

		AGENDA ITEM 10
		PSEG/07/14
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	23 January 2013	
IMPLEMENTATION OF PART NIGHT STREET LIGHTING IN (1) CASTLE POINT BOROUGH, AND (2) EPPING FOREST DISTRICT		
Enquiries to:	Christine Sharland, Scrutiny Officer 01245 430450 Christine.sharland@essex.gov.uk	

On 2 December 2013 Councillor Chris Pond called in two decisions under reference: KD06 FP/295/08/13 for the implementation of Part Night Lighting in Castle Point and Epping Forest, and a copy of his Notification of Call-In form is attached at Appendix A.

In line with the procedure for handling the call in of a decision, an informal meeting was held on 9 December. A formal note of that meeting is attached at Appendix B.

At the informal meeting Councillor Pond agreed to withdraw his two Call Ins on the basis of the information exchanged.

Action required by the Committee:

The Committee is invited to note the action taken in this matter.

Notification of Call-in

Decision title and reference number Key Decision: KD06 FP/295/08/13 Implementation of Part Night Lighting in Castle Point and Epping Forest	
Cabinet Member responsible Cllr Bass, Cabinet Member for Highways and Transportation	Date decision published 28 November 2013
Last day of call in period 3 December 2013	Last day of 10-day period to resolve the call-in 16 December 2013
Reasons for Making the Call in <ul style="list-style-type: none"> • The decision ignores virtually all of the representations made including those from official bodies. • Lack of any safety audit • Lack of evidence as to crime levels in particular areas and streets • Application of arbitrary county-wide criteria irrespective of local issues (eg COMAH sites in Canvey Island, late running public transport in Epping Forest) • Lack of any mechanism for local bodies, should they so wish, to pay for continued all night lighting 	
Signed: Councillor C Pond on behalf of Cllr D Blackwell	Dated: 2 December 2013
For completion by the Scrutiny Officer	
Date call in Notice Received 2 December 2013	Date of informal meeting 9 December 2013
Does the call in relate to a Schools issue No	If yes, date when Parent Governor Reps and Diocesan Reps invited to the meeting
Date of Place Services and Economic Growth Scrutiny Committee Meeting (if applicable)	Date call in withdrawn / resolved 9 December 2013

Appendix B

Notes of Informal meeting held on 9 December 2013 regarding the Call In of Two Decisions under reference KD06 FP/295/08/13 Implementation Part Night Lighting in (1) Castle Point, and (2) Epping Forest 09/12/13

In attendance:

Councillor Chris Pond (Councillor responsible for calling the decision in)
Councillor Dave Blackwell (Councillor on whose behalf decision on Castle Point was called in)
Councillor Simon Walsh, Chairman of Place Services and Economic Growth Scrutiny Committee
Councillor Rodney Bass, Cabinet Member for Highways and Transportation
Councillor Dave Blackwell (Councillor on whose behalf decision on Castle Point was called in)

Keith Tovee, Street Lighting Manager
Dan Fryd, Cabinet Advisor
Christine Sharland, Scrutiny Officer
Michael Cleary, Fast Track Manager

Cllr Walsh welcomed everyone to the informal meeting that had been set up as part of the County Council's Call In procedure for the consideration of two decisions proposed under reference KD06 FP/295/13/08, namely the implementation of part night lighting in Epping Forest and Castle Point. The decisions were called in by Councillor Pond as a Member of the Place Services and Economic Growth Scrutiny Committee.

Councillors Blackwell and Pond were then invited to explain the reasons given in the Notification of Call In.

Councillor Bass sought clarification about the reasons given for the two call ins of Castle Point and Epping Forest given that they were separate decisions, albeit separate reasons were not set in the notification of call in submitted by Councillor Pond. He pointed out that there were no COMAH sites in Epping Forest District. It was acknowledged that they were separate decisions and Councillor Walsh confirmed that they would be treated as such under the Call In procedure.

Call in of implementation of Part Night Lighting in Castle Point

Councillor Blackwell expressed his concern that there had been a lack of any safety audit prior to proposed implementation citing examples of ambulance crews trying to locate particular properties and hazards on pathways when street lights were switched off in the early hours. He also felt that Canvey Island should be exempted from the implementation as he felt the two COMAH sites needed to be lit.

Councillor Bass explained that the exception criteria being applied as part of the roll out of part night lighting will be fully reviewed after it has been in place for a trial period, and is in fact very similar to criteria adopted by other local authorities. Consultation has been conducted on the exception criteria and the views of the emergency services have been taken into account, as well as those set out in the original Scrutiny Review. He explained that it will be more effective to conduct a safety audit once the project is operational. Across Essex each district has its own particular characteristics, and the exception criteria have been applied to Canvey Island taking into account its own distinct characteristics. He confirmed that while Canvey Island Town Council had made representations, it had questioned the policy rather than the proposed application of exemptions to the part night lighting. With particular reference to the COMAH sites no particular issues had been made to justify the application of the exception criteria. No representations had been received from Castle Point Borough Council. He reassured Councillor Blackwell and Pond that he did read representations and where evidence had been produced to support any modifications, then the exception criteria had been applied.

Councillor Blackwell suggested that as part of the part night lighting trial there was an element of waiting to see how many people were hurt as a consequence. In response Councillor Bass tried to reassure those present that the County Council has already built up a lot of experience on part night lighting, and it is being careful in the way it is rolling out the project across the county. There was no wish for people to be hurt as a consequence. The exception criteria would be applied where evidence supported such action and it was pointed out areas where people congregate late at night (eg bus and rail locations) and key walkways were being taken into consideration. Street lighting would be switched off between midnight and 5 am, whereas night shift patterns tend to be based on a 10pm to 6am pattern. There is no evidence to prove that crime rates or personal injury accidents will increase. As many people will be inside their homes and asleep, he challenged the need to light up the highway unnecessarily. In practice, many local authorities across the country have adopted part night lighting, and the Government is considering its implementation on motorways.

The current roll out of the implementation of part night lighting is the first stage in the overall development of street lighting in Essex, and its consistent application would enable people to become accustomed to it in practice and potentially change attitudes in the longer term. Its impact will be kept under review and various street lighting trials will be conducted to assess how the service may be developed in the future eg new technology, lighting standards. Nevertheless Councillor Bass reiterated that in the first instance he intended that street lighting should be switched off between midnight and 5 am, and once implemented fully he would consider further flexibility in street lighting arrangements. However, any decisions on changes would have to be based on evidence.

On the basis of the Cabinet Member's explanation and assurance that the situation would be kept under review, Councillor Pond agreed to withdraw formally his call in of the decision to implement part night lighting in Castle Point Borough.

Call in of implementation of Part Night Lighting in Epping Forest

Councillor Pond proceeded with his call in of the decision to implement part night lighting in Epping Forest by requesting on behalf of Transport For London (TFL) to change the timings of certain lights on bus routes in Epping Forest. He indicated that the TFL had had no representation from Essex County Council, and it was concerned that the lack of lights surrounding some bus routes in Epping Forest would be dangerous for its staff and customers, given the late finish of some bus services at 12.50 am.

Councillor Bass pointed out that the TFL representations had been received after he had signed the decision. Nevertheless if the necessary information was provided as soon as possible and no more than 100 lamps were involved, then the County Council could vary switch off times from 1am to 5 am on a trial basis for these exceptional circumstances only. As a trial it would provide useful experience on varying the timing of when individual street lights are switched off.

However, he urged Councillor Pond to submit a formal request so that it could be given proper attention.

In his notification of call in Councillor Pond had challenged the lack of any mechanism for local bodies to pay for continued all night lighting, and at the meeting he asked why there was no provision to maintain lighting at Borough and District Council's own expense.

Councillor Bass responded that Essex County Council has a statutory responsibility for highways street lights whilst amenity lighting came under the auspices of district and parish councils. Under these circumstances it was considered that it would become confusing if other bodies paid for lights they are not responsible for. Furthermore there are broader costs associated with street lights aside from energy costs, which would need to be paid for proportionately and could create more confusion in terms of accountability.

At the meeting Councillor Pond took the opportunity to draw attention a recent stabbing assault in Station Road that occurred at 1.15 am and asked what the process was to have the lights switched back on immediately in such a situation to assist the Police.

Councillor Bass confirmed that the street lights could not be switched back on immediately the crime took place, and that the Police have their own means of responding to such a situation. If evidence was put forward to justify an exception being made to part night lighting in certain streets, then changes could be made. He reminded Councillor Pond that that the project is going through a learning process and there must be an open-mindedness about the policy and the technology being used. The central management system does provide flexibility as demonstrated when the decision was taken to leave street lighting on throughout the night across Essex because of the poor weather conditions predicted on 5 December 2013.

Finally Councillor Pond informed those present that a District Councillor had made representations on part night lighting as he was unhappy with the lack of any exception criteria for recreational areas. Councillor Bass responded that in practice research showed

some decrease in anti-social behaviour at such locations. However, research on this issue would be kept under review as it may emerge.

On the basis of the Cabinet Member's explanation and assurance that the TFL request for part night lighting to be varied would be taken in to consideration as referred to above, Councillor Pond agreed to withdraw formally his call in of the decision to implement part night lighting in Epping Forest District.

In response to Councillor Pond's enquiry as to when the two decisions would be implemented, Councillor Bass indicated that steps would be taken to change the street lighting as from 2 January 2014.
