

REQUEST FOR SUPPLEMENTARY ESTIMATE FROM PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE

1.0 INTRODUCTION

A supplementary estimate is requested by the Planning, Protective Services and Licensing Committee for the Head of Planning, Housing and Regulatory Services to take enforcement action.

2.0 RECOMMENDATION

The Council is invited to approve a supplementary estimate of £24000 to the Head of Planning, Housing and Regulatory Services to be drawn down from Council Reserves.

3.0 DETAIL

- 4.1 At its meeting on 22 May 2019 the Planning, Protective Services Committee agreed that action be taken by Officers as determined by the Committee and to recommend to the Council that a supplementary estimate as required be made available to support any action to be taken in respect of enforcement case reference 16/00076/ENAMEN.
- 4.2 Quotes for Direct Action have been obtained and a request is made for £24000 to be drawn down from Council Reserves.
- 4.3 The Council should note that as is normal when direct action is pursued the Council will seek to recover all costs incurred from progressing the action, and will arrange to undertake this action to minimise risk to the Council.

5.0 CONCLUSION

Direct Action has been authorised by the Planning, Protective Services and Licensing Committee and a request to draw down funding from Council Reserves is made.

6.0 IMPLICATIONS

- 6.1 Policy – The Council has a discretion to take direct action if the circumstances merit such an approach
- 6.2 Financial – a reduction in Council reserves by £24000
- 6.3 Legal – Section 135 of the Town and Country Planning (Scotland) Act 1997 empowers a planning authority to enter land and take steps required by an enforcement notice where those steps have not been taken within the compliance period.
- 6.4 HR – None.
- 6.5 Fairer Scotland Duty - None
 - 6.5.1 Equalities – NO issues
 - 6.5.2 Socio-economic Duty – Well managed and proportionate enforcement action can enhance the economy and have a positive benefit on the community
 - 6.5.3 Islands - There is no specific island based impact from this information.
- 6.6 Risk – There is a risk the Council will not be able to recover the costs of direct action from the landowner
- 6.7 Customer Service – no issues

Douglas Hendry
Executive Director of Customer Services
29 May 2019

For further information contact: Charles Reppke, Head of Governance and Law
Tel: 01546 604192