

## **Item: 11**

**Development and Infrastructure Committee: 7 September 2021.**

**Replacement and Upgrade of Festive Lighting Decorations.**

**Report by Interim Executive Director of Environmental, Property and IT Services.**

### **1. Purpose of Report**

To consider adoption of a policy for the festive lighting service provided to Community Councils and local communities, including the necessary replacement and upgrade of festive lighting decorations.

### **2. Recommendations**

The Committee is invited to note:

#### **2.1.**

That the Council has erected, maintained and stored festive decorations on behalf of various Community Councils and other organisations for over 20 years, with associated costs being met from the Roads revenue budget.

#### **2.2.**

That, in recent years, Community Councils, Community Associations and other organisations have purchased, erected, maintained and stored new festive decorations, which have been approved by Roads Services, with the only cost to the Council being for the electricity supply.

#### **2.3.**

That Roads Services have reviewed the existing festive decorations erected on the street lighting columns and have identified issues relating to the force of the wind, known as windage.

#### **2.4.**

That it has been determined that many current decorations, excluding column wraps, no longer meet the windage standards required by the street lighting column manufacturers.

#### **2.5.**

That officers are in discussion with individual Community Councils, Community Associations and other groups to agree appropriate decorations for each location, with a view to Roads and Environmental Services facilitating the replacement of the decorations in time for the 2021 festive season.

## **2.6.**

The proposal to transfer responsibility for the future supply, maintenance, erection and storage of festive decorations to individual Community Councils or other community organisations, as detailed in the draft Column Mounted Festive Decoration Policy 2021 to 2026, attached as Appendix 1 to this report.

**It is recommended:**

## **2.7.**

That the draft Column Mounted Festive Decoration Policy 2021 to 2026, attached as Appendix 1 to this report, be approved.

## **2.8.**

That the Council acts as facilitator to assist individual Community Councils or organisations in the purchase of new festive lighting decorations for 2021, to be funded by a financial contribution from the Roads Revenue Budget.

## **2.9.**

That responsibility for future maintenance, erection and storage of festive lighting decorations be transferred to the individual Community Council or organisation.

## **3. Background**

### **3.1.**

Through the Roads revenue budget, Roads Services provide support to Community Councils and other organisations to maintain, store and erect approximately 123 column decorations in various villages around Orkney. All electrical supplies are paid for by the Council. The festoons in Kirkwall, Stromness and St Margaret's Hope are included in these works.

### **3.2.**

In recent years some Community Councils, Community Associations and organisations have purchased, erected, maintained, and stored any new festive decorations. These have been approved by Roads Services. The only cost to the Council is for the electricity supply.

### **3.3.**

Organisations in Orphir, Burray and Westray erect, maintain and store their own decorations; Kirkwall BID has provided column wraps and Stromness Development Trust also provides its own decorations. St Andrews and Deerness Community Council is hoping to provide decorations in Toab and Deerness at a future date.

### **3.4.**

Following an enquiry from a local community group in September 2019, Roads Services carried out a review of existing festive decorations erected on street lighting

columns. The review identified issues with existing street lighting column decorations in relation to the force of the wind on them, known as windage. It has been determined that the current decorations, excluding column wraps, no longer meet the windage standards required by the street lighting column manufacturers.

## **4. Proposals**

### **4.1.**

The issue the Council needs to address is that the specifications of new streetlight columns differ from those used in the past. Consequently, as streetlight columns are replaced, given the potential risk of structural failure, permission cannot be given for larger, heavier style decorations that do not meet the windage requirements to be erected on these columns.

### **4.2.**

It is proposed that Roads and Environmental Services facilitates the replacement of the existing festive lighting decorations which the Council store, erect, maintain and dismantle, with new decorations that are modern and fit for purpose. The cost to replace 123 decorations should not exceed £30,000. This would be funded by a financial contribution from the Roads revenue budget.

### **4.3.**

Officers are in discussion with each Community Council or group to agree appropriate decorations. The old decorations will, if the community wish, be handed over to use elsewhere, provided these are not used on the road network. It is hoped to replace some or all the decorations in time for the 2021 festive season, depending on availability and the procurement process.

### **4.4.**

It is proposed to transfer responsibility in perpetuity for the supply, maintenance, erection, and storage of the decorations to the individual Community Council or organisation. Any new decorations or changes to current layouts would need to be approved by Roads and Environmental Services and comply with the proposed policy. A copy of the draft Column Mounted Festive Decoration Policy 2021 to 2026 is attached as Appendix 1 to this report.

### **4.5.**

Following a meeting of the Roads and Environmental Services Consultative Group in April 2021, to discuss the points raised above, on 6 July 2021, officers met with representatives from the various Community councils and groups affected by these proposals. Discussions are continuing regarding the replacement and future responsibilities for the decorations. A summary of these discussions and feedback is attached as Appendix 2 to this report.

#### **4.6.**

These proposals do not impact on the erection of the festoons in Kirkwall, Stromness, and St Margaret's Hope.

### **5. Corporate Governance**

This report relates to governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

### **6. Financial Implications**

#### **6.1.**

All costs associated with the erection, dismantling, maintenance and storage of festive decorations, on behalf of various Community Councils and other organisations, are currently met from the Roads revenue budget.

#### **6.2.**

The approved festive lighting budget, within the Roads Revenue budget for financial year 2021/22, is currently set at £37,700.

#### **6.3.**

In facilitating the acquisition of festive lighting for 2021, the equipment can either be purchased directly by the Council and then sold for a nominal sum (or gifted) to the respective Community Council or other organisation, or the Council can elect to support these organisations to purchase the equipment directly themselves. While the accounting treatment to be applied here is yet to be reviewed, the direct purchase of this equipment would ordinarily be progressed through the Road Asset Replacement Programme on the basis that it would be classified as being capital in nature. This means having to follow the Council's capital accounting regime which will be rather cumbersome to administer including, for example, the initial purchase, depreciation and then disposal of the equipment at a loss all to be accounted for in the same financial year.

#### **6.4.**

Alternatively, the Council could simply support the Community Councils with the process of procuring the festive lighting directly themselves and provide them with an additional grant funding contribution towards the additional cost. On the basis that the Council already provides support services to the Community Councils through the Democratic Services team, including the provision of central support services such as procurement and financial services, then this latter option should be relatively straightforward to administer.

#### **6.5.**

As the equipment is intended for use by Community Councils, who are not registered for VAT, care will need to be taken to ensure that VAT is not recovered on these

purchases. This will represent an additional cost for the purchase of this festive lighting.

## **6.6.**

When checking that the Community Councils and other organisations have adequate insurance cover, it will also be important to ensure that they have the relevant liability insurance which covers, for example installation of the lighting (which might be at height), together with public liability insurance for the full duration of the time the lighting is in place, not just for the installation.

## **7. Legal Aspects**

### **7.1.**

Section 90 of the Roads (Scotland) Act 1984 requires that anyone who wishes to fix overhead apparatus over, along or across a road (including associated footways and verges) must first obtain consent from the Council as Roads Authority.

### **7.2.**

Any freestanding features (such as Christmas trees) placed in the public road could be construed as an obstruction under Section 59 of this Act and consent must be obtained prior to installation.

## **8. Contact Officers**

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## **9. Appendices**

Appendix 1: Column Mounted Festive Decoration Policy 2021 to 2026.

Appendix 2: Summary of Festive Lighting Discussions with the Community Groups.



# **Column Mounted Festive Decoration Policy**

**2021 - 2026**

**Interim Executive Director.**

**Environmental, Property and IT Services.**

**[...] 2021. (date of approval)**

## Document Control & Council Approval

<b>Version Number/Date.</b>	<b>Approved by Council.</b>
v1/August 2021.	Environmental, Property and IT Services. ... (date of approval).
<b>Next Update Due.</b>	August 2026.

## Contents

Column Mounted Festive Decoration Policy.....	1
Document Control & Council Approval .....	2
Introduction.....	4
Policy .....	5
Procurement of new decorations.....	5
Permission .....	5
Specification.....	5
Maintenance .....	7
Testing and Inspection .....	7
Storage .....	8
Insurance .....	8
Payment of Electricity.....	8

## **Introduction**

Currently the Council erects, maintains and stores 123 festive decorations on behalf of the several Community Councils in 6 different parishes, as follows:

- 50 in Firth.
- 16 in Holm.
- 11 in Orphir.
- 12 in Sandwick.
- 15 in South Ronaldsay.
- 19 in Stenness.

All costs associated with this have been met from the Roads Revenue Festive Lighting Budget.

The Council no longer provides additional festive decorations: it is the responsibility of the Community Council or Community Association to purchase, erect, maintain and store their own. All decorations erected on the streetlight columns must be approved by the Council's Roads Services. The only cost to the Council is for the electricity supply.

## **Policy**

From 2021 Community Councils and community groups, hereafter referred to as the applicant, will be responsible for all future maintenance, erection and storage of the decorations and associated electrical fittings. Existing decorations will be replaced with new units that meet the appropriate specification. The old decorations will be returned to the relevant Community Council to do so as they wish on the proviso that they are not erected on the road network.

## **Procurement of new decorations**

The Council will facilitate the purchase of new decorations in 2021. There is a selection of decorations available at reasonable cost which includes bracket mounted or column wraps. Roads and Environmental Services will engage with the applicant to determine their preference.

After this initial purchase in 2021, the applicant will be responsible for any future bulk replacement and/or additional lighting at no cost to the Council.

## **Permission**

The applicant will be required to request permission from the Council to erect decorations on street light columns. The following must be supplied to the Council for approval.

1. Number of decorations.
2. Location of decorations.
3. Specification of decorations including but not limited to size, windage, wattage and material.
4. Details of how they will be erected, removed and maintained.
5. Details of public liability insurance.

The Council reserves the right to reject or remove any installation on the network on the grounds of safety.

## **Specification**

### **Siting on column**

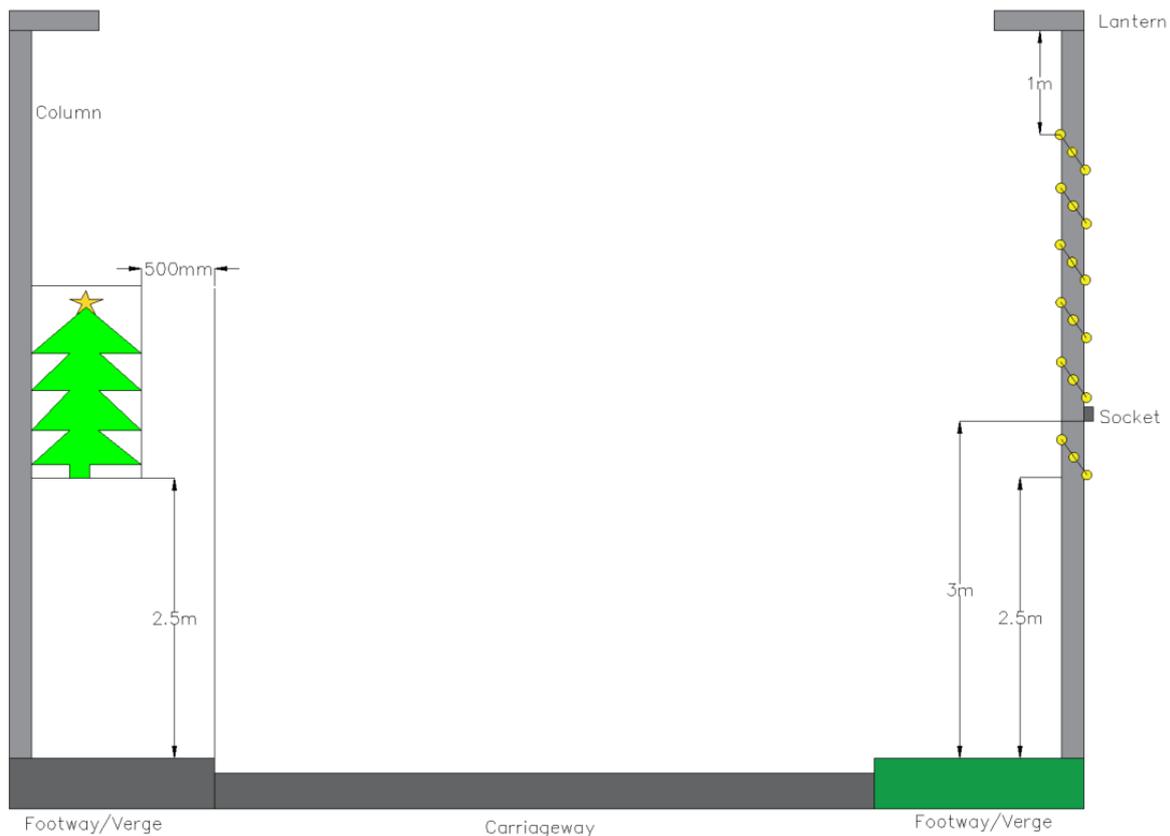
No decorations shall be sited on columns which already support lit road signage or warning sign.

No decoration shall interfere with or obstruct access for structural or cyclic maintenance to any part of the column or lantern.

Decorations must be located at least 1 metre below the Road lantern.

There is no maximum size of decoration however they must be erected at least 500 millimetres from the road edge and be fitted 2.5 metres above the footway.

Decorations should be fitted to the roadside of the column (front). Where this is not possible the decoration may be fitted to the rear of the column.



**Figure 1 - Festive light siting requirements**

### **Windage**

Maximum windages for a 6 metre column is 0.35m<sup>2</sup> and for 8 metre column is 0.25m<sup>2</sup>.

### **Weight**

Decorations must not weigh more than 10 kilograms.

### **Material**

All decorations must be aluminium or galvanised.

### **Electrical Supply**

All electrical supplies must comply with the requirements of the current version of the Institute of Engineering and Technology (IET) Wiring Regulations.

Protective earthing must be maintained and a 30mA Residual Current Device (RCD) shall be installed at the point of origin.

All external electrical sockets must be sited at least 3 metres above the footway/verge.

All parts of the electrical installation must be at least IP66 rated and ensure that no water can ingress into the Streetlight Column.

### **Wattage**

Maximum 55 watt, however this should be reduced where possible.

Rope lights should be LED Platinum, specifically for use on outdoor features with 30 LED per metre, 12 millimetres diameter and 4W/m<sup>2</sup> (Watt per square meter). Various other accessories are required include end caps, glue etc and must be compatible with the LED rope light. The rope light should be one continuous length with as few joints as possible.

### **Supplier**

There is no preferred supplier provided the specification set in this policy is met.

### **Months of use**

Festive Decorations may be in place from 1 November and must be removed as soon as is practicable following the festive period, however no later than 31 January. Works to install lighting may begin before November but they must not be connected until 1 November.

Column wraps are excluded from this provided planning permission has been granted for these to remain in place all year round.

### **Maintenance**

The applicant will be responsible for on-going costs associated with maintenance of decorations and brackets, repairs to rope lights and storage of materials when not in use. They will also be responsible for the replacement of any damaged decoration.

The Council will remove any decorations that are dangerous and recover all reasonable costs associated with removal or repair from the applicant.

Where streetlight columns are replaced, the Council will undertake all works necessary to relocate the decoration and fitting onto the new column at no cost to the applicant.

All works undertaken on the public road must comply with Safety at Street and Road Works: A code of practice 2013.

### **Testing and Inspection**

All installations must be inspected and tested prior to commissioning in accordance with the IET's Guidance Note 3: Inspection and Testing.

Any rope lights left in place over the summer months must be fully inspected prior to the start of the festive period.

All inspection, testing and maintenance must be undertaken by a competent person.

A certificate for the installation must be submitted to the Council prior to fully energizing the decorations.

The Council reserves the right to disconnect and/or remove any decoration which may be deemed a hazard to the public or Council staff.

### **Storage**

The applicant is responsible for the storage of all decorations.

### **Insurance**

The applicant must have the relevant liability insurance which covers the installation of the lighting (which might be at height), along public liability insurance for the full duration of the time the lighting is in place not just for the installation.

### **Payment of Electricity**

The Council will pay for all ongoing cost for the electricity supply.

**Summary of Festive Lighting Discussions with the Community Groups**

<b>Community Council or Organisation</b>	<b>Current Position</b>	<b>Initial consultation response</b>	<b>Meeting held on 6th July 2021</b>
Firth and Stenness  Finstown – Community Council  Stenness – Community Association	OIC erect, maintain and store	The new types of Christmas lighting for the year 2021. What kind will they be? The storage of lights in the foreseeable future from 2021 onwards. Who will be responsible? As some of the lights may have been donated by members of the public what was to happen to them on removal. Can they be redeemed by the donors rather than dumped?	Following further explanation, the proposals were accepted.
Harray and Sandwick (Dounby)	OIC erect, maintain and store	Discussed the costs involved in removing, storing, maintaining and eventually replacing decorations. Asked if it would be possible for communities to have collective storage arrangements. It was agreed that further information would be required.	Following further explanation, the proposals were accepted.
Birsay (Dounby)	OIC erect, maintain and store	Expressed concerns regarding the proposal. Volunteers being able to safely erect and remove decorations, working at height on street lighting columns and undertaking testing and maintenance requirements. Lack of any Community Council owned storage facilities. What actual costs would be involved if this was to be passed on to Community Councils.	Following further explanation, the proposals were accepted.
Orphir – Community Association	OIC erect, maintain and store with CC maintaining additional decorations	No response.	Following further explanation, the proposals were accepted.

<b>Community Council or Organisation</b>	<b>Current Position</b>	<b>Initial consultation response</b>	<b>Meeting held on 6th July 2021</b>
Westray	All maintained by CC	No response.	N/A
Burray Community Association	All maintained by Association	No response.	N/A
South Ronaldsay  Cromarty Hall Committee	OIC erect, maintain and store. Community Council not responsible for	Expressed concerns and reservations over the proposal. Appreciate proposal includes the Council purchasing new decorations and gifting existing decorations. Lack of any Community Council owned storage facilities also, insurance and liability considerations. Community Councils are voluntary bodies, don't have the resources, trained staff, equipment or facilities to take over existing local authority responsibilities that the local authority wishes to relinquish. Understand the financial pressures that the local authority is facing, but this is not unique to just the Council and we question and challenge the nature and timing of this 'quick win' proposal. Not lose sight that the Christmas period is a time for goodwill and giving back to hard working communities. Community Councils must be an integral part of any proposals and decisions as we are not an ancillary service for the local authority to decide to hand over work.	Following further explanation to representative from Cromarty Hall Committee, the proposals were accepted.
Holm	OIC erect, maintain and store	No response.	N/A
St Andrews and Deerness	Looking at options for Toab	The rules should be the same for all communities.	N/A
Kirkwall BID	All maintained by BID	No response.	N/A
Stromness Development Trust	All maintained by the Trust	No response.	N/A