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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

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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.

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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

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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.

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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.

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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.

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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