

SCRUTINY AND AUDIT COMMITTEE - --TOPIC SCOPING/ LEAD SERVICE BRIEFING SESSION

UNADOPTED ROADS

28 OCTOBER, 2013

SESSION WITH PHILIP MCKAY, HEAD OF SERVICE (ROADS & LANDSCAPING)

Present: Councillors G Owen (Chair), R Thomson, (Vice Chair), K Farquhar, J Ingram, A Ross, C Shand and I Tait.

Apologies: Cllrs D Aitchison, N Cullinane, S Duncan, J Latham, and M Watt.

Present: Jan McRobbie, Support Officer, Scrutiny and Audit.

PMcK Context –Road Scotland Act 1984 – primary legislation. Minor problems –some resolved by case law over time – but basically unchanged - no such thing as a private road – though phrase used as shorthand. If it’s a road (as opposed to a private access) everyone has rights to use it. The only difference is “public” roads are funded through the public purse – other roads stay the responsibility of the “road managers” – frontagers and landowners.

Aberdeenshire has 330,000 km Private Unadopted roads (PU roads)over which the council has no road manager locus, although some are Maintained Periodically (MP) – historically when the former Town Councils had invested in the roads network if it were felt to be of benefit. On reorganisation this was formalised by Grampian Regional Council to be “Public Unadopted Roads”, and there was investment from 1976 to 1996, in terms of Section 14 of the Roads Scotland Act (discretionary powers). This was suspended in 1996, with the scheme reactivated in 2009, with poor take up, and suspended in 2012. The Committee approved scheme had never been deleted, but its budget had been removed.

The question in the original topic scoring proposal suggested that previous schemes had upgraded the improved roads to adoptable standards; this was not the case – council work was usually to seal the surface and extent usable life. Road managers were still responsible for the future upkeep of the roads.

Currently a great number of these roads were in a very poor condition. It would require substantial investment to bring them to acceptable standard. A recent desktop exercise suggested costs in excess of £70M to improve all 330k roads, and this calculation could be low by as much as 50%. This should be seen in the context of the backlog in resourcing repairs to the public roads where known defected were calculated to cost over £100M. There were no resources to deliver on this, our own responsibility.

If the Council were to adopt another 300k roads, this would prove an additional burden of £1.5-2M on-going maintenance costs per annum, which in turn would mean a further re-adjustment of the current maintenance regime.

Informal discussions previously with SCOTS¹ colleagues confirmed national issue across the whole of Scotland. SCOTS would be recommended to the Committee as a single access for all 32 councils as roads authorities.

The topic also suggested that the system was unfair to council tax payers in Aberdeenshire who lived off Unadopted roads; but the argument could be made that the price paid for property should reflect any responsibilities or liabilities which came with it. This should be made very clear to any purchasers at the outset.

GO The original proposal suggests there is an issue for refuse collection, fire and rescue, police and ambulances. Do we have records of any occasions when people have been unable to travel and therefore no service delivery?

PMcK I'm not aware of this happening – although there may be anecdotes, we have no detail recorded. This also impacts on our own Waste fleet – there are roads they don't travel on but ask for the bins to be left at the end of the road for collection. This we do routinely for private accesses.

The difficulty is in the definition of a road. My interpretation is if access goes to over 4/5 houses, it's a road. Less and it's a private access and in terms of the legislation, we do not service private accesses. If it's a road, we have statutory powers to instruct repairs. In my view, the 330km are roads, de facto, but responsibility rests with the road managers. If other services using these had issues, we'd not get involved, but advise them to approach the road managers directly.

GO What about claims against us for vehicle damage?

PMcK No- there have been none – we'd have no liability.

GO So we'd just direct people to take up the issue with the appropriate road manager?

PMcK Yes.

KF There's a road in Braemar which connects two Council maintained roads. It's got mains water and sewers, but it's basically a dirt track. There are only two frontages on it – is it a road? I asked and was advised it was private, not Unadopted.

PMcK I'd think it would be a road – and others would have right of access. In the service, I'm afraid we've fallen into the shorthand of calling them all "private" not "private Unadopted" – just to contrast with them not being public. If it's just an access, the frontagers/ owners could put gates on either end.

The 1984 Roads Scotland Act added to the statutes new rules about building new roads. They now need construction consent (unless being undertaken by the Roads Authority) and you'll see that cites in planning conditions. The idea is to stop developers from getting out of making the roads to an adoptable standard – previously some have disappeared/ gone

¹ SCOTS – Society of Chief Officers of Transportation in Scotland

bust before this could happen. There's now a need for a cash sum or insurance bond to be in place, to ensure that there are funds for the work to happen. Previously there was no protection for the residents of a scheme who might be left with "Unadopted" roads.

Jl The situation I have in my area is where a road, serving 9-12 houses, has been deemed as Private Unadopted, but the constituents feel that previously it was maintained by the Council, with contributions from the owners/ road managers. I can't find any evidence to accept or reject their claims.

PMcK There's no reason to doubt their claims – there was previously a scheme where the work could be done with contributions from the residents. The level of contributions sought varied. But it wouldn't have been taking the road to adoptable standard. In terms of Section 14 local authorities have powers to invest in non-public roads – but it would have been patching and surface dressing only. Classified as a private Unadopted road, we would look favourably on any future requests to maintain.

The issue is complicated as the schemes weren't the same across all of Grampian. In some areas we'd go back and surface dress at zero cost, in others 10% of the cost. In 1996 the first Aberdeenshire Council budget eliminated this spend.

AR On Roads Construction Consent, would this apply to where a new development of say 5/6 properties was added to an existing road serving a single dwelling?

PMcK Yes – otherwise it would be in breach of the legislation. I'd also expect planning colleagues to consider such an application in the context of ribbon development. It's often hard to see natural justice applying when actions are required in terms of cumulative effect – the last developer might be faced with the cost for the whole scheme. This is the same for all developer contributions assessments.

There's another planning related issue. We're consulted on all planning applications, but unless we're the owners, we're not actually the statutory consultee. Also, with country roads, there can be other issues; suppose a road serves 12 homes, but leads ultimately to a dairy farm, with a significant amount of movement of agricultural machinery, impacting on the road conditions. Such a road could cost £1.2M to repair – and even with a 10% contribution, that's still a lot of money to be provided by the 12 road managers. There's perhaps a gap in the legislation here – the Act is over 30 years old and may need to be reviewed in this respect.

AR Are planning exacerbating impact on private Unadopted roads?

PMcK There may be issues in the extremes of policy, but on the whole the Act's quite sound. The real difficulty is where, for new developments, the responsibility for the road is not included in the title deeds or not highlighted to potential buyers by the vendors or their solicitors. I would like to see it made more explicit in the title deeds – "you are responsible"...

AR In Australia they seem to have a different approach to expectations of acceptable roads standards. I drove along 100km of unsealed roads, single car width with no barriers. Would it be possible to adopt an unsealed approach to our roads?

PMcK It's the same in northern Europe, but we've become very used to sealed roads and there are good reasons for it. From the Roman days of road building in Britain, we've know that sealed surfaces helps keeps the water out of the foundations and so the road will stay. If we don't seal the roads, they're open to the destructive cycle of freeze and thaw. The camber of roads also helps the water drain away.

The Council has tried to be very accommodating to road users in its rural roads network. We've widened them over and over, as no-one thinks roads should be single car, but in squeezing past, we've compromised drainage and are causing more and more edge damage. It would be a brave step, but may need to be considered in the future, but to revert to single width with passing places could be the best means of supporting the rural network in North East Scotland. This would give us a network we could maintain.

So while unbound surfaces might not suit the climate, there are other options.

KF My personal experience is of paying a bond to the Council toward the making up of a road serving my house's scheme- but this only kicked into action when the final plot was sold, and this was delayed for several years. We were pleased – the developer went bust and the Council finished the scheme using the bond. People are not always thinking about roads and responsibilities when purchasing a new house.

PMcK Self-build units can take a very long time. There's also an issue in bigger schemes where the uptake might be slower than was expected, as it's usual for the work to be done only after all building work on site was concluded. Consents are generally given for five years, although this can be extended if required. We do try and pressure the developer to finish in a reasonable timescale. The only other route would be for the Council to take a risk and provide the work up front – and this is not always appropriate.

CS The Fyvie/ Wartle area sees a lot of publicly maintained roads linking to main roads, and it seems that sometimes these are maintained as far as the last house?

PMcK It relates back to private/ Unadopted roads – in this case, it might be that the last bit of the road serves a single farm and relates to the farmer's existing access. We'd have maintained there to the boundaries of the farm. In this case, the "road" would become a "private access".

CS Beside Barthol Chapel, there's a road that's not maintained that is full of potholes. Would it be possible to provide a very basic maintenance to allow houses to be served by Royal Mail etc? Is there a particular policy that would apply?

PMcK No – that's not possible. The scheme before 2012's intention was to provide maintenance to a set criteria, based on it being a through road, number of vehicles using, houses served and it could be up to a 50% contribution. This scheme, with an original budget allocation of £300,000, (which would facilitate up to £600,000 work) was stopped. There was a distinct lack of bids for the funding – but lack of uptake is not a proxy for lack of demand. However, I'd reiterate, the responsibility rests with those who live on the road, and the landowner, who can be remote. We can instruct work to be done if the road is deemed to be very unsafe, but we can't ask them just to fix the potholes. Any instruction needs to be to

adoptable standard – then we'd have to adopt it. We could do that for the road I spoke about earlier which needs £1.2M repairs – and they'd have to comply. So at present, our default would be to give advice and in some cases, technical support, but no funding. As we can only compel to an adoptable standard, to take this approach would mean a huge policy decision by yourselves as Councillors, and would take the decision out of our hands as officers.

CS Is it more of an issue in this era of the Sat nav?

PMcK It relates to public expectations.

IT I welcome the roads consent conditions – in my ward there was a scheme which was roadless for 12 years as the builder went bankrupt – and the planning permission had stated no occupation till the road was in place, however the lawyers had refused to build it into the title. The end result was people moved in, then complained about the lack of roads.

I think the dissolution of Grampian Regional Council, where there was a flood of 50/50 surface dressing of Unadopted rural roads, joining to publicly adopted roads. Sometimes there was no adequate check on ownership and subsequently purchasers of properties on the road assumed that the road was in the Council ownership. The regional council were well intentioned, but this had left a public expectation of maintenance which could not be fulfilled.

The current solution to impose an order for roads to be brought up to adoptable standard is overkill and a very draconian way to proceed. Also, if the Council were to spend more on PU roads, this would impact on the money to spend on the public roads which are our statutory duty.

AR I'd expect that it's the same problem for all other Scottish Local Authorities – it's a national issue. Would there be any potential to change the legislation to release your hands and make enforcement simpler to a less onerous standard?

PMcK I previously spoke about SCOTS, they (have??) looked at the Roads Scotland Act, areas of problem and considered how these might be addressed. For private roads, we can negotiate with frontagers and owners to bring roads back to being safe – but there's no way to compel. If we could make them do it to a lower standard, below adoptable, I don't know if I'd want the responsibility for ensuring that private roads are safe – there are liabilities there and a cost in inspection etc. Perhaps some form of legislation to parallel the responsibilities of the Dangerous Buildings Act, that might provide councils with more teeth to make roads safe, if need be, directly, but with the option to get the funds back, without the ultimate responsibility.

I also feel there's still a great need to clarify in title the responsibilities and liability of frontagers and owners of private Unadopted roads. No-one with a private water supply expects the Council to maintain its infrastructure.

In Aberdeenshire, we have 10% of Scotland's roads network – that's £1.2 billion of a backlog in public roads repairs ... to add responsibility for the additional roads makes the figures even more nonsensical. I have sympathy for the people involved, but I can't see a solution.

AR If funding weren't an issue- is there capacity to do the work?

PMcK No – we struggle to undertake our statutory responsibilities. We don't appoint a full establishment but contract out work, and this external capacity would be impacted by the greater demand, making prices rise. Also, with major infrastructure works on the horizon, including the Aberdeen Western Peripheral Route, for the next few years there's going to be increased demand on finite services already. If it were more of a long term investment, arranged over a period of time, the market would self-regulate to fit demand.

Also, you'll remember previous discussion about the challenges in recruitment and retention in our roads and landscape services, where we struggle to compete with oil related higher wages.

Jl Do you think there's a possibility of brokering a new reduced standard to be applied to private Unadopted roads? If it's a national problem, might there be other grants or funding available, such as European Union or regional funding options?

IT For the Council, it seems a Catch 22 – we can't restrict where people can build in the countryside and to relax the policies merely adds to the existing problem – so would a solution be to bring back the more restrictive building in the countryside policies? Please note – I'm not advocating this – but should it be a case of, can you afford the responsibilities which go with building in the countryside?

Jl It's not a new problem – what we see today is the cumulative effect of years of misunderstanding of liabilities and responsibilities.

IT Why was the budget allocation to support works on private Unadopted roads removed?

GO £200K was put in in 2009, but with a 50% contribution expected, there was little take up. So the Council has already tried to address the solution, the way that the Regional Council did. The question is, where can we go from here?

RT I've now got a good sense of the issue and the public perception of injustice. We've heard a lot about the legislative background which is important information to be reported in public and the figures of the mileage of roads and the potential costs involved are incredible. The issues of "buyer beware" have been highlighted. I think it will be important to hear back from our fellow councils of their perception of the issue and any local solutions which may have worked from them, before deciding what recommendations might be made.

AR I think it's very important that the consideration of resources contains workforce capacity and not just funds. Would there be any merit in hosting a "rent a" plant appropriate for road reworking, such as a caterpillar truck to level track-ways, which could be purchased by the frontagers for them to undertake some basic safety related works?

KF This wouldn't work for roads where there was raised ironware such as manhole covers?

PMcK I think there are two distinct categories; one the urban areas, which might have service covers etc, and the second, more rural, where raised ironwork would not be such an issue. If there's no surface there at all, and it's being levelled/ compacted regularly, this would provide an adequate driving surface for a period of time. The tendency to build to last had left the current road systems as hostages to fortune, but there was a level of expectation in British motorists to be able to access all roads, 365 days per year and be able to drive at 60mph, regardless of road and weather conditions.

Any solution would require to be in the context of the current backlog - £120M??? (£1.2Billion across Scotland), and it should be noted that private roads were only 6% of the total network.

I get more complaints about public than private roads, and I'm sure that's the same for you as elected members. I think that the solution might lie in re-aligning expectations, in line with the accepted position on private water supplies, for example. This would be a solution not about doing, but about explaining.

GO Are we sure we know what our constituents want?

Jl My impression is that they want the roads to be safe to use, and at a minimum standard (not adopted).

GO Would they be willing to contribute?

Jl Perhaps- I think it would depend on what standard was stipulated and the on-going costs, or whether it would be a one-off payment.

PMcK If roads were to be repaired to adoptable standards, as the Roads Scotland Act allows in terms of Orders, we have no option but to adopt the road – and that would add to our on-going maintenance regime and costs, already stretched. You'll have seen the reports to the Area Committees on adopting roads, usually at the conclusion of a planning development. In reality, the "will you adopt?" is a "you need to and we need to formally record your adoption...". One of the problems we have is that people say, "We've paid before – why is the Council not responsible from now on?" It was never the intention of the schemes to remove the fundamental responsibility of the frontagers and road managers.

Perhaps there's an argument to be made to the public that they, as owners of an asset, need to invest in their assets to try to maintain the value and condition – it will impact on the re-sale price of property.

On the topic of the uptake of the previous scheme, I can confirm that take up was low- only £300,000 out of a fund of £500,000 was used. You've got to ask why, and the answer can only be people's expectations.

KF I can see the logic in promoting maintenance of asset. I know about a road at Tornaveen which got 70% European funding. The balance of £75,000 was raised by the homeowners, then the road was up to adoptable standard.

IT I guess there are two different issues – the first is new development, where we can hope that planning policy and roads consent mean that there are no new problems. The second area is where it's an inherited problem with people already living there. It would be a political decision to re-establish the funding for the previous scheme, and it would then be up to people to apply, or not...

In further discussion of the terms of reference for the investigation, the committee agreed the terms of reference as attached.

Cllr Owen closed the meeting by thanking Mr McKay for his assistance in the scoping of the investigation and for the lead service briefing provided.

MONDAY, 9 DECEMBER, 2013

MEETING WITH EWAN WALLACE AND PHILIP MCKAY

Present: Councillors Gillian Owen (Chair) (GO), Richard Thomson (Vice Chair) (RT), Nan Cullinane (NC), Sandy Duncan (SD) and Jim Ingram (JI).

In attendance: Philip McKay, Head of Service (Roads and Landscape) (PM) and Ewan Wallace, Head of Service (Transportation) (EW).

EW informed the Committee that he was Chair of SCOTS (Society of Chief Officers for Transportation in Scotland) until May 2014 and that most professional disciplines in local government had similar societies. SCOTS were working closely with the Improvement Service (IS) on a number of projects and the IS had close ties with organisations of a similar nature in England and Wales. SCOTS collaborated closely with all local authorities in Scotland on a range of subjects - not only on maintenance issues but anything relating to the transport network. SCOTS was set up in 1996 and had a strong membership. They worked closely with the Scottish Government and over the last three years, road maintenance had been pinpointed as a topic for a national maintenance review. EW noted that the issue of unadopted roads was not one which had come to prominence during his tenure as Chair.

The response to letters sent out on behalf of the Committee on the subject of unadopted roads had been disappointing, with only twelve replies having been received. EW felt that this had not been flagged up as a major concern because most local authorities were trying to get the most from the money allocated to them. This meant that keeping the adopted road network in the best possible condition was the priority. It could be seen from the replies that there was generally a uniformity of approach. Perth and Kinross Council had supplied some Committee papers, which showed that their approach was not vastly different to the one taken by PM.

Most of the Committee had not had the opportunity to study the information supplied and JI stated that he had a wide rural hinterland in his constituency and as such, it had many unadopted roads. He was hoping that he would see some progress on this through the course of this mini investigation. He advised that there used to be a scheme whereby those living on an unadopted road could bring it up to standard with assistance from the local authority. He saw unadopted roads falling into two categories, namely 1) as part of the road network and 2) as part of an estate. He would like to see an approach made to the Scottish Government, possibly for a rural development

grant to be extended, so that people could buy into the scheme (or something along similar lines) to upgrade these roads.

PM advised that Aberdeenshire Council did have a scheme to help maintain the surface of the road. There was a piece of work done in the late 1970s which looked at footpaths in small settlements. At that time, there was funding available to bring these up to standard. The majority of footpaths adopted by the District Council were then adopted by Aberdeenshire Council. Section 13 Notices obliged the frontagers to bring the road up to an adoptable standard. From that point onwards, the Council was responsible for the road and any repairs required to maintain that standard. These were rarely used now. Section 50 Notices were used for emergency repair issues, such as work necessary on dangerous buildings. These, however, did not give the option to recoup any costs incurred. A number of Councils seem to have followed a similar path to Aberdeenshire. Some Councils had funds which took unadopted roads up to adopted standard but Aberdeenshire had a fund which was solely to maintain the surface of the road. PM thought that Aberdeenshire had more unadopted roads than most Councils due to the rural nature of the area but that our approach to maintaining these was very similar to most Scottish local authorities.

SD noted that he was disappointed with the poor uptake on the scheme for improving unadopted roads but that it was probably due to the frontagers involved not being able to agree on putting in the necessary funds. PM advised that as an authority, Aberdeenshire Council had to develop an equitable scheme for covering a proportion of the cost under a Section 13 Notice. If the road was made up of households, then each would be asked to share the cost. If the road included a commercial interest, then they would be asked to pay slightly more than householders. If a majority signed up to it, then the works went ahead. Enforcing it on those who were unwilling to buy in to the scheme was a difficult aspect, he felt, especially as the sums involved could amount to tens of thousands of pounds. The same problem could arise twenty years down the line because the road may still not have been adopted by that time and the Council would just be maintaining the surface. The fund was set at £300,000. Whatever was taken out over the year would be replaced to keep the fund static. The biggest take up was in Formartine and Banff and Buchan but overall, interest in the scheme was very poor.

Concern was voiced on roads which were used as 'rat runs' and that frontagers would not be keen to give money towards improvement of the road because of this. PM said different levels of support were given, depending on whether it was a cul-de-sac or a through road. These days, there was a move to enable elderly people to stay at home rather than move into care homes. It was essential that those giving the care and support required were able to reach their clients and if the roads were in a poor state of repair, this could hamper access. This would also be the case if the emergency services had to reach these vulnerable residents. PM advised that there was a mechanism still there to address this problem but that it had been pushed aside, waiting for available budget to be allocated to it. This could be an opportunity to discuss where expenditure should be targeted. If reports on the state of a road were received from the emergency services or from waste services, for example, this would be a starting point to fill in those potholes. However, this would be reactive, which was not the ideal situation. There was a small budget available to cover emergency repairs

and this might address concerns on emergency access to householders. If there were less than five properties on a street, it was unlikely to be classified as a road. It would be classed as a private access. There were grey areas in classification, so unless a sheriff had ruled on this, five properties was a good rule of thumb. PM advised that he had not had any formal complaints from the emergency services on road surfaces. Their greatest difficulty was generally winter weather (snow, ice, blocked roads, etc). EW noted that the ambulance service was part of the Health Transport Action Plan and he could liaise with this group to ask if they had had any negative feedback on the state of the roads via their control centres.

EW stated that, as Chair of SCOTS, he was disappointed with the response received from other local authorities on unadopted roads. He would contact those who had not replied to encourage them to provide a response. Many were more urban authorities than Aberdeenshire and as a result, unadopted roads may not be a problem for them.

In answer to a question on budget, PM advised that of the £30 million allocated, about 3/5 was spent on planned projects and 2/5 on reactive work. He would revert to the Committee with the actual figures in due course. He would spend the full amount allocated to planned work and as there was £100 million of a backlog of maintenance work still in the system, it would be unusual for Roads not to spend its full budget. They were spending below the steady state level but if any additional funding was to become available, it would have to be invested in the public road network, ahead of unadopted roads. Currently, the network was relatively stable but the backlog of work was still too high. Aberdeenshire Council had taken part in a national transportation survey which gave a 30% response on the state of the road network. 4,500 questionnaires had been sent out to members of the public and a similar questionnaire had been sent to elected members. The plan was to combine the responses from both groups with information gathered from the remaining Councils in Scotland. There was now a Scottish bench mark to work to but the information gathered through the questionnaire gave a snapshot in time. EW stated that the Improvement Service, COSLA and SOLACE had all been involved in the survey. The response rate across all authorities in Scotland was around 20%. He had not seen the full set of results as yet, so was not able to view this from the perspective of COSLA and the national benchmarking project which was being undertaken. Once the results had been analysed, it would allow us to see how Aberdeenshire Council were performing. If we were spending a lot of money, yet there was a low public perception of how well we were doing, then questions would have to be asked on what was going wrong.

In answer to a question on how viable it would be to fill the potholes in unadopted roads, PM answered that because there was no real engineering structure to these roads, pothole filling would not be a sensible course of action. Potholes emerged because water had seeped in to the structure of the road, both from above and below. Drainage from the surface was also an important part of keeping the road in good condition. Sealing the surface with bitumen provided a decent repair, as did surface dressing.

Jl noted that he thought a positive step would be to have money available on an annual basis (for example, £250,000 set aside), which people could tap into to help fund upgrading unadopted roads. He also queried if rural development grants could be used to help upgrade private roads. Jan McRobbie advised that she had approached Economic Development for information on this but had received no response thus far.

In conclusion, GO noted that once the Committee had had time to read through the responses received to the request for information, a clearer picture of how other Councils were dealing with unadopted roads would become apparent. She also confirmed that it would be appreciated if EW would contact the Councils who had not yet replied to the Committee's request for information.

LETTER TO OTHER LOCAL AUTHORITIES

6 November 2013

To: All Chief Executives

Dear Colleague

We are writing to you, in our roles as Chair and Vice- Chair of Aberdeenshire Council's Scrutiny and Audit Committee, to seek your support with one of our current investigations.

The Committee has recently commenced an investigation to consider the current situation relating to private roads across Aberdeenshire, including the role they play in delivery of services, maintaining appropriate public access and social cohesion, and how they can be managed and supported in the future. As it is unlikely that this is an issue which only affects the Aberdeenshire Council area, the Committee is very interested in understanding the situation elsewhere.

When this topic was initially suggested for consideration, our Roads and Landscape Services section provided written comments outlining the situation in Aberdeenshire, including details of the legal context and the maintenance and management of the wider public road network. By way of background, that document is included for your information.

While we would in no way wish to limit your response, the Committee would be very grateful if you could cover the following in your response:

- Scale of private road network;
- Condition of private road network;
- Impact of private road network on service delivery such as waste collection, school transport etc;
- Budget allocation to maintenance of private road network;
- Current, or previous, schemes whereby discretionary support is provided for private road maintenance;
- Impact on rural development; and
- Current legal framework.

It would be very helpful to receive your response by the end of November.

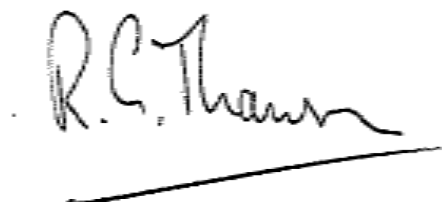
On behalf of the Scrutiny and Audit Committee, we would like to thank you in advance for your contribution to our investigation.

Yours sincerely



Councillor Gillian Owen

Chair of Scrutiny & Audit Committee



Councillor Richard Thomson

Vice Chair

	Scale	Condition	Impact on services	Budget	Schemes	Impact rural dev	Current legal framework
ANGUS	N/a	n/a	Very limited	None	Curtailed 1998/2002 formally		Roads (S) Act
EAST AYRSHIRE	“some”	No inspections – don’t know	n/a	n/a	n/a		ditto
NORTH AYRSHIRE	30.5KM HSG roads/ 38km paths 36.7 historical private (301 roads)	Unknown	Not assessed	Don’t use section 14 – no annual budget	None		Ditto
EAST DUNBARTONSHIRE	Not assessed	Very poor where known	Nothing significant	None	None	None	Discretionary contrib never utilised
DUNDEE	No records	Unknown	No records	None (in place for footpaths)	None	n/a	No framework in place
FIFE	Private roads – 26km; Council owned private roads – 31km roads/ 164km footpaths	No definitive info – generally accepted poor condition	Recent move waste to road end collections n unsuitable – alt locations for school transport negotiated	Fife RC scheme. Now only substandard roads £31k pa. working on updating own roads	see prev comment	n/a	Roads (S) Act

	Scale	Condition	Impact on services	Budget	Schemes	Impact rural dev	Current legal framework
GLASGOW	No info	Largely unknown	May consider improving road to facilitate council service provision	No specific budget	H&S issues will respond	None known	Roads (S) Act
SOUTH LANARKSHIRE	Not quantified	Not known	Reassess collection points etc if road unsuitable. School buses don't use	None	None	n/a	Roads (S) Act
MIDLOTHIAN	377 – 150km		Left to school transport to decide routes. Waste collections to be reconsidered later.	None- limited repairs without prejudice	None	n/a	No action under sections 13/14 Road (S) Act
WEST LOTHIAN	Not known	No records – aware some poor	No major impact	No budget	Scheme – 50% but no budget – 4 proposals done	Not significant	Roads (S) Act
ORKNEY	Not known	No records					

	Scale	Condition	Impact on services	Budget	Schemes	Impact rural dev	Current legal framework
PERTH & KINROSS	Not known	No info	Waste collection at road end	No budget	Only discretionary to bring to adoptable standard	No complaints	Roads (S) Act
RENFREWSHIRE	50km not public road- but council owned	Poor condition	Not a problem to date	No budget	Pothole plugging – occasional emergency support	None	Roads (S) Act