

HIGHWAYS

AD 228 - Highways: Street Names and Property Numbers

Section 64 of the Towns Improvement Clauses Act 1847 imposed a duty upon the district council to ensure that the names of streets in its area are suitably displayed. Certain alternative provisions as to the naming of streets are contained in ss. 17–19, Public Health Act 1925. Under s. 17 of the 1925 Act any person wishing to name a street (e.g. a builder of a new housing estate) must notify the proposed name to the district council who can object to it. If the objection is not resolved, the person concerned may appeal to the Magistrates' Court.

Section 18 of the 1925 Act empowers a district council, by order, to alter the name of a street or to give a name to an unnamed street. The proposal to make an order must be advertised in the locality. An aggrieved person may appeal against it to the magistrates' court before the order has been finally made.

Alternative street naming provisions are contained in the s. 21, Public Health Acts Amendment Act 1907.

Section 19 of the 1925 Act imposes upon the district council a similar duty to that conferred by s. 64 of the Towns Improvement Clauses Act 1847. Sections 17–19 of the 1925 Act apply to the following areas:

- areas where the sections applied immediately before 1st April 1974 and the district council has not since resolved to disapply them (LGA 1972, Sch 14, paras. 24 and 25); and
- areas where the district council has resolved, after 1st April 1974, that the sections shall apply (LGA 1972, Sch 14, paras 24 and 25).

Where these sections apply, the other provisions are disapplied.

A local council has no direct powers as respects naming of streets. There is nothing, however, to prevent a local council making suggestions to the district council as to new street names, or as to a change of street name where the existing name is considered, for instance, to be outdated. Furthermore, a local council may be able to liaise with developers as to proposed street names to be put to the district council for approval.

Could a local council appeal, if the district council propose a street name not to its liking? In general an 'aggrieved person' is someone who has suffered a legal grievance, or against whom a decision has been pronounced which has wrongfully deprived him of something. Thus a person so aggrieved will normally be an owner or an occupier and, as respects the naming of a street, unless the local council owns or occupies property in it, the Court may say that it has no right to appeal against a s. 18 order. The point, however, may be worth arguing.

Section 64 of the 1847 Act imposes a duty upon the district council to ensure that houses and buildings in streets are properly identifiable by means of numbering as the district council thinks fit. Section 65 requires the occupiers to mark their houses and buildings with such numbers as may be approved by the district council and to renew the numbers as and when necessary. In default, the district council may carry out the numbering and recover the cost involved from the occupier. In some areas, the district council has allowed properties to be identified by means of names as opposed to carrying numbers. A local council has no direct powers in this matter.