

**SURREY COUNTY COUNCIL****CABINET****DATE:** 30 MAY 2017**REPORT OF:** MR COLIN KEMP, CABINET MEMBER FOR HIGHWAYS**LEAD OFFICER:** TREVOR PUGH, STRATEGIC DIRECTOR – ENVIRONMENT AND INFRASTRUCTURE**SUBJECT:** PART NIGHT STREET LIGHTING – ALTERNATIVE FUNDING MODEL**SUMMARY OF ISSUE:**

In October 2016, to generate an estimated £210k of annual savings, Cabinet approved the implementation of Part Night Street Lighting with approximately 44,000 lights estimated to be turned off between midnight and 0500 each night. The lights selected focussed on non-traffic routes and were risk assessed against a number of "Avoidance Criteria" which if present would mean the lights would be left on. The Avoidance Criteria include:

- a. Traffic Routes – this will predominantly be A, B and C classified roads. However, some lower trafficked roads in this group may be included and equally some higher trafficked unclassified roads may be excluded by this criteria.
- b. Town centres where this is a night time economy.
- c. Where traffic calming measures (speed cushions or humps, chicanes etc) or formal pedestrian crossings such as zebra crossings are present and they require illumination.
- d. Locations where Council or Police CCTV is in operation to reduce crime.
- e. Locations where the Council's Road Safety Team or Surrey Police believe that implementing part-night lighting could have an adverse effect on either crime or road safety.
- f. In cases where buses or trains run beyond the proposed switch off time, roads will be assessed and may either be excluded from part- night lighting or have a later switch off time.

In addition as described in (e) above, where Part Night Lighting has been proposed and implemented, all locations were assessed in conjunction with colleagues in the Council's Road Safety Team and Surrey Police and any road where there were concerns that switching off lights could have an adverse effect on either road safety or crime were excluded. This amounted to approximately 4,000 lights across the County.

Using the above avoidance criteria, the County Council has implemented Part Night lighting where it is considered safe to do so. Since the implementation of Part Night Lighting, some partner councils have expressed an interest in covering the cost of keeping the lights on that are currently included in Part Night Lighting thereby enhancing the level of service due to differing local priorities.

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There have also been a number of comments made by residents (often via social media) who are in support of having the lights turned off. Reasons include being able to see the night sky, improved sleep as the streetlight near a bedroom window and the environmental effect of the CO2 savings made.

It is proposed to implement a mechanism that will allow District or Borough Councils to request an enhanced level of service by excluding the street lighting in their area from Part Night lighting subject to their agreement to reimburse the County Council all costs that would have otherwise been saved.

#### **RECOMMENDATIONS:**

It is recommended that Cabinet:

1. Approves the implementation of a mechanism (as detailed in paragraphs 16-19) to allow District/Borough Councils to enhance the level of service and request all lights in their area be excluded from Part Night Lighting and to reimburse the County Council the full value of savings that would be realised by switching them off.
  2. Delegates authority to the Head of Highways and Transport, in consultation with the Cabinet Member for Highways, to enter into specific agreements with requesting District or Borough Councils.
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#### **REASON FOR RECOMMENDATIONS:**

District and Borough Councils have their own budgets and across the County will have differing local priorities. Enabling them to request lights be excluded from Part Night lighting allows them to respond to those differing priorities by enhancing the level of service provided over and above that delivered by the County Council.

#### **DETAILS:**

##### **Background**

1. Surrey Council operates approximately 89,000 street lights across the County with an annual energy cost in excess of £3 million. The installation of a Central Management System (CMS) enables two distinct functions:
  - a. Control of street lights including the on and off times; the ability to reduce power consumption by dimming the lights.
  - b. Monitoring the performance of the lights to identify faults.
2. The CMS can be used to monitor and control lights to an individual level with each light having a different regime if desired.
3. As lights were replaced during the investment programme which took place between 2010 and 2014, each light was connected to the CMS and were dimmed. Lights on traffic routes are dimmed by 25% and in residential areas by 50%. Dimming was initially carried out from 2300-0530 each night but was extended to commence at 2200 in October 2015 to generate savings.
4. In October 2016, Cabinet approved the implementation of a Part Night lighting programme. It was estimated that upon completion of site visits and risk

assessments, application of the avoidance criteria and review by the Road Safety Team and Surrey Police, approximately 44,000 lights in residential roads would be suitable to be switched off from midnight to 0500 each night across the County. This was expected to save in excess of £210,000 in energy costs each year. In addition a further £22,500 of savings was expected through a reduction in CO<sub>2</sub> and the associated carbon tax the Council is subject to.

5. A public consultation was carried out during August 2016 to gather the view of residents on the proposal to implement Part Night lighting. Of 842 responses, nearly half of all respondents were in favour of switching off many lights and overall 76% were in favour of switching off at least some lights.
6. The programme has been implemented over the past six months and is nearing completion and as at 31 March 2017, 45,327 lights have been moved to being switched off between midnight and 0500 each night. Of these 788 lights are either switched off later than midnight (up to 0200) and/or switched on before 0430 in roads close to train stations or bus stops where the first or last bus arrives or departs between midnight and 0500.
7. As part of the risk assessment process described in the October 2016 Cabinet Report, all roads were visited to assess them against the published Avoidance Criteria:
  - a. Traffic Routes – this will predominantly be A, B and C classified roads, however some lower trafficked roads in this group may be included and equally some higher trafficked unclassified roads may be excluded by this criteria.
  - b. Town centres where this is a night time economy.
  - c. Where traffic calming measures (speed cushions or humps, chicanes etc) or formal pedestrian crossings such as zebra crossings are present and they require illumination.
  - d. Locations where Council or Police CCTV is in operation to reduce crime.
  - e. Locations where the Council's Road Safety Team or Surrey Police believe that implementing part-night lighting could have an adverse effect on either crime or road safety.
  - f. In cases where buses or trains run beyond the proposed switch off time, roads will be assessed and may either be excluded from part-night lighting or have a later switch off time.
8. As described in paragraph 7(e) they were then reviewed in conjunction with the Council's Road Safety Team and Surrey Police to identify any locations where it was felt that turning off lights might have an adverse effect on either road safety or crime.
9. 10,311 lights which were assessed were deemed not to be suitable for Part Night lighting of which more than 4,000 were excluded following the discussions with the Road Safety and Police teams.
10. There are a further 9,250 lights across the County which are still under review and it is expected that the majority of these will be suitable to be moved to Part Night lighting in the next month or so this would mean an estimated total of around 53,000 lights operating on a part night basis.
11. There will be seasonal variations as during the middle of the year when sunrise occurs before 0500 (British Summer Time), lights will not switch back on in the

morning. For the remainder of the year, the lights will be switched back on and go off when the required ambient light levels are reached alongside other street lights which are not included in Part Night lighting.

12. During the implementation of Part Night lighting, several Parish Councils and a Borough Council have expressed an interest in being able to fund the cost of keeping the street lights in their respective areas on and so exclude them from Part Night lighting.

### Options Analysis

13. During the analysis carried out prior to implementing Part Night lighting, whilst there were many examples of Highway Authorities implementing similar programmes across their respective areas there were no examples identified where another tier of local government was funding keeping the lights on in a specific area. As a result, this was not considered as part of the original implementation.
14. The County Council has identified reduced street lighting as an area which can contribute to its overall savings programme and so by switching off some lights for some of the night where it is considered safe to do so in accordance with the published avoidance criteria, ensures limited funds are allocated where they are most needed.
15. There are 2 options available to the County Council in response to the requests made so far:
  - a. Implement a mechanism whereby District or Borough Councils can request an enhanced level of service whereby lights in their respective areas be excluded from Part Night lighting should they wish to fund the cost of keeping them on during the night.

Any agreement made between the County Council and a District or Borough Council would be for an agreed, fixed period of 5 years and the requesting District or Borough Council would reimburse the County Council its costs in full resulting from excluding those groups of lights from Part Night Lighting. Those costs will include the cost of energy consumed, any carbon tax associated with the consumption and any administrative costs incurred in processing and managing the request.

District and Borough Councils have their own budgets and across the County will have differing local priorities. Enabling them to request lights be excluded from Part Night lighting allows them to respond to those differing priorities by enhancing the level of service provided over and above that delivered by the County Council.

- b. Do nothing – the provision of street lighting on the Highway is the responsibility of the County Council and in implementing Part Night lighting, it has considered the impact on residents both in diverting limited resources to where it is needed most and in respect of the safety of the travelling public.

### **Proposal: Part Night lighting – enable external funding**

16. To implement a mechanism whereby District or Borough Councils can request an enhanced level of service by requesting lights in their respective area be excluded from Part Night lighting.
17. The requesting District or Borough will enter into an agreement for a fixed period of 5 years to maintain this enhanced level of service and will reimburse the County Council in full for the additional costs of delivering it including energy, carbon tax and any administrative costs.
18. This is similar in practice to other service areas such as environmental highway services where some District and Borough Councils enter into contracts with Service Providers on the County Council's behalf to deliver activities such as grass cutting, weed control and arboriculture services. The County Council reimburses the District or Borough for delivery of the agreed level of service and in some (but not all cases), the District or Borough Council contributes to the cost of an enhanced service, for example, a more frequent grass cutting schedule.
19. As the energy costs vary from summer to winter, costs will be calculated and invoiced twice per year – April to September invoiced in May and; October to March invoiced in November. The costs will vary from area to area depending on the number of street lights excluded from Part Night lighting. This process will allow for increases or decreases in energy prices and carbon tax to be passed directly to the requesting District or Borough Council with no direct financial implication on the County Council's budget or savings plans.

#### **CONSULTATION:**

20. The proposal results from feedback from partner Councils who themselves are acting on feedback from residents. Any decision to contribute to an enhanced level of service will be made by the relevant District or Borough Council with the County Council administering it and so consultation by the County Council will not be required.

#### **Financial and Value for Money Implications:**

21. The County Council has identified savings from implementing Part Night lighting and these have been built into the Medium Term Financial Plan.
22. Following the agreed process and reviewing suitability in line with the Avoidance Criteria, the County Council has achieved its expected target and will exceed it with the final phase as described in paragraph 7. Any additional savings will result in an underspend this year and will be reflected in future year's MTFPs.
23. Any costs incurred by the County Council by excluding lights from Part Night lighting including administrative costs will be reimbursed by the District or Borough requesting the increased level of service and so there is no direct financial implication to the County Council. Any increase or decreases in energy prices or carbon tax will be passed through to the requesting District or Borough Council.

#### **Section 151 Officer Commentary**

24. The recommended changes will not expose the County Council to additional cost or risk. Any agreement with District or Borough Councils to enhance street lighting levels will be on the basis that they fully reimburse the County Council for any additional costs incurred, including the cost of electricity, carbon tax and the council's own administrative costs.

#### **Legal Implications – Monitoring Officer**

25. As Highway Authority, Surrey County Council has a discretionary power but no duty to provide Highway Lighting under section 97 of the Highways Act 1980.
26. Lighting Authorities (District, Parish and Community Councils) have a power to light streets, markets and public buildings in their districts pursuant to section 161 of the Public Health Act 1875. They may therefore fund the provision of the lighting in their districts where the Highway Authority does not do so.
27. The public sector equality duty (Section 149 of the Equality Act 2010) applies to the decision to be made by Cabinet in this report. There is a requirement when deciding upon the recommendations to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate any unlawful discrimination. These matters are dealt with in the equalities and diversity paragraph of the report.

#### **Equalities and Diversity**

28. An equalities impact assessment was completed on Part Night lighting and the outcome reported in the October 2016 Cabinet report.
29. Any decision to exclude lights from Part Night lighting will of course reverse the impacts highlighted. Any decision to enhance the level of service in a specific location will not be made by the County Council but by the requesting District or Borough Council.

### **Climate change/carbon emissions implications**

30. In the October 2016 Cabinet report, it was estimated that switching off 44,000 lights in residential roads would result in a reduction in CO2 of approximately 1250 tonnes each year equivalent to just over a 2% reduction in the Council's total consumption. Furthermore, the Council would see a reduction in Carbon Tax payments of £22,500<sup>1</sup>.
31. Although the County Council can pass on any costs associated with CO2 output such as Carbon Tax, the CO2 itself will still be produced. Depending on the number of lights in the requested areas to enhance the service level, there will be a corresponding reduction in the County Council's CO2 savings against those expected.

### **WHAT HAPPENS NEXT:**

32. Subject to Cabinet Approval, District and Borough Councils will be able to request an enhanced level of service by excluding all lights in their District or Borough from Part Night lighting subject to agreement to reimburse the County Council in full for any costs associated with delivering the enhanced level of service.

**Contact Officer:**

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**Consulted:** Not required

**Annexes:** None

**Background Papers:** Cabinet report October 2016

<sup>1</sup> Carbon Tax is currently £18 per tonne of CO2

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