

# REPORT TO THE CALNE AREA 5 COMMITTEE

Report No. 7

Date of Meeting	27 February 2007
Title of Report	Street Naming – Development at 203 Quemerford, Calne
Link to Corporate Priorities	This is a statutory function under the Public Health Act 1925
Public Report	Yes

## Summary of Report

This report asks the Committee to confirm whether an objection should be maintained in relation to the naming of a new development at 203 Quemerford, Calne.

## Officer Recommendations

**That the Committee consider whether there are sustainable grounds to object to the name 'Eadred's Hyde' for the new street at 203 Quemerford, Calne and to agree to withdraw the holding objection.**

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
Yes	Yes	None	None	None

<b>Contact Officer</b>	Paul Taylor	Assistant Solicitor	01249 706598
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## **1. Introduction**

- 1.1 A request has been received from Oaklodge Homes Wessex Limited to name the new street associated with the development at 203 Quemerford, Calne (formally The Jolly Miller) 'Eadred's Hyde'.
- 1.2 An objection has been received from Calne Town Council to the proposed name. On the basis of the Town Council's objection, the Council issued a formal holding letter of objection to the developer, Oaklodge Homes Wessex Limited, on 17 October 2006.
- 1.3 An appeal against that objection has now been lodged with the Magistrates Court in accordance with s.17 Public Health Act 1925.
- 1.4 The issue for the Committee is to decide whether to accept the name, Eadred's Hyde, as proposed by the developer or to maintain the objection to it. The Committee has no power to actually name the development, in these circumstances.
- 1.5 If the Committee objects to the developer's proposal it will have to justify the objection before the Magistrates. If the matter goes before the Magistrates, the Court must either:-
  - (a) dismiss the objection, in which case, the name Eadred's Hyde will stand, or
  - (b) uphold the objectionIf the objection is upheld, the whole process starts again, and the developer will propose further names upon which consultation will take place.

## **2. Options and Options Appraisal**

- 2.1 Option 1: That the Committee agree to withdraw the objection raised to the name Eadred's Hyde as there are no sustainable reasons to maintain it.
- 2.2 Option 2: That the Committee support the objection raised by Calne Town Council and provide justification as to why this is the case, which can be sustained at the appeal hearing.

## **3. Background Information**

- 3.1 This matter involves the naming of a development comprising of 5 new dwellings at 203 Quemerford, Calne. The location of the development is illustrated on the plan (Appendix 1).
- 3.2 The normal procedure is to consult the Royal Mail 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.
- 3.3 The developer, Oaklodge Homes Wessex Limited, put forward the name Eadred's Hyde. This name was acceptable to the Royal Mail but Calne Town Council have raised an objection to it.
- 3.4 Three reasons were given by the Town Council for their objection
  - 3.4.1 Eadred (Edred) has already been used as a street name in Calne.
  - 3.4.2 Second use of this name would confuse visitors, postmen, delivery drivers etc. as already happens with duplicate names.

- 3.4.3 Although this site may have had different names in previous centuries, today's residents of the Town associate this area with the Jolly Miller Public House and the adjacent mill buildings which remain.
- 3.5. No objection has been raised by the Royal Mail to the proposed name.
- 3.6. The developer has informed the Council that they do not accept the proposed name submitted by Calne Town Council and would like to continue with the name 'Eadred's Hyde'. In support of their choice of name, Oaklodge Homes made the following comments in letters to the Court:-
- 3.6.1. "The first recorded historical reference to Quemerford was in the 10<sup>th</sup> Century, when the Anglo Saxon King Eadred (or Edred) died. The Royal Manor of Calne and its surrounding villages were part of the King's estate, hence Calne and Quemerford were mentioned in King Eadred's Will. Quemerford itself originated as a medieval settlement of farmsteads on the area of the Statutory Monument directly behind our development. Therefore the name 'Eadred's Hyde' represents the site's early historical origins. A hyde (or hide) was an Anglo Saxon measurement of land."
- 3.7. In response to the objections raised by Calne Town Council, the developer has noted that the Post Office have not raised any objections and that there are several examples of similar street names in Calne. They have also commented that the Post Office and most delivery companies use postcodes to determine their routes, so the street name should not cause any confusion.

#### **4. Legal Implications**

- 4.1. In the event that the Council maintains its objection, the matter will proceed to a hearing in the Magistrate's Court. There will be a requirement for evidence to be presented to support the grounds of objection. The Town Council may be asked to provide a representative to give evidence to support that objection at any appeal hearing.

#### **5. Financial Implications**

- 5.1. In the event that this matter proceeds to a Court hearing and the Council's objection is not upheld, then the Council are likely to have to pay both its own legal costs and those of the developer.

#### **6. Risk Analysis**

- 6.1. As stated above, there is a risk that the Council will have to pay the legal costs of the developer, if any objection is not upheld by the Court.

<b>Appendices:</b>	<ul style="list-style-type: none"> <li>• 1 - Location Plan</li> </ul>
<b>Background Documents Used in the Preparation of this Report:</b>	<ul style="list-style-type: none"> <li>• Minutes of Calne Town Council's Development Control Committee – 7 November 2006</li> <li>• Letters from Oaklodge Homes Wessex Limited to Chippenham Magistrates' Court – 1 &amp; 14 November 2006</li> </ul>

**Previous Decisions Connected with this Report**

<b>Report</b>	<b>Committee &amp; Date</b>	<b>Minute Reference</b>
None		