

REPORT

To: ENVIRONMENTAL SERVICES COMMITTEE	Subject: LAND REFORM (SCOTLAND) ACT 2003 - DELEGATION TO OFFICERS	
From: EXECUTIVE DIRECTOR OF CORPORATE SERVICES		
Date: 26 July 2007	Ref: TG/EH	

1. Purpose of Report

The purpose of this report is to amend the Scheme of Delegation for Officers so as to provide appropriate officers of the Council with authority to discharge their statutory duties in terms of the Land Reform (Scotland) Act 2003.

2. Background

2.1. At the meeting of the Environmental Services Committee on 6 June 2007 consideration was given to a report by the Executive Director of Environmental Services regarding a number of corporate, procedural and resource implications arising from the Land Reform (Scotland) Act 2003.

2.2. At that time it was also agreed that a further report be submitted to the Committee providing specific details of the operational delegations that would be required by appropriate Officers for the efficient discharge of the responsibilities imposed by the Act.

3. Proposals

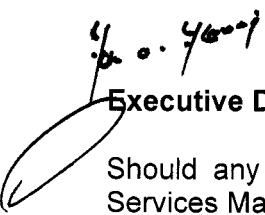
In order to provide for the efficient administration of the new duties imposed on the Council, the delegations detailed in the attached Appendix to this report are commended.

4. Corporate Considerations

The Executive Director of Environmental Services has been consulted and agrees with the proposals.

5. Recommendations

The Committee are asked to agree to the additional delegations, detailed in the appendix to this report, to the Scheme of Delegations for Environmental Services and to commend them to the Council.


Executive Director of Corporate Services

Should any Member require further information please contact Tom Gaffney, Chief Committee Services Manager on extension 2342.

DELEGATED POWERS: ENVIRONMENTAL SERVICES

Land Reform (Scotland) Act 2003

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| 14 | Section 10 – To publicise the Scottish Outdoor Access Code, including any summaries and related guidance available for examination in all appropriate Council buildings, newsletters, websites etc. and to advise appropriate staff on its content | Executive Director of Environmental Services |
| | | Head of Land Services |
| | | Head of Planning and Development |
| 15 | Section 11 – Following consultation with the North Lanarkshire Access Forum, to determine requests to exempt land from access rights for a period of up to 6 days | Executive Director of Environmental Services |
| | | Head of Land Services |
| | | Head of Planning and Development |
| 16 | Section 14(2) – Where an owner of land in respect of which access rights are exercisable prevents or deters any person from exercising their rights in terms of this Act, to serve a Notice on the owner of the land requiring remedial action, as specified in the Notice, requiring him to take such action to allow access within such reasonable time as so specified | Executive Director of Environmental Services |
| | | Head of Land Services |
| | | Head of Planning and Development |
| 17 | Section 18(8) – Following adoption of the plan, to give public notice of its adoption, maintain a list of core paths, retain any plans, maps etc. for public inspection and for sale at a reasonable price and to send a copy to the Scottish Ministers | Executive Director of Environmental Services |
| | | Head of Land Services |
| | | Head of Planning and Development |
| 18 | Section 21 – To enter into agreements with landowners to delineate pathways | Executive Director of Environmental Services |
| | | Head of Land Services |
| | | Head of Planning and Development |

