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## NORTH AYRSHIRE COUNCIL

13 June 2023

### Cabinet

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**Title:** Dundonald Crescent, Auchengate.

**Purpose:** To advise Cabinet on the outcome of the Member/Officer working group on Dundonald Crescent, Auchengate.

**Recommendation:** Cabinet is asked to:  
(1) note the findings of the Member/Officer working Group;  
(2) note the maintenance responsibility for the road and associated infrastructure lies with the owners; and  
(3) agree that the Council does not undertake the required upgrade works at Dundonald Crescent, Auchengate to bring the private road and associated infrastructure up to an adoptable standard.

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### 1. Executive Summary

- 1.1 At its meeting of 2 November 2022, the Full Council agreed to the creation of a Member/Officer working group to look into the current and historic issues in the Dundonald Camp/Auchengate area and to report back to Cabinet acknowledging these issues and attempt to find positive solutions.
- 1.2 A cross party working group was formed and a meeting held on 18 January 2023 to discuss the historic issues within this residential estate.

### 2. Background

- 2.1 Dundonald Camp, known as Dundonald Crescent, Auchengate, was formerly an Army Barracks until it was vacated and sold by the Ministry of Defence (MoD) around 2005.
- 2.2 Prior to vacating the site the MoD contacted the Council to enquire about the roads within the estate being adopted and taken over for future maintenance by the Council. Officers engaged with the MoD and prepared a schedule of works required and costings associated with upgrading the road to an adoptable standard and taken over by the Council. As the MoD were required to fund the works, this was not taken forward and maintenance responsibility was transferred to the property owners.
- 2.3 A further request to have the road upgraded and taken over by the Council was received by TLC Property Management on behalf of the residents in 2018. Again, officers engaged with TLC Property Management and prepared a schedule of works

and costings for upgrading the road to an adoptable standard. However again, this was not taken forward.

- 2.4 A motion was passed by full Council on 2 November 2022 as follows, "Council agreed to the creation of a Member /Officer working group to look into the current and historic issues in the Dundonald Camp/Auchengate area and to take a paper to Cabinet acknowledging these issues and attempt to find a positive solution."
- 2.5 In view of the motion, Officers have again reviewed the works required and updated the cost estimate for upgrading and adopting the estate roads, including footways, street lighting and drainage.
- 2.6 There is high uncertainty in the extent of drainage works required within the estate and records show that the drainage system goes under properties making it unmaintainable in the event of deterioration. An allowance has therefore had to be made for renewal of the drainage system within the estate, the cost of this alone is in excess of £300k. There has also been a significant increase in the cost of construction materials in recent years. This has resulted in the latest estimate for upgrading Dundonald Crescent to an adoptable standard being around £700k for construction costs. This along with design and site supervision costs, an allowance for contingencies and VAT has resulted in estimated costs of over £1million.
- 2.7 Officers set up a working group of cross-party elected members and met on 18 January 2023 to consider this. At the meeting members were advised of the anticipated costs in upgrading Dundonald Crescent to an adoptable standard. Furthermore, the Working Group were advised that the Council has over 300 listings of private residential streets in North Ayrshire which based on the rates used within Dundonald Crescent could cost around £90 million to upgrade. Over the years there have been a number of requests from residents within private streets to bring their estate roads up to an adoptable standard and maintain them. The position has historically been that the costs of doing so must be met by the owners of the road. To upgrade Dundonald Crescent at public expense would create a precedent and would likely lead to further requests.
- 2.8 Members enquired what the Council obligations would be from a public health perspective if the drainage infrastructure and water supply failed and whether the Council would be legally required to rehouse the residents of the estate in the event of a failure. From a homeless perspective it would be expected that these households would have their temporary housing arrangements resolved via their own house insurance as they are predominantly owner occupiers. For those tenants who are private tenants the responsibility lies with their landlord who should find alternative accommodation on their behalf. The Council would only be responsible for temporary accommodation if these arrangements failed as the expectation is that the owner occupier or private landlord would pick up the costs.
- 2.9 There was agreement from all members present that the upgrading of Dundonald Crescent by the Council was not affordable and if it was undertaken here, it would likely result in similar requests for other private roads to be upgraded at Council expense. It was therefore acknowledged that this matter could not be taken any further.

### **3. Proposals**

- 3.1 It is proposed that Cabinet: (1) notes the findings of the Member/Officer working Group; (2) notes the maintenance responsibility for the road and associated infrastructure lies with the owners; and (3) agrees that the Council does not undertake the required upgrade works at Dundonald Crescent, Auchengate to bring the private road and associated infrastructure up to an adoptable standard.

### **4. Implications/Socio-economic Duty**

#### **Financial**

- 4.1 There are no financial implications from this report should the recommendation be agreed that no works are undertaken by the Council. If works are undertaken the financial cost will be in the region of £1m. Furthermore, this would open up the potential for similar requests from other private roads for Council adoption which could cost in the region of £90m to upgrade.

#### **Human Resources**

- 4.2 None.

#### **Legal**

- 4.3 The duties and powers of roads authorities are set out in the Roads (Scotland) Act 1984.

#### **Equality/Socio-economic**

- 4.4 None.

#### **Climate Change and Carbon**

- 4.5 There are no implications arising from the recommendations within this report.

#### **Key Priorities**

- 4.6 The recommendation to not carry out the required works to upgrade the private road and associated infrastructure supports the Council Plan 2019 to 2024 by maximising resources and providing Best Value.

#### **Community Wealth Building**

- 4.7 There are no community wealth building implications arising from the recommendations within this report.

### **5. Consultation**

- 5.1 Cross-party members were engaged in the working group that deliberated on the outcome of this matter.

RUSSELL McCUTCHEON  
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For further information please contact **Thomas Reaney, Head of Service (Neighbourhood Services)**, on **01294 34570**.

### **Background Papers**

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