

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**5 AUGUST 2010**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

### **CABINET DECISION**

**Regeneration & Transport – Lead Cabinet Member – Councillor R Cook**

#### **STREET LIGHTING POLICY**

1. Summary:

The purpose of this report is to present Cabinet with a new street lighting policy which includes requirements for the provision, installation and maintenance of all types of external public lighting. It also aligns the Council's street lighting service with its corporate objectives to reduce energy consumption and associated CO2 emissions.

2. Recommendations

It is recommended that Cabinet approve and adopt the Street Lighting Policy.

3. Reasons for the Recommendations/Decision(s)

Currently, the Council has no formally approved street lighting policy. Lighting systems have been implemented on the basis of custom and practice, developed over a number of years and in accordance with the current legislative framework and British Standards for the design of lighting for roads and public amenity areas.

The approval and adoption of a policy will formalise street lighting design and maintenance for the Council as Highway Authority.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

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**STREET LIGHTING POLICY**

**SUMMARY**

The purpose of this report is to present Cabinet with a new street lighting policy which includes requirements for the provision, installation and maintenance of all types of external public lighting. It also aligns the Council's street lighting service with its corporate objectives to reduce energy consumption and associated CO2 emissions.

**RECOMMENDATIONS**

It is recommended that: Cabinet approve and adopt the Street Lighting Policy

**DETAIL**

- 1 Currently, the Council has no formally approved street lighting policy. Lighting systems have been implemented on the basis of custom and practice, developed over a number of years and in accordance with the current legislative framework and British Standards for the design of lighting for roads and public amenity areas.
- 2 To ensure that the Council meets its requirements under the terms of the Highways Act 1980 (constructing and maintaining such lamps, columns and posts and other essential works) and its obligations resulting from the Crime and Disorder Act, each request for the provision of lighting and the adoption of potential lighting, including those to be funded by others, is to be considered on its merits. This will include both Council funded installations and, also, lighting constructed to adoptable standards by private developers covered by Section 38 and 278 Agreements of the Highways Act 1980.
- 3 The new policy includes the following key components.
  - Lighting provision;
  - Dimming of street lighting
  - Selection of lighting levels;
  - Passively safe lighting (lighting susceptible to RTA impact/damage)
  - Energy and CO<sub>2</sub> emissions;
  - Maintenance;
  - Seasonal lighting; and

- Private or off highway lighting.
- 4 The key fundamental changes to the practices are related to dimming, part night lighting and the use of passively safe columns, such that:
- Dimming will be introduced on street lighting units to enable the Council to meet its corporate targets for the reduction of CO<sub>2</sub> and energy consumption.
  - Generally, street lighting levels will be reduced from 12 midnight to 5/6am subject to suitability for implementation by assessment
  - New technology allows the Council to control and monitor street lighting at the office from a central management system (CMS). This allows the Street Lighting Team to switch on and off street lights, monitor faults and dim up or down based upon need.
  - The successful implementation of the CMS will mean that the Council may not be required in the future to patrol street lights to locate faults as they can be centrally managed.

### **Lighting Provision**

- 5 The provision and standard of public lighting depends upon many factors including location, need, environmental issues, traffic, crime rates and cost. Areas with above average crime rates may benefit from high levels of public lighting whereas, for example, environmental factors may determine the type of lighting in rural areas.
- 6 Conservation area lighting shall take into account any unique characteristics of the area. Non Standard lighting equipment shall generally only be considered within conservation areas.
- 7 In some areas the provision of public lighting shall comply with particular design requirements that may complement a theme or particular lighting strategy for the area.
- 8 Pedestrian crossings are provided as a means to give safer access and easier movements to those wishing to cross the road. A lighting system shall be provided to enable pedestrians to clearly judge traffic conditions and drivers to correctly interpret the visual scene and view pedestrians.
- 9 Subways are provided as a safe route for pedestrians and cyclists to cross traffic routes. Highly vandal resistant fittings shall be used in such subways.
- 10 Obtrusive light (light falling outside the area to be illuminated) can cause discomfort, annoyance, and distraction or reduce the ability to see. This light pollution can be divided into three main categories: sky glow, glare, and light trespass and shall be restricted by the control of the type of light source. The policy will restrict the level of light emitted at high angles to between 70 and 90 degrees.

### **Consultation and Community Engagement**

- 11 Currently, residents and businesses are informed and consulted by pre-scheme letters. The letters inform the frontages' about the purpose of the scheme, its estimated cost and duration. It also provides an opportunity to contact the street lighting section to discuss any concerns that may arise prior to scheme commencement. Generally, this approach has worked very well and satisfaction levels with the street lighting service are extremely high.

- 12 However, it is intended to raise awareness with the introduction of the dimming technology and to undertake wider consultation particularly through the 'Safer Stockton Partnership' to ensure that concerns over community safety are considered and addressed.

### **Selection of Lighting Levels**

- 13 The Institution of Lighting Engineers 'Guidance Notes for the Reduction of Obtrusive Light' recommends environmental zoning of areas when assessing requirements for new and existing lighting installations. These areas are defined and described as:

**Zone E1** – National Parks, Areas of Outstanding Natural Beauty, Sites of Special Scientific Importance and other Dark Areas

- 14 Villages and settlements within these areas shall only be provided with lighting when requested by the Parish Council or residents. This will limit lighting to strategic locations such as telephone boxes, bus stops etc. Areas outside villages and settlements shall only be provided with lighting where there is a known night time safety problem which cannot be controlled by other methods such as reflective studs, signing etc.

**Zone E2** - Areas of Low District Brightness

- 15 Villages and settlements within Rural Locations outside Zone E1 areas shall generally be provided with lighting in accordance with the relevant standard applicable to the type and use of the highway. Consideration shall also be given to the lighting of footpaths and cycle tracks with high night time use. On roads between villages and settlements in these areas lighting shall only be provided where there is a known night time safety problem which cannot be controlled by other methods. Roundabouts are areas of high traffic conflict and are therefore generally provided with a system of lighting.

**Zone E3** - Areas of Medium District Brightness

- 16 Within an urban location, all highways shall be lit in accordance with the relevant standard applicable to the type and category of the highway.

**Zone E4** - Areas of High District Brightness

- 17 Within urban centres with high night time usage the type and level of lighting provided will need to be designed to suit a number of conflicting needs and use. Many roads in such areas carry high volumes of traffic, particularly at peak hours, indicating a need for them to be treated as traffic routes and lit accordingly. However, after the rush hour period many revert to pedestrian routes carrying high volumes of people enjoying the facilities of the town/city centre. Flexible lighting schemes shall be provided that result in adequate illumination for the motorist but also an interesting and attractive ambience for people to enjoy themselves.
- 18 The Borough of Stockton-on-Tees is a mixture of urban and rural settlements. The Street Lighting Environmental Zones, therefore, reflect the geography and population characteristics of the Borough. Therefore, there will be a mix of environmental zones 2 to 4. Urban locations tend to fall within zones E3/E4 and other locations are classified as E2 .
- 19 Central Management Systems will be considered the preferred option for all existing and proposed street lighting systems to enable dimming or switching to reduce or vary lighting levels during times of low use in all zones.

## **Passively Safe Lighting**

- 20 In the UK between 2001 and 2006 there were 16,987 casualties, including 406 fatalities, from collisions with street lighting columns. This has increased awareness of the social effects of deaths and injuries, raised public awareness of risk and the protection from better designed cars and roads, and the increased risk to organisations of potential corporate manslaughter charges and civil litigation through the implementation of the Road Death Investigation Manual.
- 21 Various 'passive' alternatives to standard lighting columns are available that can yield, shear, crush, and deform to control transferred energy to reduce the consequences of a collision.
- 22 As part of the Council commitment for safer communities, new and replacement street lighting installations shall be subject to a risk assessment to determine if passively safe equipment is required and the type of equipment to be installed.

## **Energy and CO<sub>2</sub> Emissions**

- 23 The Council have an obligation to comply with the Carbon Management Act and make reductions on the baseline emissions of street lighting as part of the Carbon Reduction Commitment. The street lighting stock currently generates around 6,395 tonnes of CO<sub>2</sub> which equates to 22% of the total Council emissions.
- 24 With the advancement of street lighting technology, lighting systems will be capable of dimming and switching off to allow the control of such systems. This will enable the Council to meet its corporate objectives to reduce CO<sub>2</sub> and energy consumption. In summary, this will include:
1. A Borough-wide introduction of a Central Management System.
  2. Reduction of lighting levels on the road network based upon traffic flow.
  3. The reduction of street lighting levels on residential estate roads from midnight. However, wider consultation will be held with local residents and the Safer Stockton Partnership prior to implementation.
  4. The use of energy efficient equipment at every opportunity (e.g. lower wattage white light sources and LEDs).

## **Maintenance**

- 25 The maintenance strategies within the policy provide cost effective solutions in keeping the network in safe working order in accordance with the guidance given in the Code of Practice for Highway Lighting Management 'Well Lit Highways' produced by the UK Lighting Board November 2004 and 'Passively safe roads'.
- 26 Where specialist lighting apparatus has been installed within conservation areas, maintenance regimes shall take into account any unique characteristics of the areas. This should provide the opportunity to set exceptional maintenance regimes, where appropriate.

## **Seasonal Decorations**

- 27 Seasonal decorations are deemed as hanging or fixed flower baskets, flags, banners, advertisements or decorations erected for religious celebrations and festivals. The erection of seasonal decorations on or above the highway shall only be carried out with the prior

written approval of the Highway Authority. All works associated with the provision of seasonal decorations shall be carried out in accordance with the requirements of the County Surveyors' Society, (CSS) Code of Practice for the Installation and Operation and Removal of Seasonal Decorations.

- 28 Street lighting columns are not generally designed to hold apparatus additional to a lantern or a small sign. Extra loading caused by attachments can cause structural deterioration and failure.
- 29 In future, any external organisation seeking to install/attach decorations shall:
- Have sole responsibility and shall be insured with the Highways Authority being indemnified for a minimum of £5M for any one incident.
  - Pay for the energy charges associated with the decorations.
  - Pay for any structural testing to ascertain the suitability of a column for attachments.

### **Private or Off Highway Lighting**

- 30 Private exterior lighting situated off the highway when not optically controlled or wrongly aimed is a major cause of obtrusive light and can be a source of danger due to glare to users of the highway. Light pollution of the night sky should be minimised and lighting of buildings should preferably be with downlighters and, where floodlighting must be used, they shall be optically controlled and aimed such that there is no spillage of light from the building being lit.

In the case of security and sports stadia, the lighting of these should be to the luminance levels recommended in the appropriate Design Guides. Light spillage should be restricted to prevent discomfort and annoyance to occupiers of adjacent buildings and dwellings.

Car park areas should be lit to the appropriate standards set out in BS5489: Part 9 and the luminaries incorporate such light control to produce downward light within the confines of the car park.

Advertising signs should be lit using the guidelines published in the second edition of the Institution of Lighting Engineers (ILE) Technical Report No TR5 'Brightness of Illuminated Advertisements'.

The Council's Street Lighting Engineer should be consulted on all planning applications that include lighting designs such as those described above.

### **Public Art and Cultural Lighting**

- 31 Where there is a need or desire to illuminate pieces of public art, buildings or spaces for the purpose of artistic or cultural value these situations will be assessed separately from this policy. Where this relates to a conflict in the policy the Acting Head of Technical Services will make a judgement in consultation with fellow officers and relevant Cabinet Members to determine the most appropriate solution.

### **Conclusions**

- 32 Establishment of Environmental Zones and compliance with the current standards will ensure a consistent framework for installation, reduce obtrusive light and contribute to energy and CO<sub>2</sub> reduction commitments.

- 33 Installation of passively safe lighting through assessing risk will reduce the consequences of collisions.
- 34 Introduction of Borough-wide Central Management Systems will enable greater control of lighting levels and reduce CO<sub>2</sub>.
- 35 Dimming of street lighting will make a major contribution to the Council energy and Carbon reduction commitment.
- 36 There will be greater control of seasonal attachments and off-highway lighting.
- 37 Improvements in communication and consultation and the evaluation of customer satisfaction levels will contribute toward service improvements.

**FINANCIAL IMPLICATIONS**

- 38 None. The service will be delivered within existing Capital and Revenue budgets.

**LEGAL IMPLICATIONS**

- 39 Under the Highways Act 1980 the Council has a legal requirement to maintain the street lighting assets.

**RISK ASSESSMENT**

- 40 The street lighting policy is assessed as a low to medium risk

**SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS**

**Economic Regeneration and Transport**

- 41 The adoption of a street lighting policy will formalise the Council’s service and lead to an improved infrastructure for road users

**Safer Communities**

- 42 Improved use of technology and better street lighting maintenance will contribute to greater safety, a reduction in crime and the fear of crime.

**Children and Young People**

- 43 N/A

**Healthier Communities and Adults**

- 44 N/A

**Environment and Housing**

- 45 The adoption of a street lighting policy will formalise the Council’s service and lead to an improved environment contributing to the reduction in energy consumption and CO<sub>2</sub> emissions.

**EQUALITIES IMPACT ASSESSMENT**

- 46 An initial Equality Impact Assessment of the Street Lighting Policy has highlighted a possible negative impact on identified residential and employment zones as well as visitors and travellers passing through the Borough. A further full Equality Impact Assessment is scheduled and any actions this may highlight will be addressed prior to implementation of the policy.



- 47 Identification of actions needed to address this impact form part of the full Equality Impact Assessment. These actions, and the related monitoring activity, will be addressed prior to implementation of the policy.

### **CONSULTATION INCLUDING WARD/COUNCILLORS**

- 48 Currently, residents and businesses and Ward Members are informed and consulted by pre-scheme letters. The letters inform the frontages' about the purpose of the scheme, its estimated cost and duration. It also provides an opportunity to contact the street lighting section to discuss any concerns that may arise prior to scheme commencement. Generally, this approach has worked very well and satisfaction levels with the street lighting service are extremely high.
- 49 However, it is intended to raise awareness with the introduction of the dimming technology and to undertake wider consultation particularly through the 'Safer Stockton Partnership' to ensure that concerns over community safety are considered and addressed.

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Education related?

No.

Background Papers

None.

Ward(s) and Ward Councillors:

All Ward Councillors

Property

N/A.