

Wiltshire Council

Cabinet

22 June 2010

Subject: Street Naming and Numbering Policy

Cabinet member: Councillor John Noeken – Resources

Key Decision: Yes

Executive summary

- To seek the adoption of the necessary statutory powers to undertake street naming and numbering and the signage of streets within its administrative area.
- To seek Cabinet's endorsement and adoption of Wiltshire Council's interim Street Naming and Numbering Policy; to approve a schedule of fees for the Street Naming and Numbering service; and to approve a strategy for developing a permanent policy.

Proposal

That Cabinet:

- (a) adopts the provisions of Sections 17 and 18 of the Public Health Act 1925 (as opposed to section 21 of the Public Health Act 1907) and Sections 64 and 65 of the Town Improvement Clauses Act 1847 (as opposed to section 19 of the Public Health Act 1925);
- (b) considers the attached policy in the light of the operation problems caused by the existing policy (outlined above) and, if appropriate, approve it as the interim Street Naming and Numbering Policy for Wiltshire Council;
- (c) considers the options for a schedule of fees as set out in section 8 of this report and to approve Scenario C and
- (d) seeks a definitive Street Naming and Numbering Policy for approval by Cabinet within 6 months, following consultation with Town and Parish Councils.

Reason for proposal

By approving the above proposals, Wiltshire Council will have a sound legal and policy framework on which to deliver the Street naming and Numbering service in an efficient and customer-focused fashion.

Deborah Farrow**Service Director for Business Transformation, Information Management and ICT**

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Purpose of report

1. To seek the adoption of the necessary statutory powers to undertake street naming and numbering and the signage of streets within its administrative area.
2. To seek Cabinet's endorsement and adoption of Wiltshire Council's interim Street Naming and Numbering Policy; to approve a schedule of fees for the Street Naming and Numbering service; and to approve a strategy for developing a permanent policy.

Background

3. The enabling powers in relation to street naming and numbering and the display of street names and signs are contained in various legislations including the Public Health Acts of 1907 and 1925 and the Town Improvement Clauses Act 1847. Each of the Acts includes complementary and sometimes overlapping provisions. The Local Government Act 1972 sought to remove any confusion by requiring local authorities to adopt which legislation they intend to use. Currently it would appear that there is no evidence to suggest that the Council, nor the former District Councils, has adopted any specific legislation relating to these functions.
4. The existing Street Naming and Numbering Policy was put into place for the commencement of the new unitary authority on April 1st 2009. Since that time, the Street Naming and Numbering function has been merged from four separate functions into a single function run by the Spatial Information Team, which is part of the Information Management Service. The merger of the function into a single team has revealed various problems with the current policy which have been causing operational difficulties. In brief, these problems are:
 - The original policy was not adopted by the Implementation Executive
 - The rules on what constitutes an acceptable name of a street are ambiguous in the current policy

- If the developer and Town or Parish Council cannot agree on a name for a street, the existing policy does not make clear who has the final decision
 - The current fees do not adequately represent the work done - for example, a whole floor of flats is charged at £45 whereas a single house is £130, even though the work is broadly dependent on the number of individual addresses created, regardless of whether they are flats or houses. The current fees do not cover the cost of providing the service.
5. Because of the operational difficulties caused by the existing policy, it is proposed that Cabinet adopt the attached policy immediately as an interim policy. We will then consult with Town and Parish Councils to develop a final policy with the intention of bringing this final policy back to Cabinet for approval within 6 months.

Main considerations for the council

6. Cabinet is asked to consider the following:
- 1 To adopt the provisions of Sections 17 and 18 of the Public Health Act 1925 (as opposed to section 21 of the Public Health Act 1907) and Sections 64 and 65 of the Town Improvement Clauses Act 1847 (as opposed to section 19 of the Public Health Act 1925).
 - 2 To consider the attached policy in the light of the operation problems caused by the existing policy (outlined above) and, if appropriate, approve it as the interim Street Naming and Numbering Policy for Wiltshire Council.
 - 3 To consider the options for a schedule of fees as set out in section 8 of this report and to approve Scenario C.
 - 4 To seek a definitive Street Naming and Numbering Policy for approval by Cabinet within 6 months, following consultation with Town and Parish Councils.

Environmental impact of the proposal

7. Not applicable.

Equalities impact of the proposal

8. The Street Naming and Numbering Policy aims to deliver quality services without prejudice and discrimination to meet the needs of all the community, regardless of age, cultural or ethnic background, disability, gender, marital status, religious or political persuasion or sexual orientation and will adhere to the equality and diversity policy of Wiltshire Council.

Risk assessment

9. Failure to adopt the appropriate statutory powers and to adopt a Street Naming and Numbering Policy leaves the Council open to the following risks:
 - Open to legal challenge that it is acting without statutory authority
 - Excessive resource being focused on issues where there are conflicts from developers, the public and Town and Parish Councils, for example, following the suggestion of controversial street names by developers.
 - Non equal balance between charges to the applicant against work undertaken. Reviewing the Policy including the existing charges will ensure the charges presented match the work undertaken by the officers and cover management and software costs
 - Ambiguities in the current policy over what constitutes an acceptable name leaves the council open to challenges from developers, the public and Town and Parish Councils on the grounds of incorrect application of the policy and makes it harder to enforce the rules for the proper naming of streets and properties.

Financial implications

10. The current fees and charges do not cover the costs of carrying out this function within the Address Management Team. In addition, the current fees do not adequately reflect the work carried out, for example by differentiating between houses and flats when in practice the work is the same.
11. The current fees and charges are listed below (for reference) along with three different scenarios for revised fees. In each suggested scenario, the fee is made up of a flat fee (to cover general overheads such as software and the costs of liaison with partner organisations) and a per-address fee to reflect the magnitude of the application.
12. In scenarios B and C (which see an increase in overall income), the impact is to slightly reduce the fee payable by an individual householder wishing to make a change to their personal address, but to increase the fees payable by developers making an application containing 2 or more properties.
13. The table below shows the suggested fees for each scenario and the estimated impact on income generated based on the level of applications received in 2009/10.
14. Scenario A simplifies the existing fee structure, and ensures there is a defined fee for each service available, but leaves income at approximately the same level as 2009/10.

15. Scenario B is sufficient to cover the salary costs of two officers administering the service, but does not cover any other costs associated with the service.
16. Scenario C covers the salary and on-costs of two officers, the software costs and a contribution to management time within the team.

In order to cover the costs for our two Street Naming and Numbering Officers, software and management time, we recommend adoption of charging Scenario C.

17. It should be noted that, in merging the function from being based in four hubs to one, fewer officers are now involved in running the service than were previously employed by the four district councils and therefore significant efficiencies have already been made to the service.

	Existing situation	Scenario A	Scenario B	Scenario C
Fee structure	House renaming - £80 New flat complex, per floor - £45 Development up to 5 plots - £130 Development over 5 plots - £130 + £10 per additional plot over 5, capped at £2,000 maximum charge (*)	House renaming - £50 New property (whether house or flat) - £110 for first property Charge for additional properties - £10 No maximum charge	House renaming - £50 New property (whether house or flat) - £110 for first property Charge for additional properties - £25 No maximum charge	House renaming - £50 New property (whether house or flat) - £110 for first property Charge for additional properties - £40 No maximum charge
Estimated income generated based on 2009/10 level of applications	£30,500	£30,830	£45,965	£61,100

(*) In 2009/10, two applications (for 198 and 299 properties) reached the upper limit of £2,000. Under Scenario B, these would raise £5,035 and £7,990 respectively. Under Scenario C, they would raise £7,560 and £12,030 respectively.

Legal implications

18. The Council has a legal responsibility to ensure that streets are named and properties numbered and is required to adopt whichever legislation it intends to use to fulfil these functions. This is essential for meeting the obligations of the Local Land and Property Gazetteer and for anticipated enquiries regarding the altering of street names. Without such a resolution the Council is open to challenge on decisions regarding new street names, altered street names, street numbering and street signage.
19. On considering the options indicated by the legislation the Council can use Section 17 of the Public Health Acts 1925 to name new streets. Beyond this the authority is required to make a further resolution as to which legislation it intends to use in relation to altering street names, property numbering and signage.
20. Of the legislation available regarding numbering, signage and Penalties for damage or non-compliance, the Town Improvement Clauses Act 1847 enables the widest ranging powers regarding numbering signage and penalties for damage or non-compliance. (Section 19 of the Public Health Act 1925 only enables the erection of street name plates and penalties for damage)
21. With reference to altering street names there is a greater choice to be made which will affect the procedures used by the Council when challenged or when a request is received to alter names. Section 18 of the Public Health Act 1925 would enable the ultimate decision to rest with the Council. (Section 21 of the Public Health Act 1907 would allow, following a detailed public consultation procedure, this decision to be made by the occupiers affected by the alteration of street name)

Options considered

22. The appropriate powers under the legislation have to be adopted if the Council is to fulfil its responsibility of street naming and numbering and the signage of streets within its area
23. The option of not preparing and adopting a Street Naming and Numbering Policy was not favoured, for reasons including the risks identified above.

Conclusions

24. Cabinet is asked to adopt appropriate legislation to carry out the Street Naming and Numbering function, approve the attached policy and schedule of fees, and to authorise officers to bring back a revised policy following appropriate consultation with town and parish councils.

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Background papers

None

Appendices

Street Naming and Numbering Policy