

Report To:	CABINET
Date:	16TH SEPTEMBER 2024
Heading:	REVIEW OF STREET NAMING AND NUMBERING POLICY
Executive Lead Member:	LEADER
Ward/s:	ALL
Key Decision:	YES
Subject to Call-In:	YES

Purpose of Report

For Cabinet to review and approve the proposed updates to the Street Naming and Numbering Policy.

Recommendation(s)

For Cabinet to approve the revised Street Naming and Numbering Policy.

Reasons for Recommendation(s)

The Street Naming and Numbering policy was approved by Cabinet in 2020. The policy was initially reviewed in 2023, as required, following a three-year period, however, has only recently been finalised to ensure any impacts of the Levelling Up and Regeneration Act 2023 are taken into consideration.

The policy facilitates a consistent and logical approach to the naming and numbering of addresses across the District.

Alternative Options Considered

The Council could choose to adopt an alternative street naming and numbering policy to that which is proposed. However, this would not align with national guidance. Not recommended

Detailed Information

Background

In April 2017, The National Data Co-operation Agreement – Street Naming & Numbering – Practice Working Group released some draft guidance for Street Naming and Numbering. This formed the basis of our Street Naming and Numbering Policy and was approved by Cabinet.

The main purpose of the policy is to ensure all properties located within Ashfield are assigned with a consistent postal address. This includes both new and converted properties, large developments and single in-fill plots, residential and commercial buildings, as well as properties which may not have had official addresses assigned in the past.

Having consistent and logical addresses across the District will ensure that properties are easily located by the Council, the emergency services and other organisations, allowing for quick and efficient delivery of goods and services to the property.

Requests for new street names are carried out in consultation with the developer, emergency services, Royal Mail and Local Councillors. The proposed policy will follow the GeoPlace Data Entry Conventions and Best Practice for Addresses whilst also applying local conventions, as detailed within the attached policy.

Statutory provision outline in our current policy

The relevant statutory provisions with regards to street naming are: -

- Section 64 of the Town Improvement Clauses Act 1847 (incorporated into Section 160 of the Public Health Act 1875). This allows the Council to name streets (ie. set names for the new streets), mark the street name (street nameplate provision) and control interference with such markings (under the legislation interference is a criminal offence).
- Section 21 of the Public Health Acts Amendment Act 1907. This provides for the alteration of a street name with consent of two-thirds of the ratepayers/council taxpayers living in the street. It also gives power to mark the altered street name and control interference with such markings.
- Section 17-19 of the Public Health Act 1925. This legislation covers:
 - i) new names of streets – notice served by developer and requiring the approval of the Council or (by appeal) the Magistrates' Court (Section 17)
 - ii) alteration of names of streets, and assignment of names of un-named streets – notice by Council and consideration of any objections by Magistrates' Court (Section 18).
 - iii) Marking of street names and control of interference – ie. provision of street nameplates and prosecution of anyone removing or interfering with the nameplate (Section 19)

Impacts of the new Levelling Up and Regeneration Act 2023 (LURA)

As required every three years, in line with good practice, and also considering the above amendments to relevant legislation through the LURA, the policy has been reviewed and the following key amendments proposed: -

Current statutory provision	Impact of LURA	Amendments Proposed
<p>Section 64 of the Town Improvement Clauses Act 1847 (incorporated into Section 160 of the Public Health Act 1875). This allows the Council to name streets (ie. set names for the new streets), mark the street name (street nameplate provision) and control interference with such markings (under the legislation interference is a criminal offence).</p>	<p>N/A</p>	<p><i>Leave this statutory provision statement in the policy</i></p>
<p>Section 21 of the Public Health Acts Amendment Act 1907. This provides for the alteration of a street name with consent of two-thirds of the ratepayers/council taxpayers living in the street. It also gives power to mark the altered street name and control interference with such markings.</p>	<p>LURA has now nullified Section 21 of the Public Health Acts Amendment Act of 1907.</p> <p>Subsection (1) - adds the amendment to the end of Section 21 of the Public Health amendment Act 1907 'This section does not apply in relation to a street or part of a street in England.'</p>	<p><i>Remove from policy and replace with Section 81 of LURA subsection 2 as below</i></p> <p>Section 81 of the Levelling Up and Regeneration Act 2023, Subsection (2) adds that a local authority within a district council in England may, by order, alter the name of a street, or any part of a street, in its area if the alteration has the necessary support.</p> <p><i>Also add subsections 3 & 4 as these support subsection 2 (above)</i></p> <p>Section 81 of the Levelling Up and Regeneration Act 2023, Subsection (3), adds that 'where a local authority has altered the name of a street, or any part of a street, under subsection (2), it may cause the altered name to be painted or otherwise marked on a conspicuous part of any building or other erection.' Subsection (4) also adds that 'any person who then wilfully, and without the consent of the local authority, obliterates, defaces, obscures, removes or alters the altered name painted or otherwise marked under subsection (3) is liable to a penalty not exceeding level 1 on the standard scale.</p> <p>Additional Recommendation</p> <p><i>The amount of support is no longer clarified in the new legislation. It is proposed that the council adds to section 9, Re-naming or Renumbering, a</i></p>

		<p>statement that outlines the level of support needed. See below</p> <p>A positive response to change is required from two-thirds of land/property owners & tenants to confirm the change unless there are other extenuating circumstances.</p>
<p>Section 17-19 of the Public Health Act 1925. This legislation covers:</p> <p>i) new names of streets – notice served by developer and requiring the approval of the Council or (by appeal) the Magistrates’ Court (Section 17)</p> <p>ii) Alteration of names of streets, and assignment of names of un-named streets – notice by Council and consideration of any objections by Magistrates’ Court (Section 18).</p> <p>iii) Marking of street names and control of interference – ie. provision of street nameplates and prosecution of anyone removing or interfering with the nameplate (Section 19)</p>	<p>Section 18 of the Public Health Act 1925 has now been adopted meaning Section 21 of the Public Health Acts Amendment Act 1907 ceases to apply</p> <p>Section 81, Schedule 5 (Alteration of street names: consequential amendments) subsection (2) of the Levelling Up and Regeneration Act 2023 amends Section 18 of the Public Health Act 1925. It inserts subsection (4A) ‘In its application in relation to a street, or part of a street, in England, this section applies as if, in subsection (1), the words “may alter the name of any street, or part of a street, or” were omitted.’ Subsection (1) of the Public Health Act 1925 now reads ‘The urban authority by order may assign a name to any street, or part of a street, to which a name has not been given.’</p>	<p>Amend section 18 (ii) of the Public Health Act 1925 with Section 81, Schedule 5, Subsection (2) of the Levelling Up and Regeneration Act 2023.</p> <p>ii) The urban authority by order may assign a name to any street, or part of a street, to which a name has not been given.</p>

Other Recommendations

Section 5, Street Naming (iii) – change the word whole with natural

- Current Wording - Only use whole numbers, do not use fractions.
- Change to - ‘Only use natural numbers, do not use fractions.’

This will enable the council to reject planning requests for zero to be used as a house number.

The removal of Appendix A – Schedule of Street Naming and Number Charges.

These fees can be found on the council website and in our fees and charges policy. The removal of these means that the policy will not need updating as often.

Implications

Corporate Plan:

Appropriate and relevant street naming promotes Ashfield’s heritage, geography, people of significance and Ashfield as a place.

Legal:

Ashfield District Council has a statutory duty to name and number streets and to approve and register official property addresses within its council boundary, as specified in legislative provisions in Schedule 14 of the Local Government Act 1972, Section 64 of the Town Improvement Clauses Act 1847 (incorporated into Section 160 of the Public Health Act 1875), Section 21 of the Public Health Acts Amendment Act 1907 and Section 17-19 of the Public Health Act 1925.

Relevant legislative provisions and changes are detailed in the report and incorporated in to the revised Policy. [RLD 28/08/2024]

Finance: There are no direct financial implications of approving this policy. [PH 28/08/2024].

Budget Area	Implication
General Fund – Revenue Budget	The street naming and numbering policy aligns with our fee charging policy and fees associated with renaming and renumbering of existing addresses. No direct financial implications of approving this policy.
General Fund – Capital Programme	Not applicable
Housing Revenue Account – Revenue Budget	Not applicable
Housing Revenue Account – Capital Programme	Not applicable

Risk:

Risk	Mitigation
Lack of a policy may result in challenges regarding naming and numbering decisions	Adoption of a policy will provide a process and reasoning for the decisions made
If the percentage of support needed to alter/change a street name is not specified it will make it easier for residents to make alterations/changes.	Add a paragraph that outlines the percentage needed (see proposed amendments)

Human Resources:

No implications - there are no direct HR implications contained in the report (KH 28.08.24)

Environmental/Sustainability:

No implications

Equalities:

No implications

Other Implications:

None

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

Revised Street Naming and Numbering Policy

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