

**FESTIVE DISPLAY POLICY
& APPLICATION CRITERIA
2023**

INTRODUCTION

Policy Objective

Wirral Council supports for the provision of festive displays in the borough, both to encourage community and commercial activity in our town and villages centres during the festive season.

Section 178 of the Highways Act 1980 enables the Highway Authority (Wirral Council) to control the erection of apparatus on or over the highway, including seasonal decorations, by way of a permit. This policy sets out how consent can be obtained, the standards that must be met and the general conditions that will apply for any prospective organisers looking to install festive displays within the public highway in Wirral.

Guidance Notes for Festive Display Organisers and Contractors

General

No decorations, cables, supports or other attachments are to be fitted to Wirral Council apparatus (e.g. lighting columns) without the prior written consent of the Council. Such consent will be in the form of a permit following a successful application.

A new application will be submitted each year containing all required information. Previous organisers should not use a duplicate or copy of a previous application as this may result in refusal or delay of your application.

In certain cases, the Council may grant a permit for up to three years for established and experienced festive display organisers, subject to specific terms and conditions (e.g. annual submission of electrical testing and integrity reports) and **no change** to the festive display installation over the permit period. Organisers will have to tick this option on their application.

All associated costs for the equipment purchase, installation/erection, maintenance, and removal of approved displays and/or plant, equipment and Traffic Management requirements are the sole responsibility of the festive display organiser. Wirral Council will not be obliged to reimburse any cost element for any display. Any costs incurred by Wirral Council due to non-compliance of our permit conditions will be recharged to the display organiser.

Operating Costs and Supply

Wirral Council will meet 50% the cost of energy associated with organised festive displays. Festive display organisers will be responsible for the other 50% of the energy costs associated with their displays.

Energy costs will be calculated using the information submitted by the applicant on the equipment to be installed during that season and the operating period, days and hours for each display. A total kilowatt hour (KWh) usage will be determined for each display and this will be multiplied by the Council's current per unit energy cost. 50% of this will then be charged to the display organisers. Approved application permits will not be released before this payment has been made in full.

Payments will be accepted online using the Council's 'Make a Payment' function, made for a 'Highway Permit'. [Make a payment | wirral.gov.uk](https://www.wirral.gov.uk)

Wirral Council may have to install a termination unit within the column to accommodate controls for additional supplies (this is a chargeable service).

Contingency

It is the sole responsibility of the organiser to secure sufficient contingent budget so as to address any unforeseen risks or issues. For example, any remedial work due to failed installations or health and safety risks.

Wirral Council will not be responsible for any cost relating to the display and, in any event where the Council has no choice but to intervene, all costs will be recharged to the display organiser.

Operating Period

All displays shall be **installed no earlier than the first week of October** and energised **no earlier than the last weekend of November**. Displays are to be **de-energised by the second week of January** and completely removed from Council property **no later than the second week of February** (at the organisers expense). Leaving any fixings or structures of the festive display up throughout the year is not permitted.

Where practicable, organisers should ensure displays will not be energised during the day (“day burn”). The Council considers the use of smart technology that allows for displays to be switched off during the day as best practice.

Failure to adhere to this operational period and guidance may result in Council intervention with any costs incurred recharged to the display organiser. Where displays have to be removed by the Council, they will be retained in storage and only made available for collection once the cost of this work has been met by the display organiser.

Fixings and Attachments

- No attachments are to be made to any bracket arm or extension fitted to a lighting column
- Holes must not be drilled into any lighting columns
- The Organiser will be held responsible for any damage to the painted finish or galvanising of lighting columns
- No overhead spans above the highway are to be used without the prior written consent of the Council. Such consent will be in the form of a permit.
 - Applications to use a new overhead span or an existing overhead span must be supported by appropriate test/examination certificates for each anchorage point.

Where a permit is granted to use the street-lighting electrical supply, this shall only be done by connecting a 16A “Commando” plug into an existing matching socket on a column. The connection shall only be used to supply the single festive feature mounted on that column. The use of adaptors or other arrangements to supply any light or feature other than that on the supporting column is strictly prohibited. If no existing socket is available, the organiser may request, through the application, additional sockets to be installed. If approved, the Council will use their own supplier to install the socket (this is a chargeable service).

Size of Displays

Due to the increase in number of festive display organisations and installations, the Council will limit the size and scale of festive displays under this policy.

The baseline for this limit will be the organisations previous years application. This means display organisers cannot add any additional installations above and beyond their previous application.

For new organisations or festive displays in new locations, the Council will make a reasonable and proportionate judgement on the size of the display within that application based on multiple factors, including:

- Organisers history and experience
- Size of the display in context to the location, setting and its environment
- Health and safety
- Risk management
- Existing street lighting infrastructure, and
- Available resource and capacity to administer, inspect, manage and enforce the festive display

Safe Clearances

No decoration or support shall project over the road or within 0.5 metres of the kerb and at a height of less than 5.8 metres above the road surface. At least 2.5 metres headroom shall be maintained over any pedestrian area.

Pedestrian areas that are accessed by emergency services or delivery vehicles shall maintain a clearance of 5.8 metres above the road surface.

Electrical Requirements

It is a legal requirement that everyone undertaking electrical work is competent to undertake the works required and does not cause any danger to themselves or others. If you employ staff (including contractors) to carry out works beyond their level of knowledge and expertise, then you may be liable for any damage or danger that occurs as a result.

Only suitably qualified persons shall be allowed to remove the access covers from lighting columns for the purpose of operating the Double Pole Isolator in the base compartment.

The maximum rating of BS88 fuse to be fitted in the fuse way protecting the decoration socket is 6 Amp. The removal or insertion of the main fuse from the cut-out shall only be carried out by a Competent Person having the correct level of G39/1 authorisation (Scottish Power ERG39 Certificate).

Where the Contractor does not have persons approved to the correct level of G39/1, the removal or insertion of the main fuse from the cut-out shall only be carried out by the Council's lighting team. The cost of this work will be charged to the Organiser.

Electrical supplies shall only be taken from the external socket IP66 socket provided.

Within 5 working days of the festive displays being energised a copy of the Electrical Test Certificate or Portable Appliance Test (PAT) for each circuit from each socket shall be sent to the Council at festivedisplays@wirral.gov.uk. This is the responsibility of the display organiser.

Insurance

Any organisers of festive displays within the public highway must indemnify Wirral Council against any claim for loss, injury or damage whether to persons or property or both in any way caused by or connected with their installation. Any applicant must demonstrate evidence of insurance cover against third party claims to give cover up to £5,000,000 for the above purpose.

Maintenance Requirements

Organisers of festive displays must maintain their decorations in good repair at their own expense.

Organisers must also arrange for a daily visual inspection of their decorations to ensure that they are safe and have not been damaged. A log must be kept of these inspections, a copy of which can be requested at any time from the Council.

Organisers must ensure that adequate “Competent Persons” are available at all times for Emergency attendance within two hours of being requested.

The Council reserves the right to disconnect and remove any or all equipment that is considered to be unsafe or dangerous. The cost of this work will be recharged to the organiser.

The Council will not accept any responsibility for vandalism or accidental damage. If the Council have no choice but to intervene and remove any installations as a result of damage or an act of vandalism, the Council will make every effort to recover any decorations attached but will not be responsible for any loss or damage. The cost of this will be recharged to the organiser.

Traffic Management

The Contractor must provide, install and maintain Traffic Management at their own expense to comply with the requirements of the Traffic Signs Manual 2009 – Chapter 8 “Traffic Safety Measures and Signs for Road works and Temporary Situations”

The Contractor shall equip all vehicles employed on the installation, maintenance and removal of decorations with amber flashing lights in accordance with Section 05.3 of the Traffic Signs Manual – Chapter 8

Staff engaged in installation maintenance and removal of decorations must at all times wear high visibility clothing yellow, fluorescent retro reflective clothing complying with BS EN 471 (Class A, Appendix G minimum)

No placing or removal of cones and/or obstruction of two-way traffic flow will be permitted Monday to Saturday from 07.30 to 9.30 & from 16.30 to 18.30.

Health & Safety

We follow guidance from the Institution of Lighting Professionals when assessing your application to install Christmas lighting or decoration(s).

You must comply with the Construction (Design and Management) Regulations issued by the Health and Safety Executive.

Non-compliance

Non-compliance with any aspect this policy and the terms of a permit, including the payment of any incurred costs to the Council, may result in a termination of the current permit or the refusal of any future applications by the operator.

APPLICATION PROCESS

Application Form

Process

The Council will not contact previous organisers directly ahead of the festive display period for the purpose of completing an application. Any prospective organisers of festive displays in Wirral can either download an application form from the Council's website or email a request for an application form to festivedisplays@wirral.gov.uk.

Application forms will only be accepted in digital format and must be returned to festivedisplays@wirral.gov.uk by the **31st August or the next working day if this falls on a non-working day**.

All application forms must be completed with the correct information as required within the guidance and this policy. Those which are not accepted will not be granted a permit to operate.

A decision on all applications and cost will be made and communicated no later than the **30th September or the next working day if this falls on a non-working day**. Permits will be issued once a payment for 50% energy costs has been completed.

Under this policy, the approval of one application does not set a precedent for others and cannot be compared like for like. All applications will be assessed on their own merit and on a case-by-case basis in line with this policy.

A process map has been provided in **Figure 1**

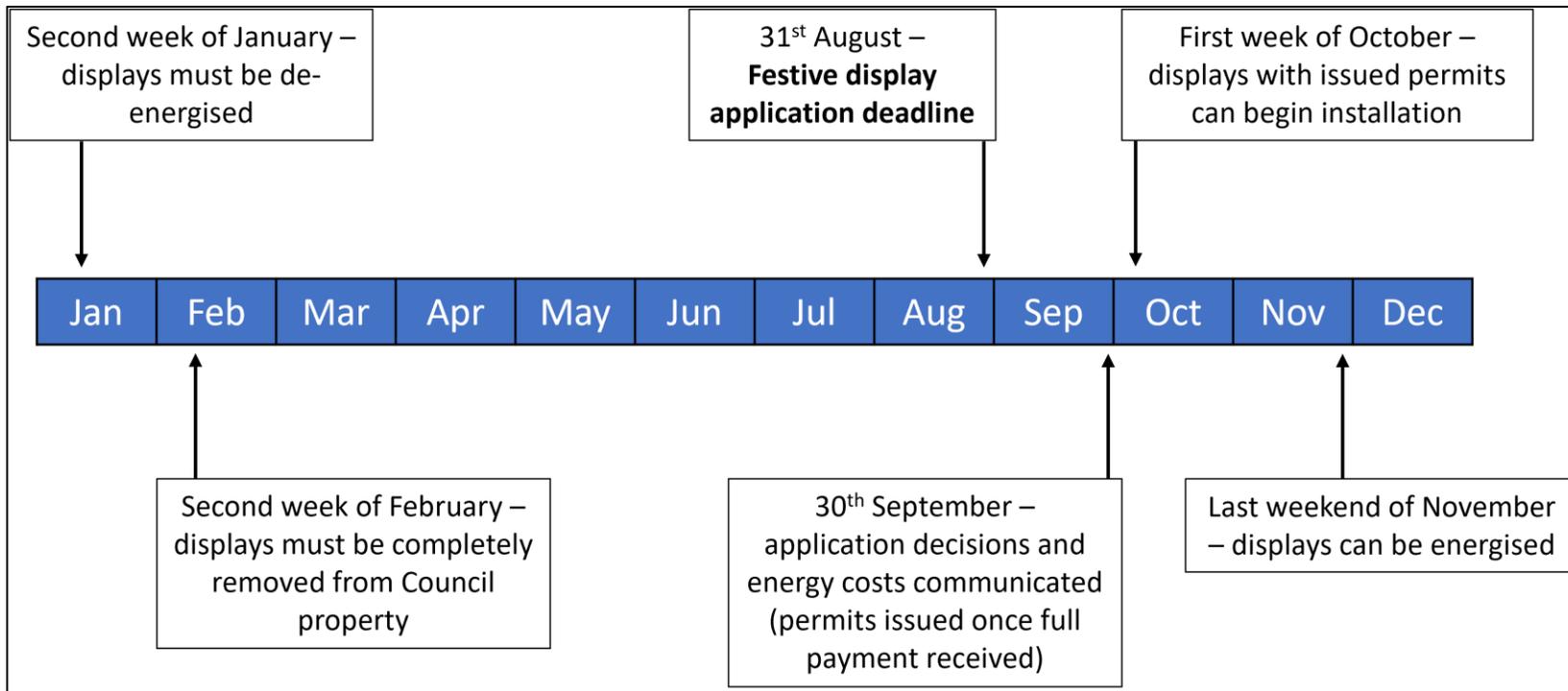


Figure 1: Festive Displays application and operational timeline

Summary of Information Requirements

The below provides a summary of information required as part of the application process.

Part 1 – Contact Information

- Contact Details of display Organiser: Address, phone number and 24-hour emergency contact details.
- Contact Details of display Contractor: Address, phone number and 24-hour emergency contact details.

Part 2 – General Requirements

- 2(1) Copy of public liability insurance certificate
- 2(2) Contractor’s Method Statement and Risk assessments
- 2(3) Completed Part 5 SEASONAL DECORATIONS SCHEDULE
- 2(4) Provide details as a supplement to Part 5 SEASONAL DECORATIONS SCHEDULE. If no tree lights, then mark N/A.
- 2(5) Provide details and certificates as a supplement to Part 5 SEASONAL DECORATIONS SCHEDULE. If no overhead spans, then mark N/A.

Part 3 – Electrical Requirements

- 3(2) Provide list of operatives and evidence of their competency E.g., Electrician Registration Card, MEWP Operator Certificate, Chapter 8 Training Certificate
- 3(4) If part 3-3 ‘Is the Contractor G39 approved’ has been answered Yes then copy of approval certificate for each individual is required.

Part 5 – Seasonal Decorations Schedule of Equipment

- 5(1) Give name of street on which the streetlight is located
- 5(2) Give the individual column number onto which the decorations are attached. This number should be marked on the front of the columns in a yellow square. If number not visible the closest property number or landmark shall be given.
- 5(3) Give number of features to be attached to each individual streetlight
- 5(4) Provide weight of each feature. This information will be available from the manufacturer's catalogue (for rope lights coiled around columns this can be considered as zero.)
- 5(5) Provide windage details for each feature. This information will be available from the manufacturer's catalogue (for rope lights coiled around columns this can be considered as zero.)
- 5(6) Provide details of fixing method for each feature i.e. clamps, tie-wraps etc. used to attach the features to lighting columns
- 5(7) Provide details of power consumed by each feature. This information will be available from the manufacturer's catalogue.
- **5 Tree mounted decorations:** Location of tree, is it existing or temporary, if temporary, give installation method. Location of power supply source. What is electrical load.
- **5 Overhead Spans:** Location of spans, number of fixing points, test certificate numbers, electrical load. Location of power supply source.