

Bath & North East Somerset Council

Street Naming and Numbering Policy (Revision of August 2023)

1. Introduction

Bath and North East Somerset Council has statutory powers to ensure that all streets and properties are correctly named and numbered within the district. These powers derive from Public Health Act (1925) and Towns Improvement Clauses Act (1847).

Street Naming and Numbering is an important function as it allows the Council to maintain a comprehensive and accurate address database covering all properties in Bath and North East Somerset Council. In turn this enables:-

- Emergency Services to find a property quickly and effectively
- Post to be delivered efficiently
- Visitors to locate their destination
- Statutory undertakers to connect their services to premises and link them to a postal address for billing
- Reliable delivery of services and goods by courier companies
- Records of Service Providers to be kept in an efficient manner
- Companies to accept an address for official purposes. For example, insurance, credit rating, contract acceptance

Many legal transactions associated with properties can be withheld until they are identified by a street name and number.

Royal Mail will not assign a postcode until the Local Authority has notified them of the official address as the Street Naming and Numbering Authority

The purpose of the street naming and numbering policy is to establish the correct process and procedures for the following activities:-

- Naming of new streets and numbering properties on that street

- Renaming an existing street or renumbering existing properties on a street
- Numbering or Naming a new property
- Renaming or Renumbering an existing property

Details of how properties and streets will be named and numbered are set out in the accompanying Street Naming & Numbering Guidelines.

2. Types of address

There are two forms of address in common use:

The **Postal Address** is the form of the address held by Royal Mail for the delivery of post. Royal Mail accept no responsibility for use of the postal address for any other purpose than delivery of mail by them.

The **BS7666 Address** is the form of the address which conforms to the national standard for addressing BS7666. This form of address is prescribed by the government for various statutory purposes such as planning applications and the electoral register. It is used in the Council's primary address register, the Local Land & Property Gazetteer (LLPG). It is also the basis of the National Address Gazetteer which, through Ordnance Survey's AddressBase product, provides a single address list across the whole public sector.

While the two forms of the address are often the same, they may not be. The differences between the two forms are set out in Appendix 1. Other forms of an address may exist (such as those on title deeds or held by third party databases) but have no legal standing.

3. Legal basis of Street Naming and Numbering in Bath & North East Somerset

Bath and North East Somerset Council (“the Council”) is the Street Naming and Numbering Authority for its area. The function of Street Naming and Numbering is delegated to the Geographical Information Systems (GIS) Team, who are responsible for addresses within the Council. The final choice of street names remains with the Cabinet Member for street naming.

The power adopted to number streets is that given under the Towns Improvement Clauses Act 1847 Sections 64 and 65. These provisions were united with those for street naming by Section 160 of Public Health Act 1875.

The power adopted by the Council to name streets is that given under the Public Health Act 1925 Section 18. The definition of a street for the purpose of naming is given by Section 4 of Public Health Act 1875:

“Street” includes any highway and any public bridge, and any road lane footway square court alley or passage whether a thoroughfare or not.

The interpretation of the legislation is informed by the cases of *Basildon Borough Council v James [2015]* and *Gamlin v Bath & North East Somerset Council [Bath Magistrates Court 2019]*.

When naming streets, the Council has responsibilities under the Public Sector Equality Duty, created by Equality Act 2010, Section 149.

Entry of properties in the LLPG is governed by BS7666, the Public Sector Geography Agreement, the LLPG and LSG data entry conventions, and secondary legislation from various government departments.

The Council also has powers under the 1847 Act to check that authorised names and numbers are clearly displayed. Householders are responsible for actually erecting and maintaining the numbers.

The legal rights and responsibilities of the various parties creating the different elements of an address are summarised in Appendix 2.

4. Street Naming and Numbering Process

4.1 Naming of New Streets

4.1.1 General considerations

Land ownership. There is no statutory duty for the Council to inform the owner of a street that naming is proposed. Where the applicant to name a new street is not the landowner, the applicant should inform the landowner of their intention to apply to name the street. The applicant should forward the landowners' reply to the Council as part of their application. If the landowner does not reply within a reasonable time, then the applicant should forward to the Council a copy of the letter or email sent to the landowner and a statement that no reply had been received. If there is no identifiable landowner, then the applicant should state this as part of their application. "Reasonable time" here means two weeks, plus additional allowance being made for public holidays.

Rights of way. The naming of a street does not create or alter any public or private rights of way across it.

Public engagement. The Council, as Street Naming Authority, carries out wider consultation on street names through town and parish councils, and Bath City Forum. It does not engage in direct consultation with the public or offer competitions to name streets. This does not preclude town and parish councils carrying out their own public engagement, within their powers, if they wish to.

4.1.2 Submission of proposed names

Developers are encouraged to consult with the local community at the outset before formally applying to the Council for street names. Outside Bath, the appropriate body is the town or parish council. In Bath city, where there is no town or parish council, developers may submit their proposals to the Bath City Forum, who act in lieu of a parish council.

Proposals for naming new streets should be submitted by the developer online wherever possible, together with an electronic copy of a site layout and location plan, the reason for the choice of name, and the relevant fee. Where a developer has already agreed a proposed name

with a local Town/Parish council or the Bath City Forum, a copy of their letter of agreement to the proposal should also be included.

4.1.3 Choice of street names

As far as possible, proposed names should reflect the history or geography of the site or the surrounding area. Names should not be identical or similar to existing street names in the vicinity.

Names should be unambiguous to spell and pronounce.

The Council does not generally accept the names of living people for street names. Details of exceptions to this and procedures for agreeing them are given in the Street Naming and Numbering Guidelines.

Names must not advertise a product or business.

Further details on choice of names are given in the Guidelines.

4.1.3 Processing of naming applications

The Council has no statutory duty to consult on street names. However, where a developer has not already agreed a proposed name with the relevant Town/Parish council (or Bath City Forum), a copy of the developer's site plan and proposed street name will be forwarded to them for their consideration together with the option that they may also propose an appropriate street name.

The GIS shall consider all names submitted in relation to their suitability for the site, the adopted policies and guidelines, and any broader policies that the Council may have that are relevant.

4.1.4 Role of Cabinet Member

Valid names will be submitted to the Cabinet Member for Street Naming for a final decision. The importance of councillor involvement, as representatives of the public, is stated in both *Basildon Borough Council v James [2015]* and *Gamlin v Bath & North East Somerset Council [Bath Magistrates Court 2019]*. The opinion of the town/parish council shall be included in the report sent to the Cabinet Member. The GIS Team may recommend its own opinion on the suitability of a name. It may draw to the attention of the Cabinet Member any political or local sensitivities surrounding the proposed name, so any appropriate additional consultation is made.

4.1.5 Statutory procedure

Once the proposed street name(s) have been approved by the Cabinet Member, a “Notice of Intention” is erected on site for one month, as prescribed by Section 18 Public Health Act 1925. For this to happen, the street must either meet the criteria of the New Roads and Street Works Act 1991 (“laid out as a way whether it is for the time being formed as a way or not”) or there is documentation with the Council to support the existence of the street (for example a bond under the Advance Payment Code in Sections 219-225 Highways Act 1980). This is to ensure that names are not created for streets which never come to exist.

If any member of the public objects to the street name(s) listed on the Notice of Intention, or believes that the correct procedures have not been followed, the 1925 Act provides that anyone who is “aggrieved” can appeal in writing to the local Magistrates Court within 21 days.

If no objection is lodged at the Magistrates’ Court within the prescribed period, the Council will then create and publish the legal order to name the street. A copy of the order will be sent to the town or parish council.

If an objection is validly lodged at the Magistrates’ Court, then the naming process is halted until the appeal is determined or abandoned (1925 Act, Section 8).

4.2 Numbering of New Streets

Numbering of properties is carried out by the Street Naming and Numbering Officer. There is no statutory consultation process, and no right of objection or appeal. Numbers are sequential and no numbers are omitted. Further details are given in the Street Naming & Numbering Guidelines.

Once street numbers have been allocated, the Street Naming and Numbering Officer will inform Royal Mail of the street name(s) and numbers of the new development and request a postcode from them. When this has been received, the developer will be informed by email of the full postal addresses (and BS7666 addresses if different) including a marked-up site layout plan showing allocated property numbers and

street name(s). Emergency services, public utilities, Land Registry and departments within the Council are also notified.

4.3 Renaming an existing street

On rare occasions, it may be necessary to rename a street. This is only carried out as a last resort when there is confusion over a street's name for visitors and/or emergency services are unable to locate properties effectively. The Council will not support the renaming of a street solely because some or all of the current residents dislike the current name.

In considering an application to rename a street, the GIS Team will have regard to, amongst other factors, the cost and inconvenience to residents and business within the street, and the potential effect on vulnerable people living there (for example on leases, credit ratings, bail conditions, live court orders protecting a person at a particular address).

The statutory process is set out in section 18 of Public Health Act 1925.

Prior to the statutory process, the relevant Town/Parish Councils would be consulted, along with the emergency services and occupiers of properties. Other parties may be consulted where appropriate.

Where the renaming of a street or part of a street would result in the change of Unique Street Reference Number in the National Street Gazetteer then the Local Street Gazetteer Custodian will be informed. Under streetworks legislation, the Local Street Gazetteer Custodian has responsibility to consult with statutory interested parties prior to any change.

There is no statutory provision for the Council to pay compensation to households when a street is renamed.

4.4 Renumbering properties within a street

On rare occasions, it may be necessary to renumber a street. This is usually carried out as a last resort when:-

- There is confusion over a street's numbering

- New properties are built and there is a need for other properties to be renumbered to accommodate the new properties.
- The number of named-only properties in a street is deemed to be causing confusion for visitors and/or emergency services are unable to locate named properties effectively.

Although there is no statutory duty to consult anyone over such changes, the council may consult the relevant Town/Parish Councils, the emergency services or property owners if appropriate.

4.5 Numbering and/or naming properties within an existing street

Applications to name a property may contain up to three choices of name. When applications for naming and/or numbering of properties are received from developers or property owners, a check is carried out on the Land and Property Gazetteer to ensure non-duplication of names and numbers. If a duplication of a name occurs, or there are similarly named properties within the vicinity, then the second or third choice is accepted for registration. In the event that all three of the proposed names are unsuitable, then the applicant is informed and invited to submit an alternative name.

A building can only have one name and one number. This is to avoid confusion and prevent the address becoming unwieldy. Flats may only have a number and will not also be given names.

When numbers have been allocated, the developer or owner is notified in writing of the allocated postal address (and BS7666 address if different) with a request that the allocated name or number is clearly displayed on the front of the building before occupancy.

Where a property has a name as well as a number, the owner is informed that the number takes precedence over the property name. Royal Mail, public utilities, emergency services and departments within the Council are also informed. However, Royal Mail will not normally record a name where the property has a number.

The Council has powers of enforcement if numbers are not displayed.

4.6 Change of House Names or Flat Numbers

Applications for renaming or renumbering a property must be received in submitted by the owners of the property only and not prospective owners. We cannot formally change a property name where the property is in the process of being purchased until exchange of contracts. Tenants should ask their landlord to apply, or supply a letter of consent from their landlord. A check is carried out on the Land and Property Gazetteer to ensure non-duplication of names and numbers. If there is a possibility of duplication, then the owners are informed and invited to propose an alternative name or number.

If an owner wishes to rename a building that is divided into flats or maisonettes, then evidence that they have notified all occupiers of that building of the proposed change should be supplied before renaming is carried out.

Once renaming/renumbering has taken place the owners and occupiers are notified by email and the Land and Property Gazetteer is updated accordingly. Royal Mail, public utilities, emergency services and departments within the Council are also informed, indicating the UPRN and full postal address (and BS7666 address if different).

4.7 Demolitions

Where a building is demolished then the existing numbering sequence is retained and reused as far as possible in any new development. The opportunity may be taken to allocate a number to un-numbered properties adjacent to the site.

4.8 Confirmation of Street Names and Postal Addresses

Requests are received from various departments within the Council and outside bodies e.g. solicitors, building societies, public utilities and Land Registry querying street names and postal addresses. Checks are made on the Council's Local Land and Property Gazetteer and any archived records to ensure the correct information is given.

4.9 Procedure when Bath and North East Somerset Council is the applicant

When the Council applies to itself as the owner or developer of a property, it shall apply for street names and building numbers in the same manner as any other applicant. In the interests of fairness and transparency, the same procedure will be used as any other applicant. The Council shall ensure that there is a clear separation of decision making between its capacity as applicant and its capacity as Street Naming and Numbering Authority.

5 Charges for Street Naming and Numbering

Since 1st January 2011, in line with other councils, Bath and North East Somerset Council has charged for the discretionary naming and numbering services it provides. Discretionary services are those services that an authority has the power but not the duty to provide, as provided for under Section 93 of the Local Government Act 2003. Charges cover services such as the administrative function of the service, working with Royal Mail, notifying Utilities and other bodies, and for registering non-statutory parts of the address such as property name.

Naming and Numbering charges will be made for the following services:-

- Numbering new residential or commercial premises
- Naming or numbering a new property
- Renaming or renumbering an existing property/building
- Enquiries from Solicitors and Building Societies

Charges will also be made for changing a street name unless there is an over-riding public interest for the name change.

Charges are not normally levied for Council-led renumbering schemes or for voluntary first numbering of existing named properties.

Applicants may pay online or by other methods, details of which may be found on the council's website.

Address changes carried out without contacting us will not be formally registered with Royal Mail, utilities and other bodies if the relevant fee is not submitted. If an existing property is un-registered, an additional charge may be made for retrospectively registering an address. The Council has no obligation to register the address in the form hitherto used, and may register it in a different form if more appropriate or necessary to fit national standards.

The level of charges are normally reviewed annually.

6. Data Protection and Records Retention Policy

Personal data collected as part of the application process is kept for one year after the case is complete or one year after the submitted date of occupation whichever is the later. After this, the data will be deleted in compliance with GDPR.

Final letters or notices giving formal confirmation of address, site plans showing the numbering scheme for new developments and statutory notices of street names shall be kept permanently in electronic form.

Paper copies of statutory notices and order for street names and the associated plans shall be passed to Bath Records Office as a matter of public record, along with any correspondence relevant to the choice of street name. All other paperwork containing personal details shall be destroyed.

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APPENDIX 1: COMPARISON OF POSTAL AND LLPG ADDRESSES

This appendix summarises the differences between the two types of address.

Address element	Postal Address	BS7666 Address
Flat number/name	Not usually included	Always included
Property number	Always included	Always included
Property name	Only included if no number	May be included for any property
Street name	Not always included in rural areas	Always included
Locality/Village	Included where Royal Mail have operational need	Included where such a name exists
Town	Included where Royal Mail have operational need	Always included
Post town	Always included	Recorded separately from actual Town
Postcode	Always included where allocated	Always included where allocated

Note that where a village or locality is recorded, it may not always be the same in the two types of addresses.

APPENDIX 2: SUMMARY OF RIGHTS AND RESPONSIBILITIES

This appendix summarises who has the rights and responsibilities for each element of an address.

Address element	Person or body with right to create or amend
Property Name	Property Owner
Property Number	Bath & North East Somerset Council
Street Name	Bath & North East Somerset Council
Post Town and Locality	Royal Mail
Post Code	Royal Mail
LLPG Town or Locality	Bath & North East Somerset Council

Your statutory rights if you disagree with a decision about your address:

House Numbers

The Towns Improvement Clauses Act 1847 provides no statutory rights of consultation, objection or appeal over property numbers.

Street Names

Section 18(4) of Public Health Act 1925 provides that anyone who wishes to object to naming or renaming of a street may appeal to the local magistrates' court within 21 days of being given notice of the change.

Post codes, town and Localities

If you disagree with the Postcode, Post Town or Post Locality allocated to your address you should contact Royal Mail in the first instance. If you do not get a satisfactory answer from them, you may put your case to the Postal Review Panel and then, if necessary to the Postal Redress Service.

Consumer Focus, the consumer watchdog gives details of how to contact these bodies on their website.

<http://www.consumerfocus.org.uk/get-advice/post/post-advice/how-to-complain>.

APPENDIX 3: SPECIAL CONSIDERATIONS FOR WHEN THE COUNCIL ACTS AS THE DEVELOPER

1. The role of a Council department acting as developer is expected to propose a street name. In the interests of fairness and transparency, the same or more rigorous procedure will be used as would be for any other applicant.
2. If, in order to find a suitable name, the proposing department wishes to conduct a public engagement, the following is expected apply:
 - i) All public engagement should be approved by the Insight Team, Communities Team and (where on-line) Web Team. On-line engagement should be located on the Council's consultations web pages.
 - ii) Consultations may be open to all members of the public to respond to, or they may be to a restricted group, for example, a local school.
 - iii) The preferred method of public engagement is to ask for suggestions for names. This has worked successfully on previous occasions (e.g. Sulis Manor estate in Bath). Consultations which ask the public to rank or express a preference between a set of names, or in any other way may give the impression to the public that they are voting on a name, are not recommended.
 - iv) For consultations outside the City of Bath, town and parish councils will be consulted as a matter of course once a proposed name has been submitted. To avoid duplication of effort, and potentially conflicting consultation results, proposers should consider whether it is better to ask the town or parish council to carry out the public engagement.
3. Any involvement by councillors or cabinet during the process to find a proposed name shall be without prejudice to the right of the Cabinet member for street naming to make an independent decision on the name (see Section 4.1.4).
4. Once the proposed name(s) are formally submitted, it is the role of the Cabinet Member to balance the priorities of the applicant department with other priorities and policies of the Council. In evaluating the submitted name(s), they may consult with other councillors, include ward councillors and cabinet.
5. The GIS Team will be available to help and advise during the process. However, their involvement does not imply automatic endorsement of the chosen name and is without prejudice to their right to express an opinion on the name once it has been submitted to them, including their recommendation in a report to the Cabinet member.