

**MINUTES OF A MEETING OF THE PLACE SERVICES & ECONOMIC  
GROWTH SCRUTINY COMMITTEE HELD AT COUNTY HALL,  
CHELMSFORD ON 26 SEPTEMBER 2013**

**Present:**

Councillor S Walsh (Chairman)	Councillor T Hedley
Councillor M Buckley	Councillor R Hirst
Councillor T Cutmore	Councillor J Huntman
Councillor M Danvers	Councillor D Kendall
Councillor A Erskine	Councillor C Pond
Councillor I Grundy	Councillor S Robinson

Also in attendance were Councillors J Aldridge, B Aspinell and J Deakin.

**1. Apologies and Substitution Notices**

The Committee Officer reported apologies for absence from Councillors M Maddocks and A Wood. Apologies were also received from Councillors J Spence and I Henderson with the substitutes being Councillors T Cutmore and M Danvers respectively

**2. Declarations of Interest**

The following declarations of personal interest were given:

Minute 5 – Scrutiny Report on Off Site Emergency Planning Arrangements around COMAH Sites

- Councillor T Hedley as Chairman of the Fire Authority
- Councillor C Pond as Vice Chairman of the Civil Protection Board

Minute 7 - Implementation of Part Night Street Lighting

- Councillor Cutmore as a local consultee

**3. Minutes**

The Minutes of the Committee meeting held on 20 June 2013 were approved as a correct record and signed by the Chairman.

**4. Work Programme and Updates**

The Committee noted report PSEG/03/13 on the Committee's preliminary work programme.

The report referred to a number of issues that have been identified as potential scrutiny projects where the Committee could influence the Council's activity going forward, including:

- Future of Recycling Centres for Household Waste
- Integrated Passenger Transport

- Economic Growth Strategy
- Government Consultation on Aviation Policy
- Parking Partnerships

With particular reference to current consultation on Local Bus Services, and Home to School Transport (that actually falls within the remit of the People and Families Scrutiny Committee) the Chairman confirmed that he was seeking clarification on how the Committee might positively be engaged in the overall consideration of these services.

Councillor Pond suggested that consideration should be given to the economics and desirability of implementing a Park and Ride scheme in Colchester given experience in Chelmsford.

The Committee **agreed** the report.

## **5. Monitoring of Scrutiny Report on Off Site Emergency Planning Arrangements around COMAH Sites in Essex**

The Committee considered report PSEG/04/13 setting out the Cabinet response to the recommendations reached in the scrutiny report on Off Site Emergency Planning Arrangements around COMAH Sites that was published earlier this year.

Councillor Derrick Louis, Cabinet Member for Transformation and Corporate Services; David Johnson, Chief Fire Officer; Rosanna Briggs, Deputy County Emergency Planning Officer; Faye Doherty, Account Manager External Communications; and David Wilde, Chief Information Officer, were present at the meeting for this item.

At the meeting the Cabinet Member praised the scrutiny investigation referring to his own response set out in report PSEG/04/13, and drew attention to some progress that had been achieved in respect of recommendation 4 proposing a communications protocol. Ms Doherty confirmed that online content had been developed and a social media initiative had been put into place namely a new twitter account: @PreparedInEssex. In response to Members' concerns that some residents would not be in a position to access information electronically via the internet or through social media, witnesses sought to reassure them that steps were taken to provide information in other formats to those more vulnerable people in the community. The Committee agreed to establish a Task and Finish Group to cross examine in more detail the Cabinet response to recommendation 4 .

With reference to recommendation 5, the scrutiny report raised concerns about the robustness of the Council's business continuity and corporate preparedness to respond to emergencies aside from the role performed through the emergency planning function. The Committee agreed that as business continuity and emergency planning now fell within the remit of the Corporate Scrutiny Committee, the proposed review be referred to that Committee for its consideration.

In summary the Committee thanked the Cabinet Member for the assurances he had given in his detailed response to the scrutiny report, and **agreed** to set up a Task and Finish Group to probe more deeply into the issues raised in recommendation 4, and refer recommendation 5 to the Corporate Scrutiny Committee.

## **6. Monitoring Scrutiny Report on Financial Inclusion**

The Committee considered report PSEG/05/13 setting out the Cabinet response to the recommendations reached in the scrutiny report on Financial Inclusion.

Councillor Grundy led the original Task and Finish Group that undertook the in depth investigation, and welcomed the detailed response received from the Cabinet. However, the review had tackled some difficult issues and given the range and detail of the original recommendations it was felt necessary that the original Task and Finish Group should be reconvened to cross examine the Cabinet response, and analyse what progress had been made since its publication to promote financial inclusion in Essex.

The Committee **agreed** that the original Task and Finish Group should be reconvened and the Chairman indicated that any other members who wished to join the investigation would be welcomed. Councillor Hedley indicated his interest.

## **7. Implementation of Part Night Street Lighting**

The Committee noted report PSEG/06/13 and Councillor Bass, Cabinet Member for Highways and Transportation, provided a briefing on the implementation of Part Night Street Lighting.

Following the meeting a summary of the briefing and the Committee's discussion was written by the Scrutiny Officer based upon the evidence submitted, which is attached at the Appendix to these Minutes.

In conclusion the Committee **agreed** a proposal that a Task and Finish Group should be set up to examine the process of the current consultation on Part Night Street Lighting, and review the findings of the former Safer and Stronger Communities Policy and Scrutiny Committee set out in its Scrutiny Report dated 2010 in the context of the current situation including the application of new technology.

The Chairman requested that those Members who wished to put their names forward to join the Task and Finish Group should pass their names through to the Scrutiny Officer.

## **8. Date of Next Meeting**

The Committee noted that its next activity day was scheduled for Thursday 24 October 2013.

There being no urgent business the meeting closed at 12.30 pm.

Chairman

### **Appendix to Minute 7**

#### **Implementation of Part Night Street Lighting**

The Committee considered report PSEG/06/13 setting out background on the implementation of part night street lighting that is being rolled out across Essex, and attention was drawn to a previous Scrutiny Report on 'Street Lighting at Night' produced by the former Safer and Stronger Communities Policy and Scrutiny Committee.

Councillor Rodney Bass, Cabinet Member for Highways and Transportation; Paul Bird, Director for Commissioning: Transport and Infrastructure; and Keith Tovee, Street Lighting Manager, attended the meeting to brief the Committee on this issue and answer Members' questions.

While this particular briefing arose from a call in of his decision to implement part night street lighting in Chelmsford and Braintree that was subsequently withdrawn as set out in report PSEG/06/13, Councillor Bass began his briefing by reiterating his willingness to address the Committee on areas of concern to Members.

In 2007 the Council implemented a trial part night lighting scheme in Maldon and Uttlesford Districts, and in June 2011 the Cabinet agreed the purchase of a central management system (CMS) for streetlights based on 'invest to save' principles. Furthermore a former scrutiny committee undertook an in depth review of the trial project and ultimately accepted the principles of introducing part night lighting. Consequently the Committee was encouraged to focus on the roll out of the project across Essex as in practice the principle for its implementation was already established, not only locally but across the country.

At the meeting discussion was focussed primarily on the following aspects of the Cabinet Member's proposals:

#### **Implementation Proposals**

Given that the principles of part night lighting had been agreed, it was proposed that those street lights for which the County Council is responsible should be switched off between midnight and 5 am unless they meet the exemption criteria that has been drawn up.

For ease of reference the exemption criteria is set out below.

### **Exemption Criteria**

- Major lit inter-urban dual carriageway traffic routes.
- Sites where there are a large number of conflicting traffic movements (eg roundabouts) which are on significant routes (generally those lit by columns greater than 6 metres high).
- Sites where street lights installed as a result accident remedial measures.
- Town Centre type areas where there is one or more of the following features:

Public CCTV

High proportion of high security premises (eg banks, jewellers);  
areas of high crime risk High crime risk;  
High concentration of people at night such as transport  
interchanges, nightclubs etc.

- Main approaches to town centre areas defined in the section above, where there is a mix of development between residential and commercial/ industrial i.e. not exclusively residential.
- Sites where the police can demonstrate that there will be an increase in crime if the lights are switched off during part of the night (or that there will be a decrease in crime if the lights are switched back on).
- Remote footpaths and alleys linking residential streets.
- Where there is a statutory requirement to provide lighting.

In areas meeting the above criteria, where there are more than adequate numbers of lighting columns, the County Council will consider switching off some of the lights between midnight and 5 am.

Councillor Bass clarified that the purpose of street lighting installed by the County Council as a Highway Authority was based on the grounds of highway, pedestrian and cycle safety, and not for amenity purposes. While issues around the night time economy had been considered and some situations factored into the exemptions criteria, other situations such as lighting in the vicinity of licensed premises per se tended to be more for amenity rather than road safety reasons and therefore not exempt.

The acquisition of the CMS does enable the County Council to vary where lights may or may not be switched off rather than taking a blanket approach across the whole county, an approach that has been adopted by some other local authorities without that facility. It was estimated that 80% of County Council lighting columns would be switched off between midnight and 5 am, leaving 20% of its lighting remaining on throughout the night.

With reference to the variation of street lighting standards across Essex eg in terms of number and spacing of columns, the Cabinet Member proposed that following the roll out of part night lighting he would review the situation. Similarly with experience, both locally and nationally, further consideration will be given to broader issues such as the timings, exemption criteria, and technologies.

### **Consultation Process**

Councillor Bass pointed out that it has been well publicised for several years that the County Council was taking steps towards the implementation of part night lighting across Essex. Indeed as an early pioneer in this matter Essex has attracted ongoing media attention not only locally but across the country with other councils now moving ahead more quickly in their introduction of similar schemes. During the intervening time this County Council has also been in discussion with interested parties including local councils and the Police on related matters including the development of the exemption criteria.

Aside from the experience gained from the introduction of part night lighting in Maldon and Uttlesford, the choice of continuing with the implementation of the project in Braintree and Chelmsford had been useful. It was pointed out that both those areas had provided pertinent information because they have a mixture of both large urban and rural communities, and variety of town centres. Councillor Bass confirmed that consultation with those Councils had been going on for some time until the point had been reached when it was felt it would be more beneficial to implement the part night lighting and to learn from practical experience, particularly in view of the flexibility provided by CMS to amend lighting at individual locations if deemed appropriate.

The purpose of the latest consultation process was not to establish whether or not part night lighting should be implemented across individual areas, but rather to enable parties to come forward to identify particular additional locations where the exemption criteria might apply for lighting to remain on throughout the night post implementation. Councillor Bass emphasised that any decisions would be made on the basis of proven evidence rather than perception or hearsay. The control and flexibility provided by the CMS will enable the Council to amend lighting proposals at specified locations if deemed appropriate. However, some requests cannot be acceded to where they fall outside the exemption criteria for instance the lighting of estate roads and footway links.

Councillors Robinson and Deakin whose divisions are situated in the Chelmsford area drew the Committee's attention to their concern that their representations, including highlighted plans, to consultation on the local proposals and exemption criteria had not been acknowledged. It appeared that their submissions had

been lost somewhere in the County Council's systems and consequently not taken into account. On this matter the Chairman suggested that this situation raised a broader issue on the management of representations lodged by County Councillors to consultation more generally.

Several other Members also referred to their disappointment over the lack of availability of plans identifying those locations where lighting would or would not be switched off, as requests they had made for such plans had not been fulfilled. In response Councillor Bass advised that he would try to make the plans available to Members as soon as possible. However, the plans were still a work in progress with the various lighting being plotted as part of the roll out across Essex and ongoing consultation with districts. Another Member confirmed that he had been assured by the Cabinet Member that he would be provided with relevant plans once they became available for his area.

Also some Members made reference to the introduction of part night lighting across Hertfordshire that had been rolled out in one tranche across the whole area, and the possibility that its consultation had been better.

### **Fear of Crime**

It was acknowledged that throughout the project the fear of crime had been a recurring criticism of part night lighting. However, in practice there was no evidence to support that belief. Crime statistics suggested that where part night lighting had been implemented in other areas crime rates had in fact fallen, although Councillor Bass accepted that a number of factors could contribute to the decrease. This issue had also been considered as part of the original scrutiny review.

Some Members were concerned that not enough positive steps were being taken to reassure those residents' whose fear of crime had been intensified at the prospect of street lights being turned off at night. Surveys suggested that perhaps 30% of residents were nervous about street lighting being switched off.

While Councillor Bass recognised the concerns expressed on this issue and adjustments that people might consider when travelling on the highway during the switch off hours, he reiterated the need for the Council to make decisions based on evidence. In this matter the facts did not bear out the perception that crime would necessarily increase. He encouraged colleagues to focus residents' attention upon the reality of the situation rather than encouraging misplaced beliefs that contributed to the fear of crime.

### **Technologies**

In his briefing Councillor Bass addressed criticism that the County Council did not appear to have given sufficient consideration to LED (light emitting diode) lighting. He confirmed that LED technology is still evolving and very expensive, and evidence is still being collected on its longevity and effectiveness.

It was estimated that at present it would cost £31 million to install LED lighting across Essex, which could not be supported given current financial constraints. Reference was made to the adoption of LED lighting by the Sheffield Council, but it was pointed out in response that that Council had financed its scheme through a Private Finance Initiative and it had 68,000 columns compared to 128,000 columns in Essex.

Councillor Bass confirmed that the County Council had and would continue to monitor the situation and explore the possibilities of LED lighting as the new technology evolved. Some smaller pilot schemes were already in place such as in Harlow, and consideration was being given to situations where new lighting was being planned.

### **Scrutiny report**

Councillor Pond who had chaired the original scrutiny review on street lighting confirmed that following a thorough examination of evidence, the former Committee had supported the principle of part night street lighting and had made a number of recommendations that had met with varying degrees of success. By way of example it had supported a CMS, but he felt that negotiations with the energy suppliers had not gone far enough in achieving better tariffs for energy consumption for instance through metering.

With particular reference to the tariffs, Councillor Bass gave a brief explanation of how the tariffs are calculated and the reasons for the proposed timing of midnight to 5 am, and alluded to the complications that could otherwise arise. It was estimated that aside from the broader benefits of energy savings and carbon reduction, the County Council could save in excess of £1 million per annum from the project based on current electricity prices. There was a four year pay back on the cost of the CMS. He dismissed criticism that part night lighting was being introduced based on the financial savings that the County Council could achieve at the expense of residents who may consider it necessary to install lighting on their own properties, and emphasised the environmental benefits for the community in terms of energy saving and carbon reduction.

### **General**

Councillor Robinson who lodged the original call in of the decision to implement the scheme in Braintree and Chelmsford, reiterated the reasons for taking that action as set out in report PSEG/ 06 /13 and had been widely discussed at the meeting. He considered that there should be greater flexibility in the application of exemption criteria, as well as more emphasis on exploring LED lighting options.

The Committee discussed the merits of undertaking further consideration of the implementation of part night lighting across Essex. Reference was made to the timing of a review and the need to clearly identify its purpose that ranged from focussing upon concerns expressed at the meeting on consultation processes and LED lighting, to waiting until the scheme was fully implemented so that fuller

consideration could be given to the evidence that would become available on any savings and benefits achieved.

In drawing together its discussion **the Committee agreed a proposal that a Task and Finish Group should be set up to examine the process of the current consultation on Part Night Street Lighting, and review the findings of the former Safer and Stronger Communities Policy and Scrutiny Committee set out in its Scrutiny Report dated 2010 in the context of the current situation including the application of new technology.**

The Chairman requested that those Members who wished to put their names forward to join the Task and Finish Group should pass their names through to the Scrutiny Officer.