

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	31 August 2016
<b>Subject:</b>	Street Naming and Numbering
<b>Report of:</b>	Julie Wood, Development Services Group Manager
<b>Corporate Lead:</b>	Rachel North, Deputy Chief Executive
<b>Lead Member:</b>	Councillor D M M Davies
<b>Number of Appendices:</b>	None

## Executive Summary:

The Street Naming and Numbering (SNN) service has been operated for Tewkesbury Borough Council by the shared Cheltenham and Tewkesbury Building Control Service since the service was formed on 1 November 2009. Prior to 2009 Tewkesbury Building Control Service operated and maintained the SNN system.

It is likely that a significant number of new dwellings will be constructed within the Tewkesbury Borough Council area over the next 20 years and some of these developments will spread over District Council boundaries into areas managed by Cheltenham and Gloucester. This construction work is important to the area and the target of this report is to identify means by which Tewkesbury and Cheltenham can align their SNN charging regime as soon as possible and, following due process, to align the legislative powers between the Councils so that customers receive a 'common level of service' within both Districts.

Tewkesbury Borough Council is currently the only District Council within Gloucestershire which does not make a charge for the discretionary aspects of the SNN service. The SNN function could be cost effective by recovering costs related to SNN services and the Tewkesbury service would also align more closely with other SNN services in the county which would provide a more understandable service for customers. The proposal to be considered is that Tewkesbury and Cheltenham align their SNN charging system so that an income is received which covers the running costs of the service.

## Recommendation:

- 1. That Executive Committee RESOLVE to introduce charging for Street Naming and Numbering in the Borough and to delegate authority to the Deputy Chief Executive, in consultation with the Lead Member for Built Environment, to take all necessary steps to implement such charges.**
- 2. That the Executive Committee RECOMMENDS TO COUNCIL:-**
  - a) that the Council shall, after giving the requisite notice under s180 and Schedule 14 Paragraph 25 of the Local Government Act 1972, resolve that the provisions of Sections 17, 18 and 19 of the Public Health Act 1925 shall apply throughout the Borough; and
  - b) that once s17, s18 and s19 of the Public Health Act 1925 have been adopted, Section 64 Towns Improvement Clauses Act 1847 shall cease to have effect so far as it relates to street naming (although it would still apply to matters of house numbering).

## Reasons for Recommendation:

- So as to provide a self-financing Street Naming and Numbering service in respect of non-statutory elements of the service for Tewkesbury Borough Council.
- To help to provide a more uniform environment in which customers and operate with more confidence.

#### **Resource Implications:**

As contained within the report

#### **Legal Implications:**

**Duty to Consult:** The Council has two statutory duties to consult with users or potential users of the service when making changes to its services:

- The Public Sector Equality Duty as set out in Section 149 of the Equality Act 2010; and
- Section 3 Local Government 1999 - Best value duty.

**Introducing Charges:** The Council has the power to charge for discretionary elements of the SNN service in accordance with either s.93 of the Local Government Act 2003 Act or may use the general power of competence set out in s.3 of the Localism Act 2011 to introduce charges, as other Councils do so throughout the County and elsewhere..

**Aligning Legislative Powers:** Any changes to the current system adopted by this Council i.e. from the Town Improvement Clauses Act 1847 to s17, s18 and s19 Public Health Act 1925 must comply with the provisions of s180 and Schedule 14 Paragraph 24 and 25 Local Government Act 1972. This legislation requires the Council to give prior notice of its intention to pass such a resolution by advertising in the local newspapers and by serving a notice on each Parish Council. The date on which such a resolution takes effect cannot be earlier than one month after the date of the resolution.

Once such a resolution is passed it has the effect of dis-applying the earlier provisions throughout the area. As the Public Health Act 1925 does not deal with street numbering, the Town Improvement Clauses Act 1847 will remain in force for such matters.

#### **Risk Management Implications:**

None.

#### **Performance Management Follow-up:**

- The Group Manager and the Building Control Manager to set charges so as to make the discretionary elements of the Street Naming and Numbering service self-financing as soon as possible.
- The Group Manager and the Building Control Manager to monitor charges so as to ensure that the service maintains the self-financing ability and also remains aligned with other service providers.

#### **Environmental Implications:**

None.

## **1.0 INTRODUCTION/BACKGROUND**

- 1.1** On 1 November 2009 the shared Building Control Service at Cheltenham and Tewkesbury became operational. The service move has been successful and has

provided a sound and resilient base for the statutory safety service to be provided. All targets in the original business case have been achieved and the Building Control Team has operated successfully through some very hard years for the construction industry.

- 1.2** The shared service was based on a Local Government Act 1972 Section 101 agreement and part of this agreement identified that the shared Building Control service undertook the Street Naming and Numbering (SNN) function for Tewkesbury Borough Council. Previous to the development of the shared service Tewkesbury Building Control service had managed the SNN service and so the team had the knowledge and expertise to continue providing the service via the new shared Building Control Team.
- 1.3** The Building Control Manager, in consultation with the client officers for both Tewkesbury and Cheltenham, identified that providing the SNN service was costing money and that introducing a realistic charge for discretionary elements of the service would help to ensure the viability of the service and would also mean that the Cheltenham and Tewkesbury services were more closely aligned. Cheltenham has charged for the SNN service for many years. The client officers directed the Building Control Manager to develop a proposal for charging.

## **2.0 A SELF-FINANCING STREET NAMING AND NUMBERING SERVICE**

- 2.1** Street Naming and Numbering is an important part of the development process and the ongoing efficiency of the Districts infrastructure. The need for clear and effective route guidance is most clearly demonstrated by the need for emergency services to be able to effectively navigate to a specific address, however, commerce and individuals are also dependant on the ability to identify clearly addresses and properties.
- 2.2** Cheltenham Borough Council uses the Public Health Act 1925 and Tewkesbury Borough Council uses the Towns Improvement Clauses Act 1847 and the Public Health Acts Amendment Act 1907 legislation to facilitate the Street Naming and Numbering function.
- 2.3** Tewkesbury Borough Council is the only district authority within Gloucestershire which does not charge for the SNN service. Other districts have successfully used a charging system to support the service and there has been no negative feedback from those areas. From a customer perspective the lack of uniformity is a particular issue and does cause confusion. To address this issue it is clearly sensible for a single charging system to be available across the County, however, at the moment the only practical option is to align the Tewkesbury and Cheltenham charging systems and try to work with Stroud, Gloucester, the Cotswolds and the Forest of Dean so as to develop a system which is aligned across the County subject to compliance with the legal requirement to base charging on a 'cost recovery' basis.

- 2.4** Based on 2015 figures for Tewkesbury, and using the current Cheltenham Borough Council charge levels, the following potential income can be estimated.

	Estimated Income
Naming and numbering new streets within a new development	£26,300
Naming and numbering new dwellings	£3,150
Renaming existing dwellings	£2,275
Renaming conversions	£450
Running costs: Staff, equipment, software, hardware management	£31,337
<b>TOTAL Potential Income</b>	<b>£32,175</b>
<b>Surplus</b>	<b>+£838</b>

- 2.5** The SNN function for Tewkesbury Borough Council currently absorbs three days of officer time per week. The officer who specialises in this function is currently paid within the Cheltenham Borough Council salary scale at Grade 'D'. Grade 'D' covers a range from £17,891 to £19,939. Overheads and on-costs will mean that three days of this officer's time will currently equal £14,487 per year. As well as the officer time an additional £10,850 of potential income will be directed towards assisting to support the Tewkesbury Borough Council gazetteer and the associated software system. An estimated £6,000 per year will also need to be part of the proposed running costs to ensure that hardware systems can be managed, maintained and updated when necessary.
- 2.6** Income and costs will need to be monitored and, if necessary, adjusted so that the service can be shown to be operating efficiently and effectively. The charging system for the SNN function should be focused towards cost recovery and the development of a customer focused service.
- 2.7** This proposed change is important for both districts. The new developments which are proposed will absorb a significant amount of officer time, this cost can no longer be supported from within the Building Control service and a charge has to be raised. SNN is an important safety and infrastructure facility and the level of service needs to be maintained or improved during this period of construction and development in the area, the income provided will help to ensure the maintenance of an effective service.
- 2.8** Furthermore, it is considered appropriate to seek authority to commence the formal legislative process to align the SNN powers across Cheltenham and Tewkesbury Borough Councils.
- 3.0 OTHER OPTIONS CONSIDERED**
- 3.1** None.

#### **4.0 CONSULTATION**

- 4.1** The desire to be self-funding and the subsequent charging levels have been discussed with the other Street Naming and Numbering services within the County and the views and guidance offered by these services have been recognised.
- 4.2** Customers have, informally, confirmed that the varying charges around the County are confusing and frustrating. However, in order to comply with the Council's Best Value duty and Equality Act duty to consult when changing services, an appropriate consultation process will be undertaken prior to the Deputy Chief Executive making a decision under her delegated authority to introduce charges for the SNN service.
- 4.3** Senior management at Tewkesbury Borough Council and Cheltenham Borough Council are of the opinion that charging for the service is correct and the only option within the current local authority economic environment.

#### **5.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

- 5.1** Council Plan Priorities and Objectives 2016-2020 – Investigate and take appropriate commercial opportunities.

#### **6.0 RELEVANT GOVERNMENT POLICIES**

- 6.1** None.

#### **7.0 RESOURCE IMPLICATIONS (Human/Property)**

- 7.1** None.

#### **8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

- 8.1** None.

#### **9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

- 9.1** None.

#### **10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

- 10.1** None.

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**Background Papers:** None.

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**Appendices:** None.