



Somerset Council

SOMERSET COUNCIL

STREET NAMING AND NUMBERING POLICY

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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.

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- **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