

Street Lighting

Report number:	CAB/WS/22/027	
Report to and date:	Cabinet	21 June 2022
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Decisions Plan: **The decision made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.**

Wards impacted: **All Wards**

Recommendation: **It is recommended that Cabinet:**

- 1. Approves the draft vision, scope and guiding principles for the proposed 2023-24 review of West Suffolk Council’s relationship with town and parish councils as set out in section 2.1 of this report;**
- 2. Pending a more detailed audit, notes the initial analysis of the disposition of street lighting in**

West Suffolk contained in section 2.2 of this report; and

- 3. Approves the next steps for working with Suffolk County Council and town and parish councils on a review of street lighting in West Suffolk as set out in section 2.3 of this report.**

1. Context to this report

- 1.1 The majority of street lights in West Suffolk are owned and maintained by Suffolk County Council as highway authority. However, West Suffolk Council (WSC) has the power to provide lighting as a local authority, acting with the consent of the Highways Authority via the powers conferred by the Highways Act 1980. Town and parish councils have similar powers for their areas.
- 1.2 It was indicated at the council meeting in February 2022 that, following the delay caused by the response to the pandemic, Cabinet intends to carry out the planned review of West Suffolk Council's future relationship with town and parish councils after the 2023 elections. This report gives more information on the proposed scope for that long-term review.
- 1.3 However, in response to concerns raised, and ahead of that main review, Cabinet has also indicated that it will look at the ownership and future management of street lights in West Suffolk during 2022-23, including those owned by parish and town councils. This report also provides background to that interim review and proposes how it will be taken forward in the remainder of the municipal year and in the context of that wider review.
- 1.4 The report is therefore broken down into three parts:
 - a. A draft scope for the 2023-24 review of West Suffolk Council's relationship with town and parish councils.
 - b. A brief examination of the current ownership and management of lights in West Suffolk, and
 - c. Proposals for a process to review the future management of street lighting in West Suffolk which aims to improve the consistency, efficiency and effectiveness of this service.

2. Proposals within this report

2.1 Review of future relationship with town and parish councils

- 2.1.1 It was always intended to carry out a review of how the new West Suffolk Council will interact with town and parish councils after its creation in 2019. This was delayed by the response to the pandemic and will now take place from 2023 onwards to allow the discussions to take place after the May elections in that year.
- 2.1.2 The original objective for the review, contained in the business case for the new West Suffolk Council, was that the creation of the new authority would present an opportunity to put in place new ways of working including:

“making sure things are done at the right level (subsidiarity), including a greater role for town and parish councils in truly local matters.” This cross-refers to the Council’s Strategic Plan which highlights the importance of place focus and subsidiarity. In particular, the need to find: “Distinctively local not generic solutions that are shaped and delivered locally and reflect the different challenges and opportunities of West Suffolk’s places...We will also take account of the various roles and ambitions of local organisations, including town and parish councils.”

2.1.3 At this stage, the scope of the proposed review would be to examine all options for greater involvement of town and parish councils in what are, in some areas, currently district functions, services or facilities. This will be based on collective and individual dialogue with town and parish councils with proposals formed following that engagement. However, to frame that process and enable all parties to prepare, it would be helpful to define, in draft, a vision and some guiding principles for the process.

2.1.4 It is therefore proposed that the draft overall vision for the process is:

To encourage and manage growth in prosperity and quality of life for all in West Suffolk, and in particular (but in no ranked order) that:

1. The capacity of the town and parish council will be central to the consideration of future options.
2. The review will always be underpinned by the [West Suffolk Families and Communities approach](#).
3. Any new arrangement must offer value for money for local taxpayers.
4. Discussions will draw on and respect the relative strengths and assets of each party.
5. Each place is different, and each conversation is unique. This may also mean that the delivery model chosen could differ between places.
6. Conversations will balance the principle of subsidiarity (delivering services at the right level) with the principles of efficiency, economy and effective accountability.
7. We are working in an environment of constant change so any changes will need to be flexible and may not necessarily be permanent. West Suffolk Council is open to options for piloting approaches, and for time-limited approaches.
8. Future arrangements must support equality of opportunity and access for all local residents, businesses and community groups.

2.1.5 If the above draft is adopted, the Leader of the Council will, as part of forming a new Cabinet after the May 2023 elections, be asked to confirm the portfolio holder to lead the review and work will commence in late spring or early summer 2023. However, there is nothing to prevent individual town and parish councils approaching West Suffolk Council in the meantime with any feedback on the above principles or to suggest issues for examination in their area.

2.2 Current responsibility for Street Lights in West Suffolk

Context for review

- 2.2.1 This review has been started due to concerns raised in 2021 that West Suffolk Council maintains a large number of street lights in the area that was formerly St Edmundsbury Borough (SEBC), but very few in the area that was formerly Forest Heath District (FHDC). Just over 1500 and 200 respectively. In contrast, parish and town councils in the former FHDC area, maintain a large number of street lights compared to their former SEBC counterparts. Just over 2000 compared to virtually none.
- 2.2.2 However, as this report will show, these disparities cannot be looked at in isolation, but have to be viewed in the context of the pattern of ownership of all street lights. The majority of lighting in the district is actually the responsibility of the county council, especially where linked to the highway (the county council maintains all lighting on A and B roads for instance). Historically, parish, town and district councils then added their own lights or took on responsibility for certain lights. These additional lights may have still been in relation to the highway but might also have been on footpaths or related to assets such as car parks (public and for former council housing), garage areas, bus stations, parks, monuments, and so on. For this reason, of the 70,000 street lights in Suffolk as a whole, it is estimated that over 10,500 are owned by district, town and parish councils and housing associations.
- 2.2.3 There are also disparities at town and parish level within the two former district areas of West Suffolk – please see 2.2.16 (a) below for examples. All of which will make it far harder to review than just examining disparities in a specific tier of local government in a specific part of West Suffolk. Instead, it is likely to be more effective in the first instance to ask more fundamental questions about the management of street lights. These questions, and the recommendations in this report that stem from them, are the focus of the following section of this report (section 2.3).

Background information on light ownership

- 2.2.4 Before exploring the local situation in more detail, it is important to set the scene. Namely that, for reasons of history, local circumstance and choice, there is no consistent pattern of street lighting in the UK. This is echoed by the disparities that have developed in Suffolk, from current and former district-to-district and between parishes even if the same former district areas.
- 2.2.5 This situation can partly be explained by the various legal duties around the provision of lights and many overlapping levels of jurisdiction and responsibility (see Appendix A). However, it also requires an understanding of the decisions of local authorities, often down to parish level and taken many decades ago. This report does not seek to provide that historical picture in any detail. This is partly due to the difficulty in tracking down

that historical information, but mainly because the intention is not for the review to be backward-looking.

- 2.2.6 Historical decisions aside, there are however two very recent changes that affected the number of street lights which West Suffolk Council (WSC) inherited in 2019 and need to be taken into account when analysing the current data:
- a. In the early 2000s, SEBC and FHDC both transferred their housing stocks to registered social landlords. How these decisions impacted on street lighting, and if they resulted in any substantive differences between the two areas, is still under investigation. However, it is worth recording that, in the former FHDC area, a small amount of the lighting in the scope of this review (over 100 units) is owned by a housing association (Flagship). Whereas, in the former SEBC area, this does not seem to be the case in terms of lights recorded in the SCC database.
 - b. In 2016, SEBC upgraded most of its own street lighting assets (see background papers). This was: to enable approximately half to be adopted by the Suffolk County Council Highways Authority (SCC), thereby terminating future responsibility for the ongoing repair, maintenance and energy consumption of those units; and to reduce the cost of powering and maintaining the residual assets. This decision resulted in the upgrade of 3,027 street lighting assets across the former Borough. In turn, this enabled 1,547 units to be transferred to the Highway Authority and reduced the costs of maintenance and power for the 1,481 lights that were retained by SEBC at that time. The capital cost of this work came to £1,810,000, reducing annual revenue costs by approximately £157,000 per year (old prices). The 201 lights then owned by FHDC were also reviewed as part of the same process with SCC. However, it was not concluded that there was a strong business case to upgrade them all at that time because they were generally in a reasonable condition and, since they were spaced infrequently and generally located in car parking areas, they did not meet the criteria for adoption by SCC.
- 2.2.7 Taking these two changes into account, in 2019 WSC inherited just over 1500 lights from SEBC compared to just over 200 from FHDC. Even allowing for the gearing in the sizes of the former councils (around 2:1), it is therefore clear that each took a very different approach to lighting during the period 1974 to 2019. And, most likely, they also inherited disparities in local provision when they themselves were formed in 1974.
- 2.2.8 This disparity also has to be set in the context of other local differences in asset ownership, service levels and income generation between the two former districts and also within them. There are, for instance, other service areas where all West Suffolk residents are now paying for things delivered in the former FHDC but not the former SEBC (as well as vice-versa). For example, footpath liabilities that were not part of housing stock transfer in

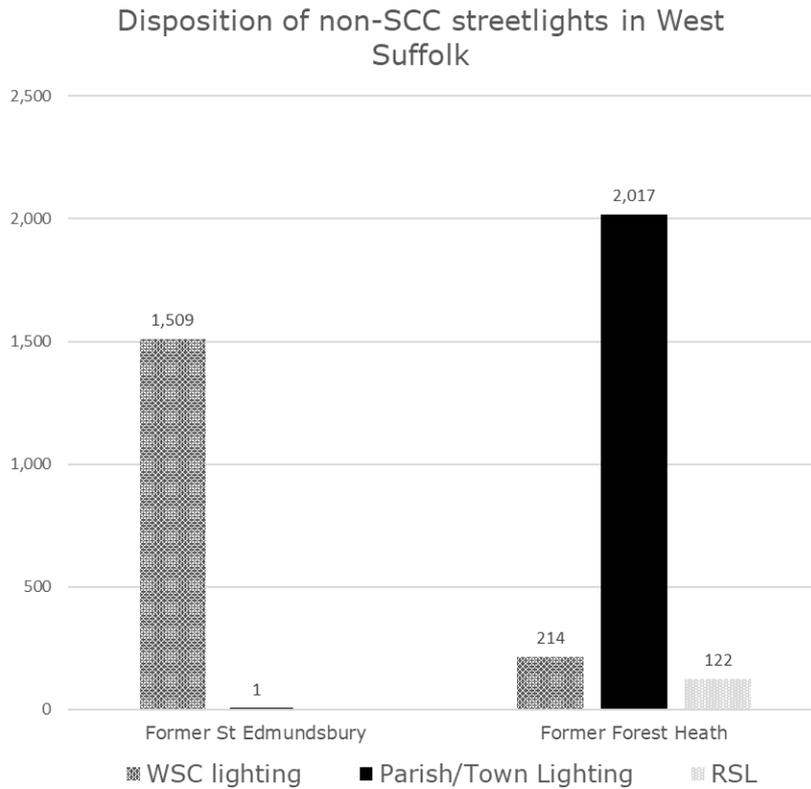
the former FHDC area and are now the responsibility of WSC. Whereas, in contrast, these paths were in the main transferred to the housing association in the former SEBC areas.

- 2.2.9 These differences, which are far outweighed by what the two former council areas have in common, were inevitable when West Suffolk Council was formed and, in general, there is some balancing out alongside the wider benefits the single council brings. However, in creating the new authority, it was also recognised there needs to be a larger piece of work to look at these anomalies, alongside a wider review of how the two tiers of local government work together. Hence the wider review planned for 2023-24.

Disposition of street lighting in West Suffolk

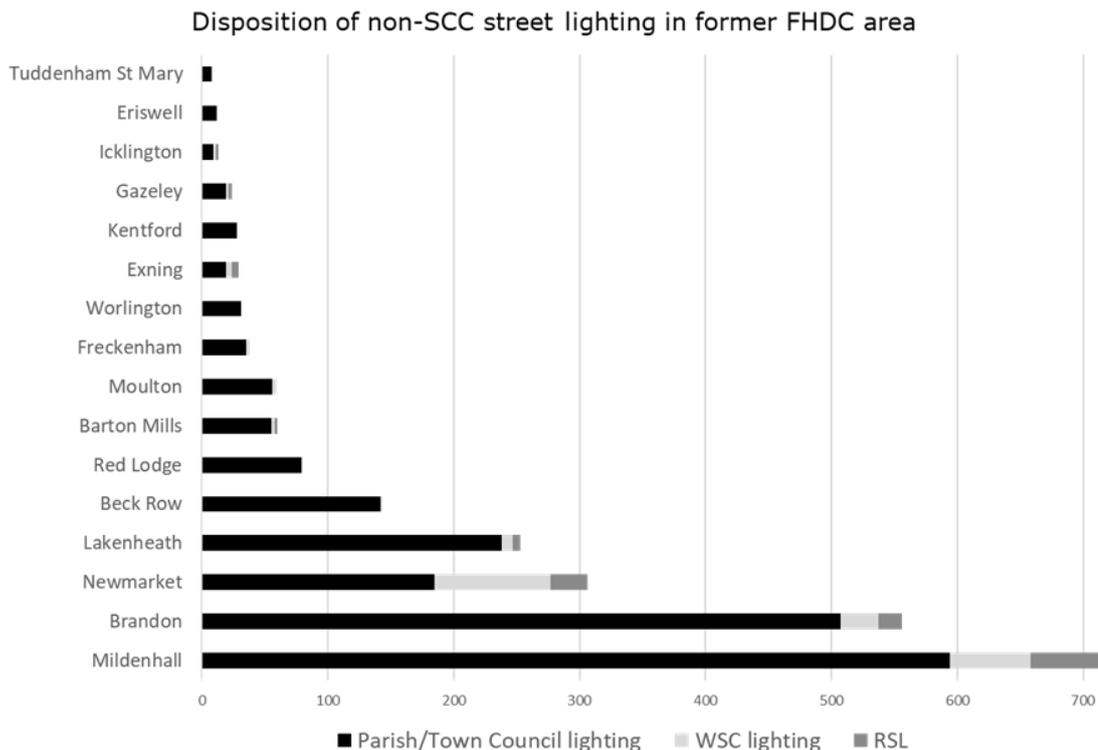
- 2.2.10 This review of lighting has been greatly assisted by detailed information kindly provided by SCC and also by Mildenhall High Town Council (as a sample parish). The following analysis, however, needs to be treated with a degree of caution and will benefit from a more detailed audit, as set out in the recommendations. For instance, the ownership of around 60 street lights is unknown and it is possible some local lights are not recorded in the central lists held by SCC. Similarly, the data for WSC is slightly skewed by operational assets such as car parks, bus stations, parks and monuments which are mainly concentrated in towns.
- 2.2.11 With that caveat it is estimated that, of over 20,000 lights in total, nearly 4,000 street lights in West Suffolk are not owned by Suffolk County Council (SCC), so are a combination of district and parish and town council and registered social landlord (RSL) owned instead¹. These 4,000 non-SCC lights are broken down in the chart below.

¹ Suffolk County Council do still maintain a lot of these lights under service contracts with the owners. This is why there is a lot of data on the location of lighting in some parishes.



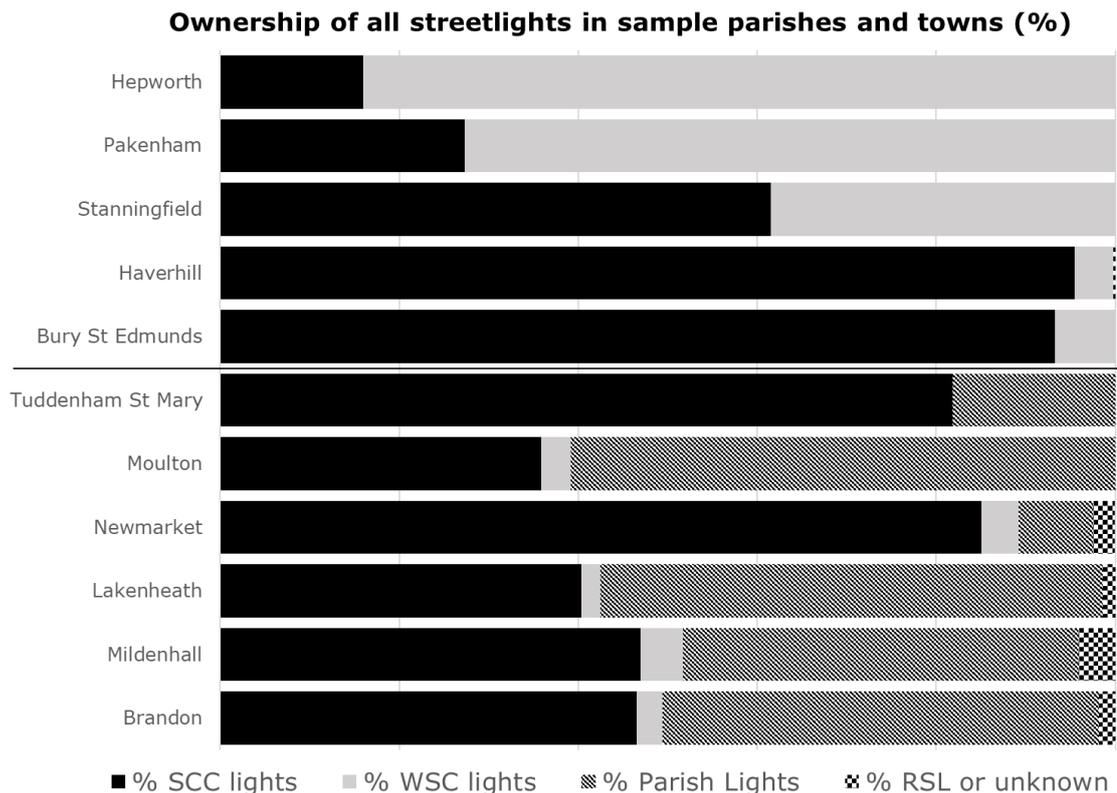
2.2.12 The perceived inequality is that over 2,300 non-SCC lights are in former FHDC, with the largest number (around 2,000) being run by parish councils. In comparison, around 1,500 lights are estimated to be in former SEBC, of which only one can currently be shown to be run by a parish council in the available data.

2.2.13 Breaking this down by parish, other historical differences emerge in how non-SCC lights are owned. As can be seen in the chart below, Mildenhall and Brandon town councils have significantly more lighting under their jurisdiction at parish level than anywhere else. This isn't explained by their population or geography (both smaller in comparison to Newmarket). WSC also maintains a higher quantity – both in terms of number and proportion – of lights in Newmarket than anywhere else in the former FHDC.



2.2.14 But this does not mean that there are more lights in Brandon or Mildenhall overall. Generally speaking the number of street lights in any part of West Suffolk is broadly proportionate to its size as a place. The apparent disparity exists because the data above is only part of the picture for street lighting.

2.2.15 When taking into account all lights (SCC included), a fuller picture emerges in terms of where any disparities actually lie. The chart below shows ownership of lights in a small sample of parish and town council areas in former SEBC and FHDC to illustrate the overall pattern. This analysis is shown in terms of the proportion different organisations own. So clearly, the actual number of lights in a small rural parish like Hepworth is very small in relation to a large town like Haverhill. But showing the data like this is important in the context of examining whether inequalities exist.



2.2.16 Analysis:

- a. As can be seen above, Newmarket and Tuddenham St Mary show that there are also disparities within the former district areas as well as between them. The fact these two parishes appear to be outliers in the sample of former FHDC parishes suggests that the conditions that led to parishes not having responsibility for some categories of lights were always met in SEBC and only sometimes in FHDC.
- b. In both former districts, there are places where SCC provides over 80% of the lights compared to WSC and towns and parishes. And places that they don't. This is a disparity in the pattern of ownership and would appear to indicate that, across the two former districts, it was always the case that there were places where the principal authorities (but especially SCC) provided well over 80 or 90% of the lights. Contrasted with other places, all in FHDC, where the parishes have provided between half and two-thirds.
- c. Across the whole of the former FHDC and in Haverhill and Bury St Edmunds, WSC's ownership as a proportion of all lights is fairly consistent (ranging between 2% and 7% in the sample above). The transfer of around 1500 lights in 2016 to SCC will not have significantly affected this broad pattern. For instance, there are over 6,000 lights in total in Bury St Edmunds alone. Moreover, this transfer was between the two principal authorities, not involving parishes. Similarly, this doesn't explain why former SEBC parishes provide so few lights in comparison to FHDC parishes.

- d. By percentage, the main disparity in WSC's ownership relates to the rural area (including the town of Clare). In the rural parts of the former SEBC, it owns a large proportion of the lights alongside SCC, ranging from 40% to 80% in the sample above (albeit in relation to relatively small numbers of lights in each individual parish area but still making up a significant proportion of WSC's overall ownership). In contrast, a rural parish in the former FHDC can often own over half of the lights in its area (although not universally as Tuddenham St Mary shows).

2.2.17 What this initial high-level study reveals is that any disparity in the ownership of street lights has a far wider context and can't be addressed in isolation. Furthermore, given the issues with the datasets used, it is essential to gather more data from parishes to take this review forward. With any subsequent conversation about WSC's role then to be linked to the wider town and parish council review in 2023-24 and SCC's role as Highway Authority.

2.3 Scope for street lighting review and recommended way forward

2.3.1 Before any discussion about future responsibility for lights, there are a number of fundamental issues that first need to be addressed:

- a. the costs involved in administering lights
- b. the expected increase in costs given the energy crisis, and
- c. the best way to provide lighting in the future.

2.3.2 This in turn can be broken down into several specific questions:

- a. Why were the lights originally installed where they were? Can we examine whether all of the lights are still relevant to the local community's needs in 2022 (not least as some are costly to retain or replace)?
- b. If the lights are still relevant, can they be upgraded to Light Emitting Diode (LED) to make them cheaper and greener to run? Are there any economies of scale in that upgrade process?
- c. Are there further opportunities to incorporate any upgraded lights into Suffolk County Council's central management system which allows different settings for individual lights to balance efficiency with safety?

2.3.3 Taking these questions in turn, we can shape the scope and recommendations for the first phase of work. And, as a common thread, it can already be seen that more information and engagement will be a prerequisite for all of the work.

What is the context and jurisdiction for the lights?

- 2.3.4 As explained above, there is no evidence that any part of West Suffolk is relatively under or over-lit compared to other places but, through an audit of lights with parishes, it may be possible to identify lights that are no longer required in the context of their original installation or adding value in safety terms.
- 2.3.5 It may also be useful to distinguish between 'normal' street-lighting by the highway and lighting that is used only for footpaths, garage areas, and so on. Particularly if we want to explore further if disparities exist regarding responsibility for lights by the highway (see section 2.2).
- 2.3.6 As explained in Appendix A, lighting that is not part of the highway and therefore is not regulated by the county council as highway authority – such as footway lighting or garage lighting – is the sole responsibility of the local lighting authority, which they can administer without regulatory oversight. In this instance, the local lighting authority can be a district or parish council.
- 2.3.7 This is important to note for two reasons:
- a. Not all the lights on footpaths and around garages may still be needed, and therefore some might, if there was local agreement, be removed by the parish or district council.
 - b. Lighting that is highway related and not covering footpaths, garages, council car parks, bus stations and parks, and so on may require a conversation with the highway authority about ongoing relevance or jurisdiction (where this has not already taken place in relation to the earlier upgrade programme).
- 2.3.8 As such, it is important to establish accurately the proportion of non-highway lighting being provided by parish and town councils in West Suffolk. Using only text searches, it is evident that garage and footpath lighting could be a significant proportion of the non-SCC lights. But benefiting from local knowledge (as well as auditing the residual WSC lights again) would definitely be a useful exercise to inform the conversations envisaged in para 2.3.7.

Can the lights be upgraded?

- 2.3.9 As set out in the background paper to this report, SEBC upgraded the bulk of its street lighting to LED just over five years ago as part of county-wide programme. This means that another point of interest is how many of the town and parish and housing association lights are LED. Data kindly shared by Mildenhall High Town Council suggests the proportion could be low. However, only through a thorough investigation of all parishes will it be possible to acquire an accurate figure. WSC itself also has several hundred inherited lights which are not yet LED.

- 2.3.10 This is important because the type of lighting has a very big bearing on costs of operation as well as carbon emissions. Appendix B provides more information on the types of lighting. In summary, LEDs are a more efficient light than the traditional sodium lights and can reduce costs in energy and maintenance by around 75%, based on the experience of SCC in converting over 20,000 lights to date. This is also in the context of energy prices rising by a similar amount over the last year. In addition, a number of lamp types including MBFU (mercury) and low-pressure sodium (SOX) are no longer manufactured in accordance with modern standards. As such, these lights can no longer be maintained and may need to be converted to LED in any event. SCC has already highlighted this in its annual letters to asset owners whose lights it maintains.
- 2.3.11 Upgrading lights is not cheap even if the return on investment may be relatively high (and increasing due to rising energy costs). SEBC spent over £1.8m to upgrade over 3000 lights in 2016, and recent estimates suggest this average cost per light will still be over £600². As such, the cost of conversion for all the parish and town owned lights in the former FHDC area could easily cost over £1m in total (split pro-rata between parishes). WSC will also need to consider the cost of upgrading any of its own lights that are still not LED.
- 2.3.12 Nonetheless, this would most likely be a very good investment for the various councils if they could find the funding (please note, no funds are currently allocated in WSC budgets for this purpose). WSC does not have access to information on parish and town council street lighting costs. However, as context, WSC's own costs in 2021-22 for its 1,723 lights were just over £85,000 and the large majority are already LED. The expectation is that running costs will rise by well over 50% in 2022-23 mainly due to higher energy costs. Given the likely proportion of LED lights in the parish and town council lighting stock, it could therefore reasonably be assumed that the combined running cost of these lights will be more £100,000 in 2022-23 (and potentially significantly higher).
- 2.3.13 Accordingly, this is something it would be important to gather more information on from parishes (see recommendations) so that costs and savings can be more accurately estimated. Ideally, this would also link into the current SCC programme to upgrade all its remaining light stock to LED by 2023 as there is the opportunity for district and town and parish councils to buy into this contract and achieve significant economies of scale.
- 2.3.14 The aim of the review is to help parish and town councils identify options for managing their lights more efficiently. However, parish and town councils are obviously able, and may prefer, to start the upgrade process

² Please note: The works (£600 average) also factor in a number of columns that were replaced, in addition to the upgrade to LED. Lantern only upgrades would be considerably cheaper than £600.

immediately if they can access their own funding now. They therefore need not wait for the WSC review to be concluded.

Can lights be added to the Central Management System?

- 2.3.15 Converting lights to LED is only part of the potential upgrade process. The savings of over 70% quoted earlier are partly achieved by how the LED lights are used, as well as them being more energy efficient to start with. To do this the lights need to be added to the SCC Central Management System (CMS) which can be summarised as follows:
- a. In 2011, Suffolk County Council adopted a new county-wide central management system to monitor and meter street lights using a sensor mounted on each streetlight.
 - b. The system automatically reports lights that are not working and also enables dimming or 'part-night' settings. For example, dimming a LED light by 25% for some of the night is not normally detectable by the human eye.³
 - c. The system also produces reports that calculate the energy used by specific lights and account for different modes of operation to ensure that cost savings can be realised without any impact on safety.
- 2.3.16 A key part of any review would therefore also be seeking to understand the appetite of parish and town councils to link any upgraded lights to the Central Management System, as well as the opportunities for WSC to do the same with the balance of its own lighting.

Proposed next steps

- 2.3.17 Taking everything in sections 2.2 and 2.3 into account, it is proposed that the following next steps are taken in the review ahead of it feeding into the wider town and parish council review in 2023-24:
- a. undertake an audit or survey of lighting at district-level, including all parish and town council lighting. Specifically, over the summer of 2022, undertake an audit of street lights across the district (ideally in partnership with SCC). This would provide an opportunity to:
 1. find out which parishes want to work with WSC and SCC on the review or not
 2. investigate district, parish and town lights to consider whether all lights are felt to still be relevant locally

³ Please note: Although the CMS allows dimming, this is where the applicable control gear is in place. All new lanterns would have this facility. However, some of the very early LED units may not.

- b. investigate the potential costs to upgrade lights. Specifically, work with SCC and parish and town councils to understand accurate cost implications. This should include:
 - 1. seeking to lower the expenses of former FHDC area parish and town councils
 - 2. investigating whether this review could fit within the SCC upgrade programme - for assistance with costs and economies of scale opportunities, and
 - 3. targeting reductions in WSC expenditure by rationalising and upgrading any WSC lights which are not already LED
- c. work with Suffolk County Council to review feasibility and costs and savings involved in incorporating parish and town council lights into the SCC Central Management System. Specifically:
 - 1. following the audit, WSC and SCC should work with all partners to understand if and where the Central Management System could appropriately be integrated into parish and town street lighting, and
 - 2. this should include an engagement and education event with parish and town councils to ensure they understand fully the benefits of the system (which could potentially be the Parish and Town Council Forum in October 2022).
- d. report back to Cabinet in early Autumn 2022 on findings.

3. Alternative options that have been considered

- 3.1 While the council has no statutory obligation to maintain street lights, and is not required to work with other local lighting authorities to review street lighting distribution and operation, it wishes to continue to support these important community facilities in the most efficient and appropriate manner for taxpayers across all three tiers of local government (also reflecting the proposed vision and guiding principles for the 2023 review of WSC's relationship with town and parish councils).
- 3.2 To take this work forward, the Cabinet wishes to engage with town and parish councils to gather information before forming proposals. Therefore, no alternative options have been considered at this stage.

4. Consultation and engagement undertaken

- 4.1 Initial consultation has been carried out with officers of Suffolk County Council to gather some of the background information in this report and identify the scope of the proposed audit. Relevant WSC portfolio holders have also been consulted on the draft report.

- 4.2 However, the main consultation for the review will be carried out if the recommendations in this report are approved. This will engage all town and parish councils in the process, as well as other interested stakeholders including Suffolk County Council and all members of West Suffolk Council.

5. Risks associated with the proposals

- 5.1 Other than ensuring that engagement over the summer is effective, there are no significant risks associated with implementing the proposals as they are about fact-finding to develop later options. The main risk would not be addressing the issue at all, given the concerns raised and opportunities to develop potential solutions in the face of rising energy prices.

6. Implications arising from the proposals

- 6.1 Financial – there will be an opportunity cost in relation to the WSC staff time needed to work on the next stage of the lighting review and on the wider town and parish review from 2023/24. Direct financial implications in respect of the lighting review will be contained in any options appraisal at the next stage.
- 6.2 Legal compliance – not applicable at this stage.
- 6.3 Personal data processing – not applicable.
- 6.4 Equalities – not applicable.
- 6.5 Crime and disorder – not applicable at this stage. However, there is extensive research carried out in Suffolk and nationally on the impact of street lighting on crime and safety to draw upon at later stages of the review.
- 6.6 Environment or sustainability – covered in the report and appendices.
- 6.7 HR or staffing – work on the review will be carried out within existing workloads of officers.
- 6.8 Changes to existing policies – not applicable at this stage.
- 6.9 External organisations (such as businesses, community groups) – the audit and later options will affect parish and town councils, the county council and potentially registered social landlords.

7. Appendices referenced in this report

- 7.1 Appendix A – Background to street lighting responsibilities
- 7.2 Appendix B – Types of street lighting

8. Background documents associated with this report

8.1 [2017 Business Case for formation of a single West Suffolk Council](#)

8.2 [Transfer of Street Lighting Columns to Suffolk County Council. Report to St Edmundsbury Cabinet/Council in October/November 2015, ref CAB/SE/15/065](#)