

# **Well – lit Highways**

**Code of Practice for Highway  
Lighting Management**

## **Complementary Guidance**

Well-lit Highways was published in November 2004. Since then, Government Policy in respect to highway lighting has developed and evolved in a number of areas. There have also been a number of changes, including the introduction of new statutory duties on highways authorities.

To assist users of this Code, the Roads Liaison Group has prepared this complementary guidance to advise and direct users to where they may find more up to date information to assist them in implementing best practice and the recommendations of the Code.

Users of the Code should treat this complementary guidance as up to date and having the same status as the Code. Where paragraphs have been amended, they supersede the ones in the Code.

***Last Updated: 7th August 2009***

# Chapter 3

## Provision of the Service

### *Section 3.1 – Legal Powers and Duties*

#### **Paragraph Amended** **7<sup>th</sup> August 2009**

The recent and rapid increases in electrical energy charges have placed additional burdens on Local Authority budgets. It is therefore perhaps not surprising that some Authorities have responded by reducing the period of operation of their highway lighting installations (for example instead of from dusk until dawn to perhaps dusk until midnight and then from 05:00hrs to dawn) or in some cases by switching off parts of the installation completely. Without firm data on the effects this might have on night-time accidents crime the fear of crime and other social and domestic activities the Institution of Lighting Engineers sought to widen the debate by publishing its *Street Lighting – Invest to Save* document. This seeks to consider alternatives to the reduction or removal of street lighting and can be downloaded from: <http://ile.org.uk/uploads/File/Street%20Lighting%20-%20Invest%20to%20Save.pdf>.

Subsequent work funded by the County Surveyors Society, Transport Scotland, SCOTS and TfL resulted in detailed case studies which have been published as free downloads from the TRL website:-  
[http://www.trl.co.uk/online\\_store/reports\\_publications/trl\\_reports/cat\\_traffic\\_engineering/report\\_invest\\_to\\_save\\_sustainable\\_street\\_lighting.htm](http://www.trl.co.uk/online_store/reports_publications/trl_reports/cat_traffic_engineering/report_invest_to_save_sustainable_street_lighting.htm)

#### **New Paragraph** **Added 14<sup>th</sup> May 2009**

The current Code of Practice document refers to the need for Local Authorities to carry out any work on their public lighting installation in a safe and proper manner and makes reference to the *Construction (Design and Management) Regulations 1994* which is a statutory instrument. Local Authorities should be aware that whilst those duties still remain the detail has been up-dated in the revised version of the *Construction (Design and Management) Regulations 2007* guidance information on which can be downloaded from: <http://www.hse.gov.uk/construction/cdm.htm>. The Regulations themselves can be found at the following link: [http://www.opsi.gov.uk/si/si2007/ukSI\\_20070320\\_en\\_1](http://www.opsi.gov.uk/si/si2007/ukSI_20070320_en_1).

#### **Paragraph Amended** **7<sup>th</sup> August 2009**

In England and Wales the Clean Neighbourhoods and Environment Act 2005 applies and Section 102 of the legislation now makes artificial light a potential statutory nuisance. The Act may be downloaded from: [http://www.opsi.gov.uk/acts/acts2005/ukpga\\_20050016\\_en\\_11](http://www.opsi.gov.uk/acts/acts2005/ukpga_20050016_en_11) In England and Wales street lighting is not specifically exempt from the legislation, but it is unlikely to qualify as a statutory nuisance as generally speaking it is not found on 'premises'.

In Scotland the Public Health etc (Scotland) Act 2008 now applies. The Act may be downloaded from:  
[http://www.opsi.gov.uk/legislation/scotland/acts2008/asp\\_20080005\\_en\\_1](http://www.opsi.gov.uk/legislation/scotland/acts2008/asp_20080005_en_1) In Scotland street lighting is more exposed to complaint of statutory nuisance, as in addition to defining 'premises' as a source of potential statutory nuisance the Scottish Act also includes artificial light from 'any stationary object'.

Guidance documents have been published by:

DEFRA

<http://www.defra.gov.uk/environment/localenv/legislation/cnea/statnuisance.pdf>  
in relation to the situation in England and Wales,

and by the Scottish Government

<http://www.scotland.gov.uk/Publications/2009/01/23142152/0> in relation to Scotland.

Guidance on general best practice and recommendations from the Institution of Lighting Engineers website:

<http://www.ile.org.uk/index.php?page=environmental>

**New Paragraph**  
**Added 14th May 2009**

Local Authorities should be aware that under the *Conservation (Natural Habitats &c) Regulations 1994* and as amended in 2007 European Protected Species of plants and animals receive protection. The Act may be downloaded from:

[http://www.opsi.gov.uk/si/si2007/pdf/uksi\\_20071843\\_en.pdf](http://www.opsi.gov.uk/si/si2007/pdf/uksi_20071843_en.pdf).

One such protected species on which artificial light can have adverse effects is bats and so care needs to be taken not to disturb the animals themselves or their roosts and habitats. Guidance from the Bat Conservation Trust in conjunction with the Institution of Lighting Engineers may be found at the link below.

<http://www.ile.org.uk/uploads/File/Technical/BATS%20AND%20LIGHTING%20IN%20THE%20UK%20-%202007%20version.pdf>

**New Paragraph**  
**Added 14th May 2009**

Guidance for Local Authorities regarding their general duties relating to network management including enforcement of network management duties the maintenance of records and information (eg including records and locations of apparatus) and the duty to inspect records etc can be found in the *Traffic Management Act 2004* document which can be downloaded from the following web address.

[http://www.opsi.gov.uk/acts/acts2004/ukpga\\_20040018\\_en\\_1](http://www.opsi.gov.uk/acts/acts2004/ukpga_20040018_en_1)

## **Section 3.2 - Policy**

### **New Paragraph Added 14th May 2009**

The Institution of Lighting Engineers (ILE) is the UK's largest and most influential professional lighting association and as such is able to offer useful advice and considerable guidance on lighting matters to Local Authorities and other interested parties. Such information could prove useful to Local Authorities in assisting for example in the formulation of their policies regarding lighting and the environment and lighting and energy. Examples of such guidance can be downloaded from the following web addresses.

<http://www.ile.org.uk/index.php?page=technical-2>

<http://www.ile.org.uk/index.php?page=environmental>

<http://ile.org.uk/uploads/File/Street%20Lighting%20-%20Invest%20to%20Save.pdf>

### **New Paragraph Added 14th May 2009**

The National Joint Utilities Group publication *NJUG 10* is now identified as Volume 4: *NJUG Guidelines For The Planning Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook* and was published in November 2007. In addition BS 3998 *Recommendations for Tree work* gives general guidance on working with trees including legislative controls. Both of these documents may prove useful when the foundations of any lighting equipment might conflict with the roots of a tree or indeed where a tree might conflict with column-mounted lighting. The NJUG document can be downloaded from the following web address.

<http://www.njug.org.uk/publication/52>

# Chapter 5

## Reactive Maintenance

### *Section 5.2 – Monitoring for inoperative lighting*

***New Paragraph  
Added 14th May 2009***

To ensure the designed service is delivered as continuously as possible the Code requires that provisions are put in place to identify on a regular basis equipment not working as planned so that faults may be promptly rectified. One method mentioned for achieving this is remote monitoring. Further information may be obtained from the ILE publication GP05 *Appraising the use of Remote Monitoring and Switching Technology in Street Lighting Services*. Details of this publication may be found at the following web address.

<http://pearsaa1.memset.net/~ileshop/index.php?cPath=21&osCsid=66bd60f92cbd15fe59d3870b0a14ebf8>

# Appendix J

## Lighting Column Structural Condition

**New Paragraph**  
**Added 14th May 2009**

Local Authorities may find benefit in considering the Institution of Lighting Engineers technical report publication TR 22 *Managing a Vital Asset: Lighting Supports* the third edition of which was published in 2007. This aims to provide guidance in the management of lighting supports by the creation of strong management cycles consistent condition assessments and the application of a risk assessment strategy. Details of the document can be downloaded from:

[http://pearsaa1.memset.net/~ileshop/product\\_info.php?cPath=22&products\\_id=43&osCsid=8a503d694b9b85d61ce0bd6e55726bf4](http://pearsaa1.memset.net/~ileshop/product_info.php?cPath=22&products_id=43&osCsid=8a503d694b9b85d61ce0bd6e55726bf4).

See also their publication *Street Lighting: Protecting a Vital Asset* at the following link. [http://www.ile.org.uk/uploads/File/09\\_streetlighting.pdf](http://www.ile.org.uk/uploads/File/09_streetlighting.pdf)