

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Council

27 May 2010

**AUTHOR/S:** Executive Director (Corporate Services)

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### STREET NAMING AND NUMBERING

#### Purpose

1. To ask Council to make a resolution giving notice of intention to adopt Section 64 of the Town Improvement Clauses Act 1847.
2. This is not a key decision.

#### Recommendations and Reasons

3. That Council resolves to give notice of an intent to adopt the provisions of Section 64 of the Town Improvement Clauses Act 1847, subject to the advertisement requirements.

#### Background

4. Across the country and within Cambridgeshire a number of local authorities are reviewing the way they provide their street naming and numbering service and considering what actions could be taken to ensure that the full cost of this activity is not carried by the wider community.
5. The Council at its meeting on the 31st January 2008 resolved to adopt the provisions of Sections 17, 18 and 19 of the Public Health Act 1925 to allow the Authority to name or re-name streets within the District Council area.
6. Having adopted the provisions of the 1925 Act the Council may under Section 93 of the Local Government Act 2003 charge for anything done for the provision of such a service, provided the person to whom the service is given has agreed to its provision. This excludes the statutory elements of the function for which there should be no charge.
7. Section 64 of the Town Improvement Clauses Act 1847 requires the Council to ensure houses and buildings are "to be marked with numbers as they think fit".
8. Before the Council can introduce a charge for its services in relation to street numbering it must ensure it has the statutory authority to do so. It is unclear in law whether the provisions of the Town Improvement Clauses Act 1847 must be adopted but in order to take a "belt and braces" approach a number of councils are resolving to adopt its provisions to avoid any future challenge.

#### Considerations

9. The service is currently provided free of charge yet can involve Council Officers in significant amounts of work. The majority of street naming and numbering work undertaken by the Address Management Team relates to new properties that developers are building. This means that local residents are currently funding the

service which is generally carried out for developers and new occupants. It is therefore proposed that charges are introduced for non-statutory functions for all new developments and for the re-naming and re-numbering of a street or property when requested by a Parish Council or a majority of its residents.

10. When charging for discretionary services the Council has a duty to charge no more than the reasonable costs it incurs 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 to the community and not to make a profit.
11. If the Council decides to pursue the adoption of the provisions of the 1847 Act then the requisite notice needs to be given before such a resolution is made. A notice of the Council's intention to pass such a resolution must be advertised on two consecutive weeks in a local newspaper and served on every parish council/meeting in South Cambridgeshire. After this period the Council may consider whether to pass the resolution. If it does so the resolution will take effect not earlier than a month from the date of the Council decision.

### Implications

12. Financial	There are positive financial implications as revenue will be generated to supplement the current budget for the street naming and numbering service including the street nameplate repair and replacement programme, which is insufficient to meet current demand.
Legal	Current legislation does not provide a right to charge for the statutory SNN service but there are powers to charge to cover the cost of providing the non-statutory service.
Staffing	There are no staffing related implications although a full staffing compliment will need to be retained to offer a fee generating and improved service.
Risk Management	Charges will not be popular with those affected but as they are modest and non-profit making the risk of alienating residents or businesses is small. We are not aware of other Councils experiencing difficulties when they introduced similar charges.
Equal Opportunities	None specific.
Climate Change	None specific.

### Consultations

13. Adoption of Section 64 of the Town Improvement Clauses Act 1847 requires prior advertisement and consideration of any responses received before resolving to adopt.

### Effect on Strategic Aims

14. The proposals will support the Council's commitments to providing a first class service, to being a safe and healthy place in which residents are proud to live and to assisting with provision of local jobs because:
  - (a) Additional revenue will allow an improved service and help meet the demands being placed upon the service;
  - (b) Street nameplates and logical numbering are important so that the emergency services and the public can find locations quickly and effectively. Damaged signs pose a safety risk to the public and may delay emergency services in finding the correct location;

- (c) Damaged signs not only pose a safety risk but may present an unkempt appearance to an area; and
- (d) The provision of street nameplates and their erection support local jobs.

### **Conclusions / Summary**

- 15. The introduction of a scale of charges for the provision of street naming and numbering services will allow the service improvement and provide revenue in future years.
- 16. In order to ensure that the Council has the legal powers to entitle it to charge for elements of its street naming and numbering service it is necessary to go through the process for adoption of the 1847 legislation.

**Background Papers:** the following background papers were used in the preparation of this report:

Council Agenda, 31st January 2008

Report to Senior Management Team, 13th January 2010

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