

DEPUTE CHIEF EXECUTIVE – PLACE, NEIGHBOURHOOD & CORPORATE ASSETS

The Depute Chief Executive is empowered to operate the delegations granted to the Chief Executive in his/her absence.

The Depute Chief Executive – Place, Neighbourhood & Corporate Assets has overall strategic responsibility and provides strategic direction for the delivery of a range of services via the Strategic Lead Officers of the Council. The relevant Strategic Leads are as follows:-

- Strategic Lead – Land Planning & Development
- Strategic Lead – Place & Community Planning
- Strategic Lead – Roads & Transportation
- Strategic Lead – Neighbourhood Services
- Strategic Lead – Housing
- Strategic Lead – Assets & Facilities

The Strategic Lead Officers of these Services have the delegated powers set out below. The Depute Chief Executive – Place, Neighbourhood & Corporate Assets is also authorised to exercise these delegated powers.

Strategic Lead – Land Planning & Development

Development Applications

1. Prepared in accordance with the Town & Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 and The Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
2. The appointed officer of the Council is the Depute Chief Executive – Place Neighbourhood & Corporate Assets, being the officer appointed in terms of Section 43A of the Town & Country Planning (Scotland) Act and s/he and any officer authorised on his/her behalf is authorised to determine applications for planning permission specified below:
 - grant (with or without conditions) planning applications, providing objections have been received from no more than five addresses and/or the local Community Council;
 - agree non material variations to permissions;
 - refuse applications in accordance with Local Plan Policy whether or not objections have been received;
 - agree fulfilment of conditions;
 - agree the requirement for an environmental assessment and matters to be contained within a screening report;
 - negotiate and finalise legal agreements in consultation with the Chief Solicitor & Monitoring Officer, where the details reflect the terms agreed in a consent; and

- refer a case to the Planning Board or Committee if it is deemed necessary.

Other Consents

1. Subject to the provisions of the Local Government (Scotland) Act 1984, the Strategic Lead – Land Planning & Development and any officer authorised on his/her behalf is authorised to determine applications specified below:
 - grant (with or without conditions) applications, providing objections have been received from no more than five addresses and/or the local community council;
 - agree non material variations to permissions;
 - refuse applications in accordance with Local Plan Policy whether or not objections have been received;
 - agree fulfilment of conditions;
 - agree the requirement for an environmental assessment and matters to be contained within a screening report;
 - negotiate and finalise legal agreements where the details reflect the terms agreed in a consent; and
 - refer a case to the Planning Board or Committee if it is deemed necessary.
2. In these circumstances applications relate to: -
 - conservation area consent
 - listed building consent
 - renewal of permissions
 - advertisement consent
 - prior notifications
 - certificates of existing or proposed lawful use
 - matters specified in conditions
 - material variations to permissions.

** Objections (above) is defined as written (or emailed) correspondence including (1) a return address and (2) a material planning objection to an application received by the planning service prior to determination of the application if delegated; or prior to Noon on the day of planning board pre-agenda if the application is to be considered by planning board.

Planning Appeals

1. To progress matters in line with the decision of the Planning Board in consultation with the Legal Services Manager, the Convenor and Vice Convenor of the Planning Board and relevant ward members.
2. Miscellaneous Planning Matters

- To respond to requests for observations on applications from adjoining authorities (after consultation with local members: and
- To respond to consultations from the Forestry Commission.

Planning Enforcement

1. To carry out the statutory planning enforcement functions of the Council in terms of the following legislation:-
 - Planning Etc (Scotland) Act 2006
 - Town and Country Planning (Scotland) Act 1997
 - Planning (Listed Building and Conservation Areas)(Scotland) Act 1997
 - Town and Country Planning (Control Of Advertisement)(Scotland) Amendment
 - Regulations 2013 Planning (Hazardous Substances)(Scotland) Act 1997

Trees

1. To serve emergency Tree Preservation Orders (TPO).
2. To agree works on, or the removal of, protected trees.
3. To determine applications and process appeals in relation to the High Hedges (Scotland) Act 2013.

Building Standards

1. To carry out the statutory and verification functions of the Council in terms of the following legislation:-
 - Building (Scotland) Act 2003
 - Civic Government (Scotland) Act 1982
 - Safety of Sports Grounds Act 1975
2. To issue letters of comfort/intent in relation to unauthorised building work.

Improvement Grants

1. To discharge the Department's functions under the Housing (Scotland) Act 2006 in liaison with the Chief Solicitor & Monitoring Officer.

Licensing Board

1. To issue or refuse certificates as to Building Standards and Planning under Section 50 of Licensing (Scotland) Act 2005 and provide services as required by the Licensing Board.