

Public Report
Delegated Officer Decision

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 01 July 2026

Report Title

Memorandum of Understanding with Parish and Town Councils for fixing of Hanging baskets and other attachments on lamp columns.

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Executive Director Approving Submission of the Report

Andrew Bramidge, Executive Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

Attachments to street lighting columns can affect structural integrity and, where not properly assessed, may increase the risk of failure. Any request for installation of attachments should therefore be submitted to the street lighting team for consideration.

Recommendations

1. To approve the Council entering into a memorandum of understanding with parish and town councils to enable the installation of hanging baskets (and other attachments) on Council owned lighting columns, subject to mandatory structural inspection.

List of Appendices Included

CIA 653 - Attachments to Street Lighting Columns MoU

Part A - Initial Equality screening Assessment form MOU attachments

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Council Approval Required

No

Exempt from the Press and Public

No

Memorandum of Understanding with Parish and Town Councils for fixing of Hanging baskets and other attachments on lamp columns.

1. Background

- 1.1 Historically, attachments such as CCTV cameras, Vehicle Activated Signs, Automatic Number Plate Recognition Cameras, Christmas Illuminations and hanging baskets have been attached to street lighting columns both with and without permission of the Highway Authority.
- 1.2 The Institute for Lighting Professionals (ILP) has identified that attachments can affect the structural integrity of lighting columns and issued revised guidance in 2020/21. In March 2024, the street lighting team updated Parish Councils on the need to submit a Memorandum of Understanding setting out what may be attached to lighting columns and any applicable restrictions.
- 1.4 Other Local Authorities have introduced application and licensing processes to manage attachments to street lighting and street furniture. Subsequent network discussions confirmed the importance of structural testing for steel lighting columns before additional fixtures are approved. The street lighting team attended a Parish Council Network meeting on 11 March 2026 to discuss these concerns with Parish Council representatives.
- 1.5 The Council publishes The Code of Practice for Highway Inspection and Assessment, and this is reviewed on an annual basis. A copy of the Code of Practice can be found at:-
www.rotherham.gov.uk/downloads/file/3390/highway-inspection-code-of-practice.
- 1.3 At Full Council on 22 April 2026, Members agreed a motion requesting that the Council review the barriers affecting the use of lighting columns for hanging baskets and other community attachments. The motion recognised the value that parish and town councils and community groups place on local floral displays, while also requiring the Council to identify a safe and practical approach that protects the public and the highway asset. That work remains ongoing and the services are fully engaged.

2. Key Issues

- 2.1 Not all steel street lighting columns can carry attachments. In a recent pilot for Christmas decorations, 30 columns were tested and 13 were found to be unsuitable.
- 2.2 Permission must be sought from the Council before any attachment is fixed to a steel streetlight.
- 2.3 Concrete lighting columns will not be approved for attachments.
- 2.4 Anyone applying to attach items to a streetlight must provide: -
 - Public liability insurance to £5 million for any one event
 - Evidence of competency for each person who will carry out work on the highway/streetlight

- Site specific risk assessments and method statements including fixing details.
- Structural test reports for the streetlights that are requested to be used

2.5 For Christmas decorations, applicants must also provide the proposed installation and removal dates.

All attachments requiring an electrical supply must be inspected and tested before being commissioned and the electrical test documentation submitted

2.6 Structural testing

- A specialist company can be employed to apply loadings applicable to specific sizes of attachment and prove that columns are structurally sound to enable the attachment to be applied.
- The engineer's completed and signed documentation must be provided before proceeding with any attachment. The capital costs of testing and associated works are to be met by the organisation requesting the attachments.
- Attachments to hinged columns are not permitted as they can cause interference with the lowering mechanism presenting possible health and safety concerns for operatives.

2.7 Permission will not be granted in any of the following circumstances:

- Where the attachment relates to any form of advertising.
- Attachments that obstruct or distract from a traffic signal or highway sign.
- Attachments to concrete lighting columns.

3. Options considered and recommended proposal

3.1 That the Council refuses attachments to street lighting columns but recognises that this is not working collaboratively with Parish and Town Councils.

3.2 That attachments are allowed without structural testing. This is a risk to users of the highway should any street lighting columns fail due to added load on the units. This would place any liability on RMBC and Parish / Town Councils.

3.3 That approval is given to the Council entering into a memorandum of understanding with parish and town councils to enable the installation of hanging baskets (and other attachments) on Council owned lighting columns, subject to mandatory structural inspection. The original position of the Council was to pass on all testing costs to the Parish and Town Council, however the recommended option for funding is that the Council will cover 75% of these costs, with Parish or Town Councils covering the remaining 25% of costs. For future inspections, the Council will split the costs equally between the Parish/Town Councils and itself for 2027/28 and will be reviewed thereafter. A procurement exercise is currently being carried out and indications are that it would cost £70 per test. Approximately 1,000

columns will require testing. The procurement exercise will put a ceiling of £100,000 on the contract.

4. Consultation on proposal

- 4.1 Cabinet Member for Highways will be consulted on the proposal.
- 4.2 Cabinet Member for Communities will be consulted on the proposal.

5. Timetable and Accountability for Implementing this Decision

- 5.1 To be implemented as soon as possible following approval of the ODR
- 5.2 The street lighting team and Clerks to Parish Councils and Town Councils will be accountable for submitting and reviewing the memorandums of understanding

6. Financial and Procurement Advice and Implications

- 6.1 Procurement - There are no direct procurement implications associated with the recommendations detailed in this report relating to the agreement of the MOU. Where the Council engages a specialist company to undertake the structural testing, they must be procured in compliance with relevant procurement legislation – the Procurement Act 2023 as well as the Council's own Financial and Procurement Procedure Rules.
- 6.2 This proposal would introduce an agreement between the Council and Town or Parish Councils about attaching items, such as hanging baskets, to street lighting columns. Before any attachment can be approved, the lighting column must be checked to make sure it is safe. The inspections are expected to cost around £70 per column. For the first inspection, the Council would pay 75% of the cost and the Town or Parish Council would pay 25%. Future inspections, which are needed every three years, would be shared equally between both parties.
- 6.3 Around 1,000 lighting columns may need to be tested. At present, there is no specific budget set aside for this work. The estimated cost of £70 per column may also change once the Council completes the formal process to appoint a contractor.
- 6.4 This is a new fee which wasn't included as part of the annual Budget and Council Tax Report and therefore hasn't been approved by full Council. The fee will need to be formally included and approved as part of the 2027/28 budget process. This fee should be charged in advance to ensure compliance with the Council's financial regulations.

7. Legal Advice and Implications

- 7.1 Legal advice has been provided around the preferred option of using an application and licence approach in order to protect the interests of RMBC.

7.2 The preferred option is to use a Memorandum of Understanding (MOU), the legal implication of using an MOU is that it is not intended to be legally binding, leaving RMBC exposed to risk.

7.3 The response is that Council has taken a view that the MOU is the preferred method of engaging with the Parish Councils rather than using permits in accordance with the HA1980 and that the Service is comfortable the approvals process allows attachments to be managed in this nonlegal process but that they will have conditions and requirements both parties can agree to.

Further that all attachments must be "authorised" following the correct structural testing which then allows the Council to give permission for the Parish Council's to attach their hanging baskets or Christmas Decorations in a safe manner. However, if the attachment needs to be removed the Council would do so if it is not approved or is unsafe or remains longer than agreed in the MOU. Therefore, the Service believes that the risk to the Council in these instances is very small and they can react very quickly to remove.

7.4 In light of the above it should still be noted that an MOU is a non-legally binding document that does not protect RMBC from any risk associated with it.

8. Human Resources Advice and Implications

8.1 No HR Implications

9. Implications for Children and Young People and Vulnerable Adults

9.1 None

10. Equalities and Human Rights Advice and Implications

10.1 Initial Equality screening Assessment form completed

11. Implications for CO2 Emissions and Climate Change

11.1 Climate Impact Assessment completed by Arthur King

12. Implications for Partners

12.1 None

13. Risks and Mitigation

13.1 None

14. Accountable Officers

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