

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

1st September 2016

Report of the Head of Streetcare

M. Roberts

Matter for Decision

Wards Affected: *All Wards*

Street Lighting, Rowantree Avenue

Purpose of Report

- 1 To determine future intentions in respect of maintaining street lighting in Rowantree Avenue, Baglan.

Background and Executive Summary

- 2 Rowantree Avenue has been constructed in a number of phases and started in 1999 with the developer not wishing to offer the site up for future adoption by the Highway Authority under a Section 38 Agreement. As such the lighting which was installed as part of the development has remained the responsibility of the developer who has not maintained the infrastructure. Residents over the years have complained to the Council regarding inoperative lights and about their concerns over night time safety. As the lighting is in place and can be brought into service at moderate cost, officers propose on the grounds of public safety that the Council use its available powers under the Public Health Act to take responsibility for the lighting and to maintain it going forward. The location of the lighting concerned is shown on the attached plan

Financial Impact

- 3 Findings from a recent visual survey indicate that lighting repair costs would be in the region of £700.00. Following this the lighting would be maintained as part of the Council's public lighting service.

Equality Impact Assessment

- 4 A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this proposal does not require an Equalities Impact Assessment

Workforce Impact

- 5 There are no workforce impacts associated with this report

Legal Impact

- 6 The power to light a private street is a discretionary power which falls under section 161 of the Public Health Act 1875. Legal Services would need to write to each affected property in order that an agreement is set up with individual land owners, after which the Council can take responsibility for the lighting and maintain it.

Risk Management

- 7 If the Council take responsibility for the lighting it will take on the future maintenance risk as with other street lighting.

Consultation

- 8 There is no requirement under the Constitution for external consultation on this item.

Recommendation(s)

- 9 It is recommended that Members approve the use of the Council's discretionary powers under the Public Health Act with respect to the provision and maintenance of street lighting in Rowantree Avenue. This will address long standing community concerns

regarding night time safety and the street lights constructed by the Developer not being in-service.

Reason for Proposed Decision(s)

- 10 So that the lighting installed by the Developer is maintained to assist in public safety.

Implementation of Decision

- 11 The decision is proposed for implementation after the three day call in period.

Appendices

- 12 Drawing number PL-1.

List of Background Papers

- 13 None

Officer Contact

- 14 Mr David Stiens, Public Lighting & Electrical Manager.
Tel: 01639 686228
Email: d.stiens@npt.gov.uk
- 15 Mr Mike Key, Lighting & Building Services Manager
Tel: 01639 686442
Email: m.key@npt.gov.uk