

**ABBHEYHILL HOUSING DEVELOPMENT, DHAILLING ROAD, DUNOON**

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**1. SUMMARY**

- 1.1 The purpose of this report is to update members regarding the Abbeyhill Development.

**2. RECOMMENDATIONS**

- 2.1 That members note this update.

**3. BACKGROUND**

- 3.1 Road Services have been requested for an updated price prior to being instructed to proceed with the outstanding paving and lighting works to complete this unfinished development.
- 3.2 The previous figure was just over £16,165.51. It is anticipated that costs will have increased by at least 20% bring estimate to around £19,400 mark. (It is anticipated that an updated estimate will be brought to the meeting.)
- 3.3 Once costs are confirmed Roads Operations will be instructed to proceed. .Costs will be attempted to be recovered from the developer Lochgoilhead Developments Limited. They had been advised previously that should they not complete the works the Council will do so.
- 3.4 Legal services have investigated whether criminal proceedings could be brought against the developer but are of the opinion that they are time barred.
- 3.5 The Council are required to complete the works should the developer not do so. Normally a road bond would be used should a developer go bankrupt. This is not the case in this instance however the bond cannot be used as it has a spent time expiry clause.

**4. IMPLICATIONS**

4.1	Policy	None
4.2	Financial	There is no budget to assist with the upgrade and costs if not recovered from the developer would require to be funded from the roads revenue or capital budget
5.3	Personnel	None.
5.4	Equalities Impact Assessment	None.
5.5	Legal	Costs may be recovered from the developer however it is likely court action will be required.

For further information, please contact Alan Kerr, Operational Services, Helensburgh (01436 658865)

Stewart Turner  
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8<sup>th</sup> September 2009