

# Impact Assessment

Version 2017

To publish, please send a dated PDF to [impactassessment-mailbox@devon.gov.uk](mailto:impactassessment-mailbox@devon.gov.uk)



<b>Assessment of:</b>	<b>Street Lighting Policy</b>
<b>Service:</b>	<b>Highways Infrastructure Development and Waste</b>

<b>Head of Service:</b>	Meg Booth
<b>Date of sign off by Head Of Service/version:</b>	18/12/18
<b>Assessment carried out by (incl. job title):</b>	Chris Cranston, Operations and Communications Manager

## Section 1 - Background

<b>Description:</b>	<p>Street Lighting is a discretionary service provided to aid safe pedestrian and vehicular movements on the highway.</p> <p>Where provided, lighting is operated during the hours of darkness and the level of illumination is varied according to circumstances, which relates to road type, traffic speed and volume, pedestrian footfall and setting (e.g. rural, urban etc.)</p>
<b>Reason for change/review:</b>	<p>The street lighting service and policy is being reviewed in the light of new national risk-based guidance, new technology and prior to a new Term Maintenance Contract being tendered. It is also including a policy on how Devon County Council should manage street lighting that is found to have been installed on private roads.</p> <p>This document is only considering the impact of the changes being proposed and not the existing policy for which previous assessments have been undertaken.</p>

## Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

<p>Options Appraisal and Recommendations:</p>	<p>The policy is largely a continuation of the existing policy which is based on:</p> <ul style="list-style-type: none"><li>- Maintaining a safe asset</li><li>- Minimising energy consumption to reduce expenditure and carbon footprint</li><li>- Addressing the issue of street lighting found to be on private roads</li><li>- Use of lighting columns for non-highway purposes</li></ul> <p>The drivers for energy and carbon reduction have been well-established in previous policies and assessments and this revision does not propose any change to:</p> <ul style="list-style-type: none"><li>- Continuing the programmes of changing to more energy efficient lighting</li><li>- Retaining the approach of part-night lighting residential areas</li><li>- Delumination where there is no longer a need for lighting</li><li>- Applying dimming regimes to minimise light output when there is less traffic and hence lower risk</li></ul> <p>Applying a risk-based approach to street lighting maintenance as encouraged by the new code Well-Managed Highway Infrastructure and reducing proactive scouting as the higher risk lighting is now using a more reliable technology and requires less frequent changes (LED lights are expected to last in excess of 12 years) and more reliance can be placed on public reporting. This will allow more effective use of available resources.</p> <p>The policy introduces a statement on dealing with street lighting found to be on private roads. One option is that all lighting found on private roads is either removed or transferred to those responsible for the maintenance of the private road. Recent experience has shown this to be challenging when the private road owner is not an organisation set up to manage such matters and includes groups of residents who are unaware of their responsibilities in this regard. It is therefore proposed that some discretion should be given to the authorities to consider the costs to the authority of continuing to maintain the lighting and cover the energy costs, the ease by</p>
-----------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>which those responsible could accept transfer of ownership and the public benefit of retaining the lighting. An alternative option would be to either divest or remove the lighting on private roads without any discretion.</p> <p>The other additions to the policy include options for potentially using the street lighting asset to achieve income for the authority, either through banner advertising or for communication equipment such as public wifi. Both would be dependent on being compliant with other areas of legislation (such as planning consent), road safety considerations (considered on a location basis) and ability of the asset to carry the extra load, which is often dependent on age.</p> <p>Finally, there is enabling legislation to develop a network of charging points for electric vehicles and street lighting is seen as a potential asset that could be used to provide this service. Often existing street lighting is not the best option for this, either due to its location on the street (at the rear of the footway) or because of the limited power that can be delivered from the street lighting circuit. However, it is recognised that there are a range of different options available and if a company or organisation approached the Authority to undertake trials then it is recommended that the Authority should consider being a willing partner.</p> <p>This policy is proposed to be effective across the County.</p>
<p>Social/equality impacts (summary):</p>	<p>This review does not plan to change the Part Night lighting policy for which a previous impact assessment was published in 2013 and recognised some impact on night workers.</p> <p>The changes to the policy are not expected to have a significant impact in this area. The risk-based approach and lowering the level of night scouting will mean that there may be more public reporting of faults and hence the need for individuals to contact the authority through a variety of communication options, although web reporting is preferred by the authority as the most efficient, unless urgent when the telephone is preferred.</p> <p>Any addition of equipment attached to lighting columns will be designed to ensure adequate clearance on footways to meet equality requirements (eg for prams and wheelchairs)</p>
<p>Environmental impacts (summary):</p>	<p>The reduction in energy consumption will be beneficial to the environment in significantly lowering the Authority's carbon footprint and reducing light pollution. Facilitating the introduction of vehicle charging points will help encourage the use of electric vehicles.</p>

Economic impacts (summary):	The investment in new technology for street lighting will have a positive economic impact, whilst the energy reduction should not have any significant detrimental impact on the economy as lighting is being maintained when most needed.
Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	<p>The divesting of street lighting on private roads will have an impact on those that have responsibility for these roads, in taking on their full responsibility where appropriate, or losing the asset.</p> <p>Some lighting may be out for slightly longer than under the current service level, if not promptly reported by the public, but it is assumed that the higher the importance of the lighting the more likely the public are to report the fault. However, as the asset becomes more reliable with the new technology less faults should occur.</p>
How will impacts and actions be monitored?	The number of complaints, faults and response times will be monitored and compared to the existing level.

# Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

## Section 3 - Profile and views of stakeholders and people directly affected

People affected:	All users of the highway
Diversity profile and needs assessment of affected people:	As per Devon population profiles
Other stakeholders (agencies etc.):	All users of the highway
Consultation process and results:	Discussion with group of Scrutiny Committee Members, and a review previous enquiries and complaints received by the service. There was general support for the changes with the biggest concern being expressed by one member about commercial advertising, particularly if it was uncontrolled and extensive with national advertising. It was emphasised that they authority needed to consider all potential funding streams and that only designated columns would be used and only after a safety assessment and planning approval, so safeguards are already in place.
Research and information used:	Legislation and National Codes of Practice, including Well-Managed Highway Infrastructure (Lighting section in particular), fault and complaint history, information from equipment suppliers

## Section 4a - Social Impacts

### Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and

- Those affected have been adequately consulted.

<b>Characteristics</b>	<b>In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage?</b>  <b>Are there any lawful, reasonable and proportionate, unavoidable negative consequences?</b>	<b>In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, ‘close gaps’).</b>  <b>In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?</b>
All residents (include generic equality provisions):	<p>Not general significant impacts are expected. Part-night lighting and reducing energy consumption are well established from previous policy position.</p> <p>Residents in private roads may see some impact if the authority determines that these should be funded by the residents, not being part of the public highway.</p>	<p>Where divesting lighting on private roads creates a significant challenge for residents then the policy proposes some discretion to address situations where it may be in the public interest for the Council to continue supporting this lighting.</p>
Age:	<p>Residents in private roads: older people may be concerned about going out at night if street lights are not maintained privately</p>	
Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:	<p>Residents in private roads: disabled people (particularly those with visual impairment) may be concerned about going out at night if street lights are not maintained privately.</p> <p>Addition of equipment could impact on disabled people therefore we will ensure that there is adequate clearance to allow for wheelchair access</p>	

	and navigation for Blind/visually impaired people and guide dogs.	
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	Not relevant	
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).	Residents in private roads: vulnerable people may be concerned about going out at night if street lights are not maintained privately.  Addition of equipment could impact on parents with buggies therefore we will ensure that there is adequate clearance to allow for buggies, prams etc.	
Sexual orientation and marriage/civil partnership:	Not relevant	
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	Not relevant	
Human rights considerations:	These policy changes are not expected to affect human rights.	



## Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?	<b>Communities can be more involved in reporting faults on street lighting, but as the asset becomes more reliable with new technology it is expected that less faults will occur.</b>
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	<b>One key reason that lighting is provided is enhance a feeling of safety by illuminating busy streets and roads but targeting the level of illumination to when most people require it. By relying more on public reporting, it is expected that street lighting which is of more importance to people will be reported sooner.</b>
In what way can you help people to be connected, and involved in community activities?	

## Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process
X	Planning Permission may be required for advertising banners on street lighting columns
	Environmental Impact Assessment

	<b>Describe any actual or potential negative consequences. (Consider how to mitigate against these).</b>	<b>Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).</b>
Reduce, reuse, recycle and compost:		
Conserve and enhance wildlife:	If any negative impacts were identified by installation of LEDs it may be possible to adjust the light spectrum to minimise this impact	Less light spillage should be advantageous.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	The use of street light columns for advertising may have some detrimental effect to the landscape, but will only be placed in appropriate locations, more likely urban, and will require planning consent.	The move to more efficient lighting will also reduce light spillage and therefore create less light pollution which will enhance the night-time characteristics of the landscape.
Conserve and enhance Devon's cultural and historic heritage:		
Minimise greenhouse gas emissions:		Continued conversion to LED and minimising energy consumption will help to reduce greenhouse gas emissions
Minimise pollution (including air, land, water, light and noise):		More efficient and modern lighting will lower levels of light pollution

Contribute to reducing water consumption:		
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		Improving the asset by maximising the use of new technology should also assist in making it more resilient regarding climate change.
Other (please state below):		

### Section 4c - Economic impacts

	<b>Describe any actual or potential negative consequences. (Consider how to mitigate against these).</b>	<b>Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).</b>
Impact on knowledge and skills:		Facilitating the introduction of electric charging of vehicles should help to gain knowledge of this emerging technology for the future.
Impact on employment levels:	The development of a more reliable asset and reduction in night scouting may decrease employment levels	The introduction of new technology into lighting should help to enhance employment levels
Impact on local business:		Advertising on street lighting columns could help to enhance business awareness.  Working with business to introduce new electric vehicle charging facilities could be beneficial

## Section 4d -Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	from 2020 fit for the next decade, encouraging a partnership approach with value-added serviced from a contractor.
---------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------

## Section 5 - 'Social Value' of planned commissioned/procured services:

How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?	The proposed changes to policy should create a more cost-effective, efficient and reliable service that will be delivered through the new contract arrangements from 2020 fit for the next decade, encouraging a partnership approach with value-added serviced from a contractor.
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------