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Council Building
2 High Street
Perth
PH1 5PH

10/12/2021

Attached is a supplementary agenda for the virtual meeting of **Perth and Kinross Council** being held on **Wednesday, 15 December 2021** at **09:30**.

If you have any queries please contact Committee Services on (01738) 475000 or email Committee@pkc.gov.uk.

THOMAS GLEN
Chief Executive

Those attending the meeting are requested to ensure that all notifications are silent on their device and other devices are in silent mode.

Please note that the meeting will be broadcast online and recorded. The recording will be publicly available on the Council's website following the meeting.

Members:

Provost D Melloy
All Councillors

Perth and Kinross Council

Wednesday, 15 December 2021

AGENDA

MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.

- 11 UPDATES ON SCHEME OF ADMINISTRATION**
(copy herewith)

5 - 8

FOR INFORMATION

[Scheme of Administration](#)

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

UPDATES TO SCHEME OF ADMINISTRATION

Part 2 – Provisions Relating to Committees

Kinross-shire Local Committee

Following the decision of Council (6 October 2021) to agree a Scheme of Administration for a 12 month pilot Kinross-shire Local Committee, the Head of Legal and Governance to make the necessary amendments to the Perth and Kinross Council Scheme of Administration.

3. Strategic Policy and Resources Committee

Land Use Planning

- 3.15 To exercise the functions of the Council in relation to Development Plans, including functions described in Part II of the Town and Country Planning (Scotland) Act 1997 ~~as amended by the Planning Etc. (Scotland) Act 2006~~ ~~Planning (Scotland) Act 2019~~ and all related subordinate legislation; with the exception of those functions conferred on the Council as a Joint Strategic Development Planning Authority which are subject to the provisions of the Minute of Agreement among Angus, Dundee City, Perth and Kinross, and Fife Councils in relation to the Dundee, Perth, Angus and North Fife Strategic Development Plan Authority.

10. Planning and Development Management Committee

Terms of Reference

- 10.4 In accordance with the ~~Scheme of Delegation~~ [Scheme of Delegation](#) approved by Scottish Ministers in ~~October 2016~~ [January 2020 \(or as may subsequently be approved\)](#), to exercise the development management functions of the Council as Planning Authority under the terms of the Town and Country Planning (Scotland) Act 1997 ~~as amended by the Planning Etc. (Scotland) Act 2006~~ [Planning \(Scotland\) Act 2019](#), ~~the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended~~ and all related ~~subordinate~~ legislation, in relation to:-
- (i) applications for [both](#) planning permission for major developments [and approval of matters specified in conditions associated to major developments](#) which are not significantly contrary to the development plan, unless the Executive Director (Communities) intends to refuse solely on the ground of inadequate information to enable determination; and

12. Local Review Body

Terms of Reference

- 12.3 To consider and determine applications for review of decisions made by officers under delegated powers in respect of planning applications for local developments in accordance with Section 43(a)(8) of the Town and Country Planning (Scotland) Act 1997 ~~as amended~~ and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 and the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 ~~(both as amended)~~.

13. Pre-Determination Committee

Terms of Reference

- 13.3 To hold pre-determination hearings prior to determination of the application by full Council in terms of Section 38A of the Town and Country Planning (Scotland) Act 1997 ~~(as amended)~~ and the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 ~~(as amended)~~.

Part 3 – Delegation to Officials

18 – Chief Operating Officer

18.1

Property

- To act as the Council's agent in all property matters.
- To dispose of any property or right in property valued ~~by the Head of Property~~ at £100,000 or less either by negotiation or advertisement and subject to section 74 of the Local Government (Scotland) Act 1974 (the duty to obtain best reasonable consideration), as amended by Section 11 of the Local Government in Scotland Act 2003 and the Disposal of Land by Local Authorities (Scotland) Regulations 2010.
- To acquire any property or right in property in respect of which there is a relevant project or programme and budget provision and instructions have been received from the relevant Executive Director.
- ~~To manage the Council's leasehold portfolio including, without prejudice to the generality, agreeing tenancies, rentals, rent reviews, assignations, sub-tenancies, terminations and renewals.~~

Energy Management and Conservation

- To undertake carbon trading in consultation with the Head of Finance and the Head of Legal and Governance Services in accordance with the Carbon Reduction Commitment Energy Efficiency Scheme.

Section 23 - Executive Director (Communities)

23.1

Environment

Town and Country Planning (Scotland) Act 1997 (as amended), including all other powers and duties, not hereby specified, arising in terms of the 1997 act, except in so far as provided for in relation to section 43A Scheme of Delegation as set out below;

Development Planning

- In accordance with the Scheme of Delegation approved by Scottish Ministers in October 2016 to January 2020 (or may subsequently be approved) exercise the functions of the Council as Planning Authority in terms of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 Planning (Scotland) Act 2019, the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) and all related subordinate legislation.

Property

- To manage the Council's leasehold portfolio including, without prejudice to the generality, agreeing tenancies, rentals, rent reviews, assignations, sub-tenancies, terminations and renewals.

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25 - Statutory Appointments of Officers

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<u>STATUTORY PROVISION</u>	<u>PURPOSE / ROLE</u>	<u>OFFICER</u>
Town and Country Planning (Scotland) Act 1997	<u>All other powers and duties, not hereby specified, arising in terms of the 1997 act are hereby delegated to:</u>	<u>Executive Director (Communities) Head of Planning and Development; Service Manager: Development Management and Building Standards, Planning and Housing Strategy; Development Management Team Leaders; and Development Plans Team Leader.</u>
S43A	Delegated authority in respect of planning applications for local development	Executive Director (Communities); Head of Planning and Development; Development Management and Building Standards Service Manager; Development Management Team Leaders; and (for certain applications only) Development Management Planning Officers who have membership of the Royal Town Planning Institute and 2 years post-qualifying experience

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