

15. PROCEDURE FOR CHANGING A ROAD NAME

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Corporate Plan Output: Subdivisions	

INTRODUCTION

At the meeting on 2nd May, the Board requested that a report be prepared on the procedure for changing a road name.

The purpose of this report is to advise the Board on the procedure for changing a road name.

CHANGING A ROAD NAME

Statutory Authority

The powers of Councils in respect to roads, are contained within Section 319 Local Government Act 1974. Section 319 (j) specifically empowers a Council “to name and to alter the name of any road...” Section 320 (1) directs that a name shall only be changed by Special Order. Section 320 (3) directs that where the Council alters the name of any road, the Council shall as soon as convenient, send a copy of the Special Order to the District Land Registrar and the Chief Surveyor to note their records accordingly. Procedures when using Special Orders are set out in Section 716B Local Government Act, this section in brief, directs that the subject matter be discussed at one meeting of the Council, and is confirmed at a subsequent Council Meeting. A copy of the resolution is to be deposited in the offices and libraries of the Council, giving public notice of the date and time of the subsequent meeting. The purport of the resolution, and the times when and the places where the resolution may be inspected are to be given twice before the second meeting. The usual form of notification of Special Orders is by the Public Notices Column of the newspapers. This is the process as set out in the Statutes.

Major Hornbrook Road

The proposed change to Major Hornbrook Road was unusual in that no residential addresses were affected by the proposed change. Where a change is proposed that will affect a change of address, then a process of consultation takes place with the residents and ratepayers of the street. With the exception of changes required as a result of projects such as the Woolston Cut and the Expressways, where some streets were physically separated, the majority of proposals to change a name are received as a result of the residents of a street seeking to change the name of their street. This is usually due to difficulties experienced by visitors physically locating the street, or similarly named streets experiencing problems with mail delivery.

COUNCIL PROCEDURE

When the Council is requested to change the name of a street, the request is usually in the form of a petition. When the petition is received, all signatories names are checked for authenticity, and to ensure that a minimum of 85 per cent of the residents have signed in favour of the change. (85 per cent is the percentage set down in the Council’s policy on road naming before any action will take place.) Once the number of petitioners has been established, a letter setting out the proposal, explaining the consequences of the change and advising what their new address will be is sent to all residents of the street. A questionnaire is included with the letter, to enable the residents to confirm their request to change. In the past, several proposals to change names have faltered at this point. People presented with a petition on their doorstep often at meal time, tend to sign the petition without much knowledge of the disruption caused by a change of address. When they have the chance to read the proposal thoroughly and without pressure, a considerable proportion change their minds., and the numbers in favour fall below the 85 per cent required. When the required majority is attained, a report is prepared firstly for the appropriate Community Board for their information, their input, and if necessary for their delegated approval for the replacement name. A second report is prepared for the Environmental Committee. If that committee declines the change then a letter is sent to all the residents of the street, and unless circumstances change, that will be the end of the matter. If the Environmental Committee approve the change, then it will proceed to the next Council Meeting, be publicly notified on at least two occasions, and if there are no objections will be confirmed at the following Council Meeting. After that meeting, a letter will be sent to the residents advising them of the change, and setting a date at which the change will be made effective. (This will usually be about six weeks from the second Council Meeting, which gives residents time to notify their change of address, and time for the new nameplate/s to be manufactured and installed.)

EXAMPLE AT WILLOCK STREET

The most recent change to succeed was part of Willock Street. This small street was split by a drain that wasn't bridged, and there were many instances of visitors arriving in the wrong part of the street and then having to ask directions and backtracking to their destination. A petition was received from all the people of one half of Willock Street to have a new name approved. The above procedures were followed, and the name was changed. Attached is an example of the usual form of letter forwarded to all residents of Willock Street in 1997.

INVOLVEMENT OF RESIDENTS' ASSOCIATIONS

A comment was made at the last Board meeting, that notification of a proposed change should go beyond the residents of the street, with the possibility of Residents' Associations being asked to comment. This is justified where the street name is widely regarded as being of historical significance (as with Major Hornbrook Road) however the majority of changes sought are for small residential streets where the origin of the name is either obscure, or the developer's name or that of the village in England that his parents came from. The danger is that the resident's desire to improve the ability of visitors in locating them (as with Willock Street) could be jeopardised. The existing procedures (Community Board, Environmental Committee, Council Meeting, Public Notification twice, second Council Meeting) are in place to ensure that a name change considered controversial, does not 'slip through the system' and provides interested members of the general public with the opportunity to have input into the change, or lodge an objection. The time factor must also be taken into consideration. At present, a proposed change that has the approval of all parties will take a minimum of four months from the preparation of the Officer's report to completion, and installation of the new nameplate. While time shouldn't be a consideration when dealing with an historic name, it is an important factor where problems are encountered by residents.

There were two occasions within the last ten years, where Resident's Associations had an input into change of names. In one case fifty-three names were submitted and rejected over a period of nine months before new names were resolved. In both cases, complaints were received from residents of the streets being changed that they hadn't been requested for any input into the proposed names for their street by the Association Committee.

Chairman's

Recommendation: For discussion