

**Decision Session – Executive Member for
Transport**

21 June 2022

Report of the Director of Environment Transport & Planning

High Petergate Ornate Cast Iron Street Lighting Column

Summary

1. This report seeks a decision whether to repair or replace a historic lamp column that has been damaged by vehicle collision.
2. The cost of repair is significantly higher than replacement. The cost would be claimed from the driver's insurance company there is no guarantee that the full cost would be recovered.
3. Therefore repair is discretionary spend and is considered a member decision.
4. The options of repair or replace are explored in detail in the report.

Recommendations

5. The Executive Member is asked to:

Approve Option B2 is to repair the existing last remaining cast column. Cast columns are more likely to crack and fall so this option relocates the column a few metres away and protects it with bollards to reduce the risk of a vehicle strike in the future.

Reasons:

Street Lighting Officers would normally replace with a tubular steel column which is less likely to collapse, however it would result in the loss of a unique heritage asset, for this reason repair is recommended.

Street Lighting Officers would not recommend just repair in the exact same location due to the risk of future vehicle strikes, so have developed an option which moves the column a few metres and with protection of some bollards reduces the risk of it being hit by a vehicle in the future.

Background

6. A cast iron ornate streetlight in High Petergate/Minster Gates was unfortunately knocked down by an HGV wagon whilst loading/unloading in the city centre. It has highlighted the fact this is the last remaining historical cast ornate columns of this nature in York city centre possibly even the wider York area, certainly at this height and with the type of scroll bracketry incorporated into the column make up.(see photos in Annex A)
7. It is a cast iron ornate streetlight highlighting a part of the city's historical past, and its location is well photographed because the Minster forms a backdrop.
8. As part of York's history, officers have been lobbied and there is a desire to repair rather than replace this particular streetlight. See Annex B for an example.
9. We will seek reimbursement through the driver's insurance company for the costs incurred.
10. We always replace damaged columns prior to the settlement of a claim as they can take time and to avoid disruption as regards illumination of the highway, as we have a duty of care to maintain our assets. This includes illumination levels.
11. There is a serious ongoing risk of vulnerability to collapse because of where this column is sited and its construction (cast). Modern steel columns are more likely to bend if hit by a vehicle, whereas cast ones crack and are more likely to collapse to the ground. However, cast columns are less likely to fail below ground, but steel columns can be tested on an ongoing basis for structural integrity whereas cast ones cannot.
12. The table below explains the way we test our columns

Material Steel	Testing Easy to structural test - with Ultrasonic & Eddy Current (without
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	ornate furniture) although are more difficult to test when ornate furniture i.e. embellishments are at the base or shoulder area
Aluminium/Stainless Steel	No testing possible below ground with Eddy Current
Cast	No testing below ground with Eddy Current & No Ultrasonic testing due to its coarse grain - its structure limits sound wave technology - carry out Visual Examination only.

13. This is not a new issue, following the collapse of a cast column on Monkgate several years ago a number of cast columns were removed on Monkgate, Bootham, Clifton and Skeldergate.
14. This has raised a public safety concern. The risk of a future vehicle could be mitigated somewhat with the placement of bollards but would be more clutter directly outside the Minster.

Consultation

15. Since the accident there have been comments on the need to repair this column both in the press and on social media.
16. Consultation has taken place with the council conservation officers and their views are set out in their report, attached at Annex C.
17. The Civic Trust and Councillors are aware of the incident and nature of the column in High Petergate. The fact we are, as a city, applying for creative cities (UNESCO) has been raised as a reason to endeavour to do our utmost to keep this particular streetlight in its current form after a suitable and comprehensive repair.

Options

18. The options are to repair the existing lamp column or replace it with a modern steel tube with the historic embellishments.

Option A

A replacement 8 metre tubular steel PPA coated black ornate replica column with new LED ornate lantern but in keeping with the rest of Deangate / Museum Street and Duncombe place See picture in Annex D

Option B

A repair of the existing damaged 8 metre cast ornate column after repair from specialist company. Detail of Repair can be found in Annex E1 and E2

Option B2

A repair of the existing damaged 8 metre cast ornate column after repair from specialist company and a relocation of a few metres to reduce the likelihood of the repaired column being hit.

Analysis of Options

19. Advantages of option A:

- Likely that the full cost will be recovered from the driver's insurance company
- From a public safety perspective the construction of tubular steel columns are less likely to collapse to the floor in the way the existing cast column did on being struck by a vehicle.
- Ongoing structural testing regimes can be in place (including below ground) as they are at present (for steel columns) which ensures compliance with national guidance maintaining a vital asset, and gives confidence in the fact they will be highlighted as unsafe before they were ever likely to collapse.
- Risk reduction in line with our responsibilities as an authority to keep our residents and general public safe.
- Can continue to power the Christmas lights, carry wifi units and, potentially, CCTV

20. Dis-advantages of option A:

- Loss of heritage within the city and wider centre and the opportunity of retaining historical artefacts that are part of York's history.

21. Advantages of option B:

- Retention of the heritage and culture which is part of the City of York's history, this location is near The Minster a key tourist attraction.
- There is a reputational risk if this column is not retained as regards the potential loss of part of York's heritage and history. This has been highlighted by some public opinion since the incident as regards concerns over the columns possible replacement with other options.
- The quality of the repair can be checked with an MPI (magnetic particle inspection) test after the proposed repair giving structural assurances prior to re-install that the repair is sound.

22. Dis-advantages of option B :

- Risk of not recovering all costs from driver's insurance company and therefore revenue budgets would have to pick up any shortfall.
- From a public safety perspective this has highlighted a risk of a future vehicle collision and a cracked column that need not be there with replacement such as option A or could be reduced with option B2.
- As a cast iron column on advice from our structural testing company they cannot undertake ongoing structural tests, it can only be visually inspected.
- Officer advice is to remove the Christmas lights link and wifi as they place stresses on a cast column.

Option B2

23. Advantages of option B2 :

- As per option B,
- But a slight relocation move it back slightly (1.5 or 2 metres) into the side street to the minster and try and protect with cast low level bollards at the kerbside.

24. Dis-advantages of option B2:

- As per option B
- This light is actually designed to illuminate High Petergate and if we move it too far back there will be a distinct black spot as regards illumination on High Petergate at this location and fulfil the street lighting function intended.
- The cost of the bollards could not be recovered from the insurance company.

25. Due to the risk Officers do not recommend option B. Options A and B2 are recommended to the Executive Member who must weigh up the risk of a future collapse against the loss of historical heritage. However, it is worth noting that this question has only arisen due to the vehicle collision and therefore the risk would have been carried for the foreseeable future if the collision had not occurred.

Council Plan

26. The Council Plan has eight key core outcomes. Safe communities and culture for all is one of these.

27. The primary purpose of the Street Lighting regime is one of safe communities.

28. However, this decision is finely balanced. Option A to install a modern replica reduces the risk of the column falling on someone in the future and continues the street lighting in the optimal position but loses the cultural historical heritage.

29. Option B2 seeks to retain the cultural and historical heritage and, whilst the risk of a future collision and collapse is mitigated in this option, the risk remains.

Implications

- **Financial**

The estimated cost of repair versus replacement is detailed in the table below.

Cost of Option A Ornate Replacement Replica	Cost £'000
Initial costs of call out	1.3
Replacement with Ornate Tubular Steel replica column	5.1
Replacement/reconnection and reinstall costs	3.4
TOTAL	9.8

Cost of Option B2 Repair	Cost
Initial costs of call out:	1.3
Total refurb/repair costs via specialist provider	26.2
Replacement/reconnection and reinstall costs	4.4
Bollards	1.1
TOTAL	33

The costs of repair are significantly higher than the cost of replacement due to the material of the damaged column. The costs of repair should be funded from the driver's insurance company however there is always a risk on reimbursement if the columns is repaired / replaced prior to arrangements being finalised with the insurer. If there is any shortfall from the insurance claim, there potentially will be costs that will be covered from the council street lighting maintenance budget.

- **Human Resources (HR)**

There will be no implication as regards any HR issues.

- **Equalities**

The Council needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a

relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

A full EIA has not been undertaken at this point. It is felt that Option A if chosen is unlikely to have any equality implications, but Option B2 if chosen would reduce street lighting and has the potential to affect people with a protected characteristic to feel less safe. If Option B2 is approved, then A full Equality Impact Assessment in due course.

- **Legal**

The Council has a legal obligation to maintain its existing highway assets and that will be more difficult to justify outside a regime of Structural testing on street lighting assets, to ensure a risk based approach in line with national guidance maintaining a vital asset. Although this is a guidance document on the management of lighting supports through condition assessments (structural), it supports a risk assessment based strategy which most if not all authorities try to adhere to.

See below extract from conservation officer report Annex C.

Legal & policy context: *In exercising planning functions within conservation areas the local planning authority has a general duty to pay special attention to the desirability of preserving and enhancing the character or appearance of the area (s.72 of the Planning (Conservation Areas and Listed Buildings) Act); and to have special regard to the desirability of preserving the setting of listed buildings (s.66). It should be noted that these legal duties are not applicable in this instance because the erection of a lamppost does not require planning permission, but the local authority should consider the wider regulatory framework for development in the management of the streetscape in this sensitive location.*

- **Crime and Disorder**

This shouldn't create an increased risk of crime as the city centre is well illuminated and this one column should not put this area at any unreasonable risk prior to replacement because of any lack of illumination.

- **Conservation**

Again the implications from a conservation perspective are well documented in the attached document in Background papers.

- **Property**

This incident luckily did not involve private property damages from the column collapse, just public and utility company assets.

If the column is reinstalled in its current form and another incident occurs this may not be the scenario on the next occasion. Although Option B2 with protection to deter vehicle access to this column it would alleviate the risk somewhat.

Risk Management

We have explored a temporary solution of lighting and then awaiting the outcome of the insurance claim, but it would be highly unusual to speculatively try and recover costs through insurance in this way.

The risk of a repaired cast column can be mitigated with the testing of the repair during the process.

However, a cast column carries an ongoing risk. The combined weight and construction (cast) of the column in a high pedestrianised area with traffic access, in particular to HGVs, is a concern for public safety in the event of a reoccurrence of an impact. This risk has been mitigated in option B2 by relocating the column but the residual risk remains as it can't be tested or seen below ground as regards condition. There is a slight increased risk to the public should the post be repaired rather than replaced in a new location and protected by bollards.

There remains a Financial risk in that the full costs may not be recoverable from the third party insurers this risk being greater should the post be repaired and refurbished

Reputational risk – This is really if the post is replaced given the focal point that the post presents for photos and may also suggest a lack of appetite to retain heritage assets/fixtures

A risk Matrix has completed considering each option see Annex F

Contact Details

Author:

Chief Officer Responsible for the report:

Author's name

**Chief Officer's name James Gilchrist
Title Director Environment, Transport and
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Director Environment,
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Report **Date** 01/06/2022
Approved

Specialist Implications Officer(s)

Financial

Name: Patrick Looker

Title Finance Manager

Planning and Enforcement:

Name: Edward Freedman

Title: Conservation Officer

Insurance

Name: Lisa Nyan

Title Insurance Manager

Wards Affected: City Centre/Guildhall.

All

For further information please contact the author of the report

Background Papers:

Annexes:

Annex A – Photos of Ornate Cast Column before and after incident

Annex B – Email about repair rather than replacement

Annex C – Conservation officer report

Annex D – Photo of similar Ornate Replica outside the Minster

Annex E1 and E2 – Details of the Repair Company and Process

Annex F – Risk Matrix