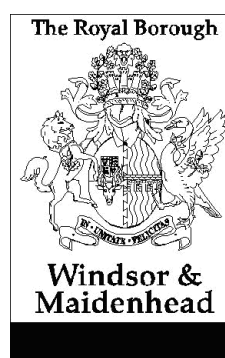


Report for: ACTION



Contains Confidential or Exempt Information	No - Part I
Title	Proposed Naming of Footbridge over Jubilee River Eton
Responsible Officer(s)	Simon Fletcher, Strategic Director Operations and Customer Services
Contact officer, job title and phone number	Anne Keohane Address Management Officer 01628 796278
Member reporting	Councillor Geoff Hill, Lead Member for Customer and Business Services, Including IT
For Consideration By	Cabinet
Date to be Considered	31 March 2016
Implementation Date if Not Called In	Immediately
Affected Wards	Eton and Castle

REPORT SUMMARY.

This report deals with the proposal to name a footbridge owned by the Royal Borough of Windsor and Maidenhead and requests a decision on the matter.

The footbridge in question is over the Jubilee river in Eton College land. As a bridge, it forms part of the highway and also provides a Public Right of Way. It is therefore subject to Street Naming legislation adopted by the council and its policy.

The proposal is submitted by a Mr Scaife, a member of the public, who has applied to the council to name the bridge "Michael's Bridge" in memory of his son who died in a swimming accident in August 2015. The belief is that the name, if adopted, would also serve as a deterrent to other would-be swimmers.

This report provides:

- the legal and policy information that governs Street Naming and Numbering
- details on the process followed
- recommended action

The decision to name the bridge has become a matter of public interest and the council is keen to ensure a transparent approach to the decision.

If recommendations are adopted, how will residents benefit?	
The bridge will become a recognisable landmark which will help emergency services to locate it.	Installation date to be agreed following approval

1. DETAILS OF RECOMMENDATIONS

1.1 RECOMMENDATION: That Cabinet:

- i. **approves the footbridge over the Jubilee River in Eton be re-named “Michael’s Bridge” .**
- ii. **approves that details of the plaque with the bridge name, placement and wording be agreed by the Public Rights of Way team and the proposer.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 The Council owns a footbridge over the Jubilee River in Eton. It was transferred to Council ownership from the Environment Agency after construction. There is no evidence of a name being applied to the bridge.

2.2 The Council received a request from a Mr Scaife in November 2015 to name the footbridge after his son who died in an accident in the Jubilee River in August 2015. Michael Scaife entered the water to help his friends who had got into difficulties. Michael drowned whilst attempting to help his friends.

2.3 Foot and road bridges are part of the Highway and are therefore subject to the Street Naming and Numbering process. RBWM is the Street Naming and Numbering Authority for the area under two sets of legislation:

- Section 64 Town Improvement Clauses Act 1847 (for properties)
- Sections 17 to 19 Public Health Act 1925 (for streets)

2.4 This report deals with the naming of streets, therefore the Public Health Act 1925 (PHA) applies. S17 PHA concerns the council’s duty to deal with proposals to name a previously un-named street or part of street. The process is:

- The applicant proposes a name;
- The council has one month to object;
- That the calendar month has to elapse before the end of the notice period;
- Where the council objects, the applicant has a right of appeal. That appeal is to the Magistrates Court.

2.5 The council has a consultation policy to ensure the acceptability of such naming or re-naming proposals. This policy is available on- line on the RBWM website and in forms sent to the proposers, the relevant point of which is that on receipt of a proposal the council is required to...

“Liaise with the Ward and Parish Councillors in the provision of new street names in larger developments. Councillors have a right to refuse proposed street names and may suggest alternatives.”

- 2.6 Consultation on the proposal has been undertaken and no objections were received from:
- the land owner: Eton College
 - the structure owner; the council
 - the ward councillor for the area: Cllr Alexander
- 2.7 After some initial confusion over the Eton Town Council response to the consultation, the Town Council has now voted, by a majority, to withdraw their objection. Appendix A shows the agreement of the town council plus public support for the change in the form of two on-line petitions (hard copy only) and a letter of support from a member of Slough Fire Services.
- 2.8 The issue became a matter of considerable public interest following Eton Town Council's initial objection. Therefore, the decision to name the bridge has been escalated to Cabinet for transparency reasons. Appendix C includes a map of the location and photograph.
- 2.9 The Public Rights of Way team have suggested a similar plaque to one recently erected in the area be placed on the bridge, and have worked with the Scaife family regarding placement. Appendix C shows a sample plaque.
- 2.10 In conclusion, it is recommended to Cabinet that the bridge be re-named as proposed. The reasons for this recommendation are that existing street naming legislation and policy has been followed; the council has authority under s17 to accept this proposal to name an un-named length of street, and, in any case, Eton Town Council, on a majority vote, has withdrawn its original objection.
- 2.11 The Environment Agency and the Public Rights of Way team have been working together to improve safety by the bridge including; planting the river-bank to deter people from entering the water, placing a life-buoy and erecting warning signs on the bridge. The naming of the bridge will emphasise the dangers for anyone contemplating attempting to swim here.
- 2.12 In addition and as a consequence of initial confusion over this proposal, it has been agreed that reviews be undertaken to understand how a bridge's identity plays a part in safety during emergency incidents and that the street naming and numbering policy is reviewed and re-published to ensure that both the process and means of escalation is clarified for applicants, consultees and other interested parties.

2.13

Option	Comments
<p>To refuse the proposal to name the bridge "Michael's Bridge" and to advise Mr Scaife of his right of appeal to the Magistrates Court</p> <p>This is not recommended</p>	<p>Eton Town Council was the only objector to the proposal, and has, on a majority, withdrawn their objection.</p>
<p>To approve the footbridge be re-named "Michael's Bridge" as proposed by Mr Scaife and as permitted under s17 of the PHA 1925.</p>	<p>The naming proposal has followed the correct legal process and policy, and there are no objections to the proposal.</p>

Option	Comments
This is recommended	

3. KEY IMPLICATIONS

3.1

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
The plaque with the proposed bridge name is installed	The plaque will not be installed	The plaque will be installed	N/A	N/A	30 May 2016

4. FINANCIAL DETAILS

Financial impact on the budget

4.1 The one off cost of the plaque will be financed by Highways & Transport, which had already been agreed to, irrespective of the naming of the bridge. There will therefore be no additional cost associated with the naming. There will be no maintenance or replacement policy in the case of damage or removal of the plaque, so no ongoing costs.

4.2

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	N/A	N/A	N/A
Reduction	N/A	N/A	N/A

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	N/A	N/A	N/A
Reduction	N/A	N/A	N/A

5. LEGAL IMPLICATIONS

5.1 RBWM is the Street Naming and Numbering Authority for the area under s 64 Town Improvement Clauses Act 1647 (for properties) and ss 17 to 19 Public Health Act 1925 (for streets). Under s17 of the Public Health Act, the council can accept or object to a proposal to name an un-named street.

6. VALUE FOR MONEY

6.1 No impact

7. SUSTAINABILITY IMPACT APPRAISAL

7.1 No impact

8. RISK MANAGEMENT

Risks	Uncontrolled Risk	Controls	Controlled Risk
That agreeing to the proposal sets a precedent for naming streets.	The council receives proposals to name or rename other bridges or streets in the borough.	This report recommends that council policy be amended. Policy will require a "grace period" after a person's death before accepting a proposal to name a street after that person. That period will be a minimum of 5 years to a maximum of 20 years.	Establishing a grace period ensures that the council treats all such requests consistently and transparently.

9. LINKS TO STRATEGIC OBJECTIVES

9.1 None

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 None

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

11.1 None

12. PROPERTY AND ASSETS

12.1 None

13. ANY OTHER IMPLICATIONS

13.1 None.

14. CONSULTATION

14.1 The report will be considered by Highways and Transport Overview and Scrutiny Panel on 23rd March 2016

- Details of consultation process prior to this report – see Appendix A and B for the consultation process prior to this report. Summary of responses: No objections from Cllr Alexander or Eton College. Eton Town Council retracted their initial objection. Highways team do not support but will not oppose the proposal.
- Summary of consultation methodology.
Email communications were sent to Cllr Alexander, Eton College, Eton Town Council and the Highways Team. Slough Council and the Environment Agency were copied for information only.

15. TIMETABLE FOR IMPLEMENTATION

Date	Details
31 st March 2016	Report presented to Cabinet for approval of naming.
End May 2016	Subject to Cabinet approval: commission and installation of plaque

16. APPENDICES

Appendix A: Process to Name the Footbridge

Appendix B: Support for the naming

- On-line petitions in support of proposal (hard copy can be made available on request).
- Email from Eton Town Council with majority vote that it approves the naming (electronic).
- Letter from Slough Fire and Rescue Services in support of the proposal (electronic).

Appendix C: Other Information

- Map showing the location of the footbridge
- Photograph of the bridge
- Sample plaque

17. BACKGROUND INFORMATION

Document	Format	Date
Council confirmation that the bridge belongs to RBWM.	Email	20/11/2015
Mr Scaife request to name the footbridge	Email	24/11/2015
Council acknowledgement of receipt of the proposal	Email	24/11/2015.
Responses from Cllr Alexander	Email	24/11/2015
Eton College	Email	27/11/2015
Eton Town Council initial response	Email	09/12/2015
Council request for clarification to Eton Town Council	Email	09/12/2015
Eton Town Council clarification of their response	Email	10/02/2015
Eton Town Council response of 24 th December with objection	Email	24/12/2015
Results of second Eton Town Council meeting.	Email	10/02/2016
Address Amendment document on the right to consult	pdf	

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council	9/3/16		
Cllr Geoff Hill	Lead Member for Customer and Business Services, Including IT	4/3/16		
Alison Alexander	Managing Director/ Strategic Director Adults, Children and Health	9/3/16		
Russell O'Keefe	Strategic Director Corporate and Community Services	9/3/16		
Michael Llewelyn	Cabinet Policy Officer	9/3/16		

REPORT HISTORY

Decision type:	Urgency item?
Non-key decision	No

Full name of report author	Job title	Full contact no:
Anne Keohane	Address Management Officer	01628 796278

Appendix A: Process to Name the Footbridge

24 November /2015 Receipt of Proposal

The council received a request to name a, previously un-named, footbridge over the Jubilee River on Eton College land. The request was to name the bridge “Michael’s Bridge” after a young man who died in a swimming accident in August 2015. The request came from Mr Scaife the victim’s father.

24 November 2015 Start of Consultation

The bridge is owned by RBWM and is part of the highway as well as being a Public Right of Way (PRoW). The request was processed by the Address Management team under s17 of the Public Health Act (PHA) 1925

24 November 2015 Consultation

Emails to the following were sent:

- Cllr Alexander
- Eton Town Council
- Eton College, the land owner
- Highways Team, as the bridge is owned by the council
- Slough Council – for information only as the bridge is near the borough boundary
- Environment Agency were copied for their information only

November – December 2015 Responses

Consultee	Date of Response	Response
Cllr Alexander	24/11/15	No objection
Eton Town Council	09/12/15	Does not support (the council requested clarification as to whether or not this amounted to an objection)
Eton Town Council	10/12/15	Does not support but will not stop the proposal
Eton College	27/11/15	No objection
RBWM Highways Team	21/12/15	Does not support but will not stop the proposal

24 December 2015 Close of Consultation

The council announced the close of the legal notice period. There were no objections to the naming and the proposal would go ahead. This was sent in emails to Mr Scaife and the consultees.

24 December 2015 Objection from Eton Town Council

Eton Town Council contacted the council to confirm that they had objected to the naming on the basis that acceptance sets a precedent to naming streets (or parts of streets after tragic incidents.)

A retraction and apology email was sent out to Mr Scaife and the consultees. Mr Scaife was not notified until 4th January of his right to appeal to the Magistrates Court.

January 2016

An on-line petition to change Eton Town Council's decision was made and produced a large number of signatures in support of the proposal. The proposal also garnered the support of a Slough Fire Crew member who wrote of the importance of names for locating incidents in an emergency (letter reproduced in Appendix C)

At a subsequent Eton Town Council meeting on 4/02/2016, a vote on the matter was passed on a majority of 8 to 3 in favour of supporting the proposal. The objectors refer to the possibility of precedent being set because of this proposal.

Appendix B: Public Support for Proposal

- i. Email from Eton Town Council with majority support in favour of the proposal.
 - ii. Letter from Slough Fire and Rescue Crew Member in support of proposal
 - iii. On-line petitions in support of proposal (Hard copy only)
-
- i. Email from Eton Town Council with majority support in favour of the proposal.

Page 1 of 1

Town Clerk

From: "Town Clerk" <etoncouncil@aol.com>
Date: 09 February 2016 09:46
To: <anne.keohane@rbwm.gov.uk>
Subject: Naming of the Myrke Footbridge

Good morning Anne,

This will advise that at the Eton Town Council meeting on Thursday 4th February, Members voted to withdraw their objection to the naming of what is known as the Myrke Bridge to Michael's Bridge. The actual vote was 8 to 3.

Mr Scaife was in attendance and he presented his petition to the Deputy Mayor, who was acting as Chairman at the meeting in the absence of the Mayor.

I shall be posting the petition off to you today as I understand that you will need to pass this on to Councillor Rayner.

Best regards,

Bob

Bob Austen
Town Clerk

Eton Town Council
Council Offices
ETON
Windsor
Berkshire
SL4 6AJ

Office Hours:
Tuesday - Friday 8.00am to 1.00pm
Tel: 01753 860377
email: etoncouncil@aol.com
web: www.etontowncouncil.org.uk

09/02/2016

ii. Letter from Slough Fire and Rescue Crew Member in support of proposal

ROYAL BERKSHIRE
FIRE AND RESCUE SERVICE



Dear Sir or Madam,

My name is Seth Juby and I am a Crew Manager at Slough fire station. I was part of the first crew in attendance on the 7th August 2015 when Michael Scaife tragically lost his life in the Jubilee River. His father Mark came into the station today to speak about his efforts to have the bridge named in his memory. I do believe that this would not only be a fitting memorial but also a means of highlighting the dangers of swimming in the rivers. I know that as a teenager growing up in the area myself having a bridge named in someone's memory would have sent an emotive message and I would have caused me to think twice about the potential dangers.

I also feel that from an operational stand point, being able to give the bridge a name would be of a significant advantage. If a similar incident were to occur in that area then the person making the call to the emergency services has a landmark "Michael's Bridge" to which we can be directed again giving us an excellent reference point.

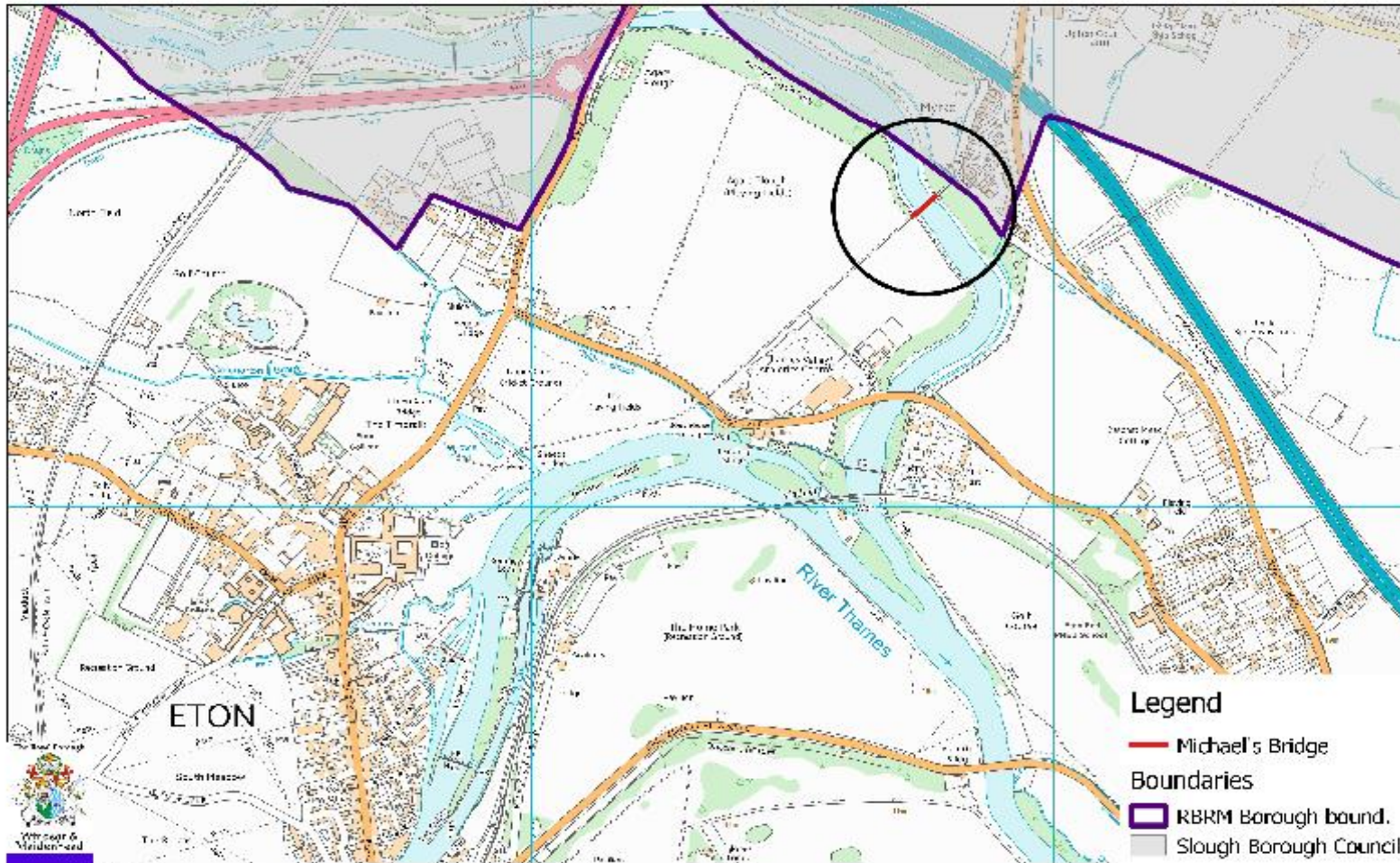
Yours Sincerely

CM Juby

Blue Watch

Slough Fire Station

Appendix C: Map and Pictures



Date: 18/03/2016

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Ordnance Survey 100018817

Footbridge over Jubilee River at Eton
proposed as Michael's Bridge



Looking from the Footbridge



Sample Plaque to be installed