

COMMUNITY POLICY DEVELOPMENT GROUP

25 JUNE 2019

STREET NAMING AND LIVING INDIVIDUALS

Cabinet Member(s): Cllr Dennis Knowles, Cabinet Member for Community Well-being

Responsible Officer: Kathryn Tebbey, Group Manager for Legal Services

Reason for Report: At Full Council on 24th April 2019, the following motion was referred to Community Policy Development Group:

Motion 544 (Councillor RJ Chesterton – 20 March 2019)

In light of recent press articles on the subject, this Council believes that parish and town councils, in reply to any street naming proposal from a developer, be allowed to recommend to this Council that a street be named after an individual, including the living.

RECOMMENDATION: that in light of the contents of this report, Community Policy Development Group considers whether to recommend -

(a) that Motion 544 be supported; and

(b) any wording or criteria that should be included in the Council's procedure for Street Naming and Numbering.

Financial Implications: None directly arising, although costs could be incurred in the event that the Council's decision on a name does not accord with the wishes of the developer, leading to an appeal.

Legal Implications: A developer, when applying for a street name, indicates the preferred name(s). The parish or town council is then consulted about the name(s). At times, the developer and the parish or town council do not agree and Mid Devon District Council then has to make a decision on the choice. If a developer is unhappy with the decision, they can appeal to the Magistrates' Court.

If the Council changes the procedure to allow the naming of streets after living individuals, their consent should be sought in advance of a decision on the street name.

Approved by Legal: yes Group Manager for Legal Services

Risk Assessment: As the report acknowledges, there is a risk, perhaps slight, that there may be pressure to change a street named after an individual in light of future events or disclosure of information. *Approved by Performance/Governance: [yes/no – include name/post title, eg Group Manager for Performance, Governance and Data Security]*

Equality Impact Assessment: The procedure is applied equally with no impact upon someone with a particular characteristic.

Relationship to Corporate Plan: No direct relationship.

1.0 Introduction/Background

1.1 Mid Devon District Council is responsible for naming streets and numbering properties in those streets. The Council has a procedure for doing so which is similar to those adopted by many other councils in England. It is published on the Council's website.

1.2 The document was first drafted in October 2010 and the intention was that it would be adopted as a Policy. The content was based upon Street Naming and Numbering ("SNN") guidance available in the Data Entry Conventions and Best Practice for the National Land and Property Gazetteer (DEC-NLPG) provided by Local Government Information House (LGIH) at the time, together with current standards applied to the SNN process by other authorities throughout the country. Colchester Borough Council's policy was cited as a good example in the SNN guidance and one that was followed closely in drafting this Council's procedures.

2.0 Mid Devon District Council's procedures

2.1 The following paragraphs from the Street Naming and Numbering procedures apply to naming a street after living individuals:

2.0 Naming Streets and Numbering Properties

2.1.3 Naming a street after a living person is not permitted in order to avoid offence either by inclusion or exclusion of an individual name

2.2 Street Naming Guidelines

2.2.6 In order to avoid causing offence either by inclusion or exclusion, no street shall be named after any living person

2.2 When the procedures were first drafted, the inclusion of guidance on naming streets after living individuals arose from concerns that the person in question might subsequently be discredited in some way – with a significant criminal conviction or other information coming into the public domain. It was felt that this could cause some embarrassment to the affected council and/or those residing on the street itself. It was apparently equally accepted that such issues can arise where a street is named in memory or honour of a deceased individual, but it appears that this was considered, rightly or wrongly, to be of a lesser risk.

2.3 Whilst a street name can be changed by a particular process, it is not straightforward and should be a last resort. For example, it can cause significant disruption to the owners of properties on the street, who will need to change any number of personal or business registrations, including title deeds, financial matters etc.

2.4 The original reference to the use of named individuals was more comprehensive than in the version ultimately accepted as a Procedures document rather than a Policy. It read:

Naming a street after a living person is not permitted, in order to avoid offence either by inclusion or exclusion of an individual name. The only exception to this can be where the development is an affordable housing project. Only in this case, the name of a long serving councillor or ex-councillor may be used in recognition of their service. This may only apply where the councillor has ten years of continuous service, the suggestion meets with the approval of the full council and all other criteria within this policy are met.

However, by February 2012, the above statement had been revised to the current wording.

- 2.5 In terms of other guidance, GeoPlace is a limited liability partnership jointly owned by the Local Government Association (“LGA”) and Ordnance Survey. It was set up as a result of a government call for a standard index of addresses. The data is made available through Ordnance Survey through the National Street Gazetteer and National Address Gazetteer. There is close work with the Government, the highway authorities and other stakeholders, including emergency services. It issues good practice and guidance on street naming and numbering. Here are the following applicable references from GeoPlace’s website:

The guidance states that councils should establish their own street naming and numbering policy for their authority area taking into particular consideration the following aspects:

- *The use of the name of a living person. (This is not recommended)*

3.0 **Other Devon authorities**

- 3.1 Strata (East Devon, Teignbridge and Exeter) require that “*the use of names which relate to someone either living or alive during living memory should be avoided in case of negative claims coming to light at a later date*”.
- 3.2 North Devon’s policy mirrors that of Mid Devon. Torridge requires that “*the use of a name that relates to people either living or those alive during living memory should be avoided if possible. Only exceptional circumstances will be given consideration and justifications will be required.*”
- 3.3 South Hams and West Devon states “*the use of a name that relates to a living or deceased person should be avoided*”.
- 3.4 Torbay has an application process online, but it is silent about the criteria applied. Plymouth states:

In order to avoid causing offence either by inclusion or exclusion, or to appear biased, a street should not be named after any living person or individual. This is a clear recommendation within the National Data Entry Conventions document (DEC-NLPG) and is considered best practice amongst the NLPG/SNN user community.

In exceptional circumstances should a proposal be made to name a Street after a living individual, on the grounds of them having made an outstanding contribution to the city and its people, these will be permitted if both approval by the individual and unanimous agreement between the Cabinet Member with delegated authority for the service and appropriate Ward members is received.

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Circulation of the Report: Cabinet Member for Community Services

List of Background Papers: None