

Cabinet – 8 June 2011

Adoption of legislation to allow the introduction of charges for street naming and numbering services

Portfolio: Councillor Tom Ansell –Transport and Environment

Service: Neighbourhood Services

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary of report

Cabinet will recall at its meeting 13 October 2010, approving the intention to adopt legislation that will allow the introduction of charges, primarily to developers, for the street naming and numbering service.

The introduction of a charging structure will assist with the delivery of a more efficient service by reducing the likelihood of abortive works. Developers will be more likely to carefully consider retrospective requests to the Council for changes in the agreed naming and numbering plan if they themselves need to bear the additional cost.

Importantly, the introduction of a charging structure will also produce an ongoing revenue stream to offset the existing cost to the Council of providing the service.

This report provides an update on the process necessary to adopt the legislation and details the intended charging structure that would apply.

2. Recommendations

- 2.1 That Cabinet recommend to Council that, pursuant to Paragraph 25 of Schedule 14 to the Local Government Act 1972, Walsall Metropolitan Borough Council pass a resolution that the provisions of Sections 17-19 (inclusive) of the Public Health Act 1925 relating to the naming of streets and Sections 64 and 65 Town Improvement Clauses Act 1847, relating to the numbering only of streets, shall be adopted and apply throughout the area served by Walsall Metropolitan Borough Council.
- 2.2 That Cabinet recommend to Council the introduction of charges in relation to street naming and numbering services as detailed in **Appendix A**.

3. Background Information

3.1 Notice requirements

Following the prior approval of Cabinet, and in accordance with the requirements of the LGA 1972 Schedule 14 Para (1) and (5), a statutory notice was placed in the Walsall Advertiser for two consecutive weeks on 16 & 23 December 2010 detailing the Council's intention to adopt the provisions of:

- S.17-19 Public Health Act 1925
- S.64 & S.65 Town Improvement Clauses Act 1847 (in respect of the numbering provisions only)

No correspondence was received by the Council in connection with this Notice.

In accordance with advice from Constitutional & Legal Services, Cabinet is now asked to recommend to Council that the resolution detailed in paragraph 2.1 of this report be made.

3.2 Charging Policy

On the basis that the Council proceeds to adopt S.17-19 Public Health Act 1925 and s.64 and 65 Town Improvement Clauses Act 1847 (in relation to numbering only) the Council would be able to charge (on a cost recovery basis) for the following services:

- Naming of new streets
- Alteration of street names
- Numbering and renumbering of properties

Historically the naming and numbering service was provided at the early stages of any development, usually being implemented from the point of foundations being cast for new properties. However, due to developers frequently submitting revised planning applications that could necessitate a revised naming and numbering format to be implemented, abortive naming and numbering works were not uncommon.

The ability to revise any proposed naming and numbering format needs to be retained. However, in recognition of the cost to the Council of abortive works, the proposed scheme of charges also includes an additional charge per plot for any plot impacted by revised proposals.

Occasionally a new development will require the renumbering of existing occupied nearby premises. This could see residents incur personal financial costs and inconvenience due to the need to update all services associated with an address change. Previously in such situations developers have given assurances to affected residents that their reasonable expenses will be covered by the developer.

Unfortunately, despite assurances, this has not materialised in some cases, leaving residents with little recourse other than to complain to the Council. The

proposed scheme of charges recognises this by introducing an additional fee to the developer that would be used to compensate each affected property and cover the Council cost in administering this payment.

The charges, as proposed in **Appendix A**, are based on the average time required to undertake the various functions associated with street naming and numbering. If implemented, these charges will ensure the service is delivered on a cost recovery basis.

4. Resource considerations

4.1 **Financial:** The introduction of charges for naming and numbering of roads and properties will produce an ongoing revenue stream that will recover the costs of providing the service.

4.2 **Legal:** The exercise of the functions contained in section 17-19 of the Public Health Act 1925 and section 64 and 65 of the Town Improvement Clauses Act 1847 is discretionary.

Section 93 of the Local Government Act 2003 enables the Council to charge for the provision of discretionary services but on a cost recovery basis.

Section 17-19 of the Public Health Act 1925 and section 64 and 65 of the Town Improvement Clauses Act 1847 are adoptive provisions and must be formally adopted by Council in order to enable the Council to charge on a cost recovery basis for the following services:

- Naming of new streets
- Alteration of street names
- Numbering and renumbering of properties

In accordance with the Local Government Act 1972 Schedule 14 Paragraph 6. the date on which adoption takes effect must be a date of one month after the final resolution to adopt is passed by Council

4.3 **Staffing:** Nothing directly associated with this report.

5. Citizen impact

The introduction of charges for street naming and numbering will have financial implications for citizens. Currently the service is provided free of charge but following the implementation of a charging policy the service will no longer be free.

6. Community safety

Nothing directly associated with this report.

7. Environmental impact

Nothing directly associated with this report.

8. Performance and risk management issues

8.1 Risk:

Failure to adopt the appropriate legislation would prevent the introduction of a charging policy.

8.2 Performance management:

Nothing directly associated with this report.

9. Equality implications:

None directly associated with this report.

10. Consultation

This report has been produced in consultation with Legal and Constitutional Services.

Background papers

None

Author

Paul Leighton
Group Leader

☎ 652458

✉ leightonp@walsall.gov.uk

Jamie Morris
Executive Director



26 May 2011

Councillor Tom Ansell
Portfolio Holder – Transport and environment



26 May 2011

Appendix A

Street Naming and Numbering Developer Charges				
Service	Minimum charge	Price per plot	Charges	
All plots include houses, flats, apartments, commercial properties & sub divisions				
New developments - minimum charge £100 for single property plus £25 per plot thereafter.	£100	£100	£100.00	
Example charges				
2 plots	£100	£25 per plot	£125.00	
20 plots	£100	£25 per plot	£575.00	
200 plots	£100	£25 per plot	£5,075.00	
320 plots (number of plots into the Water Front South development)	£100	£25 per plot	£8,075.00	
Changes to development after notification (per plot)		£50.00		
Road naming / re-naming - per road			£100.00	
Naming commercial development/building/residential flats/houses			£100.00	
Confirmation of postal address to solicitors (currently £60)			£50.00	
Individual property re-numbering			£100.00	
Charges per property to developer for plot changes after numbering has been issued. To be split between the resident and authority.	£60 residents compensation	£20 Council administration costs	£80.00	