

Mr Alan Baxter

Information Management
Shire Hall
Warwick
CV34 4RL
Email inforights@warwickshire.gov.uk

Please ask for

Our ref: 8846130

Date: 5 April 2023

Dear Mr Baxter

Freedom of Information Act 2000

Your request for information has been considered by Warwickshire County Council under the Freedom of Information Act 2000.

I can confirm that the information you have requested is held by Warwickshire County Council.

You asked:

Whilst reporting highways defects recently I was made aware that the estate of houses comprising Rannoch Drive / Lomond Way / Laggan Close / Katrine Close / Sunart Way / Arklet Close remains unadopted for maintenance by Warwickshire County Council.

This is despite this estate of houses being built 15 years ago, or so.

1. Could Warwickshire County Council inform me as to whether there is a timetable or plan in place to get these roads adopted for maintenance by WCC.?

The Section38 scheme was placed on its maintenance period in 2005. There are remedials required to the streetlighting in 2013 from a lighting inspection, it is unclear whether these were carried out. The streetlighting will need to be re inspected due to the period of time that has passed. Therefore, there may be extra costs for the additional inspection of the streetlighting.

Upon receipt of the evidence of adoption of sewers by Severn Trent Water Limited, STW vesting certificate. No 104 Certificate has been provided. I believe there is an issue with 'easements' There are outstanding items required to progress to adoption in accordance with the S38 Agreement:

- Acceptance of streetlighting subsequent to inspections by WCC Streetlighting.
- Acceptance of fire hydrant provision by Warwickshire Fire and Rescue Service
- Civils inspection
- Provision of As-Built drawings

It is down to the developer to resolve those points raised above. They have employed a specialist company that deals with older schemes (JLES) and I believe they are currently trying to resolve those issues however it should be noted that we have not received a response for over a year.

2. And also any necessary conditions to facilitate this adoption.

The developer has signed up to a Section 38 agreement. However until Seven Trent are happy with the sewers and drainage we are unable to proceed.

3. Also, is there an on-line resource available via WCC to check the status of Highways Adoptions within the County.? There are a lot of little estates of homes being built around Warwickshire so it is important that people can check this prior to buying a home in the County.

It is down to the house owners solicitors to ask those questions through land charges. Many developments will have a Section 38 Agreement in place but unfortunately sometimes we have trouble adopting due to various reasons from bad workmanship, drawings not adhered to, drainage issues, lighting problems, landscaping problems to name but a few. It is up to the developer to inform residents the status of the highway as they still responsible for the upkeep the roads and footways.

end.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Information Management
Shire Hall
Warwick
CV34 4RL
inforights@warwickshire.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Phone: 0303 123 1113
Website: www.ico.org.uk

I will now close your request as of this date.

Yours sincerely

Information Rights Officer