

Public Agenda Pack



Notice of Meeting of

EXECUTIVE

Wednesday, 10 May 2023 at 10.00 am

Luttrell Room - County Hall, Taunton TA1 4DY

(Hybrid joining option for non-Committee members)

To: The members of the Executive

Chairman: Councillor Bill Revans

Vice-chairman: Councillor Liz Leyshon

Councillor Adam Dance

Councillor Sarah Dyke

Councillor Val Keitch

Councillor Tessa Munt

Councillor Mike Rigby

Councillor Heather Shearer

Councillor Federica Smith-
Roberts

Councillor Ros Wyke

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticservicesteam@somerset.gov.uk

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticservicesteam@somerset.gov.uk by **5pm on Wednesday, 3 May 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Friday, 28 April 2023

AGENDA

Executive - 10.00 am Wednesday, 10 May 2023

Public Guidance Notes contained in Agenda Annexe 5 - 6

[Click here to join the online meeting](#) 7 - 8

1 Apologies for Absence

To receive any apologies for absence.

2 Minutes from the Previous Meeting (Pages 9 - 24)

To approve the minutes from the previous meeting.

3 Declarations of Interest (Pages 25 - 26)

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors of Somerset Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, please see details under 'click here to join online meeting'.

5 Equality Audit, Assessment and Peer Challenge (Pages 27 - 34)

To consider this report.

6 Street Naming & Numbering Policy adoption (Pages 35 - 54)

To consider this report.

7 Executive Forward Plan

To note the latest Executive Forward Plan of planned key decisions that have been published on the Council's website – [Executive Forward Plan](#)

Guidance notes for the meeting

Council Public Meetings

The legislation that governs Council meetings requires that committee meetings are held face-to-face. The requirement is for members of the committee and key supporting officers (report authors and statutory officers) to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

They can also be accessed via the council's website on [Committee structure - Modern Council \(somerset.gov.uk\)](#)

Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

Public Question Time

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out, or alternatively can attend the meeting online.

A 20-minute time slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. Each speaker will have 3 minutes to address the committee.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish. If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

Meeting Etiquette for participants

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

Speak clearly (if you are not using video then please state your name)

If you're referring to a specific page, mention the page number.

There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

Exclusion of Press & Public

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed.

Recording of meetings

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

Microsoft Teams meeting

Join on your computer, mobile app or room device

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Or call in (audio only)

01823 772277

Phone Conference ID: 491 660 175#

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**Minutes of a Meeting of the Executive held at 10am on
Wednesday 15 March 2023**

PRESENT

Cllr Bill Revans (in the Chair)

Cllr Adam Dance
Cllr Val Keitch
Cllr Liz Leyshon
Cllr Mike Rigby
Cllr Heather Shearer
Cllr Federica Smith-Roberts
Cllr Ros Wyke

Associate Lead Members: Cllr Mike Stanton, Cllr Sarah Wakefield, Cllr David Woan

Apologies: Cllr Sarah Dyke (in virtual attendance), Cllr Tessa Munt (in virtual attendance), Cllr Peter Seib

Other Members in attendance: Cllr Mandy Chilcott, Cllr David Fothergill, Cllr Faye Purbrick, Cllr Lucy Trimmell

Other Members in virtual attendance: Cllr Tom Deakin, Cllr Andy Dingwall, Cllr Sarah Dyke, Cllr John Hunt, Cllr Andy Kendall, Cllr Martin Lovell, Cllr Tessa Munt, Cllr Fran Smith, Cllr Rosemary Woods

106 Declarations of Interest – Agenda Item 2

Members of the Executive declared the following personal interests in their capacity as a Member of a District, City/Town, or Parish Council:

Cllr A Dance – South Somerset District Council, South Petherton Parish Council

Cllr S Dyke – South Somerset District Council

Cllr V Keitch – South Somerset District Council, Ilminster Town Council

Cllr L Leyshon – Mendip District Council

Cllr B Revans – Sedgemoor District Council

Cllr M Rigby – Somerset West & Taunton Council, Bishop's Lydeard and Cothelstone Parish Council

Cllr H Shearer – Mendip District Council, Street Parish Council

Cllr F Smith-Roberts – Somerset West & Taunton Council
Cllr R Wyke – Mendip District Council, Vice Chair Westbury-sub-Mendip
Parish Council

107 Minutes of the meeting held on 27 February 2023 – Agenda Item 3

The minutes of the Executive meeting held on 27 February 2023 were agreed upon, with a minor change to 082 to replace Chief Executive Sedgemoor District Council, with Deputy Chief Executive Sedgemoor District Council, and signed by the Chair.

108 Public Question Time (PQT) – Agenda Item 4

The Chair noted that there were no public questions or statements submitted by the submission deadline.

109 Quarter 3 Performance Report- Agenda Item 5

The Leader of the Council, Cllr Bill Revans, introduced the report, and invited the Corporate Planning & Performance Manager, Nicola Miles, to present the report.

The Corporate Planning & Performance Manager proceeded to present the report, highlighting: that the report consisted of 24 performance indicators from across the organisation and provided the latest information available in the period up until 31 December 2022; the areas of concern in this period included Connecting Devon and Somerset Phase 2 (part 2), the Revenue Budget – Projected Outturn Position for 2022/23; and areas of Success in this period including Children’s Data – Education, Health & Care, Children’s Data – Children Looked After, Number of Care Packages on the Unmet Needs List, Returned Packages of Care (Homecare ‘Hand backs’).

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present; questions and points raised included: appreciation for the work and contribution of colleagues across the five Councils; and the improvements in Adult’s and Children’s Social Care.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive considered and commented on the information contained within the report, and agreed the report and appendices as the latest position for Somerset County Council against its Council Vision.

110 Revenue Budget Monitoring Report – Month 10 - Agenda Item 6

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Finance and Human Resources, Cllr Liz Leyshon, to introduce the report.

The Lead Member for Finance and Human Resources introduced the report, highlighting: the overall projection for an overspend of £23.1m, an improvement from the previous month of £1.2m; the work on the outturn report across the five Councils; the contingency budget work, including capital receipts flexibility and business rate pooling; slippage including LGR costs and the capital programme; the damage to highway networks due to adverse winter weather and the potential of Government funding for additional highways funding for the financial year 2023/24.

The Director of Finance, Jason Vaughan, added that the statutory deadline for outturn submission is the end of May, but with the potential for an extension.

The Lead Member for Adult Social Care, Cllr Heather Shearer, commented that the Adult's Health overspend had stabilised, noting that: the level of unmet need had decreased; there has been a decrease in the number of care packages 'handed back'; and the continued lobbying for funding and support from health colleagues.

The Leader of the Council invited comments from other Members present, questions and points raised included: the national financial picture and Local Authority comparisons, including the impact of high inflation and the higher than budgeted for pay award; the recognition of the work on domestic and business rates to provide a good base for the new Council; the reserve position for the 2023/24 financial year; and the budget underspend projections across the four District Councils.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive noted the forecast overspend for 2022/23 of £23.1m.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

111 Local Authority Housing Fund (LAHF) 2022/23 and 2023/24– Agenda item 7

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Cllr Federica Smith-Roberts, to introduce the report.

The Lead Member for Communities introduced the report, highlighting: the Government and Homes for Ukraine funding received to support Local Authorities to obtain and refurbish properties to provide sustainable housing; the work and challenges to meet Government targets; the positive actions to help those who have come to the UK through different resettlement schemes be able to have houses within the area; and the amendment to the report to section 2.3, replacing £3.67m with £3.49m with no change to the overall funding.

At the invitation of the Lead Member, The Assistant Director Development and Regeneration, SWT, Chris Brown, proceeded to present the report, drawing members attention to: the two themes, people and property; the distribution of funds in two tranches, with the first expected at the end of March; and the LA Memorandum of Understanding to agree delivery plans.

The Leader of the Council invited comments from other members present, questions and points raised included: LA match funding and use of the funds for client groups; the provision of temporary accommodation; and future Scrutiny committee reporting arrangements.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive:

- 1. Agreed to the Councils entering a Memorandum of Understanding with DLUHC that commits Somerset Council to deliver the terms of the scheme**
- 2. Confirmed the S24 specific consent for Mendip, Sedgemoor, and Somerset West and Taunton District Councils to enter an MOU with DLUHC committing Somerset Council to this capital investment in 2023/24**
- 3. Endorsed a delegated decision by the Executive Director – Resources and Corporate Services (S151 Officer) to add £7.5m to the Capital Programme in 2023/24 to be funded by £3.49m of LAHF capital grant and the match-funding balance from existing Homes for Ukraine tariff revenue grant funds held**
- 4. Delegated authority to the Executive Director – Resources and Corporate Services (S151 Officer) to determine actual funding of final outturn costs for the scheme, and the allocation of budget, costs and income between General Fund services budget and the Housing Revenue Account in accordance with proper accounting practices**
- 5. Delegated the approval of acquisitions and associated works to the Executive Director for Communities where properties are funded by LAHF**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

112 Building and Resident Health & Safety Strategy – Agenda Item 8

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Cllr Federica Smith-Roberts to introduce the report.

The Lead Member for Communities introduced the report, highlighting: the new regulations enacted by Parliament that will be phased into law; and that the Strategy will continue to evolve after vesting day.

The Deputy Chief Executive & Director of Housing & Communities, SWT, James Barra, and the Chief Executive, Homes in Sedgemoor (HiS), Peter Hatch, advised that the Strategy sets a strong foundation for the new Somerset Council, proving assurance that new areas of regulation are being met.

The Leader of the Council invited comments from other members present, there were no questions or comments from Members.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive:

- 1. Approved the adoption of the Building and Resident Health & Safety Strategy and its associated Action Plan**
- 2. Recognised and accepted the Corporate Accountability as set out within Section 5 of the Strategy to ensure the safety of our Buildings and Residents and develop the appropriate reporting and monitoring structure to ensure full compliance**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

113 Private Sector Housing Renewal Policy – Agenda item 9

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Cllr Federica Smith-Roberts, to introduce the report.

The Lead Member for Communities introduced the report, highlighting: that the policy details the financial assistance that the Council can offer owner-occupiers, tenants and landlords for adaptations to their homes; and the varied forms of assistance available.

The Leader of the Council invited comments from other members present; questions and points raised included: the benefit of DFG (Disabled Facilities Grant) top-up grants.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive:

- 1. Approved the adoption of the Somerset Private Sector Housing Renewal Policy**
- 2. Delegated authority to the Service Director for Housing Services in consultation with the relevant Executive Member responsible for the service to make future minor and operational and legislative changes to the policy**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

114 Somerset Council - Proposed Executive Sub-Committees - Agenda Item 10

The Leader of the Council, Cllr Bill Revans, introduced the report and invited the Monitoring Officer and Head of Governance & Democratic Services, Scott Wooldridge, to present the report.

The Monitoring Officer and Head of Governance and Democratic Services proceeded to present the report, highlighting: the detailed terms of reference; the on-going work both ahead of and beyond the formal creation of the new Somerset Council; and the importance of flexibility to allow the Executive to undertake all functions for the new Council.

The Leader of the Council invited comments from other Members present; question and points raised included: sub-committee structure development and responsibilities; and the key role of existing relationships

to ensure continuity through the harbour management advisory committee.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive:

- 1. Agreed the establishment of the Harbour Management Advisory Committee (Executive Sub-Committee) from 1 April 2023 as set out in Appendix 1;**
- 2. Delegated authority to the Leader of the Council to determine the membership of any executive sub-committees; and**
- 3. Noted that further work is being undertaken on potential additional Executive Sub-Committees and any recommendations will be made to the Executive in due course**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

115 Taunton Town Council Asset Transfer – Agenda Item 11

The Leader of the Council, Cllr Bill Revans, invited the Deputy Chief Executive & Director Place and Climate Change, Somerset West and Taunton Council, Chris Hall, to present the report.

The Deputy Chief Executive & Director Place and Climate Change, Somerset West and Taunton Council proceeded to present the report, highlighting: the collaborative work to finalise the list of assets to be transferred; and that the report classified the list of assets and transfers from Somerset Council to Taunton Town Council from 1 April 2023.

The Leader of the Council invited comments from other Members present, points raised included: the equity and fairness of asset valuation and service delivery across all City, Town and Parish Councils; the transfer of

assets in reasonable and operational order; and the affordability of a replacement footbridge in Goodlands Gardens, Taunton.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive agreed:

- 1. The List set out at 11.3.1 through to 11.3.3 of the report, for transfer to Taunton Town Council as soon as practical from 1 April 2023**
- 2. To delegate authority to the Head of Property, to conclude terms and execute the transfers**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report

REASON FOR DECISION: As set out in the officer report

116 LGR: Business Continuity Management for Somerset Council –
Agenda Item 12

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Local Government Reorganisation and Prosperity, Cllr Val Keitch, to introduce the report.

The Lead Member for Local Government Reorganisation and Prosperity introduced the report, highlighting: that to enable the new Somerset Council to meet its statutory duties a new business continuity strategy and corporate-level business continuity plan had been developed; and that the plan builds on the five existing Councils robust business continuity frameworks. The Lead Member invited the Service Manager, Civil Contingencies, Nicola Dawson, to present the report.

The Service Manager, Civil Contingencies proceeded to present the report, highlighting: the alignment of practices; work to consolidate and produce a new corporate level plan; and the assessment of the new plans by South West Audit Partnership.

The Leader of the Council invited comments from other Members present; there were no comments or points raised.

Following consideration of the officer report, appendices and discussion, the Executive noted the report as assurance that the business continuity management arrangements are in place for Vesting Day and beyond.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

117 LGR: Incident Management System For Somerset Council – Agenda Item 13

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Local Government Reorganisation and Prosperity, Cllr Val Keitch, to introduce the report.

The Lead Member for Local Government Reorganisation and Prosperity introduced the report, highlighting the Somerset Council's statutory duty to maintain readiness to respond to emergencies. The Lead Member invited the Service Manager, Civil Contingencies, Nicola Dawson, to present the report.

The Service Manager, Civil Contingencies proceeded to present the report, highlighting: the alignment of the five Councils response plans; and the supporting capabilities including contact lists and duty officer rotas.

The Leader of the Council, Cllr Bill Revans, invited comments from other Members present; there were no comments or points raised.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive noted the report as assurance that the emergency plans and response arrangements are in place for Vesting Day and beyond. This is a tranche one deliverable for LGR

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

118 Award of Professional Services Contract for Place Services – Agenda Item 14

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Transport and Digital, Cllr Mike Rigby, to introduce the report.

The Lead Member for Transport and Digital introduced the report highlighting: the challenging recruitment market; and that the opportunity to rely on contracts may be reduced going forwards as contractor capabilities are similarly reduced due to recruitment challenges.

At the Lead Members invitation, the Strategic Manager Highways and Transport, Mike O'Dowd-Jones, and the Strategic Manager Commercial and Procurement, Paul Skuse, presented the report highlighting: the standard compliant procurement process; the award of a professional services contract for the Council, which provides top-up resources focused on highways and transport services, but also provides resources for wider place-based and regeneration services; and that the purpose of the contract is to allow flexibility in the workforce.

The Leader of the Council invited comments from other members present, questions and points raised included: the geographically wider job market and broader recruitment review; and employment opportunities in Local Government.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive:

- 1. Approved the award of a four-year contract to the three suppliers identified in the attached Confidential Appendix B for the supply of computer software and associated services from 1 May 2023**

- 2. Agreed that Appendix B be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

119 Award of a framework agreement for Software Reseller services to the three preferred applicants – Agenda Item 15

The Leader of the Council, Cllr Bill Revans, invited the Head of ICT, Andy Kennell, to present the report.

The Head of ICT proceeded to present the report, highlighting: the proposal to award a software services framework contract to three suppliers; that the award would support the future Somerset Council to deliver best value across a wide range of software products; and the opportunity to access to new innovative and local suppliers across the framework.

The Leader of the Council invited comments from other members present, questions and points raised included: the support of local Somerset businesses to encourage growth.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive:

- 1. Approved the award of a four-year contract to the three suppliers identified in the attached Confidential Appendix B for the supply of computer software and associated services from 1 May 2023**
- 2. Agreed that Appendix B be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

120 Somerset Rivers Authority (SRA) 2023-24 Enhanced Programme of Flood Risk Management Works and signing the SRA Memorandum of Understanding and Constitution – Agenda Item 16

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Environment and Climate Change, Cllr Sarah Dyke, to introduce the report.

The Lead Member for Environment and Climate Change introduced the report, highlighting: that the SRA is unique to Somerset; the purpose of the SRA is to provide an extra level of flood protection and resilience for Somerset; that though the SRA an additional £22.8m has been raised to increase resilience to flooding across the County; and that the SRA has completed 240 projects in the past eight years. The Lead Member invited the Service Manager, SRA, David Mitchell, to present the report.

The Service Manager, SRA, proceeded to present the report highlighting: that SRA funds are raised through Council Tax precept, with no reduction to funding for other services; that the precept equates to £3.01m; and that paragraph 1.3 of the report should be amended to read 2023 – 24.

The Leader of Council invited comments from other Members present; questions and points raised included; the SRA precept and associated restrictions; and that Somerset is the only Local Authority funding flooding resilience in this way.

The Executive proceeded to vote on the recommendations, which were agreed unanimously.

Following consideration of the officer report, appendices and discussion, the Executive:

- 1. Agreed to Somerset Council taking on the roles of Host Authority and Accountable Body for the Somerset Rivers Authority**

- 2. Approved the revised Local Memorandum of Understanding (including the Constitution of the SRA) set out in Appendix 1 of the report, and authorised the Lead Member for Environment and Climate Change to sign this on behalf of Somerset Council**
- 3. Agreed the case (set out in 'legal implications' for exempt information) for Appendix 3 CONFIDENTIAL 2023-24 SRA Enhanced Programme scheme descriptions with costs to be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information**
- 4. Approved the SRA Budget and SRA Enhanced Programme for 2023/24, (Appendix 2 ITEM 9 2023-24 Enhanced Programme and Budget) in accordance with the recommendations of the SRA Board from its meeting on the 3rd of March 2023**
- 5. Agreed to the release of funding committed from all sources in 2023/24 for the purposes of the SRA, subject to receipt of those funds, in accordance with the budget for 2023/23 as set out in item 4 above**
- 6. Agreed that the detailed management of the 2023/24 Budget and Enhanced Programme within the control total allocated to the SRA is undertaken in accordance with the constitutional, financial regulations and decision-making arrangements of Somerset Council as Accountable Body**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

123 Any Other Business – Agenda Item 17

There were no items of other business.

(The meeting ended at 12:47 pm)

CHAIR

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SOMERSET COUNCIL

UNITARY COUNCILLORS WHO ARE ALSO TOWN AND/OR PARISH COUNCILLORS

Somerset
Council

UNITARY COUNCILLOR	TOWN AND/OR PARISH COUNCIL
Steve Ashton	Crewkerne Town Council / Hinton St George Parish Council
Suria Aujla	Bridgwater Town Council
Jason Baker	Chard Town Council
Lee Baker	Cheddon Fitzpaine Parish Council / Taunton Shadow Town Council
Marcus Barr	Wellington Town Council
Mike Best	Crewkerne Town Council
Alan Bradford	North Petherton Town Council
Theo Butt Philip	Wells City Council
Simon Carswell	Street Parish Council
Norman Cavill	West Monkton Parish Council / Taunton Shadow Town Council
Peter Clayton	Burnham Highbridge Town Council
Simon Coles	Taunton Shadow Town Council
Nick Cottle	Glastonbury Town Council / St Edmunds Parish Council
Adam Dance	South Petherton Parish Council
Dixie Darch	Taunton Shadow Town Council
Tom Deakin	Taunton Shadow Town Council
Caroline Ellis	Taunton Shadow Town Council
Habib Farbahi	Taunton Shadow Town Council
Ben Ferguson	Axbridge Town Council
Bob Filmer	Brent Knoll Parish Council
David Fothergill	Taunton Shadow Town Council
Andrew Govier	Wellington Town Council
Pauline Ham	Axbridge Town Council
Philip Ham	Coleford Parish Council
Ross Henley	Wellington Town Council
Edric Hobbs	Shepton Mallet Town Council
John Hunt	Bishop's Hull Parish Council / Taunton Shadow Town Council
Dawn Johnson	Taunton Shadow Town Council
Val Keitch	Ilminster Town Council
Andy Kendall	Yeovil Town Council
Jenny Kenton	Chard Town Council
Tim Kerley	Somerton Town Council
Marcus Kravis	Minehead Town Council

Tony Lock	Yeovil Town Council
Martin Lovell	Shepton Mallet Town Council
Mike Murphy	Burnham Highbridge Town Council
Graham Oakes	Yeovil Town Council / Yeovil Without Parish Council
Sue Osborne	Ilminster Town Council
Kathy Pearce	Bridgwater Town Council
Emily Pearlstone	Ilchester Parish Council
Derek Perry	Taunton Shadow Town Council
Evie Potts-Jones	Yeovil Town Council
Hazel Prior-Sankey	Taunton Shadow Town Council
Wes Read	Yeovil Town Council
Leigh Redman	Bridgwater Town Council
Mike Rigby	Bishop's Lydeard and Cothelstone Parish Council
Tony Robbins	Wells City Council
Dean Ruddle	Somerton Town Council
Peter Seib	Brympton Parish Council / Chilthorne Domer Parish Council
Heather Shearer	Street Parish Council
Gill Slocombe	Bridgwater Town Council
Brian Smedley	Bridgwater Town Council
Fran Smith	Taunton Shadow Town Council
Federica Smith-Roberts	Taunton Shadow Town Council
Jeny Snell	Yeovil Town Council / Brympton Parish Council
Andy Soughton	Yeovil Town Council
Richard Wilkins	Curry Rivel Parish Council
Dave Woan	Yeovil Town Council
Ros Wyke	Westbury-sub-Mendip Parish Council

Their memberships of Parish or Town Councils will be taken as being declared by these Councillors to be Personal Interests in the business of the Somerset Council meeting and need not be declared verbally.

Any Unitary Councillor who has a Prejudicial Interest by virtue of their Membership of a Parish or Town Council, or who has a special involvement by virtue of being a Parish or Town Councillor, in a matter to be discussed by the Somerset Council will be expected to declare that prejudicial interest personally or bring to the attention of the Somerset Council meeting their special involvement.

H CLARKE, Unitary Solicitor, April 2023

Decision Report - Executive Decision

Forward Plan Reference: FP/23/03/02

Decision Date – 10th May 2023

Key Decision – no



Equality Audit, Assessment and Peer Challenge

Executive Member(s): Cllr Adam Dance – Lead Member for Public Health and Equalities and Cllr Val Keitch – Lead Member for Transformation and Human Resources

Local Member(s) and Division: All

Lead Officer: Tom Rutland and Michelle Anderson

Author: Tom Rutland and Michelle Anderson

Contact Details: tom.rutland@somerset.gov.uk / 01823 359221

Summary / Background

1. Local Authority work on equality and diversity in the county has not been externally reviewed for over 10 years. This means we are working without the constructive feedback and challenge of other professionals. We have maintained relationships with our Voluntary, Community, Faith, and Social Enterprise sector (VCSFE) and have been open to challenge and feedback from this constituency. Equally we have maintained staff networks that provide us with an understanding of how our staff view us and the work we are doing.
2. To resolve this and to take the opportunity of being a new authority, we are proposing that three external audits take place over the coming year. It is envisaged that these audits will be complementary to one another and provide additional rigor to future work around equality in Somerset. The proposed audits are:
 - Disability Confident Leader Assessment
 - Internal Race Audit
 - Equality Framework for Local Government Peer Assessment
3. External audits against the Equality Framework for Local Government have, until recently, incurred a cost for the authority being assessed. Over the past 2 years the Local Government Association have borne these costs making the assessments free to those being assessed.

Recommendations

4. The Executive:
 - Approves the council undertaking a Disability Confident Leader assessment in June. This includes the preparation work, audit process and receiving the recommendations and findings that come from this audit.
 - Approves the council undertaking an internal Race Audit in August. This includes the preparation work, audit process and receiving the recommendations and findings that come from this audit.
 - Approves the commitment to deliver training on race and challenging behaviour.
 - Approves the council undertaking an Equality Framework for Local Government (EFLG) Peer Assessment in October. This includes the preparation work, 3-day external Peer Assessment, receiving the recommendations and findings that come from this assessment and agrees to receive a response to this report.
 - Acknowledges the level of commitment that will be needed from the whole organisation, and partners, over the coming year to support these three processes.

Reasons for recommendations

5. The council's work and progress on equality and diversity has not been externally reviewed in the County for over 10 years. With the transition to a single authority in Somerset this is an ideal opportunity to review, reassess and establish a direction and fresh benchmark going forward. This will also provide an opportunity to learn from external assessors' experience.

Other options considered

6. There are a number of other options that have been considered:
 - Not completing any auditing work – It was considered and rejected as we can no longer continue without any external audit.
 - Only completing one of the assessments – the two disability and race audits will help to inform the EFLG Peer Assessment

Links to Council Plan and Medium-Term Financial Plan

7. This will support the council's commitment, through the County Plan, to A Fairer Somerset.

Financial and Risk Implications

8. Costs for the assessments will be covered in a number of different ways:
- Disability confident leader – this is a cost neutral process other than officer time and printing which can be absorbed by the service.
 - Internal race audit and training – anticipated a cost implication of around £25,000, which will be covered by the existing HR training budget.
 - Equality framework for Local Government – peer costs will be covered by the Local Government Association; internal room cost will be covered internally. Any additional costs or external room requirements will be covered by the corporate equality budget.
9. The risk of reputational damage to the new Council through identification of failings in meeting the requirements of the Equality Act 2010.

Likelihood	3	Impact	4	Risk Score	12
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Legal Implications

10. There should be no legal implications of this decision. An external auditor will need to be commissioned for the Internal Race Audit.

HR Implications

11. There are no HR implications of this decision. However, there may be some outcomes and feedback from the audits and assessments. This will be considered independently and where needed further reports will be created.

Other Implications:

Equalities Implications

12. No Equality Impact Assessment is required for this decision as it will contribute to the improvement of equality outcomes.

Community Safety Implications

13. There are no implications from a community safety perspective.

Climate Change and Sustainability Implications

14. There are no implications from a Climate Change and Sustainability perspective.

Health and Safety Implications

15. There are no implications from a Health and Safety perspective.

Health and Wellbeing Implications

16. There are no implications from a Health and Wellbeing perspective.

Social Value

17. There are no implications from a Social Value perspective.

Scrutiny comments / recommendations:

18. The proposed decision has not been considered by a Scrutiny Committee.

Background

19. Local Authority work on equality and diversity in the county has not been externally reviewed for over 10 years. This means we are working without the constructive feedback and challenge of other professionals. We have maintained relationships with our Voluntary, Community, Faith, and Social Enterprise sector (VCSFE) and been open to challenge and feedback from this constituency. Equally we have maintained staff networks that provide us with an understanding of how our staff view us and the work we are doing.
20. It is clear that all of these assessments are vital in their own right and contribute to the Council's ongoing commitment and improvement around equality and diversity. However, none of these should be looked at in isolation. They all complement and have an impact on one another. They should be viewed as a whole which informs the Objective setting that the organisation will be undertaking in 2023/24.

- Disability Confident Leader Assessment – The aim will be for the new authority to become a Disability Confident Leader in 2023. Expected to take place in June 2023.
- Race Audit – It has become clear that the Authority needs to complete a Race Audit as a matter of urgency. This will take place in August 2023.
- EFLG Peer Challenge – Review of current work in Somerset by Peers. Expected to take place in the week of 2nd October 2023.
- Setting refreshed Equality Objectives – This need to be set for May 2024. This is with the aim that the objectives are out to public consultation in the period July to November 2023 and put before decision makers in April 2024.

		Equality Objectives Timeline	Audit dates
2023	April	Data gather and analysis	
2023	May	Data gather and analysis	
2023	June	Objective finalisation and event preparation	Disability Confident Leader Audit
2023	July	Consultation	
2023	August	Consultation	Race Audit
2023	September	Consultation	
2023	October	Consultation	EFLG Peer Review
2023	November	Consultation	
2023	December	Review and Action Plan	
2024	January	Review and Action Plan	
2024	February	Decision paperwork review	
2024	March	Decision paperwork review	
2024	April	New Objectives agreed	
2024	May	Objective and Action Plan promotion	
2024	June	Objective and Action Plan promotion	

21. **Disability Confident Leader assessment**

It has been felt for some time that the council is in the position to become a Disability Confident Leader. In our role as a community leader on equality and diversity through the Public Sector Equality Duty it is right and proper that we make the commitment and act as an ambassador for disabled people and our staff. To be confirmed as a Disability Confident Leader you must undertake an external audit by an existing Disability Confident Leader.

22. **Internal Race Audit and Community Training**

Following an increase in cases of race discrimination reporting it is clear the organisation needs to seek an independent view of its practice. Whether these cases are found to have substance or not an increase in reporting needs to be investigated. Our aim will be to engage an external investigator to review our internal structures, processes and culture to identify areas where we can improve.

We will be supporting this with two training elements. One will be delivered internally on how to challenge unacceptable language/behaviour. The other will be delivered by community representatives on experiences of being from different racial backgrounds in Somerset.

23. **Equality Framework for Local Government**

The Equality Framework for Local Government (EFLG) has been in place for over 8 years and provides an audit process to establish progress on equality in 4 areas

- understanding and working with your communities.
- leadership, partnership and organisational commitment.
- responsive services and customer care.
- diverse and engaged workforce.

The equality framework is intended to help councils:

- Deliver accessible, inclusive and responsive services to customers and residents in their communities including those from under- represented groups.
- Employ a workforce that reflects the diversity of the area they are serving.

- Provide equality of opportunity for all staff.
 - Meet the requirements of the Public Sector Equality Duty and support any aspirations to exceed these.
24. A EFLG Peer Challenge will take 3 days. This includes 2 days of assessment and a day for review and feedback.
25. A successful Peer Assessment places several resources implications on the authority being assessed. These are mainly in relation to:
- Preparation of assessment documentation and preassessment
 - Arranging meeting schedule for the Peer Assessment team and those being interviewed
 - Preparing briefings for those attending interviews
 - Preparing and delivering a response to the assessment.
26. Decision makers should be aware that that EFLG Peer Challenge is likely to identify areas for improvement. This should be viewed in the light of the current under resourcing of equality. It should also be viewed as an opportunity to establish a new baseline for the new organisation going forward.
27. These audit processes are supported by the Member Equality Steering Group.

Background Papers

The following additional papers provide additional information:

- LGA EFLG Webpage – <https://www.local.gov.uk/our-support/guidance-and-resources/equality-frameworks/equality-framework-local-government>
- LGA Peer Challenge - <https://www.local.gov.uk/our-support/guidance-and-resources/equality-frameworks/equality-peer-challenge>

Appendices

None

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Decision Report – Executive Decision

Forward Plan Reference: FP/23/03/01

Decision Date – 10/05/2023

Key Decision – yes



Adoption of new Street Naming & Numbering Policy for Somerset Council

Executive Member(s): Cllr Federica Smith Roberts - Lead Member for Communities, Housing and Culture

Local Member(s) and Division: N/A

Lead Officer: Alyn Jones - Executive Director Strategy, Workforce & Localities

Author: Adam Rhymer - Digital Systems and IT Manager

Contact Details: Adam.Rhmer@somerset.gov.uk

Summary / Background

1. The adoption of a new Street Naming & Numbering Policy for Somerset Council. Street Naming is a statutory function of the new authority as the body which is now responsible for functions that would be within the remit of district councils operating in a two-tier local government system.
2. Somerset Council is now the statutory body responsible for the establishment and operation of the street naming and numbering service to ensure that all properties in the area are officially addressed. This enables proper response by emergency services and utilities and ensures that all Council customers have a verifiable address for postal, service and goods deliveries and requires an adopted policy in place to provide the relevant information for customers requiring this service.
3. In order to operate a Street Naming and Numbering system the Council must first choose which of the relevant legislation it wishes to adopt. It is not possible to operate an SNN policy without first resolving which legislation will be adopted. There are advertising requirements in accordance with Schedule 14 Local Government Act 1972 that must be adhered to before the resolution to adopt is made.

Background on the Legislation and Process

4. The relevant statutory provisions regarding street naming and numbering are:
 - Sections 64 and 65 Town Improvement Clauses Act 1847 (Street naming and numbering).
 - Section 21 Public Health Acts Amendment Act 1907 (Alteration of street name with consent of two-thirds of the ratepayers).
 - Sections 17, 18 and 19 Public Health Act 1925 (Naming of streets and alteration and indication of street names).

5. These various pieces of legislation give contradictory powers and/or, by virtue of the Local Government Act 1972, can only be used where they have been specifically adopted by a local authority. There are implications for adopting sections under the Public Health Act 1925. Adoption of section 19 of the 1925 Act causes the street naming provisions in sections 64 and 65 of the Town Improvement Clauses Act 1847 to cease to apply. Adoption of section 18 of the Public Health Act 1925 causes section 21 of the Public Health Acts Amendment Act 1907 to cease to apply. Section 21 Public Health Acts Amendment Act 1907 cannot operate if sections 17-19 Public Health Act 1925 are in force, and vice versa.

6. Once the local authority has agreed upon an intention to adopt certain legislation it must, in accordance with paragraph 25 of Schedule 14 Local Government Act 1972, place a notice to that effect in a local newspaper circulating within their area for a minimum time of two consecutive weeks. At the same time as this advertisement is placed, the same notice must be sent to all parish and community councils whose area (or part thereof) will be affected by the resolution. Following the issue of those notices, and the relevant two week period elapsing, the Council can proceed to make the resolution to adopt the legislation and supporting policy.

Options considered

7. There are two options for adoption of the legislation.

Option A

Sections 17-19 (inclusive) Public Health Act 1925 are adopted. The parts of s64 and s65 Town Improvement Clauses Act 1847 which relate to street

naming provisions will then cease to apply. The parts of s64 and 65 Town Improvement Clauses Act 1847 that relate to street numbering are adopted and remain in force. Section 21 Public Health Acts Amendment Act 1907 will not apply.

Option B

Section 21 Public Health Acts Amendments Act 1907 is adopted. S64 and S65 Town Improvement Clauses Act 1847 will also be adopted and remain in force in full. Sections 17-19 Public Health Act 1925 will not apply.

8. The reasons for promoting Option A over Option B are set out in the Reasons for Recommendation below.

Recommendations

9. That the Executive notes and approves the following:
 - a. the intention of the Council to adopt the legislation identified as Option A above, and the proposed policy, to enable and support the operation of the Street Naming and Numbering Service:
 - b. the delegation of authority to Executive Director Strategy, Workforce & Localities to place the relevant notices in accordance with paragraph 25 of Schedule 14 Local Government Act 1972 confirming the intention set out at paragraph 9(a) above; and
 - c. further to the notices under 9(b) being issued and the relevant time periods elapsing, that authority be delegated to Executive Director Strategy, Workforce & Localities to arrange to submit the proposal to adopt the Option A legislation, and the draft policy, to Full Council for adoption at the next available date.

Reasons for recommendations

10. In order to provide a statutory Street Naming & Numbering Service a decision needs to be made as to which legislation the Council will adopt.
11. Section 17-19 Public Health Act 1925 gives the Council wider powers and more control over the process as a whole. The provisions for consultation, appeal and the ability to set fees are better provided for under the Public Health Act 1925.

It is therefore considered that this represents the best option for the authority to manage the service for customers.

Links to Council Plan and Medium-Term Financial Plan

12. There are no links to Council Plan and Medium-Term Financial Plan.

Financial and Risk Implications

13. There are no financial implications with the adoption of this policy. Street Naming & Numbering is a service that currently can only be provided on a cost recovery basis. Fees have been harmonised across the previous authorities as part of the 'Fees Harmonisation' workstream and will be reviewed periodically. Fees and charges will, where appropriate, be charged in accordance with the power under s93 Local Government Act 2003 as set out in the proposed policy.
14. There are no risks arising from the adoption of the policy. If the policy is not adopted then the authority will not be able to undertake its statutory requirement to provide this service. To date this is not a risk identified as needed as a specific risk(s) in JCAD or in the Corporate Risk Register.

Legal Implications

15. In order to operate a statutory compliant Street Naming and Numbering Service the Council must decide which sections of the legislation it wishes to adopt and must then approve a policy to bring that resolution into effect. Without the adoption of this legislation the policy and subsequent service will not be able to be delivered as required.

HR Implications

16. There are no HR implications.

Other Implications:

Equalities Implications

17. There are no equalities implications.

Community Safety Implications

18. The Street Naming & Numbering policy requires all properties and streets to be named and numbered following a certain agreed process to a certain format. This in turn assists with emergency services locations properties and streets in the most efficient way which in turn will assist with the continual improvement of community safety.
19. Without the adoption of this recommended policy and the provision of this service the naming and numbering service would not legally be able to be provided and the benefit to community safety not realised.

Climate Change and Sustainability Implications

20. There are no climate change or sustainability implications.

Health and Safety Implications

21. There are no health and safety implications.

Health and Wellbeing Implications

22. There are no health and wellbeing implications.

Social Value

23. There are no social value implications.

Scrutiny comments / recommendations:

24. The proposed decision has not been considered by a Scrutiny Committee.

Further Background

25. Street Naming and Numbering is a statutory function. Local Authorities are responsible for providing street names and numbers for all new roads and housing developments.

26. The purpose of this control is to make sure that any new street names and numbers are allocated logically to ensure amongst other things, the effective delivery of mail and the location of addresses by the emergency services. Clear, unambiguous property addresses are therefore essential.

27. Maintaining a comprehensive and high standard for naming streets and numbering or naming properties is important as it allows:

- Emergency services to find a property quickly (delays can risk lives and increase costs)
- Mail to be delivered efficiently
- Visitors to find where they want to go
- Reliable delivery of services and products
- Records of service providers to be kept in an effective manner

Background Papers

Appendices

- Appendix A – Somerset Council Street Naming and Numbering policy



Somerset Council

SOMERSET COUNCIL

STREET NAMING AND NUMBERING POLICY

Author:	Adam Rhymer
Document Name:	Street Naming and Numbering Policy
Document Number:	1
Effective From Date:	TBA
Date Due for Review:	TBA
Responsible for Review:	TBA
Version:	Draft Issue 1

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1. Introduction

- 1) Somerset Council is the statutory body responsible for the administration of the street naming and numbering process to ensure that all properties in the area are officially addressed. This enables proper response by emergency services and utilities and ensures that all council customers have a verifiable address for postal, service and goods deliveries.
- 2) Names chosen will need to be acceptable both to Somerset Council and to Royal Mail primarily to avoid duplication or confusion arising from use of similar names within a 5-mile radius of the site or in the same postcode locality.
- 3) New addresses are only registered by Royal Mail when notified by Somerset Council as the responsible body.
- 4) This policy sets out the operational framework for the delivery of the Street Naming and Numbering Service. Delegation of authority will be as set out in the Scheme of Delegation within the Council's constitution in force and adopted from time to time.
- 5) For the purposes of this policy 'parish council' is taken to mean the respective parish, town, and city councils within the administrative area of Somerset Council.
- 6) Somerset Council reserves the right to change addresses created by developers, the Valuation Office, Council Tax or the Land Registry as these bodies do not have the authority to create official addresses.

2. Purpose of Policy

- 1) This policy provides a framework for Somerset Council to operate its Street Naming and Numbering service effectively and efficiently for the benefit of the area's residents, businesses, and visitors.
- 2) This policy defines the:
 - Legal framework for operation of the Street Naming and Numbering service.
 - Operational framework for the delivery of the service.
 - Protocols for determining official street names and numbers.

3. Scope of Policy

- 1) Somerset Council, its customers and external organisations are all bound by the content of this policy and includes all domestic and commercial addresses.

4. Policy Review

- 1) This policy will be reviewed annually or sooner if a major change in the process is required.

5. Legal Framework

- 1) The relevant statutory provisions regarding street naming and numbering are:
 - Section 21 Public Health Acts Amenity Act 1907 (Alteration of street name with consent of two-thirds of the ratepayers).
 - Sections 64 and 65 Town Improvement Clauses Act 1847 (Street naming and numbering).
 - Sections 17, 18 and 19 Public Health Act 1925 (Naming of streets and alteration and indication of street names).
- 2) Adoption of section 18 of the Public Health Act 1925 causes section 21 of the Public Health Acts Amenity Act 1907 to cease to apply.
- 3) Adoption of section 19 of the 1925 Act causes the street naming provisions in sections 64 and 65 of the Town Improvement Clauses Act 1847 to cease to apply.
- 4) 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. The adoption of section 18 of the 1925 Act enables (by virtue of section 93 of the Local Government Act 2003) charging for altering street names and giving names to streets, as section 18 is a discretionary power.
- 5) Somerset Council resolved in May 2023 to formally adopt:
 - Sections 64 and 65 of the Town Improvement Clauses Act 1847 ('the 1847 Act') as far as they relate to street numbering.
 - Sections 17, 18 and 19 of the Public Health Act 1925 ('the 1925 Act').

*Relevant extracts are shown in **APPENDIX A: Legislation.***
- 6) Somerset Council does not have a statutory obligation to amend existing addresses in line with property-owners' wishes to change a property name. This is a discretionary service that Somerset Council has chosen to provide.
- 7) Somerset Council does not have a statutory obligation to research, consult or issue formal notices confirming official addresses for existing, occupied properties. This is a discretionary service that Somerset Council has chosen to provide.
- 8) Under the Local Government Act 2003 Section 93 Somerset Council is empowered to charge for non-statutory services. Somerset Council resolved in May 2023 to provide a renaming service.

- 9) There are no statutory requirements for Somerset Council to consult when using its powers to name a new street or rename an existing street or part of one. Notwithstanding that, the Council recognises the importance of community involvement in the process of naming or renaming streets and will carry out consultations as appropriate.

6. Delegation

- 1) The authority to perform and determine applications for street naming and numbering and to fulfil the obligations on Somerset Council under the street naming and numbering legislation is delegated to the designated Officer who has responsibility for the street naming and numbering service.
- 2) The service providing the street naming and numbering service is the Strategy & Performance Service.

7. Fees and Charges

- 1) Fees and charges applicable for the street naming and numbering services are annually reviewed during Somerset Council's budget setting process and publicised through the council's website.
- 2) Such fees and charges are set on a cost recovery basis and are set to cover the non-statutory elements of the service: consultation and liaison with the Royal Mail, Emergency Services, Land Registry, or other interested parties, and/or to provide official notices confirming addresses for existing properties.

8. Right of Appeal

- 1) There is no right of appeal against the allocation of property numbers by Somerset Council under sections 64 and 65 of the 1847 Act. If any person is aggrieved by the process or the allocation of property numbers or names under this section, they should use Somerset Council's complaints procedure.
- 2) Where street names are proposed to Somerset Council under section 17 of the 1925 Act and the Council formally objects to the proposal, the proposer has a right of appeal to the Magistrates' Court.
- 3) Where Somerset Council exercises its powers under section 18 of the 1925 Act and assigns or changes a street name, any person aggrieved by the notice has 21 days from the date the notice is posted to lodge an appeal with the Magistrates' Court.

- 4) Subject to what is stated in paragraph 3 consultees to any action to be taken by Somerset Council do not have rights of appeal. Any informal consultee who is unhappy with a decision made by Somerset Council should follow the council's internal complaints procedure and copies of the procedure will be made available upon request.
- 5) All appeals to the Magistrates Court should be lodged at Taunton Magistrates Court, St Johns Road, Taunton or such other Magistrates Court as is the court with geographical responsibility for the area.

9. Operational Framework for Street Naming

9.1 Introduction

- 1) Somerset Council will always seek to name a street or part of street where new properties have separate accesses from such a street, regardless of whether that street is, or will be, an adopted public highway.
- 2) There are two methods by which a street may be named or renamed.
 - An owner or developer will give notice to Somerset Council that they intend to name a new street.
 - Somerset Council has the power to alter the name of a street or assign a new name by order under section 18 of the 1925 Act. Somerset Council reserves the right to use this power in instances where a new street is created and requires an official name or where a street is currently un-named and requires an official name in its place due to issues arising where the allocation of an official street name would help rectify any issues. Subject to circumstances requiring otherwise, the Council will only exercise these powers where no application has been received and shall do so in accordance with paragraph 9.4.

9.2 Naming New Streets

- 1) Somerset Council will ensure that any proposed street name meets the following criteria:
 - Does not duplicate an existing street or building name in the area (within a 5-mile radius of the site and/or in the same postcode locality).
 - Does not breach rules of common decency.
 - Does not promote an active organisation or living individual.
 - Where the name of a deceased person is proposed, consent from their estate or descendants is obtained.
- 2) Somerset Council will ensure that all new street names end with an appropriate descriptive term.
- 3) Somerset Council will complete and advise the applicant of its decision on the official street name within 45 working days from receipt of application subject to matters outside of the Council's control making this unachievable.

9.3 Renaming Existing Streets

- 1) Somerset Council may need to consider the renaming of an existing street to rectify issues with duplications and delivery problems. In this instance Somerset Council will ensure that any proposed street name meets the criteria as outlined in section 9.2.
- 2) Requests to rename a street may also be received from residents or councillors.
 - If the proposed street name meets the Council's criteria, Somerset Council will consult with the owners and residents/occupiers of all the properties on the street, and the parish council, allowing 45 days to respond. If no response is received within this timescale the assumption will be made that the consultee objects to the proposal.
 - The decision will be made to officially change the name of the street only if 90% of the property owners agree to the change by form of a response.
- 3) Somerset Council will post a notice at the affected location of its intent to issue an order changing the official street name under section 18 of the 1925 Act. Any person aggrieved by the intended order of Somerset Council may, within 21 days after the posting of the notice, appeal to the Magistrates Court.
- 4) Once the period for objection has passed, Somerset Council will make the order and notify all concerned parties, including Royal Mail and the Land Registry.

9.4 Street Naming and Numbering in the Absence of any Application

- 1) Somerset Council will remind developers of new properties of the need for an official address and the process to follow. If no application is received within 3 months of notification of the building completion date, the council may allocate informal addresses for emergency services purposes with no further consultation and will notify the developer/owner/occupier of this decision.
- 2) In such cases, no external consultation will be undertaken, and the council will not consult with the Royal Mail for confirmation of the applicable postcodes or the need to add such addresses to the Royal Mail postal address file.

10. Operational Framework for Property Numbering and Naming

10.1 Introduction

- 1) Somerset Council's powers to number properties are found in section 64 and section 65 of the 1847 Act.
 - Section 64 gives the power to Somerset Council to cause the houses and buildings in all or any of the streets to be marked with numbers as it thinks fit.

- Section 65 of the 1847 Act gives Somerset Council the power to approve numbers and to ensure that properties are correctly marked with those approved numbers.
- 2) There is no specific statutory power contained within the 1847 Act or the 1925 Act to name properties. Notwithstanding this Somerset Council believes that it is in the public interest to ensure that new property names are checked against reasonable criteria (including that proposed names do not lead to duplication of names and confusions for both residents and organisations). It has, therefore, made the decision in conjunction with relevant stakeholders to monitor property names against a set of specified criteria and will consider requests to name properties accordingly.
 - 3) Building names will only be used for properties contained within a single shell with a single point of access.
 - 4) Terrace names will only be used for terraced properties that are attached to two or more other properties with no gaps.
 - 5) To qualify for an official address, Somerset Council will check that the property has approved planning permission and/or the property is registered for Council Tax or Non Domestic Rates.
 - If a property does not have either approved planning permission or a Council Tax/Non Domestic Rates reference number, then an official address will not be allocated. For the purposes of the Emergency Services an informal address will be created. Planning Enforcement and Council Tax/Non Domestic Rates will be informed that an application for a new address for a property without planning permission has been received.

10.2 Numbering Properties

- 1) For all new major development sites and for infill plots in numbered roads, Somerset Council will require applications to be received and will apply a numbering process to all new residential and commercial properties as part of that application.
- 2) Properties will be numbered and addressed from the street with the primary access and delivery point to the property.
- 3) Properties allocated a premises number must always use and display that number.
- 4) For new properties in streets with no existing numbered properties, the Council will seek proposals for appropriate property name/s from the applicant.
- 5) Somerset Council will not remove numbers from existing official addresses unless it is necessary to resolve existing duplications and identification problems.
- 6) Names can be used in addition to a property number.
- 7) Somerset Council will complete and advise applicants of its decision on the official address within 15 working days from receipt of application (or 45 working days if a new street name is required as part of the application).

10.3 Naming or Renaming a Property

- 1) On receipt of an application for the naming or renaming of a property Somerset Council will ensure that any proposed name meets the following criteria:

- Does not duplicate an existing property name in the area (within a 5-mile radius of the site or in the same postcode locality).
 - Does not breach rules of common decency.
 - Does not promote an active organisation or living individual.
 - Where the name of a deceased person is proposed, consent from their estate or descendants has been obtained.
- 2) Organisation names will not be allocated as the property name in an address but may be held in council records and notified to consultees alongside a property number or unit name.
 - 3) Somerset Council will also consult with Royal Mail to ensure that no delivery problems are likely to ensue from the proposed property name and to confirm the postcode for the new address.
 - The council will treat advice from Royal Mail regarding likely problems with mail delivery as binding and will formally advise the applicant against the proposed name.
 - 4) Somerset Council will complete and advise the applicant of its decision on the official address within 15 working days from receipt of application.

11. Addressing Premises in Special Circumstances

11.1 Agricultural Buildings, Barns, Stables and Fields

- 1) Somerset Council will not allocate official addresses for agricultural buildings and barns that are not used for the receiving of postal deliveries, or for stables, and fields.
- 2) Somerset Council will not allocate official addresses for agricultural buildings and barns that are part of a larger farm holding that already has its own official address and delivery point.
- 3) Where farm holdings are split and requests for individual addresses are made, these will only be addressed if the relevant planning authorisation has been granted for the split.

11.2 Caravans and Camping

- 1) Static Caravans permanently occupied on individual pitches will be treated as individual dwellings and will be allocated an official address as they will be liable for Council Tax provided that the relevant planning authorisation has been granted and/or Council Tax is being paid.
 - For touring caravan parks/sites only the main site will be addressed.

11.3 Holiday Lets

- 1) Holiday lets will be allocated an informal address to assist emergency services and to create a unique record for each property for future use e.g. conversion to permanent residency.

- 2) Holiday lets may be allocated an official address if the property is to receive postal deliveries.

11.4 Residential Annexes

- 1) Somerset Council will only provide an official address if there is a separate access and delivery point to the annexe.
- 2) Somerset Council will include 'Annexe' and retain the name of the main building in the address allocated.

11.5 Apartments and Flats

- 1) For a building split into flats each individual flat will be provided with an official address.
- 2) Somerset Council will identify flats as Flat 1, Flat 2 etc. or apartments as Apartment 1, Apartment 2 etc. depending on the preference of the developer/applicant.
- 1) The name of the parent property will be retained in the allocated official address.

11.6 Commercial Units on Trading / Industrial Estates

- 1) Existing or new buildings that have separate business premises within them will, where possible, be allocated a separate number for each unit.
- 2) Where this is not possible because of the existing numbering, commercial premises will be allocated numbers and/or A, B, C etc.
 - E.g. Unit 1, Unit 2A, Unit A, Unit A1 etc.

12. Exclusions

- 1) Somerset Council is not responsible for the following:
 - **Postcode Allocation:** this is the responsibility of the Royal Mail.
 - **Non-delivery of items to the official address:** issues should be raised with the appropriate delivery service.
 - **New/amended addresses being unavailable on databases used by third parties:** various third parties refresh their address sets at different frequencies and from different sources, and address changes can therefore take some time to appear in their systems.
 - **Maps not showing new properties or roads:** change information can take some time to percolate through to third party products and depends on those third party update regimes
 - **Erection of new street nameplates:** the owner/developer is responsible for the proper provision of street nameplates for new streets. Specifications for street nameplates are available via the council's web site.

Somerset Council
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Somerset, TA1 4DY



- **Impact from Royal Mail changing postcodes** due to a requirement for a street name change and Somerset Council issuing the relevant order under section 18 of the Public Health Act 1925.
- **Compensation claims** arising directly or indirectly from the naming or renaming of streets at the request of residents or parish councils.

APPENDIX A: Legislation

Section 64: Town Improvement Clauses Act 1847

Houses to be numbered and streets named

“The commissioners shall from time to time cause the houses and buildings in all or any of the streets to be marked with numbers as they think fit, ~~[and shall cause to be put up or painted on a conspicuous part of some house, building, or place, at or near each end, corner, or entrance of every such street, the name by which such street is to be known];~~ and every person who destroys, pulls down, or defaces any such number ~~[or name]~~, or puts up any number ~~[or name]~~ different from the number ~~[or name]~~ put up by the commissioners, shall be liable to a penalty not exceeding ~~[level 1 on the standard scale]~~ for every such offence”.

Parts struck through and in square brackets are excluded by the adoption of sections 17-19 Public Health Act 1925

Section 65: Town Improvement Clauses Act 1847

Numbers of houses to be renewed by occupiers

“The occupiers of houses and other buildings in the streets shall mark their houses with such numbers as the commissioners approve of, and shall renew such numbers as often as they become obliterated or defaced; and every such occupier who fails, within one week after notice for that purpose from the commissioners, to mark his house with a number approved of by the commissioners, or to renew such number when obliterated, shall be liable to a penalty not exceeding ~~[level 1 on the standard scale]~~, and the commissioners shall cause such numbers to be marked or to be renewed, as the case may require, and the expense thereof shall be repaid to them by such occupier, and shall be recoverable as damages.

Section 17: Public Health Act 1925

Notice to urban Local Authority before street is named

- “1) Before any street is given a name, notice of the proposed name shall be sent to the urban authority by the person proposing to name the street.
- 2) The urban authority, within one month after the receipt of such notice, may, by notice in writing served on the person by whom notice of the proposed name of the street was sent, object to the proposed name.
- 3) It shall not be lawful to be set up in any street an inscription of the name thereof – a) until the expiration of one month after notice of the proposed name has been sent to the urban authority under this section; and b) where the urban authority have objected to the proposed name, unless and until such objection has been withdrawn by the urban authority or overruled on appeal; and any person acting in contravention of this provision shall be liable to a penalty not exceeding ~~[level 1 on the standard scale]~~ and to a daily penalty not exceeding ~~[£1]~~.
- 4) Where the urban authority serve a notice of objection under this section, the person proposing to name the street may, within twenty-one days after the service of the notice, appeal against the objection to a petty sessional court”.

Section 18: Public Health Act 1925

Alteration of name of street

“1) The urban authority by order may alter the name of any street, or part of a street, or may assign a name to any street, or part of a street, to which a name has not been given.

2) Not less than one month before making an order under this section,

the urban authority shall cause notice of the intended order to be posted at each end of the street, or part of the street, or in some conspicuous position in the street or part affected.

3) Every such notice shall contain a statement that the intended order may be made by the urban authority on or at any time after the day named in the notice, and that an appeal will lie under this Act to a petty sessional court against the intended order at the instance of any person aggrieved.

4) Any person aggrieved by the intended order of the local authority may, within twenty-one days after the posting of the notice, appeal to a petty sessional court”.

5)

Section 19: Public Health Act 1925

Indication of name of street

1) The urban authority shall cause the name of every street to be painted, or otherwise marked, in a conspicuous position on any house, building or erection in or near the street, and shall from time to time alter or renew such inscription of the name of any street, if and when the name of the street is altered or the inscription become illegible.

2) If any person, pulls down any inscription of the name of a street which has lawfully been set up, or sets up in any street any name different from the name lawfully given to the street, or places or affixes any notice or advertisement within twelve inches of any name of street marked on a house, building, or erection in pursuance of this section, he shall be liable to a penalty not exceeding [level 1 on the standard scale] and to a daily penalty not exceeding [£1].

3) ...

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 services if they are Best Value Authorities (Section 93 of the Act)

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.

APPENDIX B: Internal/External Consultees and Notifications

Internal Bodies that may be informed of all new official addresses include and not limited to:

- Building Control
- Council Tax
- Electoral Registrations
- Environmental Health
- Highways
- Land Charges
- Non Domestic Rates
- Planning
- Somerset Council Address Gazetteer
- Somerset Waste Partnership

External Bodies and Partners that may be informed of all new official addresses include and not limited to:

- Ambulance Service
- Contractors to the council for provision of local authority services
- Fire and Rescue Services
- Land Registry
- Local City, Town, or Parish Council
- Local Council Members
- National Land and Property Gazetteer
- Ordnance Survey (OS)
- Police Service
- Royal Mail
- Utility Companies
- Valuation Office Agency