

**Jan Smallacombe**

---

**From:** Phil Townsend <Phil.Townsend@devon.gov.uk>  
**Sent:** 03 August 2020 14:37  
**To:** janet.smallacombe@tavistock.gov.uk  
**Cc:** Patrick Harris; patrick.whymmer@swdevon.gov.uk; Anna Henderson-Smith (Anna.Henderson-Smith@swdevon.gov.uk)  
**Subject:** FW: Adoption of a roundabout  
**Attachments:** Agenda Item 5a - Bovis Homes Briefing.pdf

Good afternoon Janet,

Your email has been forwarded to me as I am the Highways Development Management Officer dealing with the Tavistock area.

There are a number of issues raised by the briefing note which is attached to the email to the County Council, but it is only item 3 that is within the remit of the highway authority to respond to as requested by your email. My colleagues and I are in contact with the resident that prepared the briefing note and we have previously met with him and discussed his concerns face-to-face.

The provision of the roundabout by the developer is covered by a legal agreement between the highway authority and the developer under the provisions of Sections 278 and 38 of the Highways Act 1980. The works have to be constructed by the developer to a suitable standard to enable certification of acceptability (the Completion Certificate) to be issued and then, following a 12 month minimum maintenance period the works are inspected for compliance prior to the issue of the Final Certificate. In this instance it is not entirely appropriate to use the word 'adoption' because the area of land that was formerly privately owned became dedicated as highway upon the completion of the Agreement – its maintenance is, for the period of the Agreement, the responsibility of the developer carrying out the works. This is not in the least unusual because the highway authority would not wish to take responsibility for the maintenance of the works when construction vehicles are regularly accessing the site.

My colleagues are aware of the issues with respect to the drainage and that will be rectified before the Completion Certificate is issued. We have no definitive evidence that the road has been constructed 300mm higher than approved as alleged but, even if it is, there is no highway safety concern that could be attributed to that discrepancy. If the drainage issues are as a result of the higher levels, it is nevertheless possible for the developer to rectify the situation without wholesale reconstruction, and we would require the developer to do so, of course.

I trust that covers the issues raised to be responded to by the highway authority, but if you have any further queries about this particular project, please do not hesitate to contact me.

Regards

**Phil Townsend**

**Principal Highways Development Management Officer (West Devon and Dartmoor National Park)**

Ryefields, Avery Hill, Kingsteignton, Devon, TQ12 3QG  
Tel. 01392 380185 Mobile. 07779-087028 email. [phil.townsend@devon.gov.uk](mailto:phil.townsend@devon.gov.uk)



General Data Protection Regulations Notice: <https://new.devon.gov.uk/privacy/privacy-notices/privacy-notice-for-highways-development-management/>

**From:** Jan Smallacombe <[janet.smallacombe@tavistock.gov.uk](mailto:janet.smallacombe@tavistock.gov.uk)>  
**Sent:** 30 July 2020 16:05  
**To:** Customer Service Centre Roads & Transport Team - Mailbox <[customerservicecentreroadstransportteam-mailbox@devon.gov.uk](mailto:customerservicecentreroadstransportteam-mailbox@devon.gov.uk)>  
**Cc:** Jan Smallacombe <[janet.smallacombe@tavistock.gov.uk](mailto:janet.smallacombe@tavistock.gov.uk)>; Paul Ward <[paul.ward@tavistock.gov.uk](mailto:paul.ward@tavistock.gov.uk)>  
**Subject:** Adoption of a roundabout

Good afternoon.

Please find attached a copy of a report received from a resident living adjacent to the Callington Road Development Site, and in particular the reference made to the adoption of the roundabout at the front of the site, by Devon County Council Highways Department.

This was submitted to Tavistock Town Council, and was considered at its Development Management & Licensing Committee Meeting on 21<sup>st</sup> July 2020.

The Recommendation from that Committee Meeting to Council, which was ratified at the Council Meeting held on 28<sup>th</sup> July, was as per Minute No. 463 below;

**463. TOWN PLANNING ISSUES**

- a) The Committee had been asked to note a briefing report, as provided by a local resident, with regard dust issues at the Bovis Homes site, Callington Road, Tavistock (Appendix 2).

A discussion took place with particular reference being made to;

- the briefing report having been provided by a resident of Gulworthy Parish, but whose property was adjacent to the development;
- matters were not progressing as smoothly as hoped at the site, and that the Developer was not following the agreed guidelines;
- Devon County Council had not yet adopted the roundabout at the site;
- that both West Devon Borough Council and Devon County Council Planning Officers were aware of the issues with the site;
- it was reported that it was possible for the Borough Council, as Local Planning Authority, to revoke Paragraph 17 but this could have major financial repercussions for the Planning Authority;

RECOMMENDED THAT Tavistock Town Council forward the report to;

- all Tavistock Ward Members of West Devon Borough Council in order that they are aware of the issues raised, so that they would be able to take forward any issues they may not already be aware of;
- Mr Patrick Whymer at West Devon Borough Council (Head of Development Management Practice); and
- Devon County Council with regard the adoption of the roundabout at the site.

In view of the above Minute, I am forwarding the report to you, for your attention.

Regards

Jan

Jan Smallacombe  
Assistant to the Town Clerk  
Tavistock Town Council

Tel 01822 613529  
email [janet.smallacombe@tavistock.gov.uk](mailto:janet.smallacombe@tavistock.gov.uk)  
Tavistock Town Council Offices  
Drake Road  
Tavistock  
Devon  
PL19 0AU  
[www.tavistock.gov.uk](http://www.tavistock.gov.uk)



**Tavistock Town Council**  
*Working for the local community*

Your privacy is important to Tavistock Town Council which is subject to the General Data Protection Regulation. To view a copy of the Council's Privacy Notice and related information visit the 'Council Rules Policies & Procedures' section of the website at [www.tavistock.gov.uk](http://www.tavistock.gov.uk) or telephone 01822 613529.

Tavistock Town Council does not accept service of any proceedings via e-mail or other electronic device

This e-mail and attachments are intended for the above named only and may be confidential. If they have come to you in error you must take no action based on them, nor must you copy or show them to anyone.

Please note that this e-mail may be subject to recording and/or monitoring in accordance with the relevant legislation and may need to be disclosed under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

Security Warning: It is the responsibility of the recipient to ensure that this e-mail and any attachments are virus free. The Authority will not accept liability for any damage caused by a virus.

