

Street naming and numbering

New fees for this service were agreed by Cabinet on the 18th November 2010

Legislative empowerment

Hillingdon Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under The London Building Acts (amendment) Act 1939 – Part 11.

Section 5 allows an intended name of a road to be proposed to the Council, and if the Council objects to that name it must do so within one month. The Council will place a public notice about the name and consult the postal and emergency services and any interested party affected by the name. However

Section 6 allows the Council to assign any name it thinks fit, after carrying out consultations outlined above.

The council has sole right to:

Name new streets and pathways (parks are excluded)

Name new buildings (licensed premises and theatres are excluded)

Rename existing streets and buildings

Decide on numbering and renumbering of buildings

Procedure

The decision to name streets and the numbering of buildings follows council guidelines and various legal statutes. In May of this year it was agreed by Cabinet that:

The guidelines for street naming be reviewed and updated with agreed criteria

Approval be given for the Leader of the Council to have discretionary authority to consider and agree the use of names relating to contemporary, local or national events and activity, and

Approval be given for the Leader of the Council to have discretionary authority to agree the use of names of an individual or notable person who was born or lived in the area or had a significant connection with the area/site or building.

The above recommendations were agreed by Cabinet and immediately implemented. The introduction of charges for street naming and numbering would not affect any of these recommendations.

The processing of proposals for new street naming and numbering require quick turn around of decisions and do not attract extensive public interest. For proposals to name new streets the developer is asked in the first instance for suggestions within Council guidelines. If the developer cannot think of a name, officers look into the local history of the area to find out whether there are any appropriate names that might be considered. In appropriate cases that can involve liaison with local history societies (RAF Eastcote Street naming involved input from the local history society).

When it is a Council Scheme the housing association or the Council may also suggest names, but a formal process must be followed. The general rule is that if the name of a person is suggested; for example, government officers, MPs, Royalty, Councillors etc this person must have been dead for ten years. In the rare event that this principle is disregarded then written permission must be obtained from that person or next-of-kin.

Formal consultation is carried out with the Post Office, Fire Brigade and Ambulance Service to check whether they have any objections to the proposed name. If there are no objections the name and postal number for each dwelling is officially allocated and a notice issued to the developer. Confirmation is sent to those consulted and then the Post Office allocates the postcode/s. Each month officers issue a list of all new addresses distributed to a number of council departments as well as adjoining boroughs, the Police, BT, Cable Corp, and Bartholomew Maps. Ordnance Survey is also advised. Site visits are often required to verify application details. There is thus quite a lot of work involved in the various administrative processes carried out by Council technical support staff.

Potential to generate income from naming of streets and buildings

Section 93 of the Local Government Act 2003 confers a general power to charge for discretionary services with the intention of allowing local authorities to recover costs, though not to generate surplus.

Section 93 is already used to justify charged pre-application advice to developers by the Planning Service. (In 2009-2010 this advice generated close to £100K income).

The constraints that exist under Section 93 are (as outlined in the Act):

(2) Subsection (1) does not apply if the authority:-

(a) has power apart from this section to charge for the provision of the service, or

(b) is expressly prohibited from charging for the provision of the service.

(3) The power under subsection (1) is subject to a duty to secure that, taking one financial year with another, the income from charges under that subsection does not exceed the costs of provision.

Section 2(a) is effectively stating that authorities should not double charge. One example is a fee being paid on submission of a planning application, should not be followed by another fee under Section 93.

Charges for Hillingdon

To name or rename a road: £250 + VAT

To name or rename a building/street numbering £100.00 + VAT

Research on possible names for roads or buildings: £60:00 + VAT per hour, chargeable in 15 minute units.

It should be noted that for RAF Eastcote there was considerable research into suitable names linked to the history of the site as an RAF base. The research charge would therefore be very sensible in light of future re-development plans for other RAF sites in the Borough.

Examples of charging from Authorities covered by the London Building Act Part II Amendment of 1939

Overall Highest London charges	KENSINGTON & CHELSEA	To name or rename an existing road or building: £125.00	To name a new road or building £515.00	Research on possible names for roads or buildings: £50:00 per hour, chargeable in 15 minute units
Medium Charge/Easy to Apply fees	EALING	Street Naming £ 250	Building Naming £ 100 Street Numbering £ 100	
Lower charge/Complicated fees	BARKING & DAGENHAM Charges exclude VAT:	New property (1) = £40 Change of approved address = £40	New Road Name = £210 New Property Name = £190	Conversion of existing property to up to 4 units = £95 New plots within a development (from 2 to 25) each = £31.50 New plots within a development (26 to 99) each = £26.25 New plots within a development (100 or more) each = £21

Hillingdon have implemented charges in a 'mid-range', similar to those which Ealing have in place. These have the advantage of being relatively straightforward to apply and administer. The £515 charge to re-name a building imposed by Kensington and Chelsea may be appropriate in the context of the very high house land values in that Borough, but is arguably not appropriate to Hillingdon. Furthermore it could lead to conflict with Section 93 subsection (3) if applied in Hillingdon. The vast majority of requests (between 100 and 200 requests a year for Hillingdon) are for new building names or street numbering.

Highways Act Charges

Charges under the Highways Act 1980 regard the regulation of the erection of banners on street furniture and erection of festive lights and decorations.

It is a requirement of S 117 and S 171 of the Highways Act 1980 to obtain the permission of the local authority for the erection of banners and also the erection of festive lights or decorations on street furniture or guardrails. This is to ensure that the liability of the council to claims that might result from any accidents arising from or caused by the activity, is retained by the applicant.

The charging of fees to community groups or charities has been the subject of recent concern as such groups have suggested that it is unfair or unreasonable for the council to charge when their funds are generated entirely for the benefit of residents, local business groups or charitable activities.

The principal has been accepted in relation to Street Trading applications and as a consequence Cabinet in October authorised that fees from community groups may be waived for Street Trading applications during the current regulations amendment consultation period, subject to the individual approval of the Corporate Director of Planning, Environment & Community Services and the Leader. A final report regards the results of consultation concerning these proposed changes to Street Trading will be considered by Cabinet in January when a final decision will be taken.

It is quite common for residents associations and chambers of commerce to seek permission for banners promoting events and for erection of lights and decorations in town centres.

Consequently, it is considered that there should be similar dispensation for community groups and charities regards licenses and permits issued under the Highways Act 1980 for matters such as banners on guardrails, decorative lights, where there has previously been a charge of £143.50 per application.

Community groups are defined as one which is based within the boundaries of the borough, and are self funding, run by volunteers, and / or established to benefit residents groups, business groups or charities. Community groups may not seek to waive the fees of commercial organisations associated with, working for or contributing to their events or activities, unless their premises front onto the location of the community event and for that occasion only.

PROPOSED RECOMMENDATION

That Cabinet approve the waiving of fees for community groups and charities in relation the erection of banners, festive lights and similar.

