

Request for information NCC-046098-20

Thank you for your recent enquiry regarding the highways electrical system on Greens Lane, Kimberley, in the vicinity of the war memorial

Having checked the limits of the public highway in the area, the memorial is private, with the surrounding footway, paved area (where the seats are) and the planted area all forming part of the highway. Only the street lighting and signage in the vicinity of the road junction is showing on the Highway Asset Management System (HAMS) as being highway assets. Therefore, the up lighting for the memorial, despite being in the highway is actually considered private apparatus. The HAMS is our definitive record of all highway assets and as areas change, become adopted, get stopped up, the records are amended accordingly. Hence, we are confident that our records are correct.

We cannot confirm the statement that the three up lights are connected to the feeder pillar, but as you indicate, it is likely that this was all done as part of the junction improvement and development of the area. It is also likely that this work was undertaken by or in cooperation with Broxtowe Borough Council, as they were agents/partners to the County Council for Highway activities at the time. We do have a feed pillar in the area you describe, and this is part of the highway asset.

Whilst the planted area is highway, Nottinghamshire County Council does not plant this area and as such this is either planted and maintained by Broxtowe Borough Council or Kimberley Town Council. As such it is more than likely that these councils are responsible for the memorial and the up lighting. If the area was not maintained by another, it is likely that we would remove the planted area and return them to hard paving (tarmac/sets).

Where you indicate 'the county council knows, or ought to know, who is responsible', we only have such information if it forms part of the highway asset. As these features don't and are private apparatus, they are the responsibility of a 3rd party, which is likely to be the owner of the memorial.

You have used the term 'the county council own'. For clarity, the County Council does not own the majority of land that is set aside for highway use and defined as Public Highway, maintainable at public expense. The County Council act as the local Highway Authority for Nottinghamshire, with much of the land set aside for highway use being owned by the adjacent properties. We maintain the land for highway use and regularly inspect and review highway assets to ensure they are in a suitable and safe condition. Other parties have assets in the highway and have a legal right to install and maintain their assets in a highway environment. Hence, certain assets aren't our responsibility, but we do have a duty to maintain our assets and ensure the highway is safe for such use.

I hope this information is of assistance. If Broxtowe Borough Council or Kimberley Town Council are unable to assist you, please come back to us regarding the up lighters and we'll review their condition. We have no responsibility for the memorial and hence cannot take any action.

I trust this information is of assistance to you.

If you wish to raise any concerns about the way your request was dealt with, then please write to the Team Manager, Complaints and Information, County Hall, West Bridgford, Nottingham, NG2 7QP or e-mail foi@nottscc.gov.uk quoting the reference number above

With kind regards

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