

**Lighting In Swan Precinct, Ilminster
Planning, Highways and Transport Committee 1 November 2016**

Decisions needed:

- (i) Whether or not the Town Council wishes to obtain any further information**
- (ii) Whether or not the Town Council wishes to take any further action**

Introduction

1. The subject of lighting in Swan Precinct was discussed at the Committee on 5 April 2016. The topic had been placed on the agenda at the request of Councillors as local people had raised the issue with them.
2. The Town Clerk was requested to write to the landowner enquiring if they would consent to a lighting scheme being implemented should sufficient funding be found.

Background Information

3. Owners of Swan Precinct
A letter was sent to the people on the Town Council's records as the owners of Swan Precinct, the following response was received "*Your letter has been forwarded to me as GTH are instructed as managing agents by the freehold owners of Swan precinct. I will of course need to take my client's formal instructions but I anticipate that my clients' view will be that they will be pleased to approve a street lighting scheme so long as it does not adversely impact upon the occupiers of Swan Precinct and on the understanding that the cost of its implementation, day to day upkeep and maintenance and all running and associated costs are met by the Council together with any necessary insurance costs. Assuming this is agreed we will be pleased to consider your proposals further and I look forward to hearing from you.*"
4. Owners of Warren Court
A letter was also sent to the organisation that it was believed were responsible for the recent development of the dwellings in Swan Precinct, the following response was received; "*... has forwarded your letter ... regarding street lighting in Swan Precinct. We are the current landlord of the property and also act as managing agent. We have no objection in principle in lights being fixed to Warren Court, Please supply us with your proposals when they are ready.!*"
5. The Local Police Team were asked for any information that they may hold about incidents in Swan Precinct over the last couple of years. The response was that the only immediate incidents coming to mind was the break-ins at the Red Cross Shop but the records would be checked and the Town Council advised if any other incidents were logged. No further communication has been received.
6. South Somerset District Council Planning were contacted and asked if planning permission would be required – they responded that it was unlikely but advised checking when any scheme details were available.

7. Somerset County Council Highways are usually responsible for installing street lighting schemes. Their representative spoke to the Town Clerk and advised that as Swan Precinct is privately owned SCC would not pay to install or maintain any lighting scheme. A scheme could be implemented and SCC Highways would not need to give permission, but the responsibility for installation, maintenance and energy bills would rest with the person / organisation implementing the scheme – not the County Council. The person / organisation implementing the scheme would also have a duty of care for safe installation and maintenance.
8. No formal consultation has taken place on whether or not there should be any lighting in Swan Precinct. Councillors have however been given informal opinions by residents and traders and there does not seem to be a consistent viewpoint.

Report Prepared 25 October 2016

For further information contact the Town Council Offices, Tel 01460 52149 or email town.council@ilminster.gov.uk