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Risk control
Lighting for Car Parks



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Lighting for Car Parks

Insufficient, excessive or inappropriate lighting can be a significant risk factor in a range of risk situations including car parks:

- Low light levels may hide wet or contaminated surfaces or changes in floor levels that lead to the UK's most prolific category of serious injury incidents - slips, trips and falls¹.
- Sudden contrasts in lighting can glare, dazzle and momentarily blind us causing collisions between moving vehicles and people or with other vehicles and structures.
- Flashing lighting can be distracting or alter our visual perception affecting our judgement and decision making about distance and movement that can result in impacts.
- Dimly lit areas or dark shadows can be utilised to harbour criminal activity.

Despite this there is currently no specific legislation relating to the illumination of public or private car parks, only vague legal requirements, general principles and good practice standards in the form of HSE guidance and British Standards, but these should be taken into consideration by a prudent and conscientious organisation to prevent or reduce the possibility of these risks materialising.

The owners or persons in control of car parking facilities, like other premises, have civil duties under the Occupiers Liabilities Act 1957² to take reasonable steps to ensure the safety of visitors to their property. While under the Health and Safety at Work Act 1974³ employers are required not only to look after their employee's health, safety and welfare, but also to protect "others" (non-employees) from undue risk from the work activities which would extend to parking arrangements.

Probably the most relevant legislation would be regulations 8 and 17 of The Workplace (Health, Safety and Welfare) Regulations of 1992 and the accompanying Approved Code of Practice and Guidance (L24)⁴ which in Reg 8 (1) states "Every workplace shall have suitable and sufficient lighting." and in Reg 17 (1) states "Every workplace shall be organised in such a way that pedestrians and vehicles can circulate in a safe manner." But remember these are not absolute duties and like much of our health and safety legislation these requirements are qualified by the imposed standard of 'reasonable practicability' which allows the duty holder to weigh up the level of risk vs. time, trouble, cost and inconvenience etc.

The HSE's guidance document - HSG 136: *Workplace Transport Safety — An Employers' Guide*⁵ is a useful resource providing some general principles about safe parking areas.

It recommends that parking areas should:

- be clearly sign-posted, well lit and easy to find
- allow clear visibility for both drivers and pedestrians
- have firm, stable, level, well-drained surfaces that are not slippery
- have clearly marked parking areas with safe walking areas
- be as close as possible to where people need to go.

Ultimately like many risk issues our legal framework sets rather vague standards to be achieved but rarely dictates precisely how you should satisfy your obligations. This is a deliberate strategy to ensure the legislation is flexible enough to allow duty holders with differing risks and resources to find and apply a range of control solutions across an endless variety of situations, through the use of a risk based approach. For example it would be unreasonable to expect a temporary car park in a field for a summer fete etc. to have the same level of safety provisions implemented as a city centre multi storey car park.

Developers of new car parking areas are expected to consider these standards and regulations (increasingly alongside environmental legislative requirements) at the planning phase of new construction projects and design-in adequate lighting solutions.

There are two British Standards relating to lighting in either "Open" or "Covered" car parks – BS12646:2014 and BS5489:2013 and these support the legal expectation that a process of risk assessment is required that will consider anticipated level of use by both pedestrians and vehicles as well as the type and location of the car park etc, to establish if it is a High, Medium or Low risk in relation to illumination. From this there is then a range of lighting levels suggested to create an adequately safe environment (inc. from crime).

However, all too often it is existing stock of parking assets that need reviewing and potentially upgrading to meet current standards, so in practical terms it falls upon those who own or control parking areas to arrange for a suitably competent person(s) (this could be internal or external) to risk assess each car park and decide if the lighting levels are "suitable and sufficient" to allow people and vehicles to "circulate safely" when judged against the Lux levels provided by British Standards.

So to enable a robust risk assessment assessors are likely to need an accurate light meter, and should consider factors including:

- Is it an open or covered facility?
- Impact of the weather and surrounding features such as trees
- Position, type and condition of existing lighting units
- Is 'borrowed lighting' available from neighbouring facilities or from street lighting?
- Design and layout of traffic flows, parking bays, available space for manoeuvring
- Blind spots created by structural elements
- Are there stairs, steps or ramps for pedestrians to negotiate?
- Materials used in traffic route construction and current condition and colour of surfaces
- The level of traffic usage and hours of access
- History of accidents and incidents at the site etc.

If the conclusion of the assessment is that the current levels of lighting creates a significant risk then the duty holder should take reasonably practicable measures to improve the situation. However, when changing or introducing new luminaires to an environment like a car park, care has to be exercised not to introduce additional hazards and risks and specialist advice may be required to select suitable equipment to avoid issues such as:

- Dazzle, glare or flicker as mentioned earlier
- Overspill into neighbouring properties that could cause complaints or become a nuisance.
- Disturbance to the local natural environment caused by artificial lighting⁶.

Whatever the outcome of the risk assessment this document should be retained as your justification/reasoning for either action or inaction and it should be reviewed periodically and in light of any significant changes.

References

- 1 <https://www.hse.gov.uk/statistics/causinj/index.htm>
- 2 <https://www.legislation.gov.uk/ukpga/Eliz2/5-6/31/contents>
- 3 <https://www.legislation.gov.uk/ukpga/1974/37/contents>
- 4 <https://www.hse.gov.uk/pubns/priced/l24.pdf>
- 5 <https://www.hse.gov.uk/pubns/books/hsg136.htm>
- 6 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/228832/9780108508547.pdf.pdf

Further information

For access to further RMP Resources you may find helpful in reducing your organisation's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

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