

Appendix 4 – Blackabrook Avenue

Report from Cllr. Stones re Blackabrook Avenue (27/01/22)

Received email from resident in Blackabrook Ave 17th Jan 2022 re concerns

1. Someone moved into area over 1yr ago in the Building Trade and has machinery in garden and drives up and down road. (not our concern I think) Should be matter for DNPA Enforcement and Development Dept.
2. Bikers driving up and down Rd.++ This is a Private Rd. and cul-de-sac. Informed Police who will look into it.
3. Garages at Blackabrook, they are to your left as you turn down to Blackabrook Ave. Abandoned cars(2) which have been vandalized, horse truck and flat loader lorry plus builder waste and other waste which youth are setting fire to. (have driven down and checked) Informed Police on fires and they are going to patrol area.

The land I thought was owned by Prison or Duchy. I spoke to Anne at Duchy who phoned back next day to say land not owned by them. Suggested we contact Land Registry.

Background these houses along with garages belonged to Prison and when Prison Officers no longer had to live in Princetown they were sold, off first to Prison Officers, than public at low cost plus garages if they wish to purchase them (not all garages were purchased) If I remember correctly this was around early 1990's

The resident contacted WDBC who advised them to contact DNPA

Enforcement/Development Dept. who will look into certain parts of complaint. Who than advised resident to contact local Parish Council

My concern is who owns the land where the garages are, as if children/youth set fire to garage what is being stored in them. Also garages are close to Burrator Houses on one side, left as you drive down.

Landowner needs to be contacted SAP to sort area before a disaster happens.

Note: Houses are privately owned. The road is Private in that residents have to club together to repair

I have informed resident that I mentioned it at P,C. and hope to have it on the Agenda for Feb. Also I have informed Police.

Email from Cllr Geen (27/01/22), in response

One question I have is are the houses privately owned or are they rented properties? Apologies that I do not know the area well. As Wendy states this is a private road if the residents own their house then they will also have an obligation (within the deeds) to maintain the road. This would include disposal of abandoned vehicles (*From WDBC website - If the vehicle is dumped on private land, WDBC do not have authority to remove it, and the landowner will need to take action.*). If the properties are rented then the owner of the property has that obligation.

It would appear that there probably needs to be a clean-up of the area so that there is nothing to burn or play around with. The person responsible would be the land owner so as Wendy says we may have to ask Land Registry if no one steps forward. I was unaware that the Home Office owned land in Princetown as I thought they rented the Prison and other ancillary land (such as the Prison Farm) from the Duchy. I will try and ask Tom Stratton before February's meeting. If anyone has any local knowledge in this regard then it may be helpful.

I think if we can draw together any useful info before the next meeting it would prove helpful.

Below are definitions of private road/street and it would seem you gate off a private road but I don't suppose residents would want that.

Private road - According to the Highways Act 1980, a private road (or 'unadopted' road) is any highway that's not maintained at public expense. Essentially, there are two main types of 'unadopted' roads:

1. Private Street – A privately-maintained road where the public has a right of way. If it needs repairing, the local authority has the right to make it safe under the Highways Act and charge residents for the work.

2. Private Road – A road where no public right of way exists. Residents are solely responsible for any repairs. These roads must be gated, unless registered, at least once a year to prevent through traffic, but this is usually the case all the time. The owners of properties which front onto private roads (known as 'frontagers') are responsible for paying for any repairs or maintenance required.

If there is a danger to traffic in a private road, the law allows the local street works authority to demand that frontagers undertake the necessary repairs under 'statutory provision'. Fail to do so and the authority can carry out the repairs before recovering the costs from the frontagers.

