ABSTRACT
This report advises Members on the proposal to upgrade the unadopted road, known locally as Cabbage Road, which is accessed off North Esk Road, Montrose.

1. RECOMMENDATION
It is recommended to Members that the Housing Department and Social Work Department jointly fund the work to bring the unadopted road known as Cabbage Road, Montrose, up to a reasonable standard, whereby it can be recommended for adoption by the Roads Department, who would then take over responsibility for future maintenance. (Options 2 and A)

2. BACKGROUND
The Housing Department has on its account, an unadopted stretch of roadway that serves as an access from North Esk Road, Montrose to a number of domestic, commercial and Council properties. (See attached location plan)

The roadway is in poor state of repair, and due to its unadopted status, there has been ambiguity regarding the responsibility for funding any maintenance or improvement.

Served by the road are: 7 houses, 2 of which are in council ownership; the car park and service entrance of a public house; and Wirren House, a Social Work department facility.

Feu duties and dispositions for the various properties differ according to when the parcels of land or property were sold, and where they do exist, the duty is for a share of maintenance, rather than improvement.

The road is also used for casual parking by visitors to other properties in Montrose Road.

3. UPGRADEING OF ROADWAY AT CABBAGE ROAD, MONTROSE
There are a number of options for how to proceed, based on the level of repair or improvement, and how the work should be funded.

Options for repair and improvement
Option 1
Patching of existing carriageway surface, replacement of badly damaged kerbing, and patching / sealing of footway at an estimated cost of £4500. This treatment is very minimal, and would make the road and footways safe, but would certainly not be to the standard required for adoption.

Option 2 (recommended)
Overlay existing carriageway, re-construction of adjacent footways to North and East of the carriageway, extra provision of streetlighting, at an estimated cost of £11000. This treatment would bring the areas in question up to a reasonable standard, and, while not fully compliant with the current Angus Council Road Standards, would be sufficient to allow
the Acting Director of Roads to recommend the adoption of the road (ie addition to the list of public roads) as a special case.

Option 3
Re-construction of carriageway and all adjacent footways and provision of a street lighting installation, all to Angus Council Road Standards would cost approximately £19000 and would obviously be to adoptable standard.

The above estimates have been prepared for budgetary purposes and would be subject to competitive quotes / tenders / value for money checks, to determine more accurate projected out-turn costs.

Options for funding
Option A (recommended)
Angus Council to fund all work. The costs of improvement to be equally shared between the Housing Department and The Social Work Department.
Option B
A system of proportionality to be worked out, based on roadway use, and costs to be shared on that basis between all parties served by the road. This would have to take account of existing legal documents for at least 2 of the private houses, that state a responsibility to pay 2.5% of any maintenance costs (improvements are not covered by this duty). There have been attempts to correspond with owners of the properties, and reaction has been at best mixed (ranging from grudging acceptance of basic repair option only, to refusal of sharing costs for any option). It is most unlikely therefore, that any satisfactory agreement will be reached between all parties.

4. FINANCIAL IMPLICATIONS

If options 2 and A are approved, the cost of upgrade work would shared between the Housing Department and the Social Work Department. An estimated £5500 would therefore be committed from the Housing Department's 2002/03 Planned Maintenance re-surfacing budget. Future maintenance would then be managed by the Roads Department and costs would require to be contained within Roads Revenue budgets for future years.

5. HUMAN RIGHTS IMPLICATIONS

There are no human right implications arising from this report.

6. CONSULTATION

In preparing this report consultation has taken place with the Chief Executive, Director of Finance, Director of Law and Administration, Director of Social Work and Acting Director of Roads.

7. CONCLUSION

As Cabbage Road provides a means of access to a range of properties, as well as being used for casual parking by the general public, it is concluded that the best course of action would be for the Housing Department and Social Work Department to jointly fund the upgrade of the road to a standard whereby it could be put forward for addition to the List of Public Roads and, subject to successful conclusion of the adoption procedure, thereafter managed and maintained by the Roads Department.

Ron Ashton
Director of Housing
Note:- No background papers, as defined by Section 50d of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information), were relied upon to any material extent in preparing this report.