

## HUNTLY GARDENS

### UPGRADING OF PAVEMENT AND ROAD-WHY WE SHOULD OPT FOR ADOPTION

As you are aware several options have been suggested for the upgrading of the pavement and/or road. However I believe that the best option, and indeed the only available option if the work is ever to go ahead, is to have the pavement and road adopted by Strathclyde Regional Council

The MAIN REASONS why I support adoption are as follows:-

#### (1) PAYMENT OF REPAIR COSTS

If a majority of the owners opt for adoption then Strathclyde Regional Council (SRC) will take on the responsibility of collecting all the repair costs from the individual owners, including the owners who would otherwise refuse to pay, as the Roads (Scotland) Act 1984 gives the Regional Council the power to enforce payment. The Roads (Scotland) Act 1984 also makes provision for owners with limited incomes to pay by staged payments thus reducing the burden for many owners.

To follow any of the other options would result in the Gardens' Committee being responsible for collecting the repair costs from all the individual owners, several of whom-including the owners of whole houses, responsible for a 1/20th share of the total costs-have indicated that they are unwilling to pay. This will mean that the willing owners will have to pay the shortfall or alternatively the Committee will have to take Court action against the none payers-a long and very expensive process which could cause serious disharmony between neighbours.

Going for adoption will mean that all the financial problems will be dealt with by the Regional Council.

#### (2) SUPERVISION OF WORKS

If we opt for adoption then SRC will then be responsible for instructing and supervising the works including supplying a Site Engineers/Clerk of Works to oversee the successful contractor and ensure the work is carried out to the Statutory standard required. The SRC will also be liable for any damages or losses that might result from the works eg. the colapse of a supporting wall or damage to a car. The SRC will appoint a firm from its approved list of contractors.

If the owners vote for any of the other options then the Committee will have to appoint a Consultant Engineer to supervise the work-this will add to the cost of the project as professional services do not come cheaply.

#### (3) FUTURE MAINTENANCE

If we vote for adoption, then following the completion of the upgrading works and the formal takeover by SRC, there will be no further maintenance liability on us the owners.

If we follow any of the other options we will still be responsible for all repairs and maintenance, and will face the same laborious process of committee meetings, circulation of owners and the problem of collecting the necessary funds every time repairs are required.

(4) DUMPING OF CARS

Adoption of the road will solve the problem of the dumping of unlicensed cars, which use up valuable parking spaces, as the police will have powers to have any such cars removed.

(5) LIABILITY

Following the adoption of the road the Regional Council would then be liable for any injuries or accidents resulting from the condition of the pavement or road (this liability currently rests with the owners).

OTHER POINTS FOR CONSIDERATION

A. INTRODUCTION OF ONE WAY SYSTEM, RESTRICTED PARKING ETC.

The Regional Council already have powers to introduce any traffic management system they consider necessary, regardless of the roads current private status.

B. INCREASED TRAFFIC

The awkward entry gate at the top of the street will continue to deter motorists from using the street as a short-cut.

C. EFFECT ON PROPERTY VALUES

I am of opinion that the adoption of the pavement and road, following upgrading, will increase the market value of the various properties on the street. You may disagree with the above opinion, but I am sure you will agree that any effect will be marginal.

\*SUMMARY\*

I recommend that you vote for adoption of the pavement and road by Strathclyde Regional Council as they will supervise all the works, take on future maintenance and repairs, and will take on the responsibility of collecting the cost of the up grading works from ALL the owners affected. The complications of collecting the repair costs from the unwilling owners, eg.legal action, make the other proposed schemes unworkable.

I also ask you to vote for adoption as this is the only time effective method that is available and will ensure that we will be able to utilise the grant of £2,200 which is currently on offer from the HBC, but with a time limit for acceptance.

Should anybody wish to discuss this matter further please do not hesitate to contact me.

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