

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1. Meeting:	Cabinet Member for Economic Development Planning and Transportation
2. Date:	26 March 2010
3. Title:	Charging for Property Addressing Services
4. Directorate:	Planning and Regeneration

5. Summary

The purpose of this report is to establish a framework for the introduction of appropriate charging for Rotherham MBC's property addressing functions

6. Recommendations

Cabinet Member is asked to:

1. agree to the consultation process which will allow this Council to formally adopt Sections 17 to 19 (inclusive) of the Public Health Act 1925, Section 15 of the South Yorkshire Act 1980 and the Local Government Act 2003 for property addressing purposes;
2. note the documented policy and procedures used to name streets and number properties (Appendix 1);
3. approve the introduction of charges on a cost recovery basis in accordance with the table set out in Appendix 2 of this report, and;
4. agree that future charges be assessed annually (on a cost recovery basis) as part of the Council's review of fees and charges

7. Proposals and Details

In order to establish a framework for the introduction of charges for property addressing, the following issues must be considered:

7.1 The Statutory Basis for Property Addressing

The Public Health Act 1925 - Street Naming

Section 17 of the Act requires that before any street is given a name, notice of the proposed name shall be sent to the Council by the person (usually a developer) proposing to name the street. The Council would then have one month to object to the proposed name. If the person proposing to name the street disagrees with any objection made by the Council, there is a right of appeal to the local Magistrates' Court. This provision would give the Council control over new street names proposed for use within its area.

Section 18 of the Act enables the Council to alter the name of a street, or part of a street or, if a name has not been given to it, to give a name to the street, or part of it. Any aggrieved person has a right of appeal to the changes proposed to a local Magistrates' Court.

Section 19 of the Act requires the name of every street to be marked in a conspicuous position in or near the street (e.g. by street name plates) and specifies the penalty that can be imposed on any individual who interferes with it.

The South Yorkshire Act 1980 – Property Numbering

Section 15 of the Act enables the Council to allocate, alter and enforce the display of property numbers. Subsection 5 of the Act allows the Council to require that a building be marked with some other form of identification instead of a number, if it decides that this is more appropriate.

Formal Process for Adoption of The Acts

Once the legislation is adopted, the Council will have the option to charge for its Street Naming and Numbering Service as the provisions are discretionary (under Section 93 of the Local Government Act 2003, as detailed below).

The statutory notices (see Appendix 3), referred to in this report and which require advertisement, are to inform the public of the intended adoption and are not part of a consultative process. In this regard, there is no right of appeal or objection, following due advertisement, for any person who may take issue with the proposed adoption.

The statutory notices will, if members agree, be advertised for two consecutive weeks in a local newspaper. Following this, a report will be submitted to full Council to consider adoption of the Acts. If adoption takes place, the introduction of charges can take place.

7.2 The Statutory Basis for Charging

The Local Government Act 2003

Section 93 of the Local Government Act 2003 enables local authorities to charge for the provision of discretionary services but on a cost recovery basis only in relation to each kind of service and taking one financial year with another so as to allow for any adjustment, if in a preceding year, there is a profit or loss.

If charging for discretionary services, a local authority has a duty to charge no more than the costs incurred in providing the service, the aim being to promote the improvement of services to the community, not to make a profit.

7.3 Calculation of Charges

Following liaison with Finance Section to establish rates per hour and overheads for this function, a survey was carried out to estimate costs for each part of the property addressing process. The fees are intended to cover the cost of officer working hours, resources utilised in correspondence with relevant authorities and officiated bodies, production of plans and integration of naming and numbering into the Council's GIS systems.

It was decided that there are five areas where the introduction of a charge would be appropriate:

1. allocating a name to a street;
2. allocating a number to a property;
3. revising property numbers after a schedule has been issued;
4. changing a house name;
5. issuing a retrospective address confirmation letter.

The calculated charge for each of these services is compared with those for neighbouring Local Authorities in Appendix 4

In order to underpin the introduction of charges for street naming and property numbering it was considered essential that structured application forms be introduced, designed for postal as well as electronic use. An example of the proposed form is included in Appendix 5. These will be used to provide enhanced support for tracking and evidence in the various processes.

8. Finance

At the moment the service is provided free of charge. If the charges outlined above were introduced it is estimated that the Council could raise additional income amounting to c£7000, based on 2009/10 activity levels. The charges would be reviewed annually.

9. Risks and Uncertainties

It is considered that by adopting the recommendations set out in this report the likelihood is that service provision can be improved, and that there will be less scope for uncertainty. The introduction of charges and formal applications for official addresses should reduce officer time spent investigating unofficial addresses and

firm up the process of adding new property records to Council databases via the LLPG.

The introduction of charges will necessarily be unpopular with those affected but, as they are modest and non profit making, the risk of alienating residents or businesses is very small. Otherwise, there are no perceived risks in introducing these charges (once the relevant legislation is adopted) which are common across other local authorities.

10. Policy and Performance Agenda Implications

This proposal supports Service Objective 14 'To sustain, develop and continuously improve Planning & Regeneration services so that they continue to meet mandatory requirements and to be regarded as excellent through national comparisons , by customer perception and through independent inspection throughout the period 2008 – 2011'

11. Background Papers and Consultation

Appendix 1 – Outline Street Naming and Property Numbering Procedure

Appendix 2 – Proposed Charges

Appendix 3 – Newspaper Advertisement

Appendix 4 – Comparison of Local Charges

Appendix 5 – Property Addressing Application Form

Contact Name : *insert name, position, telephone extension and e-mail address*

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