

CABINET

17 March 2010

STREET NAME AND NUMBERING CHARGES

REPORT OF HEAD OF INFORMATION MANAGEMENT & TECHNOLOGY

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RECENT REFERENCES:

NONE

EXECUTIVE SUMMARY:

The City Council currently carries out street naming and numbering for new properties and streets within the Winchester District. This service has previously been provided without a charge to the applicant.

Across the country a number of Local Authorities have been reviewing the way they provide this service and considering what actions could be taken to ensure that the cost of this activity is not carried out by the wider community.

Legislation now expressly permits the Council to charge for certain types of discretionary services. This report sets out the legislative background and makes proposals for charges to be levied.

RECOMMENDATIONS:

1. That notice of intention to adopt the provisions of Sections 17 to 19 of the Public Health Act 1925 be given in accordance with paragraph 25(5) of Schedule 14 of the Local Government Act 1972.
2. That a further report be brought back to Cabinet following publication of the notice in 1 above to formally adopt the provisions.
3. That subject to adoption of the provisions, the charges set out in paragraph 5.1 (b) of this report be agreed.

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### STREET NAME AND NUMBERING CHARGES

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##### 1 Introduction

- 1.1 The City Council currently carries out street naming and numbering for new properties and streets within the Winchester District. This service has previously been provided without a charge to the applicant.
- 1.2 Across the country a number of Local Authorities have been reviewing the way they provide this service and considering what actions could be taken to ensure that the cost of this activity is not carried out by wider community.
- 1.3 This report sets out the procedure which will permit the Council to levy charges for the service, and makes proposals for the charges which could be levied.

##### 2 Street Naming and Numbering Services

- 2.1 The City Council provides Street Naming and Numbering Services to all applicants who request them for new roads and buildings. This service is currently provided free of charge and can involve considerable consultation (over and above the allocation of numbers to new properties). The Council notifies and liaises with many parties (such as the Post Office, Ordnance Survey, etc) that require notification of new names/numbers, but this work is a cost carried by the Council each time an application is dealt with, not only of staff time, but of printing, stationery and postage.
- 2.2 The Council also offer a property re-naming service, again involving the provision of liaison and notification services.
- 2.3 With over 40 applications received for new street naming and numbering in 2008/9, staff costs can be quite significant in any financial year. This is not accounting for the time spent sourcing postcodes and any location maps or dealing with emails, phone calls or enquiries. It also fails to include the physical cost of consulting with all the required parties which can vary depending to the size of the plans to be printed and the number of parties that need notification or consultation. With the cost of copying plans, plus the cost of envelopes, explanatory letters, postage and schedules, the costs for one application can be quite high. This becomes significant when it is realised that for that one application consultation and notification has to be carried out with other bodies, thus increasing the cost of the process. Some applications, with large scale plans and multiple streets and buildings can take many more hours process. (See Appendix 1).
- 2.4 There is no statutory duty to carry out the additional liaison work which the Council carries out. As explained in this report, it would be possible therefore to continue to offer this service to developers and householders, but at a charge (based on cost recovery).

### 3 Legislation

- 3.1 The legislative position for street naming and numbering is complex, and various statutory provisions can apply. Under Schedule 14 of the Local Government Act 1972, paragraph 23, all provisions of the Public Health Acts 1875 to 1925 apply throughout England and Wales, subject to specified exceptions. The effect of this is that the legislation relating to numbering of houses is automatically applied.
- 3.2 However, paragraph 24 of Schedule 14 excludes from this automatic provision the legislation on street naming, the alteration of the name, and marking of the name (i.e. provision of street nameplates). It provides that where the relevant provisions apply in any area prior to 1 April 1974, those provisions will continue to apply.
- 3.3 Paragraph 25 of Schedule 14 then provides that for these street naming provisions, the Council can (by resolution, and after giving requisite notice) resolve that the provisions shall apply (or cease to apply) throughout the area. Two weeks' notice of the intention to pass the resolution must be given, in two consecutive weeks in a local newspaper, and served (not later than the publication of the first advertisement) on all parish councils/parish meetings in the Council's area.
- 3.4 The relevant statutory provisions with regards to street naming are:-
- a) Section 64 of the Town Improvement Clauses Act 1847 (incorporated into Section 160 of the Public Health Act 1875). This allows the Council to name streets (i.e. set names for new streets), mark the street name (street nameplate provision) and control interference with such markings (under the legislation interference is a criminal offence).
  - b) Section 21 Public Health Acts Amendment Act 1907. This provides for the alteration of street name with consent of two-thirds of the ratepayers/council tax payers living in the street. It also gives power to mark the altered street name and control interference with such markings.
  - c) Section 17-19 Public Health Act 1925. This legislation covers:-
    - (i) new names of streets - notice served by developer and requiring the approval of the Council or (by appeal) the Magistrates' Court (Section 17)
    - (ii) alteration of names of streets, and assignment of names of un-named streets - notice by Council, and consideration of any objections by Magistrates' Court (Section 18)
    - (iii) marking of street names and control of interference – i.e. provision of street nameplates and prosecution of anyone removing or interfering with the nameplate (Section 19).
- 3.5 If section 18 of the Public Health Act is adopted, then section 21 of the Public Health Acts Amendment Act 1907 automatically ceases to apply (and vice versa). Similarly, if section 19 of the 1925 Act is adopted, the street naming provisions in the Town Improvement Clauses Act 1847 will cease to apply and vice versa.
- 3.6 Section 18 of the Public Health Act 1925 enables an authority to alter the name of a street and to give a name to an un-named street (with the provision for an objector

to require the decision to be considered and determined by the Magistrates' Court. Although no consultation process is included in Section 18, officers would carry out a consultation in such cases in any event, and therefore it is considered that Section 18 is more appropriate than Section 21 of the Public Health Acts Amendment Act 1907.

- 3.7 In terms of street numbering, these provisions are contained in sections 64 and 65 of the Town Improvement Clauses Act 1847. These provisions allow the Council to designate numbers of individual houses in streets, ensure that properties are properly marked with their number (or name), and control interference with such numbers. These provisions are automatically applied throughout England and Wales, via the Public Health Act 1875 and Schedule 14 of the Local Government Act 1972.
- 3.8 As set out in Appendix 1, as well as simply determining the name or number to be allocated, the Council has (as part of dealing with these applications) carried out liaison services with other bodies. There is no statutory requirement for such liaison and consultation, but it is clearly related to the naming and numbering functions. As this is a discretionary service, a charge can be levied as set out below.

#### 4 Charging Provisions

- 4.1 The Local Government Act 2003 brought about new devolved powers for Local Authorities; these included giving Councils new powers to trade and charge for non statutory (i.e. discretionary) services if they are Best Value Authorities (Section 93 of the Act).
- 4.2 Authorities, if charging for discretionary services, have a duty to charge no more than the costs they incur in providing the service. The aim is to encourage improvements to existing services and develop new ones that will help to improve the overall service they provide to the community, not to make a profit.
- 4.3 Formal adoption of Sections 17 to 19 of the Public Health Act 1925 would permit the Council to charge for the provision of street naming services, using the Section 93 powers, on the basis that street naming provisions are adoptive and therefore discretionary. Furthermore, it would be possible to charge for the discretionary liaison and consultation services carried out by the Council in respect of both naming and numbering. Formal adoption of the legislation would therefore clarify which powers the Council was exercising, as well as permitting charging those seeking the services.
- 4.4 In accordance with the 2003 Act, charges would be reviewed annually, to ensure that taking one year against another, the Council is only recovering its costs in providing the service.

#### 5 Options Available

- 5.1 There are a number of options open to Winchester regarding this issue:
- a) Continue to carry the cost of providing this service from general revenue funds as at present. This would mean that the cost of running the service would continue to be met generally, rather than specific users of the service.

- b) Adopt the relevant legislation and then charge a reasonable cost for providing the service. This would mean that the individual or organisation benefiting from the service would be the one bearing the cost. If this was the case then a set of charges as laid out below could be implemented. These costs are not excessive and have been compared with other authorities who are currently charging for the service and would not lead to a profit. They would go some way towards covering the staff costs for running the service and the physical costs. It is anticipated that the physical costs will reduce as more of the work carried out by the Council and its partners move to being electronic. For this reason it is recommended that should this option be followed then the costs for running the service are reviewed annually to ensure that they are realistic.

Activity	Charge
Individual house name or number	£60 plus VAT
Numbering of Development of 10 plots or less	£190 plus VAT
Numbering of Development of over 10 plots	£336 plus VAT
Individual house re-name	£60 plus VAT
Renaming/re-numbering of 11- 20 houses	£250 plus VAT
Renaming/re-numbering of 21-50 houses	£350 plus VAT
Renaming/re-numbering of 51-100 houses	£600 plus VAT
Renaming/re-numbering of 100+ houses	£850 plus VAT
Naming of new block of flats/building	£130 plus VAT
Naming new street	£160 plus VAT
Renaming of street	£160 plus VAT

#### OTHER CONSIDERATIONS:

#### 6 SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):

- 6.1 The report relates to the “Efficient and Effective Council” strand of the Corporate Business Plan.

#### 7 RESOURCE IMPLICATIONS:

- 7.1 Income from charging for those services which can be charged for would be approximately £17,000 per annum. The approved income budget for 2010/11 is £5,000 (CAB1964).
- 7.2 Expenditure is already being incurred and will be met from existing budgets. The current budget for 2010/11 based on existing staff time is c£25,000 (before

Overheads) so the service will continue to run at a cost to the Council, allowing for future increased volumes potentially without the need to revise the charges as long as these stay below the cost of providing the service.

## 8 RISK MANAGEMENT ISSUES

- 8.1 Introducing charging as suggested in the report is considered to be lawful, and the level of charges is justifiable. Charging will reduce the demand on the general revenue budget and will therefore assist in safeguarding the Council's financial position, by charging those who use and benefit from the service.

### BACKGROUND DOCUMENTS:

Comparative costs information on other authorities' charges held in IMT Division.

### APPENDICES:

Appendix 1: Consultations and costs.

Appendix 2: Comparison of charges

### **Appendix 1 Consultation and Costs (Using mid-point Scale 3, 2010/11 budget)**

We had over 40 applications in 2008/2009 taking on average 15 hours of staff time each to process. Staff costs based on £13.30 ph alone amounted to £7,980 for the year (using 2010/11 rates).

One application with 20 properties can take 7 hours to process.

Staff costs for this would be £93

The first part of the Waterlooville development with over 100 plots and 5 new streets required 50 hours to process.

Staff costs for this would be £665

Consultation requires us to contact Ward Councillors, Parish Councils and Royal Mail for postcodes.

In the West of Waterlooville development, consultation included liaison with Havant Borough Council as the development is cross boundary.

We send out over 40 notification emails for each address change and new addresses, these go to individuals internally and externally and organizations such as Ordnance Survey, British Gas, Land Registry and the Emergency services.

Notification letters are sent:

- To individual residents after property address changes have been completed.
- Developers and Builders with the inclusion of an address schedule.

With the cost of copying plans, plus the cost of envelopes, explanatory letters, postage and schedules, one set of details for an application can cost around £3.50

## Appendix 2: Comparison of charges

LA	Individual name change	Dev 1-2	Dev 3-10	Dev 11-20	Dev 20+	21-50	51-100	100+	New street	New building name – block	Research archive	Renaming a street	Per plot when renaming a street	Changes in development after initial creation of new addresses
Whitehorse	42	63	189	378	505				157	157	126	263	31	
Windsor	57.5	250	400	600	1000					150	161	287.5	28.75	
Brent	50	100	150	230		470	720	750	2100			200	50	
Harlow	76.5	122	255	255	306	306	306	306	357			357		
Kennet	80		80	260	450	550						260	15	
Lewes	20	30	50	100	250	350	450	550				200	20	
Chorley	25	50	175	300	250	300	520	1000	100			100	25	25/plot
Croydon	132	180	225	360	425	600	750	1000	132	79		132	79	
Average	60	113	190	255	336	450	550	850	169	129	143	225	35	25
WCC (proposed charges)	60	190	190	250	350	350	600	850	160	130				
WCC Number of applications in April 2008 April 2009	60	2	26	8	2	2	1	1	14	5	0	0	0	0
WCC May 2009 to date	66	1	20	5	4	1	0		9	4	0	0	0	0

Based on the above figures the income for 2008/09 would have been £16,660 and for 2009/10 (April to November) an income of £12,910.