

Street Naming – new development at 149 – 151 London Road, Calne

1. Purpose of the Report

- 1.1. To consider the naming of a new development in Calne.

2. Recommendations

- 2.1. Unless the Committee can identify a sustainable reason to object then new development at 149 – 151 London Road, Calne be named Woodland View.

3. Legal Powers

- 3.1. A person proposing to name a street must give notice of it to the District Council, which, within one month, may object to the proposal by notice in writing endorsed with a notice of the right of appeal. An appeal against an objection lies to the Magistrates' Court, and must be brought within 21 days after service of the notice of objection.

4. Background

- 4.1. This matter involves the naming of a development comprising ten new dwellings 149 – 151 London Road, Calne. The location of the development is illustrated on the plan (Annex 1).
- 4.2. The normal procedure is to consult the Post Office and the relevant Town/Parish Council about the naming of developments. In almost all cases a mutually acceptable name is agreed with the developer on an informal basis.
- 4.3. The developer, JLS Building and Developments Ltd put forward the name Woodland View because the site backs on the Bentley Wood. This name was acceptable to the Post Office but Calne Town Council are unhappy with the proposed name and have suggested a new name of Admiral Close. The name 'Admiral' refers to the name of a butterfly rather than a Naval rank.
- 4.4. This name was put forward to the developer but was not considered to be acceptable. Calne Town Council have subsequently proposed five alternative names, all of which are the names of butterflies.
- 4.5. The developer has informed the Council that they are unhappy to accept the proposed names submitted by Calne Town Council and would like to continue with the name 'Woodland View'.

5. The Issue

- 5.1. The issue for the Committee is to decide whether to accept the name, Woodland View, as proposed by the developer or to object to it. The Committee has no power to actually name the development. If the Committee objects to the developer's proposal it will have to justify that objection before the Magistrates.
- 5.2. If the matter goes before the Magistrates, the Court must either:-
 - (a) dismiss the objection, in which case, the name Woodland View will stand, or
 - (b) uphold the objection

If the objection is upheld, the whole process starts again, and the developer will propose further names upon which consultation will take place.

6. Legal Implications

- 6.1. The function of the Committee is not to weigh the relative merits of Woodland View and Admiral Close as proposed names for the development. The Committee must focus on Woodland View, and decide whether there is any sustainable objection to that name. There is no immediately apparent reason why the name Woodland View should be objectionable.

7. Financial Implications

- 7.1. Developers meet the cost of providing new street nameplates.
- 7.2. In the event of an appeal, the Council would have to meet the costs in the Magistrates' Court, including those of the appellant if successful.

8. Community and Environmental Implications

- 8.1. The conclusion of this matter will have a positive community impact.

9. Equal Opportunities Implications

- 9.1. There are no direct implications contained within this report.

Report Writers

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