

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Rob Walker, Executive Director - Place

To: Policy Development Panel Wednesday, 19 September 2018

(Author: Phil Norman, Planning & Building Control Manager)

Subject Revised Street Naming and Numbering Policy

Purpose: To seek the Panel's recommendation that Cabinet adopt a Revised Street Naming and Numbering Policy.

Recommendation(s):

- 1) That the Policy Development Panel review the revised Street Naming and Numbering Policy and recommend its adoption to Cabinet on 20th November 2018 as per Appendix 1.

1.0 INTRODUCTION

- 1.1 A draft revised Street Naming and Numbering Policy was presented to Policy Development Panel on 26th June 2018. The recommendation of that report was that the Policy Development Panel review the draft revised Street Naming and Numbering Policy with an intention to returning a final revised Policy to a future meeting of the Panel before recommending its adoption to Cabinet.
- 1.2 At that meeting it was agreed:
 - that members of the Panel notify officers of any areas of the policy which could be cut or simplified whilst still maintaining the legal integrity of the document; and
 - that the final revised policy be considered by Policy Development Panel on 19th September 2018 prior to it being considered by Cabinet.
- 1.3 In respect of the first bullet point above, and in response to comments received, officers have liaised with the Council's legal department to seek their input. Whilst officers agree that policies should be short and succinct wherever possible, the Council's legal team have advised that the areas suggested for deletion should be retained for fullness and clarity, which will reduce the risk of legal challenge. On that basis the following report and appended revised policy remains unchanged from the previous version considered by the Panel on 26th June.

2.0 BACKGROUND

- 2.1 The Council has a duty under sections 17-19 of the Public Health Act 1925 ("the 1925 Act") and sections 64 and 65 of the Town Improvement Clauses Act 1847 ("the 1847 Act") to ensure that all roads in South Holland District are named and all properties numbered or named. The responsibility for dealing with applications for street naming and numbering, or re-naming, or re-numbering is administered by the Council's Building Control section who will ensure that this information is relayed to appropriate organisations.

- 2.2 To ensure that this service is operated effectively and efficiently it is necessary to set out procedures and performance standards. The current Street Naming and Numbering Policy was originally adopted in 2005. It is therefore timely to review its contents.
- 2.3 The main purpose of the policy is to provide a workable framework for the Council to operate its street naming and numbering function effectively and efficiently according to set procedures and performance standards, for the benefit of residents and visitors to South Holland. It outlines how this will be carried out providing: guidelines on choice of name for streets in new development, design and positioning of street name plates, repair, maintenance and numbering/naming of properties; cost recovery; refunds; records; timescales; enforcement; and, appeals.
- 2.4 The main changes proposed in the reviewed policy relate to charging for the work that South Holland Building Control carry out in relation to street naming and numbering. The power to charge falls under section 93 of the Local Government Act 2003 ("the 2003 Act"). This sets out that a local authority may charge for discretionary services. Discretionary services are those services that an authority has the power but not a duty to provide. An authority may charge where the person who receives the service has agreed to its provision and the charge must not exceed the cost of providing the service. The Council cannot charge for Street Naming services (since the duty to provide this service is not discretionary), but it can charge for elements of the naming and numbering function (which is a discretionary service) by virtue of Section 64 and 65 of the 1847 Act coupled with Section 93 of the 2003 Act.
- 2.5 Where a local authority wishes to charge for discretionary services, Section 93 of the 2003 Act allows charging on a 'not for profit' basis, that is, the Council can only aim to recover costs incurred. This is to encourage improvements to existing services and to develop new services with the aim of improving overall services to the customer.
- 2.6 All new development within South Holland will require the use of the Street Naming and Numbering function, as all new development needs address data, be they residential or commercial. There is a considerable amount of resource, both in staff time and associated costs that are incurred in the Street Naming and Numbering process.
- 2.7 The draft revised policy proposes to charge in the follow instances:
- Consultation and liaising with other external organisations such as Royal Mail, Parish/Town Councils, Ward Members (as a non-statutory element of naming streets).
 - The naming of new streets.
 - The naming and/or numbering of new properties (including conversions).
 - Alteration in either name or numbers to new developments after initial naming and/or numbering has been undertaken.
 - Renaming of existing properties.
 - Addition of names to an already numbered property.
 - Confirmation of existing addresses.
 - Challenges to existing official naming/numbering schemes/addresses held within the Street naming and Numbering records.
- 2.8 A draft schedule of charges is contained in the appendix to the attached revised policy. These costs have been calculated based on the Building Control service's experience of the time taken to undertake such tasks and by applying the approved hourly rate of £57.67.

2.9 There are no other fundamental changes to the policy with the procedures remaining largely unchanged. The 2005 policy is still deemed to be fit for purpose in this regard.

3.0 **OPTIONS**

3.1 **Option (A) – Do Nothing**

3.2 The 'Do Nothing' option is not recommended. The current Street Naming and Numbering Policy was originally adopted in 2005. It is therefore timely to review its contents.

3.3 **Option (B) - That the Policy Development Panel review the revised Street Naming and Numbering Policy and recommend its adoption to Cabinet on 20th November 2018 as per Appendix 1.**

3.4 This option is recommended. There have been no changes to the Council's responsibilities in respect of street naming and numbering. The Council is still required to provide this service and to ensure there is no confusion over addresses of properties in the District.

3.5 There are limited changes to the policy in terms of procedure. The main proposed change is to potentially charge for this service and generate income for the Council. Other Councils are known to be charging for these works. It is therefore reasonable for South Holland to explore this opportunity further.

3.6 Following the Panel on 26th June 2018 the views of the Panel have been discussed with the Council's legal department in line with its recommendation. Whilst officers agree that policies should be short and succinct wherever possible, the Council's legal team have advised that the areas suggested for deletion should be retained for fullness and clarity, which will reduce the risk of legal challenge. On that basis the appended revised policy remains unchanged from the previous version considered by the Panel on 26th June. It is therefore, considered that this option is the most reasonable recommendation.

3.7 **Option (C) - That the Policy Development Panel review the revised Street Naming and Numbering Policy and recommend its adoption to Cabinet on 20th November 2018 as per Appendix 1 with revisions.**

3.8 As outlined above, the clear advice from the legal department is that areas suggested for deletion should be retained within the document for fullness and clarity.

4.0 **REASONS FOR RECOMMENDATION(S)**

4.1 The recommendations set out above are self-explanatory.

5.0 **EXPECTED BENEFITS**

5.1 To ensure that the current policy is up to date and fit for purpose, providing clarity as to how streets and properties should be named and numbered.

5.2 There is also the opportunity to generate a new income stream and provide clarity on how this will be carried out.

6.0 **IMPLICATIONS**

6.1 **Constitutional & Legal**

6.1.1 The Council must provide property numbering schemes under the 1925 Act. The power to charge falls under section 93 of the 2003 Act. This sets out that a local authority may charge for discretionary services. Discretionary services are those services that an authority has the power but not a duty to provide. An authority may charge where the person who receives the service has agreed to its provision and the charge must not exceed the cost of providing the service. The Council cannot charge for Street Naming services (since the duty to provide this service is not discretionary), but it can charge for elements of the naming and numbering function (which is a discretionary service), as outlined above, by virtue of Section 64 and 65 of the 1847 Act coupled with Section 93 of the 2003 Act.

6.1.2 In accordance with the law and the Council's Constitution, this is an executive function exercisable by the Cabinet.

6.2 **Financial**

6.2.1 Any potential introduction of a charge for this service will generate income for the Council. Detailed analysis of the potential for income has not been carried out. However, as a benchmark East Lindsey Building Control Service, who also charge in this manner, generated £10,000 last year.

6.3 **Health & Wellbeing**

6.3.1 Clear street naming and property numbering makes it easier for the emergency services to locate properties.

6.4 **Reputation**

6.4.1 Where streets have been poorly named or numbered in the past the Council have received adverse press publicity, this policy seeks to eliminate that.

7.0 **WARDS/COMMUNITIES AFFECTED**

7.1 All wards and communities are affected.

8.0 **ACRONYMS**

8.1 None

Background papers:- [None](#)

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Key Decision: N

Exempt Decision: N

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix 1

Revised Street Naming and Numbering Policy