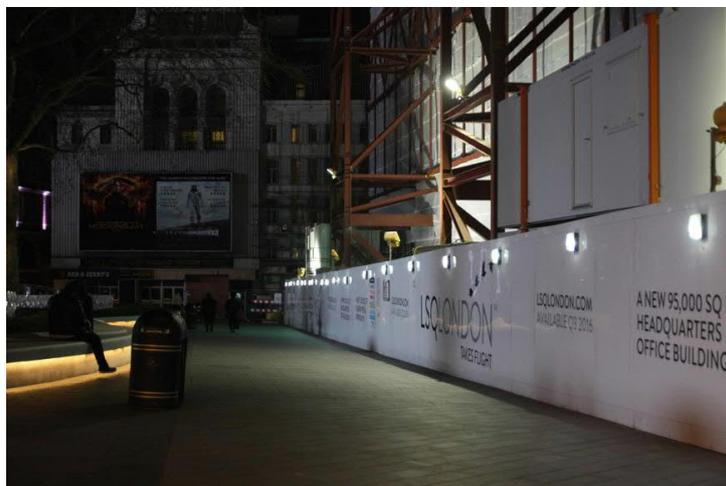
Examples of good (left) and poor (middle & right) practices

3.5.2 Hoardings

The same approach can be applied to hoardings surrounding a development. Here again the use of a reflective light coloured surface makes all the difference to how the area is lit and therefore how users feel about it; this is especially relevant to pedestrian and cyclists' perception of crime and their fear of crime. Examples of bad practices around the West End of London have caused concern to the Met Police over their ability to undertake surveillance, crime and perception of crime within the area.

Red lighting may be used where hoardings are adjacent to the carriageway to identify the hoarding location but white lighting also needs to be considered to provide highway lighting where the functional street lighting has been removed to permit the construction activities.

The following images taken around the West End illustrate good and bad practices with regard to lighting and the colouring / surface finish of hoardings.



The use of white reflective hoarding around Leicester Square – good practice

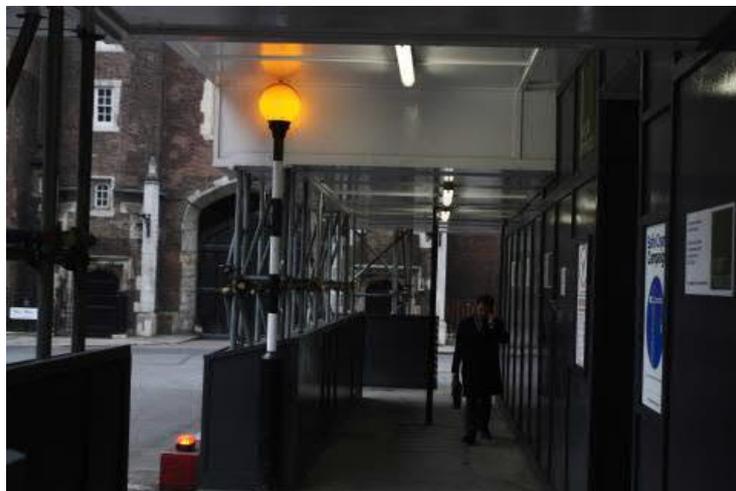


The used of dark hoarding and red lights – poor practice

3.5.3 Pedestrian crossings / signalised junctions

Special consideration areas include but are not limited to traffic signs, zebra crossings, signalised crossings and junctions where the motorist must be able to see the signal heads or belisha beacons and associated poles.

Zebra crossings are of specific safety concern as the pedestrian has the right of way when crossing the road and any masking of the beacons, poles and road marking could invalidate the crossing.



St James's - Beacon still operational behind hoarding and out of view of motorists

All of these sites will require special consideration and may further require;

1. Temporary additional signage
2. The zebra crossing to be decommissioned
3. Temporary beacons and poles
4. Temporary traffic signs to be installed and maintained.



3.6 Cherished and listed assets

Westminster City Council are the guardians of a significant portfolio of historic street furniture which is given the status of cherished equipment; this ensures it is afforded respect and that focused consideration is given when it may be affected by any interaction. Many of the Cherished assets are Listed and therefore protected under UK legislation

Westminster City Council's historic lighting asset has been derived over a period in excess of 200 years, starting with the first modern day style public lighting installation that is still operation in Carlton House Terrace. The original lighting solution of William IV cast iron columns and Rochester Style lanterns originally powered by Town Gas was long since converted to natural gas.

The City Council's historic items of street furniture are high value assets, many of which are unique, and the City Council take their responsibility of ensuring the future of these assets very seriously, therefore delays and extended timescales should be expected when discussing these assets.

Through discussion with the various teams at the City Council (including the area Conservation Officer) appropriate solutions to protect these high value assets can generally be agreed and may include:

- Shrouding Removal of Lantern and frog
- Boxing and protecting asset
- Full removal of asset
- Alternative access arrangements



4 Rechargeable Job Order

The Rechargeable Job Order (RJO) process is applied as a mechanism to progress third party requests that involve City Council's Highways or its assets. This is a relatively simple process that offers an applicant a coherent solution to enable the works to be undertaken. This may include works such as the moving of an item of street furniture to provide access or the decommissioning of an 'Electrically Fed Asset'.

4.1 When is an RJO required?

An RJO is required to undertake a range of tasks where Public Lighting Assets or Services are involved which include:

- Temporary removal of asset(s)

This may be required where developments encroach into the Public Highway and where complete or part removal of a Cherished or Listed asset is needed to protect it from accidental damage for the duration of the works.

- Temporary decommissioning of asset(s)

This may be required where the proximity of the asset could present a danger to building workers or members of the public; an alternative source of illumination will usually be required for the duration of the works.

- Where works are directly adjacent to asset(s)

For example, where "Scaffold" or "Hoarding" is installed onto the Public Highway, a clear safety zone of 2 metres is required to ensure that operatives and the public are protected from the dangers of electrocution.

- Where works prevent the asset(s) from undertaking their intended purpose

For example, where protective sheeting has been positioned that shields light output or covers a highways sign.

4.2 What is included within the RJO?

The RJO should include all works required to be undertaken by the City Council's Lighting Service to meet any applicant's particular requirements.

All works will be managed through the City Council Service Provider applying the appropriate National and Local standards requirements, using qualified and competent operatives. The City Council Service Provider will manage all specialist dedicated services such as UK Power Network, British Gas, National Grid, etc.

Dates of installations and their removals will be required on the RJO form.

It should be recognised that this does not include:

- Planning Consent
- Advertising Consent
- Consultation with English Heritage for Listed Street Furniture
- Wayleave arrangements (although this may be possible if required)



4.2.1 Chargeable elements

Applicant will submit the requirements to the City Council and the applications will be assessed and an estimate developed to meet the applicant's individual requirements.

Charges can be attributed for the following actions;

| | |
|--------------------------|-------------------|
| a) Site assessment | per hour |
| b) Design & Estimating | per hour |
| c) SOR's for works | agreed rate |
| d) Storage | per month |
| e) DNO costs | schedule of rates |
| f) Replacement Equipment | agreed rate |
| g) Re-commissioning | agreed rate |
| h) Contingency | 10% of total |
| i) Management | 30% of total |
| j) VAT | 20% |

In most circumstances, payment will be required before works are commissioned.

This will take the form of full payment of the estimated cost of works required by the applicant which will take three weeks. On completion of works and subject to a final inspection, an additional payment may be required or any balance due will be returned to the customer.

a) Site assessment

Site assessments are often required to fully understand the impact of any particular application. These will be undertaken by the City Council's representative and there may also be occasion for additional specialist assessments to fully evaluate application requirements.

b) Design & Estimating

With the varying array of applications there may be standard solutions that can be simply applied to the particular application or there may be a requirement to undertake some design aspects to ensure that the proposed solution is compliant and fit for purpose.

c) SORs for works

All works will apply the standard Westminster Specifications for Materials & Workmanship and be priced at the relevant contract rates; Schedule of Rates (SOR) will be used to undertake all works. *Note: often an interim temporary highway lighting solution will be required to ensure Public Safety.*

d) Storage

Storage charges will be applied for the temporary storage of street furniture for the duration of the works however it is understood that this can often be long term, making this uneconomical, in which case new equipment will be installed. Unless for specific assets any item requiring removal for longer than three months is unable to be stored by the service provider and the estimate will include for a full replacement.

e) DNO costs

Any main electrical service alterations will need to be arranged and managed through the Distribution Network Operator (DNO), currently UK Power Networks. These works include service disconnections, connections and transfers.



f) **Replacement Equipment**

Equipment will often be required to be replaced with new equipment due to age or condition of equipment, efficiency of delivering the task or specification and individual task or location constraints.

g) **Re-commissioning**

On completion of site works any interim temporary lighting solution will be decommissioned and the permanent lighting solution commissioned and recorded on the City Council's asset inventory.

h) **Contingency**

A contingency is applied to all City Council Public Lighting operational work as this historical, dynamic, 24/7 city environment can often provide unexpected, unforeseen challenges that increase the cost of any works.

i) **Management**

While some management tasks are inclusive within the SORs, much of the City Council Officer and systems are not included and this management fee covers these commitments.

j) **VAT**

Value Added Tax will be applied at the current national rate.

k) **Emergencies**

The contractor shall provide a 24 / 7 contact should any emergencies occur which relate to any temporary lighting installation.



5 Process

The current process for lighting rechargeable works is explained below.

An enquiry is received by the City Council's Lighting Service requesting that an asset may need to be de-commissioned and/or removed to store for any reason. A site visit will be arranged and a highways inspector will attend to decide what course of action to take.

A desktop assessment will be undertaken to ascertain what arrangements are needed to maintain adequate lighting levels and to produce an estimate of costs. The estimate will be raised using 'Schedule or Rates' items and forwarded to the customer for acceptance.

Some items may require stipulation on licences, such as for "Scaffolds" or "Hoardings" and may become part of planning and/or licensing agreements; all parties must be kept fully informed).

The customer remits payment and agrees inclusion in licenses; any wayleaves must be completed at this point.

A Works Order will be raised; works will be programmed and progressed.

Programming of work will be subject to the area being free of hoarding as part of the removal and re-installation process including access to possible additional areas where the DNO may need to excavate and re-attached to their main.

On completion of the works, an audited account will be produced, and final payment / refund will be requested or issued.