

Report of: Director of City Development

Report to: Executive Board

Date: 10th February 2012

Subject: Refurbishment of Street Lighting on the A659 High Street Boston Spa

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Wetherby	
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. Over the past five years the street lighting across Leeds has been upgraded to meet current design standards as part of the Street Lighting PFI Scheme.
2. The existing street lighting in High Street, Boston Spa is significantly below British Standards and has fewer lamp columns as a result.
3. Work has not yet taken place on the A659 High Street Boston Spa due to local opposition to the proposals which would increase the number of street lights from 39 to 99.
4. Despite extensive consultations with local representatives and various design options being considered to try and reach a compromise based on relaxing the design standards, agreement has not been reached.
5. Officers are unable to support the departure from British Standards requested and recommend the installation of the latest scheme proposals.

Recommendations

6. The Executive Board is requested to approve the installation of the latest scheme proposals for High Street, Boston Spa which is in accordance with British Standards for the design of road lighting but contrary to local community representatives wishes.

1 Purpose of this report

1.1 The purpose of this report is to:

1.1.1 Advise Executive Board on the background to the proposed scheme for the refurbishment of street lighting on High Street, Boston Spa and to;

1.1.2 Seek approval from Executive Board to continue with the installation of the latest scheme proposals for High Street, Boston Spa which is in accordance with British Standards for the design of road lighting but contrary to local community representatives wishes.

2 Background information

2.1 Improvements in street lighting are being carried out as part of the Street Lighting PFI. The street lighting in High Street Boston Spa is over 40 years old and was due to be replaced in 2009. Dialogue with the Parish Council started in October 2006 with the first meeting taking place in May 2007. The new street lighting scheme was first designed and subjected to consultation on Wednesday 27 May 2009. There is widespread acceptance that the lighting should be renewed but the Parish Council and Wetherby Ward Members have concerns about the increase in the number of street lights required to bring the lighting level up to the design standards.

2.2 The street lighting in all of the other refurbished streets in the Leeds district have been replaced in accordance with design standards.

2.3 The objectives of the Street Lighting PFI were approved by the City Council's Executive Board in May 2004. The Outline Business Case set out specific outcomes to achieve improved road safety and crime reduction with the following objectives:

- Employ a replacement programme of the existing street lights to achieve an optimum design, taking account of height, spacing and energy consumption;
- Co-ordinate lighting initiatives with the current programme of installing Closed Circuit Television (CCTV);
- To maximise the number of lighting units which are working as planned;
- To achieve a level of lighting consistent with current standards;
- As a crime prevention measure, and in particular to reduce the risk and the perception of risk of personal assault and harassment;
- To reduce the risk of collision between road users and
- To reduce the risk of collision or accidents from road users' inability to clearly see potential hazards on the highway.

- 2.4 In addition to the specified objectives the successful bid offered an overall reduction in the total number of street lights required to light the City's streets. So far there have been around 2,600 less street lights installed than removed. A reduction in the number of street lights is not achievable in all streets. Whilst the latest lamps are capable of delivering the standard of light required by being placed further apart than older lights, if a street is sparsely lit to begin with then bringing the lighting up to the desired standards may involve more lights.
- 2.5 The improvement of street lighting in Leeds commenced in 2006 and the first five years of the capital investment was substantially completed in July 2011. To date over 76,000 street lights have been renewed. The design of street lighting has been subjected to elected Member, Parish Council and public consultation within each local area. There have been areas where there has been resistance to the improved lighting. Complaints have been resolved by revisiting designs, relaxing standards within allowable tolerances, relocating street lights where possible or fitting shields to limit light over-spill. In all cases, the design standards have been maintained.
- 2.6 All new street lighting schemes have been designed to conform to the national standards for road lighting in accordance with the objectives set for the project. Some streets in Leeds are very poorly lit by comparison with these standards and when a replacement scheme is designed it becomes clear that many more street lights are required than currently exist. The design teams understand the objective to limit the number of street lights and the desire to retain the rural feel of certain locations and will therefore endeavour to keep the increase in street lights to a minimum.
- 2.7 The current level of street lighting in High Street Boston Spa is significantly below the level required to meet modern standards. The increase in the proposed number of street lights is therefore significant with the latest proposal being to install 99 street lights in place of the 39 that currently exist.
- 2.8 The proposals for High Street Boston Spa have been the subject of consultation with Wetherby Ward Members and Boston Spa Parish Council for a significant period. A number of design revisions have taken place, reducing the street light height to a more acceptable level as requested and then reducing the design standard to the absolute minimum to reduce the number of street lights required. Reducing the height has increased the number of lights required to achieve the appropriate spread of light. Ward Members and the Parish Council appreciate the significant redesign work undertaken by officers but remain opposed to the proposed scheme.

3 Main issues

- 3.1 The street lighting PFI was predicated on delivering a number of benefits for the city. The outline business case approved by Executive Board on 12th May 2004 set out specific outcomes to achieve improved road safety and a reduction in the fear of crime. In order to ensure that the project met these requirements, provided maximum benefit and delivered consistent levels of lighting across the city the project approval and funding required the lighting to be designed in accordance with the British Standard for the design of road lighting, BS 5489: 2003.

- 3.2 As part of the consultation process it has been recognised that the community representatives for High Street Boston Spa require the minimum level of lighting to be provided to maintain, as far as possible, the character of the street. Previously the entire length of High Street has been walked by both a City Council representative and two members of the Parish Council, at which time each individual new street light position was considered and marked. Where possible, amendments have been made to accommodate any issues raised.
- 3.3 The designers of the scheme have some scope for interpretation of the standards, but they have a duty to consider the important characteristics of the street. High Street varies in width between 19.29m and 8.79m wide. It is an 'A' classified road carrying 12,022 vehicles per day. The total illuminated length is 2.52km. It has a variety of shops, restaurants, take aways, pubs, post office, and a village Hall, There is on-street parking, particular over the centre section closer to the public amenities and a well used pedestrian crossing. High street also serves as the primary access to the adjacent villages of Clifford and Thorp Arch, in particular from the A1(M) motorway.
- 3.4 The rate of reported casualty accidents on this road is relatively low. There have been accidents resulting in 1 serious and 30 slight casualties within the last ten years. Of these there were no serious and 4 slight casualties occurring during the hours of darkness. One of the accidents during the hours of darkness involved a driver with a positive breath test.
- 3.5 The level of crime and anti social behaviour after dark varies along the length of High Street. A study undertaken by Leeds Community Safety highlighted 32 crimes and 48 reports of anti-social behaviour within 100m of High Street during the year to November 2011. The report commented "Boston Spa is frequently the location of youth nuisance, often connected with the local high school and the High Street attracts gatherings of youths." and "Notably, no crimes or calls were mapped to the West of the junction with Clifford Moor Road or to the East of the junction with Grove Road." (The proposed lighting scheme extends to 175m West of Clifford Moor Road and 400m East of Grove Road)
- 3.6 Given the characteristics of the area, officers recommend installing a lighting scheme that is fit for purpose in terms of being able to see and be seen. The day and night time impact of the existing lighting is shown in the photographs attached in Appendix A. If relit with this number of street lights, the effect would be a pattern of light and dark areas to which the human eye has difficulty in adjusting. It will not assist in achieving the intended benefits of the project.
- 3.7 The design has been reduced in classification to what is now considered to be the absolute minimum to accord with the design standards. The road classification applied is one class above the existing side roads off High Street. Having originally been designed as a 'Traffic Route', the current design class is similar to that normally applied to a 'residential' main access road, the effect being to reduce both the level of lighting and also the spread of light.
- 3.8 The initial classification required 80, 10 metre high street lights to meet the standard. The lighting uniformity required by the initial classification would have led to an impractical number of 7 metre high street lights, far more than the 99 now

proposed. The result of the reclassification means that the desired lower mounting height can be more easily accommodated, but even though it is a lower classification the 30% reduction in mounting height and resultant limit on the spread of light increases the number of street lights required from 80 to 99. On average the street lights within the current proposal will be placed 26 metres apart.

- 3.9 The existing street lighting installation has 39, 5 metre tall street lights. The scheme has been in place for around 40 years and is in need of replacement. The existing street lighting leaves significant lengths of High Street with little or no illumination. The existing street lights are not evenly spaced but on average are 65 metres apart. The design standards cannot be met by providing new street lights at this spacing.
- 3.10 Officers believe that the lighting design now proposed delivers the recommended absolute minimum level of light to minimise road safety risks and reduce the fear of crime and would recommend proceeding with installation of this design proposal with 99 street lights. An example of the current proposed scheme over a short length of High Street is shown in Appendix B.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Elected Members and Parish Council representatives have been consulted on all street lighting proposals throughout the duration of the PFI project.
- 4.1.2 Officers met with Elected Members for the Wetherby Ward in March 2009 to discuss the design approach to the renewal of street lighting in their Ward. Since that time there have been a number of meetings between officers and individual Members to discuss particular areas of concern. Later in 2009 all street lighting work in the Wetherby Ward was stopped for a number of weeks at the request of Ward Members to review the overall proposals. Following agreement to a number of changes in designs, work recommenced and since that time dialogue has continued as concerns about individual streets have been raised. Recent engagement with Members over the design of High Street Boston Spa have failed to reach agreement. Elected members for Wetherby Ward object to the proposed scheme on the grounds that it incorporates too many street lights and will adversely affect the visual appearance of the street. Ward Members would like to see a departure from standards to replace the existing columns on a 'like for like' basis".
- 4.1.3 Consultation with Boston Spa Parish Council on the proposals commenced in May 2009. Initial dialogue concerned the potential installation of heritage type apparatus. Since that time many meetings and discussions have been held with officers to explore the revision of designs to reduce the number and height of street lights to nearer that of the existing installation. The Parish Council appreciate that there has been some significant movement by officers to revise the scheme but continue to object to the scheme stating "Our primary concern is to ensure that any lighting scheme contains the fewest possible number of the lowest and slimmest possible lighting columns and fittings in such locations as best respects the 90 odd listed buildings along High Street. In addition those lights should be staggered as far as ever possible to mitigate the impact of the straight line approach preferred by the lighting engineers which has so little regard for the environment into which the

lighting is being introduced.” Boston Spa Parish Council would like to see a departure from standards to replace the existing columns on a 'like for like' basis with perhaps some limited additional lighting in the very centre of the village around the Bridge Road junction.

- 4.1.4 The Chief Officer for Highways & Transportation is unable to support the departure from British Standards requested. Accordingly, this report has been presented to resolve matters.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An equality, diversity, cohesion and integration screening has been completed for this proposal. This concluded that a full impact assessment was not necessary as equality, diversity, cohesion and integration has already been sufficiently considered at both the design and installation stage. The screening concluded that the installation of a reduced system of lighting may improve the current illumination but may not deliver the full benefit of the aspirations of the project.

4.3 Council Policies and City Priorities

- 4.3.1 The current proposals comply with the objectives for the project, approved by Executive Board on 12th May 2004 to contribute to the council's objectives of reducing the fear of crime, reduce the risk of collision and provide lighting to the current design standards. A reduced street lighting scheme will reduce the benefit and value for money of the refurbishment scheme.

- 4.3.2 Appropriate illumination of streets supports the following objectives within the City Priority Plan 2011-2015:

Best city... for communities

- Reduce crime levels and their impact across Leeds

- 4.3.3 Appropriate illumination of streets supports the Council business Plan 2011-2015 by:

Supporting the Council's values

- Working as a team for Leeds
- Being open, honest and trusted
- Working with communities
- Treating people fairly
- Spending money wisely

Supporting City Development Priorities

- Provide, manage and maintain a safe and efficient transport network for the city.

Supporting Environment and Neighbourhoods Priorities

- Deliver the Safer and Stronger Communities City Priority Plan.

4.4 Resources and Value for Money

- 4.4.1 The proposals have no direct impact on the current resources. The contract payment mechanism is based on the number of street lights removed rather than the number installed. Hence there is no financial benefit to the council of installing a lighting system which is below recommended design standards. Failure to light the road to design standards will result in a reduction in value for money as the outcomes outlined in the project business case may not be delivered as planned.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Independent from the proposals in this report, considerable consultation has been carried out with police, road safety and community safety groups in relation to the council's proposals for part night switching of street lights. The consensus view emerging is that inadequately lit streets create light and dark areas. It is more desirable to switch all the lights off than to leave an environment with dark areas where potential dangers can be hidden. In a dark street the eye adjusts to accommodate for the lack of lighting but it is unable to react to a rapid change in illumination leading to lower overall visibility. This is especially so for drivers who might consequently fail to see a potential hazard.
- 4.5.2 If it could be proved that an accident or incident was as a result of the street lighting failing to meet the appropriate British Standard then the council could be vulnerable to a public liability claim. No evidence of this occurring in other areas of the UK can be found; officers are not aware of other authorities reducing the standards to the level requested in this instance. The existing lighting in High Street is well below modern standards and it could be argued that any increase will be a benefit rather than a detriment. However a legal challenge would only consider whether the council provided lighting to the appropriate standard rather than whether it was improved slightly from what was there before.
- 4.5.3 Legal services have been consulted on the proposals and comment as follows: "The provisions of section 97 of the Highways Act 1980 enable every local authority to provide street lighting. This power is discretionary and the authority would not therefore be liable for failure to light. The Council carries out lighting schemes that are in compliance with the British Standard for the design of road lighting BS5489. It is considered that to light highways to a lower standard would mean non-compliance with the British Standard which may have a detrimental affect on the public's general use of the highway."
- 4.5.4 This decision will be subject to call in.

4.6 Risk Management

- 4.6.1 Risks for the street lighting project are monitored within the departmental risk register.

4.6.2 The risks to the City Council arising from any provision of lighting to below the minimum design standard are:

- That the stated benefits of reduced fear of crime are not achieved.
- That the stated benefits of increased road safety are not achieved.
- That the council could be pursued for legal liability should it be proven that the lack of provision of lighting in accordance with the design standard, led directly to an accident or loss by a third party.

5 Conclusions

5.1 It is agreed that the street lighting on High Street Boston Spa needs replacing but any proposal which falls within the requirements of current design standards will result in a significant increase in the number of street lights. This is contrary to local aspirations. A reduced lighting scheme will meet with local aspirations but may not deliver the whole of the benefits expected from the refurbishment programme.

6 Recommendations

6.1 Executive Board is requested to approve the installation of the latest scheme proposals for High Street Boston Spa which is in accordance with British Standards for the design of road lighting but contrary to local community representatives wishes.

7 Background documents

7.1 Equality, Diversity, Cohesion and Integration screening report dated November 2011, available on the council's intranet.

**A659 High Street Boston Spa
Photographs of existing street lighting**

Appendix A

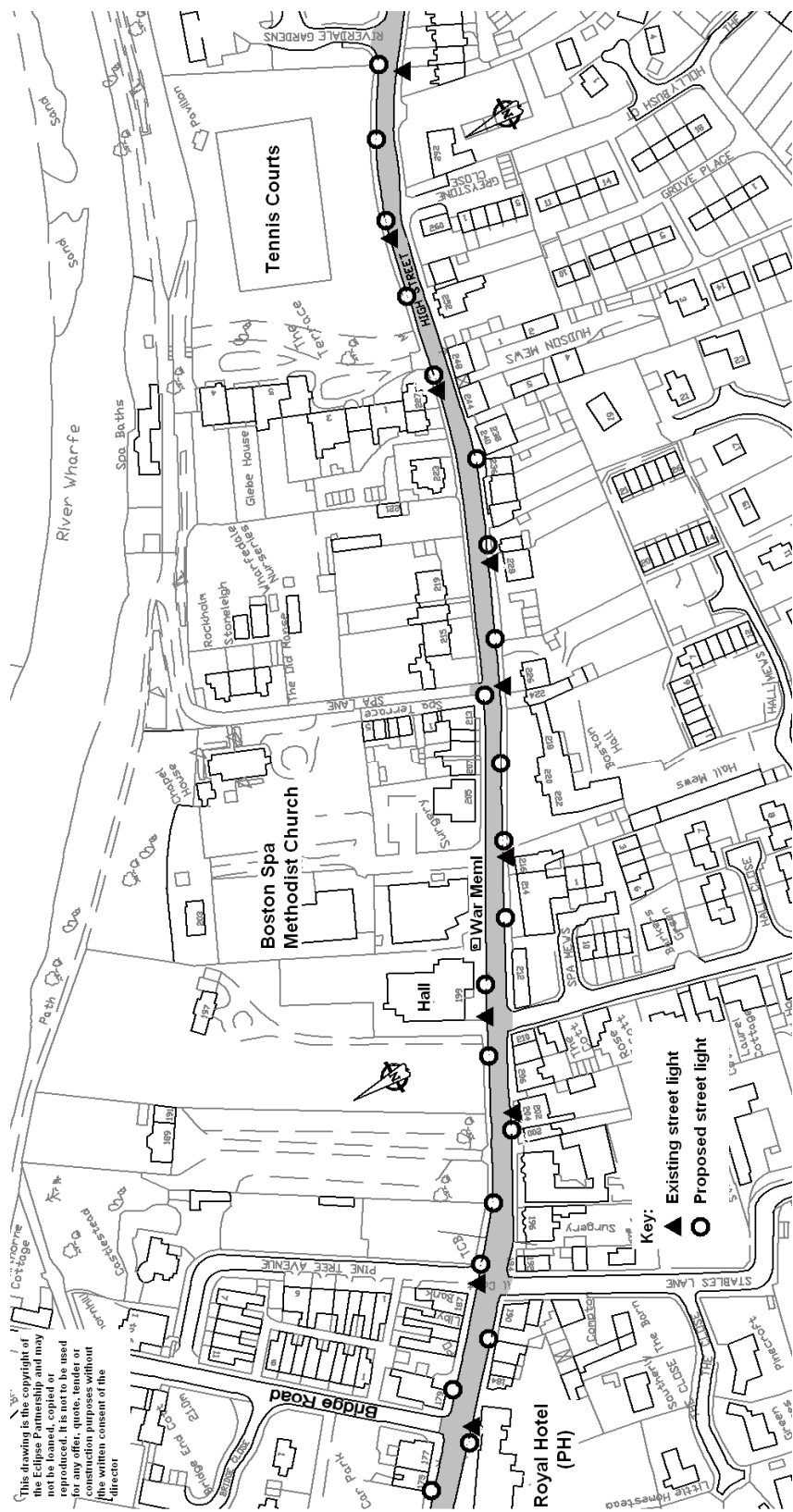


Photograph 1 – Existing day time appearance



Photograph 2 – Existing night time appearance

A659 High Street Boston Spa
Example of proposed street lighting scheme



High Street Boston Spa Street Lighting Proposals
(Example of a short length of the proposed scheme for indicative purposes only) (not to scale)