

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 14 AUGUST 2018

ADOPTION OF TIGHNDUIN GARDENS, MONIFIETH

REPORT BY HEAD OF INFRASTRUCTURE

ABSTRACT

This report sets out proposals to adopt the road at Tighnduin Gardens, Monifieth.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) notes the proposals to adopt Tighnduin Gardens, Monifieth;
- (ii) authorises the Head of Infrastructure to undertake all necessary actions in relation to the process for adopting Tighnduin Gardens and to adopt Tighnduin Gardens; and
- (iii) authorises the Head of Infrastructure to add Tighnduin Gardens to the list of public roads in due course.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

PLACE

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. BACKGROUND

3.1 The List of Public Roads was inherited from the preceding roads authority, Tayside Regional Council in 1996.

3.2 From time to time anomalies are discovered in the list which requires to be rectified.

4. CURRENT POSITION

4.1 The road at Tighnduin Gardens is a short cul-de-sac serving 3 homes which was constructed to adoptable standards in the mid 1970's.

4.2 The road is currently private (unadopted) and its location can be seen on the plan in **Appendix 1** to this report.

4.3 A resident of the road has written to the Council suggesting that confirmation was given by Tayside Regional Council that the road was adopted and that subsequent maintenance operations were carried out by that authority. The resident's letter is included in **Appendix 2** of this report.

5. PROPOSALS

- 5.1 The road has been inspected by the Roads service and the road is in a condition suitable for adoption. The Roads (Scotland) Act 1984 allows for such roads to be adopted, and sets out the process which includes adoption being subject to agreement by the majority of frontagers on the road agreeing to it being adopted.
- 5.2 The Roads service will carry out all of the procedures necessary to adopt the road by serving notices on the frontagers and publishing a notice in the local paper, in accordance with the requirements of the Roads (Scotland) Act 1984. After a period of 28 days for representation, any representations must be considered by the Head of Infrastructure prior to making a final decision whether or not to adopt the road. The road will only be adopted if a majority of the frontagers agree to the proposal.
- 5.3 If adopted the road will become the responsibility of the council as Roads Authority for maintenance purposes.

6. FINANCIAL IMPLICATIONS

The ongoing costs of maintaining the adopted road will require to be contained within the future years' Roads Revenue Budget.

7. CONSULTATION

The Chief Executive, Strategic Director – People, Head of Finance and Legal and Service Leader – Legal and Democratic have been consulted in the preparation of this report.

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 on to any material extent in preparing the above report.

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List of Appendices:

Appendix 1: Location Plan – Tighnduin Gardens, Monifieth
Appendix 2: Letter from Resident of Tighnduin Gardens