

Part Night Lighting Task & Finish Group

10:30	Thursday, 19 December 2013	Committee Room 1, County Hall, Chelmsford, Essex
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Councillor C Pond
Councillor M Danvers
Councillor A Hedley
Councillor R Hirst
Councillor S Robinson
Councillor K Smith
Councillor A Wood
Councillor S Walsh

Lead Member

Ex-officio

For information about the meeting please ask for:

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Essex County Council

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Part 1

(During consideration of these items the meeting is likely to be open to the press and public)

Pages

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| 1 | Membership
To note the membership of the Task and Finish Group as set out on the front of this agenda. | |
| 2 | Apologies and Substitution Notices
The Committee Officer to report receipt (if any) | |
| 3 | Declarations of Interest
To note any declarations of interest to be made by Members | |
| 4 | Draft Scoping Document Part Night Lighting
The draft Scoping Document for the review on Part Night Lighting is attached for consideration. | 5 - 14 |
| 5 | Evidence from Highways Officers
To receive evidence from Highway Officer witnesses. | |
| 6 | Date of Next Meeting
To be agreed. | |
| 7 | Urgent Business
To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency. | |

Exempt Items

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

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Urgent Exempt Business

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.

<p style="text-align: center;">Essex County Council Overview and Scrutiny Committee Review Scoping Document</p>
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This form is a tool that should be compiled at the start of each inquiry to set out clearly the aims and objectives of the committee's involvement in a particular matter, and will be completed at the end of the inquiry to confirm what has been achieved. The form also provides an audit trail for a review.

Review Topic (Name of review)	Part Night Street Lighting
Committee	Place Services and Economic Growth Scrutiny Committee (PSEGSC)
Terms of Reference	<p>To examine the process of the current consultation on Part night 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.</p> <p>(PSEGSC Minute 7/September 2013)</p>
Lead Member, and membership of Task and Finish Group	Task and Finish Group: Councillors Mike Danvers, Tony Hedley, Roger Hirst, Chris Pond (Lead Member), Stephen Robinson, Kerry Smith, and Andy Wood. Simon Walsh (ex officio)
Key Officers / Departments	Paul Bird, Director for Commissioning: Highways and Infrastructure Keith Tovee, Street Lighting Manager
Lead Scrutiny Officer	Christine Sharland, Scrutiny Officer
Relevant Portfolio Holder(s)	Councillor R Bass, Cabinet Member for Highways and Transportation

Relevant Corporate Links	In 2007 the County Council implemented a trial by which street lights in Maldon and Uttlesford Districts were switched off between the hours of midnight and 5am. In June 2011 the Cabinet approved the purchase of central management system for street lights based on 'invest to save' principles. In August 2013 the Cabinet Member took the first of several Cabinet Member decisions to roll out the part night lighting (PNL) project across Essex as set out in the Forward Plan.
Type of Review	At the Committee meeting on 26 September 2013 (Minute 7) it was agreed to set up a Task and Finish Group to conduct the review.
Timescales	<p>The principles behind the PNL project have been established for some time, and the Cabinet has chosen to roll out its implementation over the 2013/2014 winter months. This review was commissioned by the Committee to review the way consultation is being undertaken and how some past Scrutiny Report recommendations have been addressed by the Executive.</p> <p>At its meeting on 27 November 2013 the Task and Finish Group set itself a goal to submit its findings to the Committee in February 2014 subject to completing its collection and analysis of evidence.</p>
Rationale for the Review	The review was initiated by the Committee following a briefing by the Cabinet Member that had emanated from the withdrawal of a call in of the decision to implement part night lighting in Braintree and Chelmsford. The Committee chose to pursue the objective of this review rather than deferring a review to consider the impact of the roll out and compare financial and energy savings, because of the perception of some Members that the current consultation process had been inadequate and insufficient consideration had been given such factors as the introduction and cost of new technology as part of the project. Consequently the proposed review will seek to establish the facts around these matters, and provide reassurance that the Council has taken appropriate action in this matter.

Scope of the Topic	<p><u>Include</u> The following is included in the scope of the review:</p> <ul style="list-style-type: none"> • The consultation process surrounding the exemption criteria and its application across Essex. • Review the findings of the original Scrutiny Review that was undertaken in September 2009, with subsequent monitoring taking place in July 2010 of the original recommendations. • Actions of the Executive in the implementation of the scrutiny recommendations in 2010, and Executive decision in May 2011. <p><u>Excluded</u> The following falls outside the scope of the review:</p> <ul style="list-style-type: none"> • The principle of the implementation of part night lighting has been established and was supported in a previous Scrutiny Report.
Key Lines of Enquiry	<p>Specify the key lines of enquiry that will underpin the initial planning of the review</p> <p>Questions:</p> <p>See separate document being developed on questions framework from which key lines of enquiry will be translated into this document</p>
Other Work Being Undertaken	<p>Cabinet Member decisions implementing PNL in districts across Essex are ongoing, and may give rise to individual decisions being called in by individual Committee Members.</p>
What primary / new evidence is needed for the scrutiny?	<p>Identify what information is required to take the review forward, and what information is not already available.</p> <p>Safer and Stronger Communities Policy and Scrutiny Committee Scrutiny Report dated July 2010: For ease of reference an extract from the original report is attached to this document setting out the conclusions of that review.</p> <p>Various Cabinet/ Cabinet Member decisions relating to implementation of PNL across Essex</p>
What secondary / existing information will be needed?	<p>Identify background information, performance indicators, complaints, existing reports, legislation, central government information and reports.</p>

What briefings and site visits will be relevant to the review?	<p>Reviews should aim to incorporate briefings and site visits as part of the evidence gathering process, in order to learn firsthand about issues under review and experience service delivery at a customer level.</p> <p>Cabinet Member briefing to PSEGSC in September 2013 (Minute 7)</p> <p>Investigate potential benefits of visiting offices where PNL being undertaken.</p>
Who are the witnesses who should be invited to provide evidence for the review?	<p>Identify stakeholders who will assist with the committee's investigation including officers, the involvement of any organisations, external contacts, the public, and type of information to be considered.</p> <p>As more services are delivered with partners or are shared with other Councils, scrutiny needs to ensure that those partners are an integral part of the review process, so identifying them at the scoping stage will ensure they are included.</p> <p>Essex County Council Officers</p> <p>Councillor Rodney Bass, Cabinet Member for Highways and Transportation</p> <p>Police Representation</p>
Implications	<p>In terms of topic, have the following matters been taken into consideration in the planning of this review:</p> <p>Legal implications Yes/ no</p> <p>Financial implications Yes/ no</p> <p>Equality and diversity issues..... Yes/ no</p> <p>Other critical implications.....</p>
What resources are required for this review?	<p>In planning the review it is necessary to identify what resources are required to undertake the review, and any costs associated with the committee's activity. Given that the resource available is finite, it will be necessary to consider carefully the timing of the review within the Committee's overall work programme.</p>
Indicators of Success	<p>What overview and scrutiny role is the committee performing in this case? What factors would tell you what a good review should look like in this case? What are the potential outcomes of the review e.g. service improvements, policy change, etc?</p>

Notes	
Provisional Timetable	Set out provisional timetable with dates to be set aside by membership for undertaking various activity associated with review.

Audit Trail

Date review formally proposed	Place Services and Economic Growth Scrutiny Committee Minute 7/ September 2013
Date of Committee's approval of original scoping document	Identify minute number and date of meeting
Date of Committee's approval of Scrutiny Report	Identify minute number and date of meeting
What was the outcome of the review?	Summarise outcome of review and identify if any recommendations have been agreed.
Date proposals arising from review are formally forwarded to the Executive	
How will the outcomes of the review be monitored?	
Date outcomes of review monitored formally by the Committee	Identify minute number and date of meeting

**Extract from Scrutiny Report on Street Lighting at Night,
produced by the Safer and Stronger Communities Policy and Scrutiny Committee**

NB These recommendations were monitored by the former Safer and Stronger Communities Policy and Scrutiny Committee in July 2010, and its 'Executive Summary on the Monitoring of the Original Scrutiny Report on Street Lighting at Night' is set out as a part of the final published Scrutiny Report.

From Scrutiny Report dated Autumn 2009:

CONCLUSIONS

Having considered the evidence, the Committee decided to record 11 findings and make 13 recommendations. The reasons for reaching these decisions are set out below and they are also set out collectively in the Summary of Findings and Recommendations included in this report, alongside timescales for action. Whilst the whole Committee agreed this response, it was acknowledged by some Members that some of their constituents and local councils in their area had expressed differing views and they wished that this be recorded.

It was clear to the Committee that views on the subject were strongly held and that there was clearly no right or wrong answer which would satisfy all shades of opinion. It had to consider some firm factual data, such as crime rates and the cost of lighting, and some very difficult to quantify but equally relevant matters, such as fear of darkness and of crime.

The Committee's view was that, as the lighting authority, the County Council had to be seen to take the lead role in the county. Whilst consultation with other parties would be important, the final decisions must rest with the County Council. The Cabinet Member had sought the Committee's views and it wanted to give a clear steer to him as to what it saw as the appropriate way forward.

It acknowledged that the advice we gave to the Cabinet Member might disappoint many people. However, the Council had a clear view on handling environmental concerns and the Committee reiterated the Council's policy that cutting emissions and being a national leader in doing so was of such importance that it should be the paramount issue it should take into account. It specifically rejected the view that nothing should be done because the amount of emissions to be saved was, in a global context, relatively small.

Therefore, the advice the Committee decided to offer was based on the principle that the level of lighting in the county could and should be reduced, and that wherever possible, new technology should be the means of achieving targets in this field.

Summary Of Findings	Summary of Recommendations to the
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	Cabinet Member
<p>(1) It was clear Council policy that a reduction in CO₂ emissions directly attributable to the County Council should be sought, and the Committee thought that greater weight should be given in publicity to this than to making financial savings, even though the two effectively marched in tandem.</p> <p>(2) Financial savings should lead either to a cut in Council Tax levels or to money being redistributed to other schemes of benefit to Essex residents.</p>	<p>(1) The Council should aim to achieve savings of up to 70% of the current carbon emission footprint and thus of the lighting energy bill, principally through the use of new technology, the negotiation of contracts related to actual rather than unmetered usage, and also the turning off of any unnecessary street lights. This should be set as a target to be achieved within a set timescale (possibly three years).</p>
<p>(3) The pilot schemes had been running long enough for data to be collected and analysed and for viable conclusions to be reached.</p> <p>(4) On the basis of finding (3), no more similar pilot schemes were required.</p> <p>(5) On the evidence heard, the Committee did not believe there was any overwhelming reason why the pilot schemes might not, with an element of fine tuning, be rolled out across all 12 Essex districts. However, trying to implement a 'one size fits all' approach in every part of such a large and diverse county as Essex would not be possible, given its mix of urban, suburban, and rural areas. The advent of new technology meant also that a more adjustable and intelligent method of advancing street lighting carbon savings, and thus cost, was available. This could be applied across the County, and to an even greater level than had been achieved with the midnight switch off in the pilot areas.</p>	<p>(2) The Council should implement the programme to reduce the emissions and cost of ECC and local council owned and operated street lighting across the whole county.</p> <p>(3) Any changes should be implemented across an agreed timescale. Given the location of the pilot areas, the Council might decide that a swathe across the centre of the county (to include, therefore, towns the size of Chelmsford and Braintree) should be the first area to be reviewed and converted to new technology, such that its operation in a range of settlements wider than that in the pilots could be monitored.</p> <p>(4) Whilst a normal turn off time of midnight to 5 am GMT seemed reasonable, this might not be appropriate in all areas and the Council should therefore be willing to agree a level of flexibility to meet any clearly defined and specific local needs in relation to part night operation and/or dimming.</p>
<p>(6) Whilst the solution should apply to all 12 districts, any attempt to introduce practices countywide in the same timescale would be extremely difficult in logistical terms and costly in capital terms. Therefore, the Committee</p>	<p>(5) Before any changes were proposed for a town or village, the parish or town council (District Council for unparished areas) should be invited to express its views on what lights it felt could appropriately be dimmed or turned off.</p>

favoured a phased, and as much as possible, an agreed, approach to the changes.	The local Area Forum should also be consulted. The County Council would seek to further these views where possible, but the final decision should always rest with the County Council, as the lighting authority.
	(6) Once a level of lighting had been agreed by the County Council under (4) and (5) above, the local council (parish or town, but District for unparished areas) could determine that some lighting additional to the County Council decision was required, but it would be expected to reimburse to ECC the additional costs incurred. It is expected that this power would be used sparingly: ECC should be able to refuse patently unreasonable requests.
	(7) It was imperative that any changes proposed should be explained to local residents prior to implementation.
	(8) As a matter of policy, the Council should not seek to introduce street lighting in any area where it did not already exist in October 2009, with the exception of new estates and developments, where any lighting should be operated from the start as part of the central management system.
	(9) The Council should review the level of lighting on all roads which were once bypasses, main routes, or ring roads but which themselves had now been bypassed or supplanted.
	(10) The Council should consider adding the following to the pilot area exception criteria: (i) pedestrian routes to and from transport facilities such as railway and Underground stations which have services arriving after midnight; (ii) Strategic Diversion Routes as nominated by the Highways Agency; and routes where no footpath exists on either side of the road.

<p>(8) There were a number of complex issues around the use of timers and the types of bulb available for lighting columns. The Committee had been advised of a number of technical developments over recent years and the continuing work being undertaken by the lighting industry to develop new more energy efficient products. It was imperative for the Council's officers to look at all systems available and suggest a way forward.</p> <p>(9) The Committee noted with great interest the experiment with modern technology carried out in Great Chesterford. They considered this represented a better way forward than extending the Maldon and Uttlesford pilots in their present form. A wider scale pilot use of this technology might be felt to be required, however, before any clear lessons could be learned.</p>	<p>(11) The Cabinet Member should prepare and submit to the Cabinet as soon as practicable a Business Case for the introduction of appropriate elements of the new technology into the county. This new technology would include a central computer managed, wirelessly-connected system which would allow for dimming during (variable) hours of low footfall rather than switch-off at a countywide fixed time, with immediate switch on by request of the emergency services, and should also include resident activated switch-on by PC or text when an event, for instance, was due to finish in dark or dimmed hours.</p> <p>(12) If the trial of the new technology in Great Chesterford was deemed insufficient to prepare a viable business case, then the Council should consider implementing a wider trial of it in one or two larger population centres.</p>
<p>(11) The Committee had noted that the Council was carrying out a separate review of the lighting levels of its street furniture and would welcome any proposals to cut the level of lighting or the replacement of bulb lit equipment with reflective equipment.</p>	<p>(13) The Council should vigorously encourage local councils and privately owned retail and commercial outlets across the county to review their current levels of street and premises lighting and encourage them to support the County Council in reducing the carbon footprint and cost of lighting overall.</p>