



City of Westminster

Cabinet Member Report

Decision Maker:	Cabinet Member for Built Environment
Date:	12 April 2016
Classification:	For General Release
Title:	Naming of the new access way within the former site of Ashley House, 2 Monck Street, London SW1P 2BQ (extending the existing access way to connect with Chadwick Street and the new development on the former site of Ashley House).
Wards Affected:	St James's
Policy Context:	
Key Decision:	No
Financial Summary:	Not Applicable
Report of:	Director of Planning

1. Executive Summary

- 1.1 A notice of intention to name a new access way on the former site of Ashley House, 2 Monck Street has been received from Taylor Wimpey Ltd ("the developer").
- 1.2 The developer has applied to the City Council to name the new access way as "Elizabeth Court".
- 1.3 In addition to the application to name the new access way "Elizabeth Court", the developer has also submitted five applications to name and number the new buildings on the redevelopment site. One of these applications to name and number the commercial (retail) units and the single residential block above on Monck Street has already been approved in principle and their postal addresses and postcodes have been reserved on the Royal Mail's Not Yet Built (NYB)

database. The applications for the remaining four residential blocks cannot be processed until the application to name the new access way “Elizabeth Court” has been approved as they will all have entrances accessed from “Elizabeth Court”.

2. Recommendation

- 2.1 That the naming of the new access way on the former site of Ashley House, 2 Monck Street as “Elizabeth Court” be approved.

3. Reasons for Decision

- 3.1. The PDA Section of London Fire has objected to the use of the name Elizabeth Court on two grounds. Their first ground of objection is that the redevelopment and extension should now conform with the Street Naming guidelines in that the access way is now to become a walkway and should have an appropriate suffix such as ‘Walk’. Secondly, they object to the prefix ‘Elizabeth’ as it is duplicated in other streets/roads within the surrounding area.
- 3.2 A further request was made to the PDA Section at London Fire to seek a possible reconsideration and withdrawal of their objections. However, they are not prepared to withdraw their objections to the proposed name but state that they are only acting in an advisory capacity to the Council, and whilst their objections still stand, it is the Council who are the street naming authority and it is therefore the Council who is the final arbiter and decision maker.

In view of the above, the proposed naming of an extended Elizabeth Court is now put forward for the Cabinet Member’s decision.

- 3.3 The City Council’s Street Naming guidelines that were formally adopted by the former Environment and Planning Committee on 31 March 1998 (a copy of which is attached at Appendix 1 to this report) broadly require that street names are not duplicated, are easy to pronounce and have some local historical connection with the area.
- 3.4 The relevant legal considerations for the Cabinet Member to consider in reaching a decision are set out in Sections 6 and 8 of this report. If the Cabinet Member agrees to the naming of the new access way as “Elizabeth Court”, the Director of Planning will assign the name by statutory order. If, however, the Cabinet Member does not approve the naming, then the developer will be informed that their application is refused.

4. Background, including any Policy Context

- 4.1 Elizabeth Court is an existing short length of roadway with a narrow gate at its end. It is located between Nos. 73 and 75 Great Peter Street. It is a highway

maintainable at the public expense, for the purposes of the Highways Act 1980, and as an adopted highway it vests with Westminster City Council in its capacity as the local highway authority.

Following the grant of planning permission to redevelop the site for a mixed use scheme of residential and commercial (retail) use, the applicant Taylor Wimpey Ltd, has expressed their desire to adopt the existing street name of Elizabeth Court which leads to the site instead of requesting an entirely new street name. The new access way would not provide vehicular access into the site.

The applicant has not provided any historical justification for the name Elizabeth Court as the name already exists.

As mentioned above, the PDA Section at London Fire has raised objections stating in the first instance that the access way is now to become a walkway and should have an appropriate suffix such as 'Walk'.

It should be noted that our current Street Naming and Numbering guidelines and those of the LF&CDA include the word 'Court' as a non-acceptable suffix and state that 'All new pedestrian ways should end with one of the following suffixes:- Walk, Path or Way'. On the basis that the name Elizabeth Court already exists and is not therefore a new name, and that the suffix 'Court' is considered suitable in this instance, especially when taking into account that post completion of development the site will largely be in the form of a courtyard and not a walkway, there is sufficient reason to depart from the normal guidelines.

The second objection made by the PDA Section concerns duplication. They state that the prefix 'Elizabeth' is duplicated in the surrounding area and that they must object to its continued use as this could cause confusion and possible delay when responding to an emergency.

5. Financial Implications

- 5.1 There are no financial considerations relating to this report.

6. Legal Implications

- 6.1 Under **Section 6 of the London Building Acts (Amendment) Act, 1939**, the Council may by order assign "any name which they think fit to any street, way, place, row of houses or block of buildings whether or not in substitution for a name already given or assigned". The use of these words gives the Council a wide discretion. However, Section 6(3) requires the Council to consider any objections it receives, before making such an order.

Under **Section 5 of the London Building Acts (Amendment) Act, 1939**, one month's notice must be given to the Council of the intended name of any street, way, place, row of houses or block of buildings. The Council may object to any proposed name.

- 6.2 The City Council's guidelines on street and building naming and numbering, states that new street names should not duplicate any similar name already in use in the borough or neighbouring boroughs. A variation in the terminal word, i.e. 'street', 'road', 'avenue', etc will not be accepted as sufficient reason to duplicate a name.
- 6.3 The Department of Transport's Circular Roads 3/93 provides advice on street naming and renaming insofar as it is important to both the Royal Mail and the Emergency Services to avoid giving streets similar names within the same locality. The close juxtaposition of similar names such as Park Road, Park Avenue, and Park Gate Drive in the same area has proved to be a particular source of difficulty. A great number of calls to the Emergency Services are received each day and some callers can be vague in the details they provide. Where names are duplicated it can be extremely difficult to pinpoint an exact location to enable an ambulance or fire engine to attend in the time allowed.

As mentioned above, the PDA Section at London Fire has raised a number of objections to the proposed street naming.

In exercising the Council's discretion, the Cabinet Member must take into account the advice set out in this report, along with the outcome of the consultations which have been carried out, and the Council's own guidelines on street naming and renaming.

7. Staffing Implications

- 7.1 There are no staffing implications involved.

8. Consultation

- 8.1 Councillor Timothy Mitchell said that the proposal seems eminently sensible.

Councillor Louise Hyams no response received.

Councillor Cameron Thomson no response received.

Royal Mail has no objections to the proposed name.

Emergency Services (PDA Section London Fire) have stated that this redevelopment and extension should now conform with Street Naming guidelines

and the access way is now to become a walkway and should have an appropriate suffix such as 'Walk'. In addition to this the prefix 'Elizabeth' is duplicated in the surrounding area. "Therefore we must object to its continued use as this could cause confusion and possible delay when responding to an emergency".

The Westminster Society responded by stating that the Society is perfectly content with the naming/numbering of the new buildings (Ashley House, Denison House and Charlotte House) and for the extension of the existing Elizabeth Court to continue to be named Elizabeth Court in its extended form.

A public notice was posted on site on 2 March 2016 allowing the statutory period of 28 days for any written support or objections to the proposed naming to be made to the City Council. No responses have been received arising from the posting of the public notice.

If you have any queries about this report or wish to inspect any of the Background Papers please contact:

**RICHARD CLIFTON, PLANNING DEPARTMENT, 12th FLOOR,
WESTMINSTER CITY HALL, 64 VICTORIA STREET, LONDON SW1E 6QP**

By email to rclifton2@westminster.gov.uk or 020 7641 2520

BACKGROUND PAPERS:

Appendix 1

Guidelines on Street and Building Naming and Numbering in the City of Westminster.

Appendix 2

Location plan showing the existing (hatched) and proposed "Elizabeth Court" (shaded yellow on plan).

For completion by the **Cabinet Member for Built Environment**

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

NAME: **Councillor Robert Davis, MBE, DL,**

State nature of interest if any
.....

(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation in the report entitled Naming of new access way within the former site of Ashley House, 2 Monck Street, SW1.

Signed

Deputy Leader and Cabinet Member for Built Environment

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:
.....
.....

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Legal Services, Chief Operating Officer and, if there are resources implications, the Director of Human Resources (or their representatives) so that (1) you can be made aware of any

further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy & Scrutiny Committee to decide whether it wishes to call the matter in.