

REPORT TO: Environment and Urban Renewal Policy
and Performance Board

DATE: 24 November 2010

REPORTING OFFICER: Strategic Director, Environment &
Economy

SUBJECT: Petition for Improved Lighting in The
Copse, Palace Fields, Runcorn

WARDS: Halton Lea

1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to report the receipt of a petition for improvements to the lighting within The Copse, Palace Fields, Runcorn

2.0 RECOMMENDATION: That

(1) The petition be noted and the residents be informed that the area is not part of the adopted highway and therefore the Authority can only provide lighting on a rechargeable basis.

3.0 SUPPORTING INFORMATION

- 3.1 A petition has been received from a group of residents who live at 1 to 8 The Copse, requesting that the Council provide lighting on the access way to their houses (see Appendix 1). The petition mentions that there are potholes in the access way, but is not requesting that these be repaired as it is the residents responsibility to maintain this area.
- 3.2 The houses within The Copse were built in the 1970's during the period when Runcorn Development Corporation was controlling and developing this area of Runcorn. The access to these houses is via an unsurfaced access way off the surfaced road. The access way serves eight properties and is about 4.0m wide (see Appendix 2).
- 3.3 Checks have been carried out and the land is not within the ownership of the Council. We are now checking with the Land Registry to determine the actual ownership of the access way.
- 3.4 Due to the land not being in the ownership of the Council and not part of the adopted highway, lighting cannot be provided at public expense. However, if the residents wished to install lighting themselves then the Council could carry out the works on a rechargeable basis. Also future maintenance (including energy charges) would be the responsibility of the residents and this could also be carried out on a rechargeable basis.

4.0 POLICY IMPLICATIONS

4.1 There are no policy decisions related to this request.

5.0 OTHER IMPLICATIONS

5.1 If lighting was provided on this unadopted road at the Council's expenses then it could set a precedent for other similar areas within the Borough.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

This request has no impact on this priority.

6.2 Employment, Learning and Skills in Halton

This request has no impact on this priority.

6.3 A Healthy Halton

This request has no impact on this priority.

6.4 A Safer Halton

The provision of street lighting can contribute to the feeling of a safe environment; however in this situation it is the responsibility of the adjacent landowners to provide any lighting that they may feel appropriate.

6.5 Halton's Urban Renewal

This request has no impact on this priority.

7.0 RISK ANALYSIS

If the Council installed the lighting at the residents' expense and they failed to pay for future maintenance, then the Council could be liable for future maintenance and liability claims. Also due to the type of construction used for the access way the Council could become liable for some claims.

8.0 EQUALITY AND DIVERSITY ISSUES

There are no Equality and Diversity implications arising as a result of the proposed action.

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

Document	Place of Inspection	Contact Officer
Petition from residents of The Copse	Highways, Transportation & Logistics Department, Rutland House, Halton Lea, RUNCORN	Stephen Rimmer Ext 3182