

Title of meeting: Cabinet Member for Traffic and Transportation Decision Meeting

Date of meeting: 27 April 2017

Subject: Street Naming and Numbering (SNN) Charges and Policy

Report by: Assistant Director of Contracts, Commercial, Highways, IT & Procurement

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

To propose that we introduce charges for the Street Naming and Numbering service and the policy under which that service will be provided.

2. Recommendations

It is recommended that:-

2.1 The Cabinet Member approves the adoption throughout the City of Portsmouth of the legislation set out below with the purpose of introducing charges for street naming and numbering:

- (a) Sections 17- 19 Public Health Act 1925**
- (b) Sections 64 - 65 Town Improvement Clauses Act 1847**

2.1 The charges for work relating to the Street Naming and Numbering service, set out in Appendix A, be adopted with effect from 27th May 2017.

2.2 The Street Naming and Numbering Policy, set out in Appendix C, be adopted with effect from 27th May 2017.

3. Background

- 3.1 The Council has statutory functions in relation to naming and numbering streets and this responsibility is covered by Sections 17-19 of the Public Health Act 1925 and section 64 and 65 of the Towns Improvement Clauses Act 1847 and is, at present, provided without charge.
- 3.2 Most local authorities charge for this service and details of the charges used by our neighbours are shown in Appendix B.
- 3.3 In setting charges, the council must be able to demonstrate that it is acting solely to recover its reasonable costs. Taking one year with another, the income from charges must not exceed the cost of provision.
- 3.4 Portsmouth City Council does not currently have an approved Street Naming and Numbering policy which causes confusion for residents, developers and officers. It also makes the authority more liable to challenge as there is no policy to refer to in order to reinforce decisions taken by the SNN Statutory Officer. A proposed new policy is shown in Appendix C.
- 3.5 We receive between 450 and 500 requests per annum, and roughly 60% are from building developers and the remaining 40% are from residents.

4. Reasons for recommendations

- 4.1 Most Local Authorities charge for the Street Naming and Numbering service, and as we currently do not, it provides an opportunity to increase our income and contribute towards the council's savings targets.
- 4.2 Street Naming and Numbering data is a valuable resource used by several council services. The data is also shared with emergency services and utility companies so that overall:
 - Emergency services can find a property quickly
 - Mail is delivered efficiently
 - Visitors can easily find where they want to go
 - There is a reliable delivery of services and products
 - Service providers have up to date and accurate records
 - Portsmouth City Council bill the right person, in the right property, for council tax and non-domestic rates.
 - Portsmouth residents are registered correctly for electoral services
 - The Land Registry and Valuation Office have the correct title details for properties
- 4.3 Additionally, the growth in the use of address data as a basis for ecommerce and credit ratings reinforces the importance of maintaining an up to date

record. It is, therefore, vital that the public are not disengaged from the process of notifying the council of changes as a result of charging.

- 4.4 The cost of providing the service is £52,000 per annum, and the estimated income based on the proposed charges would be in the order of £30,000 per annum.

The Royal Mail pay us £1 per address registered.

- 4.5 Should charges be adopted, then methods of payment will need to be put in place, so the income in the first year will not start until this is completed. Anticipated income is therefore expected to be in the region of £15,000 in 2017/18.
- 4.6 Street naming and numbering charges are not subject to VAT as the services are regarded as a non-business activity, provided under statutory powers and not subject to competition from the private sector. Therefore, VAT will not be added to the charges made.

5. Equality impact assessment

- 5.1 An equality impact assessment is not required as the recommendations do not have a disproportionate negative impact on any of the specific protected characteristics as described in the Equality Act 2010.
- 5.2 This is an existing service and is not being changed other than to introduce charges.

6. Legal implications

- 6.1 The powers relating to street numbering are included within sections 17-19 of the Public Health Act 1925 (PHA): Section 17 PHA requires any person proposing to name a street to give notice to the local authority and makes it an offence to put up any name to which the authority has raised objections within one month of the notice. Section 18 PHA permits the alteration of the name of any street or the assignation of a street to which no name has been given. The power to number houses in a street is contained within section 64 of the Town Improvement Clauses Act 1847.
- 6.2 Under the provisions of the Local Government Act 1972 (LGA) sections 17 to 19 only apply to those areas it immediately applied to before 1st April 1974 or to those to which it has given the requisite notice under Schedule 14, paragraph 25 of the LGA. There are alternative powers under the Public

Health Amendments Act 1907 relating to alteration of the street names. It is not permissible for both powers to apply in the same area at the same time.

- 6.3 The decision to adapt the provisions of the PHA must be advertised in a local newspaper in two consecutive weeks and the power to charge cannot come into force before 1 month from the date of the notice.
- 6.4 The Council have a general power under section 93 of the Local Government Act 2003 (or alternatively under section 1 and 3 of the Localism Act 2011 if not under the 2003 Act) to charge for the provision of services where there is no statutory duty to provide the service and the recipient agrees to accept the charge in order to obtain the service. This power can only be exercised where there is no express prohibition against charging and the charge applied must be on a cost recovery basis only.
- 6.5 The Council's exercise of the functions contained in section 17-19 of the Public Health Act 1925 and section 64 - 65 of the Town Improvement Clauses Act 1847 are discretionary.

7. Director of Finance's comments

- 7.1 Members approved the introduction of charges for this service as part of the 2017/18 budget savings proposals reported to City Council in December 2016. Revenue budget provision for 2017/18 reflects the anticipated income for £15,000 from this service.

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Signed by: Greg Povey

Appendices:

- Appendix A - Proposed Charges
- Appendix B - Charges used by other Local Authorities
- Appendix C - Proposed Street Naming and Numbering Policy

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Sections 17-19 of the Public Health Act 1925	
Section 93 of the Local Government Act 2003.	

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: