



CABINET REPORT

Report Title

Proposed transfer of NCC Street lighting to NBC

AGENDA STATUS:

PUBLIC

Cabinet Meeting Date:	13 September 2017
Key Decision:	NO
Within Policy:	NO
Policy Document:	N/A
Directorate:	Regeneration, Enterprise and Planning
Accountable Cabinet Member:	Cllr Phil Larratt
Ward(s)	All Wards

1. Purpose

- 1.1 To outline options available to the Council regarding the proposed transfer from Northamptonshire County Council (NCC) to Northampton Borough Council (NBC) of certain street lighting on NBC land.

2. Recommendations

- 2.1 That Cabinet:
- 2.2 Approve the proposed transfer of up to 607 street lights from NCC to NBC on 2 October 2017.
- 2.3 Approve an additional revenue budget of £70,000 per year that is included as part of setting the 2018/19 budget and to address ongoing electricity and maintenance costs.
- 2.4 Approve that an additional new budget of £35,000 for the 2017/2018 financial year to fund the additional costs of electricity and maintenance for the existing

financial year. To be funded by underspends within the Regeneration, Enterprise & Planning Directorate at the end of the financial year or a drawdown from reserves

- 2.5 Notes that further investigation will be undertaken by Officers into an invest to save programme for all NBC street lights that may lead to a further report to Cabinet in due course. An additional capital budget may need to be considered at this point as part of the Council's overall capital programme.
- 2.6 Notes that Officers will continue to investigate whether it is appropriate to use the HRA to fund some of the costs of the maintenance or electricity of certain additional street lights.
- 2.7 Delegates authority to the Director of Regeneration, Enterprise and Planning, in consultation with the Section 151 Officer and the Deputy Leader of the Council, to conclude the transfer of the responsibility of street lights from NCC to NBC.

3. Issues and Choices

3.1 Report Background

- 3.1.1 NCC has funded the electricity and maintenance for 607 NBC owned street lights for the last 20-40 years NCC are proposing to hand the management and maintenance of these street lights back to NBC. Any that are not accepted by NBC will be removed by NCC at the end of September 2017.
- 3.1.2 The Overview and Scrutiny Committee, at its meeting on 29 July 2015, received a briefing paper regarding NBC owned street lighting. Following this, a scrutiny activity commenced to investigate background data, energy costs, maintenance costs and an invest to save programme.
- 3.1.3 Subsequently, in March 2017 a Cabinet response asked for a working group to be set up to continue the work of the Scrutiny Review, oversee the transfer of the management and maintenance of lighting from NCC to NBC and the completion of the NBC street lighting asset list.
- 3.1.4 Further to the Overview and Scrutiny report in July 2015 and the Cabinet response in January 2017, an Officer/Member working group has been established which is chaired by the Deputy Leader, Cllr Phil Larratt. The working group has met on five occasions with the next planned for 18 September 2017.
- 3.1.5 The key responsibility of the working group is to identify, monitor and evaluate current usage of all NBC owned Street Lighting. The working group will also oversee the proposed transfer of the management and maintenance of the street lights from NCC to NBC.
- 3.1.7 Following the Cabinet response, a report will be commissioned to survey all of the NBC owned street lighting to include repairs required, lights which could be removed or improved, an options appraisal, energy saving solutions and invest to save opportunities.

3.2 Issues

- 3.2.1 NCC have undertaken an audit of their street lighting and will no longer be managing, maintaining or paying the electricity for any street lighting that is not on their land or owned by them.
- 3.2.2 NCC have a deadline of the end of September 2017 to hand back all of these street lights to the relevant authorities.
- 3.2.3 Any which are not on NCC land and are not accepted by the local authorities will remain in their management and will be removed.
- 3.2.4 NBC will need to decide whether or not to accept the transfer which is scheduled for 2 October 2017.
- 3.2.5 NBC is continuing to assess the viability of all the street lights within the proposed transfer and, on a case by case basis, may decide not to accept certain street lights within the transfer. The Authority will need to determine any lights that will not be accepted by the NCC deadline. The forthcoming condition survey and options report may recommend further lights are removed. This will be at the cost of NBC.
- 3.2.5 NBC will have to manage, maintain and pay the electricity for any street lighting that is accepted from NCC.
- 3.2.6 As mentioned above, the lighting is situated in a number of housing estate areas and parks. If they were to be removed, this will have an impact for members of the public and the visitors to the parks in the darkened hours.
- 3.2.7 Further capital costs will not be confirmed until the condition survey has been completed. It is highly unlikely that a condition survey will recommend the replacement of all lights and any replacement programme is likely to be completed in a phased manner over several financial years. This is further detailed in 4.2.4.
- 3.2.8 The handover date, should Cabinet agree, will be Monday 2 October 2017 at which point the handover process will begin. The handover process is as follows:
 - NCC require a formal Council resolution from NBC stating that they will be taking responsibility for the street lights – the Cabinet response will be sufficient.
 - NCC and NBC then agree a mutually agreeable date on which the assets transfer.
 - On the agreed date the assets will transfer to NBC, who then be required to add them to their energy declaration and maintenance schedules. NCC will also remove them from any declaration on the same date and inform WPD (Western Power Distribution) of the transfer.
 - Any documents such as electrical test sheets or TR22 (structural inspection) reports will be transferred also.

3.2.9 If the lights are not accepted, the process to remove the lights will begin on Monday 2 October 2017. The process for this is as follows:

- NCC will first remove the internal fuse on the columns and cease paying energy.
- NCC will then instruct Balfour Beatty (the Street Lighting PFI contractor) to programme the permanent removal of those street lights.

3.3 Choices (Options)

3.3.1 Option 1 – NBC accepts up to 607 street lights

This will ensure that the current lighting levels are maintained and the residents of the housing estates and visitors to the parks will see no difference to what is currently being delivered.

However, this will bring forward additional annual maintenance and electrical costs for NBC as depicted within 2.3 and 2.4.

This is the recommended option.

3.3.2 Option 2 – NBC does not accept up to 607 street lights

If the lighting is not transferred, there will be no additional management, maintenance or electricity costs for NBC. The process to remove the lights will then begin at the start of October 2017.

Removing the lighting in the housing areas and parks will may result in tenants or visitors not feeling safe in the areas or not being able to navigate their way around accurately in the darkened hours.

4. Implications (including financial implications)

4.1 Policy

4.1.1 This project is to accept the existing lighting in parks and housing estate areas so it will not have any impact on any policy or create any new policies

4.1.2 However, should there be a requirement to remove, replace or install any additional lighting in the future, the Local Plan policy relating to light pollution will need to be considered.

4.1.3 Street lights provided by local authorities are classed as permitted development provided they do not exceed 4m in height.

4.2 Resources and Risk

4.2.1 In line with baseline figures, (electricity costs of £30-£50 per light or £18,210 - £30,550 per year and maintenance costs of around £70 per column or

£42,480) the estimated additional costs for maintenance and electricity each year would be approximately £70,000.

4.2.2 The estimated financial implication for the lighting maintenance and electricity costs outlined above cannot be contained within the existing asset management revenue budget. It will therefore need to be considered as a growth item as part of the 2018/19 budget. The estimated (part year) impact for 2017/18 is £35k and is to be by underspends within the Regeneration, Enterprise & Planning Directorate at the yearend or a drawdown from reserves

4.2.3 There will also be a one off cost for surveying those lighting columns at handover which haven't had a recent survey in the last 5 years. The cost of this survey work is estimated at £90 per column for 600 columns totalling £54,000. This will need to be met from within the existing asset management revenue budget.

4.2.4 Any additional capital money required (potentially as part of an invest to save programme) is not known at present, however the replacement of one column is approximately £1,200 which could present a worst case scenario of approximately £740,000 to replace all the columns. It is unlikely that a condition survey will recommend the replacement of all columns and any replacement programme is likely to be phased over several financial years. Cabinet will get an opportunity to consider the condition survey findings and any further capital costs at the appropriate time.

4.3 Legal

4.3.1 NBC have the powers to accept the transfer and provide street lighting, subject to a duty of care to ensure that the maintenance of the street lighting complies with all statutory and regulatory requirements.

4.4 Equality and Health

4.4.1 If these lights were removed, there could be a detrimental effect on the area due to the lack of adequate lighting. Without this lighting in place it could:

- Encourage anti-social behaviour and potentially crime
- The visually impaired would struggle to find their way in the dark
- In the housing areas it could discourage people leaving their houses after dark due to the lack of light in terms of safety and mobility

4.4.2 For the lighting columns that are transferred, it will be ensured that the lighting levels are maintained to NCC Adopted Highway Standards and the residents of the housing estates and visitors to the parks will feel safer and be able to navigate around the area with ease in the darkened hours.

4.5 Consultees (Internal and External)

4.5.1 An Equalities Impact Assessment has been completed.

- 4.5.2 The working group consists of Officers from the Economic Development and Regeneration service area and , Cllr Phil Larratt, Cllr Graham Walker and Cllr Julie Davenport who have worked together to bring forward this project.
- 4.5.3 The group has also sent an email from the chair Cllr Larratt to all of the NBC Councillors, NCC Councillors with the Borough, Business Improvement Districts (Town Centre and Brackmills) Parish Councils and Community Groups, outlining that NBC/NPH are auditing the street lighting assets and to inform us of any which need repair/replacing. Some responses have already been received from these emails and work is being carried out.

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 Priority 2 – Invest in safer, cleaner neighbourhoods – Creating an attractive, clean and safe environment
- 4.6.2 Accepting the transfer from NCC of this lighting will ensure that the lighting remains in place and safe levels of lighting will remain. Future work around the assessment of these lighting will also help to encourage safer environments by ensuring they are all up to the current lighting standards.
- 4.6.3 Priority 4 - Making every £ go further – provide Value for Money to protect local services.
- 4.6.4 Work around these lights will help to ensure they are as energy efficient as possible. The planned report will include details and recommendations for energy saving solutions.

4.7 Other Implications

- 4.7.1 The NBC Owned Street Lighting Group are working on completing a comprehensive asset list which will include all of the NBC owned lighting. This will include the lighting to be accepted from NCC and ensure NBC are maintaining the lighting to the highest standard possible. As mentioned above, following this Cabinet decision, a report will be commissioned to survey all of the NBC owned street lighting and make any recommendations of energy saving opportunities as well as any which may need replacing/removing. It is likely that this will bring forward opportunities for an invest to save programme.

5. Background Papers

- NBC Owned Street Lighting Working Group Scrutiny Panel – May 2016
- Cabinet Response to Overview and Scrutiny Committee – Street Lighting – Jan 2017.
- Overview and Scrutiny briefing paper – June 2017

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