REPORT TO: Executive Board

DATE: 3 September 2015

REPORTING OFFICER: Strategic Director, Policy & Resources

PORTFOLIO: Transportation

SUBJECT: Street Lighting – Strategy & Policy

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1.1 To approve the attached Street Lighting Strategy and Policy which has been prepared following a previous report to Executive Board which considered potential measures to achieve street lighting savings.

1.2 The Strategy and Policy attached was endorsed by the Environment and Urban Renewal Policy and Performance Board (E&UR PPB) at its meeting on 24th June 2015, agreeing at the same time that it be submitted to the Executive Board for approval.

2.0 RECOMMENDATION: That

1) **The Street Lighting Strategy and Policy document attached as Appendix 1 be approved;**

2) **Agreement be given to the proposal to remove street lighting from rear passageways and independent footpaths where these routes are not the primary means of access to properties and when the existing equipment is no longer serviceable; and**

3) **Agreement be given to the proposal to require a commuted sum to be paid where non-standard equipment is installed as part of a development (see paragraph 4.7).**

3.0 SUPPORTING INFORMATION

3.1 The cost of street lighting maintenance is constantly rising, mainly as a result of energy costs which are increasing well above inflation. The cost of energy for all the Council's highway electrical assets (including street lighting, traffic signals, illuminated signs, etc.) is approximately £1,216,000 per annum and includes all the following equipment: -

- Over 19,000 conventional lighting columns plus 400 lighting columns for HHT
- 98 high mast lighting columns

- 1,400 illuminated traffic signs
- 450 illuminated bollards
- 58 traffic signal controlled junctions
- 20 Puffin Crossings
- 5 Toucan crossings
- 18 Zebra crossings
- 14 Variable Message Signs (VMS)
- 9 CCTV cameras
- 12 Speed cameras

3.2 There are more than 19,000 columns within in the Borough and about 24% are over 30 years old (their design life) and will need replacing within the next few years. In addition, the lanterns also need replacing on approximately 40% of the columns in order to bring the lighting up to current standards. The cost of these works will be about £8,000,000; the current structural maintenance budget is £200,000 per annum. However, the rest of the stock will continue to age towards the end of its design life and hence will need to be replaced in the coming years.

3.3 There is no statutory duty to provide street lighting. The power to provide street lighting is set out in Section 97 Highways Act 1980 (see below).

Highways Act 1980
97 Lighting of highways.

(1) The Minister and every local highway authority may provide lighting for the purposes of any highway or proposed highway for which they are or will be the highway authority, and may for that purpose—

(a) contract with any persons for the supply of gas, electricity or other means of lighting; and

(b) construct and maintain such lamps, posts and other works as they consider necessary.

(2) A highway authority may alter or remove any works constructed by them under this section or vested in them under Part III of the Local Government Act 1966 or section 270 below.

(3) A highway authority shall pay compensation to any person who sustains damage by reason of the execution of works under this section.

(4) Section 45 of the Public Health Act 1961 (attachment of street lamps to buildings) and section 81 of that Act (summary recovery of

damages for negligence) apply to a highway authority who are not a council of a kind therein mentioned as they apply to such a council.

If street lighting is provided under this Act then it needs to be maintained in a serviceable condition. The original purpose of street lighting was purely a crime prevention matter. It was unrelated to highway safety. The fact that street lighting outside of urban areas is still unusual is a reflection of this fact.

3.4 It is recognised that street lighting has a vital role to play in reducing fear of crime and improving community safety after dark. Lighting can reduce crimes involving street robbery, theft from the person and assault, theft of/from and damage to motor vehicles, vandalism and burglary. One of its greatest benefits is to reduce the fear of crime, especially for the more vulnerable members of our community.

4.0 POLICY IMPLICATIONS

4.1 Due to the increasing energy costs for street lighting, it is recognised that **action must be taken to minimise future growth in energy consumption and this is one of the main reasons for preparing a Street Lighting Strategy and Policy**. It was agreed by the Executive Board 29th March 2012 that street lighting be switched off on high speed roads (i.e. roads with a speed limit higher than 40 mph) between midnight and 6.00am throughout the year. It was estimated that this would save approximately £125,000 per year (with it costing approximately £20,000 to purchase and install the necessary equipment to control the switch off/on). Regrettably, the anticipated savings have not been achieved in full due to increases in energy costs, and the actual saving was about £40,000 pa. There have generally been no adverse comments about the switch-off, however, following a number of single vehicle collisions (loss of control of vehicles from Daresbury towards the Bridge) a decision was taken in January 2014 to switch the lighting back on at the roundabout on A558 Daresbury Expressway/Pitts Heath Lane, Runcorn. There have been no recorded effects on road safety or an increase in collisions that can be attributed to a lack of lighting, at any other locations in the Borough where street lighting is switched off.

4.2 **It is proposed that there should be no net increase in the highway electrical equipment stock that will increase the demand for and cost of energy other than for the following situations**:

- Statutory requirements (such as the illumination of certain road signs);
- Road safety reasons (such as when signs and/or bollards that are required to be illuminated OR when traffic control equipment (e.g. traffic signals, Puffin crossings, etc.) is installed as part of Local Safety Schemes at collision sites);

- Adoption of new developments (including industrial and residential);
- The installation of electrical equipment as part of our statutory duties or partnership working (such as air quality monitors or ANPR cameras).

4.3 **It is proposed that there should be a presumption against new lighting schemes or additional highway electrical equipment funded through Area Forums (such as CCTV, lighting footpaths, traffic management/engineering schemes requiring illuminated signs, car parks or recreational areas) or from the Council's other capital budgets, unless the additional revenue budget is available to fund the on-going lighting/highway electrical equipment and maintenance indefinitely.**

4.4 **Consideration will need to be given in the future to the removal of lighting from secondary independent footpaths (i.e. where there is a suitable alternative route and it is not the main access route to properties) and gated routes to the rear of residential properties (i.e. rear entries and passageways).** This is in order to cut energy bills and carbon emissions and each location will be the subject of a review, which will be carried out when the existing lighting columns and lanterns reach the end of their life and it is not viable to replace them. It will need to done on an area basis to provide a consistent approach and it will also overcome a current maintenance issue where it is often difficult to gain access to carry out maintenance to some columns due to locked gates and no vehicular access (making safe access to the lantern difficult, where hinged columns have not been installed), for example.

4.5 **Where there are suitable alternative lit routes, then consideration will also be given to no longer installing lighting on independent footpaths, unless it is a primary route to a school or major employment areas.** This will be particularly applicable to independent cycleways and bridleways, which are provided primarily for recreational purposes.

4.6 **A presumption against <u>any</u> future growth in street lighting provision will be difficult due to the need to provide it on new residential roads and high profile regeneration schemes.** Also there will be a number of additional traffic signal controlled junctions as a result of the Mersey Gateway and the Daresbury Pinchpoint scheme which will increase our inventory and, therefore, costs.

4.7 **Commuted Sums**

For all new highway electrical equipment (including street lighting, CCTV and Intelligent Transport Systems (ITS)) provided as part of new developments, **it is proposed that the developer shall pay the Council a commuted sum to cover the cost of 10 years**

maintenance, based on the current HBC Term Maintenance Contract or 10% of the new works costs, whichever is the higher, plus the energy charges for the equipment based on the current energy supply contract rates for 10 years. Subject to the agreement of the Council, where a standard of materials is required that exceeds the standard specification, and which, as a result, will incur higher maintenance costs, a Commuted Sum, equal to the one-off replacement cost of the equipment/furniture, will be levied payable to the Council prior to adoption of the completed scheme, this is in addition to the standard commuted maintenance costs detailed above.

Where a higher standard of materials is installed without the agreement of the Borough Council and/or where a Commuted Sum has not be paid, then adoption will not be granted and the on-going maintenance will be the responsibility of the developers or their appointed Managing Agents.

The mechanism for achieving these payments will be determined by what is most appropriate from time to time. For example, they may be included within planning obligations (Section 106 agreements) or within Section 38 highway adoption agreements.

These additional proposed costs would need to be made clear to developers at planning application stage (or pre-application consultation stage if this is used). It should also be noted that additional costs in this area could impact on developer contributions in other areas (such as open space provision) since the scheme viability may need to be assessed. Should scheme viability be at stake policy considerations would have to be taken into account in determining priorities regarding which contributions are to be imposed. There is a further risk that developers may apply for compulsory highway adoption under section 37 Highways Act 1980 to avoid extra charges.

4.8 **Future Lighting Provision**

A Capital Bid to fund all structural maintenance of lighting columns was approved in 2007. This enabled a £100,000 saving to the Council's revenue budget for 2007/08 to be realised without reducing maintenance standards. However, this has now reduced the revenue budget to such a point where there is no scope for further reductions without actually removing existing lighting units. At present £200,000 is provided from the Council's Capital budget for street lighting structural maintenance. £1,730,000 is allocated from Revenue for maintenance of all street lighting, signs bollards and zebra crossings, although £1,216,000 is required from this for the energy bill.

On 26th March 2015, an Invest to Save Bid of £4.7M was approved by the Executive Board for a programme of work to replace the current conventional street lighting lanterns with energy saving Light Emitting Diode (LED) Units. The key benefits were noted as a reduction in

energy costs, increased reliability and longevity and enabling the Council to meet its commitments on sustainable practices and reducing carbon emissions. Exact reductions in energy costs are always difficult to predict as energy prices have been known to increase in response to local authorities' attempts to reduce their street lighting energy demands.

5.0 FINANCIAL IMPLICATIONS

5.1 The switching off of street lighting on high speed roads was anticipated to save an estimated £125,000 per year, however due to other changes in energy charges this saving was only £40,000.

5.2 Energy costs are fluctuating and the costs up until 31st March 2017 have now been agreed. The total annual cost of un-metered electricity for highway electrical equipment is estimated to be around £1,250,000.

5.3 In order to achieve further savings and ensure the Council's lighting stock is structurally sound and fit for purpose, it will be necessary to continue to invest in the asset. This will enable more efficient technologies to be introduced (recognising however that there will be long pay-back periods (5 – 10 years)) and allow for columns that are past their design life to be replaced. Funding opportunities to enable this investment have been explored and agreed (paragraph 4.8) and will continue to be investigated.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 **Children and Young People in Halton**
Reductions in street lighting, especially on residential estates, could impact on: child pedestrian casualties; the desire to walk to school during the dark mornings and nights; young drivers and the incidence of anti-social behaviour.

6.2 **Employment, Learning and Skills in Halton**
There are no direct implications on the Council's 'Employment, Learning & Skills in Halton' priority.

6.3 **A Healthy Halton**
Reduced street lighting could discourage walking and cycling and the use of public transport, which have implications for the health of those affected.

6.4 **A Safer Halton**
Street lighting can contribute to road safety and a reduction in accidents. It can also help reduce crime and anti-social behaviour which affects how safe people feel during the hours of darkness.

6.5 **Halton's Urban Renewal**

Street lighting is often part of Urban Renewal schemes and does have a positive impact on improving the environment.

7.0 RISK ANALYSIS

Street lighting is not a statutory function and there is no legal requirement for roads to be lit. However, it is recognised that street lighting contributes strongly to road safety, community safety and the prevention of crime. Street lighting fits with the Council's strategic priorities. Since July 1998, the Council is required by statute to exercise all of its functions with a view to preventing crime and disorder. It should be noted that the introduction of street lighting was originally for pedestrians as a result of crime and disorder issues. It continues to be accepted as a major contributor to the prevention of crime and disorder or its perception. Whilst the Council may not be challenged under the Highways Act about removing lighting, there may well be challenges under Section 17 of the Crime and Disorder Act 1998, as happened in Essex when the Police intervened with the proposal to turn off lights.

8.0 EQUALITY AND DIVERSITY ISSUES

Any reduction or failure to provide street lighting could unfairly disadvantage pedestrians and certain population groups who would not feel safe on the public highway during the hours of darkness.

9.0 REASON(S) FOR DECISION

9.1 These proposals all affect residents of the Borough and could result in less areas being lit in the future.

9.2 The policy will also require developers to pay towards the future maintenance costs for non-standard street lighting and intelligent transport systems (traffic signals, controlled pedestrian crossings, etc.).

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10.1 During the preparation of this Strategy and Policy the provision of street lighting was reviewed throughout the Borough. Options to maintain previous levels of street lighting provision were considered, but due to increasing energy costs this was not possible. Therefore the policy has been developed to minimise the impact whilst maintaining street lighting at critical locations.

11.0 IMPLEMENTATION DATE

11.1 The Street Lighting Strategy and Policy will be implemented from 1st October 2015.

12.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Report to Executive Board, 29th March 2012 (Item 122) - Street Lighting – Energy Saving Options	Internet	
Report to Executive Board, 26th March 2015 (Item 158) – Invest to Save Proposal - Street Lighting	Internet	
Report to Environment & Urban renewal Policy & Performance Board, 24th June 2015 (Item EUR 10) – Street Lighting – Strategy & Policy	Internet	