



meeting	STREET LIGHTING SELECT COMMITTEE	
date	22 October 2007	agenda item number

Report of the Head of Service, Highway Safety

Accident implications of part-night lighting

Purpose of the report

1. To advise the select committee of the implications of part-night street lighting on road accidents and outline the County Council's obligations and responsibilities.

Background

2. The County Council has a statutory responsibility to provide a safe and efficient highway network for the benefit and safety of all road users. Under Section 39 of the Road Traffic Act 1988, local highway authorities are required to:
 - carry out accident studies
 - take measures in response to the results of such studies
 - ensure new roads are built to standards that will minimise the chances of an accident occurring.

Modern street lighting provides many benefits to the community in terms of safety, including a reduction in the number of road accidents. The Department for Transport statistics indicate that the provision of a lighting system can reduce night time accidents by up to 30%.

3. Part-night lighting is being considered by several highway authorities across the country in an attempt to reduce their CO₂ emissions, be more energy efficient and generate savings in their energy costs. However, the potential increase in road accidents has been highlighted as a concern by all authorities and as a result, exception criteria have been developed which outline locations where a reduced level of lighting should not be considered. Essex County Council have the most robust criteria which excludes:
 - major lit inter urban dual carriageways
 - conflict sites e.g. roundabouts
 - accident remedial sites

- town centres
- approaches to town centres where there is a mix of development 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
- remote alleys linking residential streets
- where there is a statutory requirement eg. certain signing requirements
- where the configuration of street lighting columns is considered excessive, consideration is to be given to removing 1 in 2 lights with the remaining lights left on full night operation

Issues

4. All highway authorities are assessed against national performance indicators. The casualty reduction targets for 2010 requires a:-

40% reduction in the number of people killed and seriously injured
 50% reduction in the number of children killed and seriously injured
 10% reduction in slight casualties as a rate

Within Nottinghamshire we are currently on target to meet all of these.

Around 33% of accidents occur in the hours of darkness and the introduction of street lighting or the improvement of existing lighting has been an effective countermeasure. Any increase in night time accidents resulting from a reduction in lighting provision will adversely effect our performance against these targets.

5. Living in an increasingly litigious society, the authority's statutory responsibilities must be clearly established. Whilst the authority does not have a duty to provide street lighting, it does have a duty to maintain the safety of the highway and the equipment thereon. It may therefore, be liable for a collision with an object such as an unlit lighting column, which forms a potential obstruction to pedestrians and cyclists during a pre-planned switch-off.
6. The County Surveyors' Society has highlighted two areas of concern regarding statutory responsibility. These are:
 - where street lighting is removed it is possible that any speed limit applicable due to the presence of the lighting may have to be reapplied by a traffic regulation order and the provision of signing
 - a highway authority may be challenged if it removed a system of road lighting or failed to maintain it in operation if it cannot demonstrate that the reason for which the lighting was installed was no longer applicable

Legal advice obtained by the authority in December 2006 suggested that "each site at which the reduction in street lighting is to be considered should be looked at individually to ensure that there is a rational basis for the authority's decision, and that all material

consideration which may effect the exercise of the authority's power in anyone location are taken into account".

A significant staff resource will be needed to apply the exception criteria to the lighting network and to carry out the high level of consultation with the community that will be required.

7. Any potential savings associated with a reduction in lighting provision needs to be balanced against the costs likely to be incurred as a consequence, eg. providing photocells to each column to regulate the hours of illumination and the increased costs associated with the increase in accidents. In the Essex pilot each column was fitted with a device which cost £25. Whilst the roll out of the scheme will cost £1.8 million they expect to save £1 million per year in energy costs, dependant on future energy prices. However, with a fatal accident costing on average £1.6 million and a serious costing £188,920, any increase in accidents needs to be factored into the calculation. Whilst the casualty costs are not charged directly to the authority, any claims made, as a result of the authority being negligent, will be based on these nationally approved figures.
8. Initial feedback from discussions with other authorities and stakeholders suggests that this is not an appropriate way forward in terms of safety

Recommendations

9. It is recommended that the Select Committee receive the information contained in this report and initiate lines of questioning as necessary.

Neil Woodcock
Head of Service Highway Safety

Background papers: nil.

Street Lighting Select Committee – Suzanne Heydon
2 October 2007