

**ABERDEENSHIRE COUNCIL****SKYPE MEETING, 14 JANUARY, 2021**

**Present:** Councillors K Adam, W Agnew, D Aitchison, A Allan, P Argyle, N Baillie, D Beagrie, L Berry, A Bews, G Blackett, R Bruce, C Buchan, M Buchan, S Calder, G Carr, R Cassie, J Cox, I Davidson, S Dickinson, A Duncan, E Durno, A Evison, M Ewenson, A Fakley, M Findlater, M Ford, A Forsyth, P Gibb, J Gifford, V Harper, A Hassan, W Howatson, J Hutchison, M Ingleby, J Ingram, P Johnston, A Kille, A Kloppert, J Latham, S Leslie, D Lonchay, L McAllister, R McKail, A McKelvie, D Mair, I Mollison, G Owen, H Partridge, G Petrie, C Pike, G Reid, G Reynolds, D Robertson, A Ross, M Roy, A Simpson, H Smith, N Smith, A Stirling, I Sutherland, I Taylor, B Topping, A Wallace, L Wilson, R Withey and J Whyte.

**Apologies:** Councillors A Buchan, F Hood, S Smith and I Walker.

**Officers:** Chief Executive, Director of Business Services, Director of Education and Children's Services, Acting Director of Infrastructure Services, Interim Chief Officer Health and Social Care Partnership, Chief Social Work Officer, Head of Service (Finance), Head of Service (Legal & People), Head of Service (Customer and Digital Services), Head of Service (Planning and Environment) and Principal Committee Services Officer.

**CHAIR**

Councillor W Howatson, Provost of the Council, presided.

**ANNOUNCEMENTS**

Prior to consideration of the business of the meeting, the Provost referred to 6 people from the North East of Scotland who had been honoured in the New Year's Honours List and congratulated Vinaykant Ruparelia MBE, for services to Local Enterprise, Tourism and to the community in Portsoy, Banffshire; Jackie Stuart BEM, Tour Guide, Peterhead Prison Museum for services to Law and Order and to Cultural Heritage; Jennifer Lee BEM, Founder Beulah Drop-In Café, for services to Art and to Social Inclusion in Aberdeenshire; Des Cheyne BEM, for services to the community in Banff during the Covid-19 Response; Melanie Shand BEM, for services to the Arts and to the community in Aberdeenshire during the Covid-19 pandemic, and Patricia Robins BEM, for services to Charity and the community in Aberdeenshire.

**1. DECLARATION OF MEMBERS' INTERESTS**

The Provost asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct. No declarations were intimated.

**2. STATEMENT ON EQUALITIES**

In making decisions on the following items of business, the Council **agreed**, in terms of Section 149 of the Equality Act, 2010:-

- (1) to have due regard to the need to:-
  - (a) eliminate discrimination, harassment and victimisation;
  - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
  - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

### 3. MINUTES

#### (1) MINUTE OF MEETING OF ABERDEENSHIRE COUNCIL OF 19 NOVEMBER, 2020

There had been circulated and was **approved** as a correct record the Minute of Meeting of Aberdeenshire Council of 19 November, 2020 subject to the Community Spirit Award to Pieter voor de Poorte being included under the list of Inspiring Aberdeenshire winners.

#### (2) MINUTE OF SPECIAL MEETING OF ABERDEENSHIRE COUNCIL OF 19 NOVEMBER, 2020

There had been circulated and was **approved** as a correct record the Minute of Special Meeting of Aberdeenshire Council of 19 November, 2020.

### 4. PLANNING APPLICATION - APP/2020/1437 LAND TO WEST OF KINTORE ELECTRICITY SUBSTATION, LEYLODGE, KINTORE

With reference to the Minute of Meeting of the Garioch Area Committee of 1 December, 2020 (Item 5), a report dated 2 December, 2020 by the Director of Infrastructure Services had been circulated requesting consideration of an application for Full Planning Permission for National for Electricity Substation Comprising Platform Area, Control Building, Associated Plant and Infrastructure, Ancillary Facilities, Landscape Works and Road Alterations and Improvement Works on Land to the West of Kintore Electricity Substation, Leylodge, Kintore, Aberdeenshire

The report explained that this was an application for national development which required to be determined by Full Council, following consultation with the Garioch Area Committee.

The Provost advised that a request to speak had been received from the applicant and the Council **agreed** to hear from speakers prior to determination of the application.

The following speakers then joined the meeting –

Tommy Hart – Town Planning Specialist  
Stephen Clark – Consents and Environment Manager  
Eric Donnelly – Noise Consultant.

The Head of Planning and Environment Services introduced the report, outlined the nature and scale of the proposed development including the principle of development on the site; environmental, landscape, visual and amenity impact; noise emission including proposed mitigation measures; response to questions raised by the Garioch Area Committee on landscaping and screening which had been included in the report; and feedback received from the Flood Risk and Coastal Protection team who were now confident matters previously highlighted could be resolved.

He then responded to a question on the preferred use of native species for tree planting which he confirmed would be addressed as part of the conditions proposed.

Mr Hart then addressed Council and outlined the nature of the development, made reference to the principle of development established on the site through applications previously submitted and to the extant planning consent in place, explained that changes in the transmission network had required some modification to the proposal and this had provided the opportunity to house the majority of the infrastructure within a building which would limit the visual impact of the development, reminded Members that the development formed part of a wider electricity transmission infrastructure upgrade within the north east of Scotland, advised that material issued raised through representations received would be addressed appropriately by the conditions proposed and confirmed action taken with regard to noise emission. In conclusion he welcomed the positive recommendation from the planning service and requested that Council support the application.

There were no questions from Members and the Chair thanked Mr Hart for his contribution.

During discussion, the Head of Planning and Environment Services responded further to questions from members on the nature of the screening proposed and whether that included native and fast-growing species and on mitigation measures in respect of potential noise nuisance and loss of amenity which he considered were adequately provided for in the conditions proposed.

Thereafter, the Council **agreed:**

- (1) to delegate authority to the Head of Planning and Environment Services to grant the application subject to:
  - (a) confirmation from Infrastructure Services (Flood Risk and Coastal Protection) that there are no objections to the application following conclusion of their assessment.
  - (b) conditions on the following matters:
    1. No works in connection with the development hereby approved shall commence unless full details of an ongoing annual monitoring regime concerned with Private Water Supplies covering both temporary and

permanent infrastructure on site has been submitted to and agreed in writing with the Planning Authority in consultation with SEPA. The monitoring regime shall set out an agreeable format and methodology for the consideration of results and shall confirm and consider the following details:

- Monitoring should include at least 3 months of baseline monitoring prior to construction and then post construction monitoring for a timeframe to be agreed.
- The design, construction and maintenance of all infrastructure must ensure that the quality and quantity of the groundwater that feeds sensitive receptors (groundwater abstractions) downstream from any infrastructure does not statistically significantly change and the development does not act as a preferential pathway to groundwater flow. This must be demonstrated by on-going monitoring of the groundwater as set out in SEPA Technical Guidance Note 1. The Monitoring of Infrastructure with Excavations Less than 1m Deep within 100m of Sensitive Receptors (Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystem) (Appendix 5 to SEPA Planning Guidance LUPS-31 Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystem).
- The monitoring results demonstrating whether the quality of groundwater and/or hydrological connectivity is being maintained must be presented to the Planning Authority in consultation with SEPA annually from the commencement of development in an agreed format. If monitoring identifies that the requirements are not being met, remedial action must be taken within 6 months in agreement with the Planning Authority in consultation with SEPA.
- No excavations greater than 1m deep within 100m of sensitive receptors should take place unless agreed in writing with the Planning Authority in consultation with SEPA.

Thereafter the development shall be carried out in full accordance with the approved details and the monitoring results should continue to be submitted for review annually.

Reason: In order to prevent potential unacceptable environmental impacts to sensitive receptors including groundwater abstractions and/or groundwater dependent terrestrial ecosystems.

2. No works in connection with the development hereby approved shall commence unless a site protection plan has been submitted to and approved in writing by the Planning Authority. Site protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:
  - a. The location of the historic environment features to be protected during construction works; and
  - b. The position and details of the warning signs and protective fencing to be erected.

No works in connection with the development hereby approved shall commence unless the site protection measures have been implemented in full in accordance with the approved details. All protective fencing and warning signs shall be retained during the construction period in accordance with the approved details and no works shall take place at any time within the protected areas.

Reason: In the interests of protecting known features of the historic environment.

3. No works in connection with the development hereby approved shall commence unless a detailed scheme of hard and soft landscaping works, generally in accordance with Planting Mitigation drawing *119018-D-EA-4.4-1.0.0 dated 27.7.20* has been submitted to and approved in writing by the Planning Authority. Details of the Scheme shall include:

- Confirmed planting species mix.
- Confirmed locations of new planting including shrubs and trees.
- A schedule of planting to comprise plant sizes (including fast growing species) and proposed numbers and density.
- The location, design and materials of all hard landscaping works including perimeter/security fencing and any gates or other boundary treatments.
- A programme for the implementation, completion and subsequent management of the proposed landscaping.
- Confirmation of the areas of tree planting proposed as compensation for any woodland removal on site as a result of the development.
- Confirmation and full details, cross sections and construction timings of any proposed landscape bunding on site.
- Confirmation of the Biodiversity Net Gain on site.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

4. No works in connection with the development hereby approved shall commence until a site-specific Site Waste management Plan (SWMP) has been submitted and approved by the Planning Authority in

consultation with SEPA. The SWMP shall set out how demolition and construction waste associated with the application site shall be minimised, recovered, stored, reused and disposed of. Thereafter the development and the management of waste on site shall be carried out in full accordance with the approved SWMP.

Reason: In order to improve materials resource efficiency and ensure the appropriate management and disposal of waste from development sites.

5. No works in connection with the permission hereby granted shall commence unless a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland (where the scheme would impact upon the Trunk Road network). The CTMP must include:
- i) The proposed routing of all construction traffic.
  - ii) Details of any traffic management measures proposed during construction (including signage).
  - iii) Detail of any abnormal loads, including their routing.

Thereafter, the development shall be carried out in accordance with the approved CTMP, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of road safety and to avoid degradation of the road and bridge network.

6. No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) shall commence unless a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The CEMP shall be generally in accordance with the Outline CEMP dated June 2020 and alongside the contents therein shall include the following:
- i) Risk assessment of potentially damaging construction activities.
  - ii) Identification of biodiversity protection zones.
  - iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - iv) The location and timing of sensitive works to avoid harm to biodiversity features.
  - v) The times during construction when specialist ecologists need to be present on site to oversee works.
  - vi) Responsible persons and lines of communication.
  - vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - viii) Use of protective fences, exclusion barriers and warning signs.
  - ix) Details of lighting, both during construction and operation of the site.
  - x) Hours of operation during the construction period.

- xi) Details of barrier fencing and where this will be erected to protect wetland areas.
- xii) Tree Protection Plan and a plan showing position of barrier fencing to protect trees during construction.
- xiii) Water Management Plan covering separately the operational and constructions stages of the project.

In the event that the CEMP references other SHE Transmission documents, including (but not limited to) General Environmental Management Plans (GEMPs) or Species Protection Plans (SPPs), these plans must be also be submitted to Aberdeenshire Council for agreement as part of the wider CEMP.

All works carried out during the construction period shall be undertaken strictly in accordance with the approved CEMP, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of protecting the biodiversity of the environment, the amenity of the surrounding area and road safety.

7. The proposal shall be carried out in accordance with the details contained within the Species Protection Plans (SPP) submitted in support of the application. For the avoidance of doubt the submitted SPPs are:
- i) Badger Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-501, Revision: 1.01, Issue Date: March 2018
  - ii) Bat Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-502, Revision: 1.01, Issue Date: March 2018
  - iii) Bird Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-505, Revision: 1.01, Issue Date: May 2018
  - iv) Freshwater Pearl Mussel Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-500, Revision: 1.01, Issue Date: January 2018
  - v) Otter Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-503, Revision: 1.01, Issue Date: April 2017
  - vi) Red Squirrel Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-504, Revision: 1.01, Issue Date: May 2018
  - vii) Water Vole Species Protection Plan, SSE Networks, Ref: TG-NET-ENV-506, Revision: 1.01, Issue Date: May 2018

Development shall be carried out in accordance with these documents unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of protecting biodiversity and more specifically protected species which are evident in the area.

8. No development shall take place unless, full details and samples of the finish and specification of materials to be used on the Substation and associated plant or ancillary buildings, including noise enclosures, have been submitted to and approved, in writing, by the Planning Authority.

The buildings and plant shall thereafter be constructed and finished in full accordance with the agreed specification.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

9. Waste water from the development shall be disposed of by means of a treatment plant (Klargester biodisc or equivalent to be agreed in writing with the Planning Authority in consultation with relevant consultees including SEPA) discharging to a full land soakaway unless otherwise agreed in writing with the Planning Authority in consultation with SEPA. Any alternative arrangement will require to be submitted for approval at least 2 months prior to construction commencing on site.

Reason: In order to ensure a satisfactory standard of foul drainage in the interests of amenity and protection of the water environment.

10. Noise from the approved substation development shall not exceed the background noise level, as measured at a proxy location to be agreed with the planning authority, when measured, rated and assessed in accordance with BS4142:2014 (or any subsequent update thereof), or through an alternative noise assessment mechanism to be agreed in writing by the Planning Authority, within the boundary of any noise sensitive property or other suitable location dependant on noise assessment methodology as agreed in writing by the Planning Authority.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

11. Noise from the approved substation development shall not exceed Noise Rating 20 (NR20), as detailed in BS8233:2014 (or any subsequent update thereof), or through an alternative noise assessment mechanism to be agreed in writing by the Planning Authority, when measured within a habitable room of any noise sensitive dwelling or other suitable location dependant on noise assessment methodology as agreed in writing by the Planning Authority.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

- (2) the following Direction:

**DIRECTION UNDER SECTION 58 (2) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by Planning etc. (Scotland) Act 2006:**

That subsection (1) of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply in respect of the permission, with the substitution of the period of three years referred to in that subsection with the period of five (5) years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of section 5(1) shall therefore be read as follows:

The planning permission is to lapse on the expiration of a period of five (5) years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

(3) the reason for the decision as follows -

The proposal and mitigation measures set out and contained therein are considered to be acceptable in terms of the relevant Policies contained within the Aberdeenshire Local Development Plan 2017. The proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework's aim to move Scotland towards creating a low carbon place.

## 5. COVID-19 UPDATE

There had been circulated a report dated 5 January, 2021 by the Chief Executive providing an update on the Council's response to the ongoing COVID-19 pandemic as a Category 1 Responder and work being done on the recovery phase. The report highlighted key areas for consideration including impact on staff availability, prioritisation of services, virus suppression, the delivery of the vaccination programme and stay at home restrictions and provided a timeline of key events and milestones relating to the pandemic.

Having heard from the Chief Executive and following a full discussion, the Council **agreed** to note the ongoing response of the Council as a Category 1 Responder under the Civil Contingencies Act and work being done on the Recovery phase, and that the Chief Executive would continue to work with the Scottish Government to improve and simplify public communications in this respect.

## 6. HEALTH AND SOCIAL CARE ANNUAL PERFORMANCE REPORT 2019/20

A report dated 3 December, 2020 by the Interim Chief Officer, Aberdeenshire Health and Social Care Partnership, had been circulated on the publication of the Aberdeenshire Health and Social Care Partnership (HSCP) Annual Report for 2019/20. The report (1) advised that Section 42 of the Public Bodies (Joint Working) (Scotland) Act 2014 required a performance report to be produced by integration authorities and published annually providing an open account of their performance in relation to planning and delivery of health and social care services for which they were responsible, (2) explained that publication of the annual report for 2019/20 had been postponed to 31 October, 2020 due to the impact of Covid-19 and consequently data against some of the national indicators was not yet available, (3) provided information on how the Partnership had performed against its five strategic priorities whilst demonstrating how this aligned with the delivery of the national Health and Wellbeing Outcomes, (4) highlighted work undertaken during the year relevant to each strategic priority, including more detailed examples of projects, initiatives and case studies, and (5) acknowledged the enormous impact and significant changes brought by Covid-19 for local communities and health and social care services towards the end of the 2019/20 year.

The Interim Chief Officer introduced the report and responded to Members questions on the need (1) for ongoing monitoring of the commitment under the Equalities Mainstreaming report to reach out to people, (2) to continue to improve and monitor iMatter Strand Scores, (3) for greater transparency in terms of decision making and more effective communication with carers, and (4) for an update to Appendix 2 of the report in respect of voting and non-voting members of the Integration Joint Board (IJB).

The Council also heard from the Chair of the IJB, who congratulated the Interim Chief Officer and her Team on their performance and achievements over 2019/20.

Thereafter, the Council **acknowledged** the Aberdeenshire HSCP Annual Performance Report for 2019/20.

## **7. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2019/2020**

There was circulated a report dated 18 November, 2020 by the Chief Social Work Officer (CSWO) introducing the CSWO Annual Report for the financial year 2019/20. The report (1) stated that the preparation of the CSWO Annual Report was recommended in Scottish Government guidance and was concerned with highlighting particular overarching themes and trends, and also key areas concerning the proper discharge of the social work function that might not have been addressed elsewhere; (2) explained that Council Committees and the Integration Joint Board received reports throughout the year on the performance of the social work service as measured against a range of national and local indicators, and also received reports on particular initiatives and issues; (3) advised that as part of the process of sharing the annual report, it had been presented to the Integration Joint Board, the Education and Children's Services and the Communities Committees; and (4) demonstrated that the service was performing well in most key areas and, in those areas where improvement was required, timely and effective remedial measures had been put in place.

The Chief Social Work Officer introduced the report and responded to Members questions and comments on the potential increase in domestic abuse during lockdown and need for support mechanisms to be available; the challenges in recruiting foster carers and prospective adopters and the need for assurance that this work was being prioritised; and on data available in terms of support required for those suffering from post Covid complications.

The Council also heard from the Chair of Communities Committee and the IJB and **agreed:**

- (1) to approve the Chief Social Work Officer Annual Report for the 2019/20 financial year in relation to Social Work Services as detailed in Appendix 1 to the report;
- (2) to acknowledge the level of investment by the Council in Adult Social Work Services for the residents of Aberdeenshire; and
- (3) to acknowledge the commitment of social work staff in the consistent delivery of high performing services.

## 8. PROPOSED ABERDEENSHIRE LOCAL DEVELOPMENT PLAN 2020 – UPDATE

With reference to the Minute of Meeting of 5 March, 2020 (Item 5) when the final content of the Proposed Local Development Plan (LDP) had been approved as the settled view of the Council as to the form and content of the Aberdeenshire Local Development Plan 2021, there was circulated a report dated 17 December, 2020 by the Head of Planning and Environment Services on the outcome of the statutory public consultation process on the Proposed LDP and seeking approval of the arrangements for its submission to the Directorate of Planning and Environmental Appeals (DPEA) for Examination.

The report advised that (1) 1390 representations and 4390 individual comments had been received and outlined the main themes coming out of the public consultation, (2) Officers had reviewed the representations received and did not anticipate that any would result in the Proposed LDP requiring significant modification, (3) any unresolved matters arising from the public consultation would be presented to and considered by the Directorate of Planning and Environmental Appeals (DPEA) as part of the Examination in due course, and (4) minor technical changes or 'non-notifiable modifications' may be made by the Head of Planning and Environment Services to the Proposed LDP to update references or factual information, given the time now lapsed since the Proposed LDP was drafted, and that this would be highlighted via the Schedule 4 submission as part of the Examination arrangements.

The Head of Planning and Environment Services introduced the report and made reference to the main themes coming out of the public consultation including objections to the proposed opportunity sites (OP1 and OP2) at Potterton and challenges to the future housing land supply.

At this stage in the proceedings, the Council agreed to suspend Standing Order 2.1.2 to conclude determination of this item before breaking for lunch.

The Head of Planning and Environment Services then responded to questions from Members on the precise nature of engagement undertaken during the public consultation process, what residents could expect in terms of engagement with the DPEA Reporter and opportunities to further improve future communications with communities in this connection.

Thereafter, the Council **agreed**:

- (1) to note the outcome of the Proposed LDP Public Consultation process;
- (2) that in the absence of new and/or significant issues being identified through the Proposed LDP Public Consultation, no significant modifications to the Plan are required;
- (3) to delegate authority to the Head of Planning and Environment Services to make any minor technical changes or 'non-notifiable modifications' to the Proposed LDP (to update references or factual information) where necessary, prior to submission for Examination;

- (4) that the Head of Planning and Environment Services submit the Proposed LDP to the Directorate of Planning and Environmental Appeals (DPEA) for Examination; and
- (5) to note that further discussion would take place with Area Management Teams on potential improvements which could be made in respect of the public consultation process for the Local Development Plan in future.

## **9. APPOINTMENT OF CHAIR OF LOCAL REVIEW BODY AND VICE CHAIR OF COMMUNITIES COMMITTEE**

There was circulated a report dated 17 December, 2020 by the Director of Business Services seeking (1) the appointment of a Chair of the Local Review Body, following the resignation of Councillor Hood from that position, and (2) the appointment of a Vice Chair of the Communities Committee, following the resignation of Councillor Mair from that position.

The Council **agreed** to:

- (1) note the resignation of Councillor Hood as the Chair of the Local Review Body;
- (2) note the resignation of Councillor Mair as the Vice Chair of the Communities Committee;
- (3) to appoint Councillor Hutchison as the Chair of the Local Review Body with immediate effect; and
- (4) to appoint Councillor Whyte as the Vice Chair of the Communities Committee with immediate effect.

## **10. REVIEW OF SCHEME OF GOVERNANCE**

There was circulated a report dated 29 December, 2020 by the Director of Business Services notifying Council of proposed changes required to the Scheme of Governance at Parts 1 (Standing Orders), 2A (List of Committee Powers), 2B (List of Officers Powers) and 3 (Financial Regulations) following an annual review. The report explained (1) that the majority of changes proposed had been identified throughout the course of the Council's ordinary business and not as a direct consequence of issues arising from the COVID-19 pandemic, (2) that the Scheme in its original form had allowed both officers and Members to respond effectively during the pandemic to the needs of communities through the use of existing delegations, (3) that the emergency addendum added on 18 March, 2020 had provided greater flexibility in the Council's governance structure by allowing for wholly virtual meetings to take place and providing for the establishment of a Consolidated Business Committee in the event that it became impossible to continue decision making through the existing structure, which to date had not been required, and (4) that it was proposed to replace the current Vacation Committee with a Consolidated Business Committee to ensure that the Council was equipped to respond to severe business disruption at short notice in future.

The Council **agreed** -

- (1) to note the proposed changes to Parts 1, 2 and 3 of the Scheme of Governance as detailed in Appendix 1 of the report;
- (2) unanimously, to suspend Standing Order 9.1 to dispense with the two-stage process in respect of the changes to the remit for the procurement of utilities contracts to enable the remit to be transferred to Business Services Committee with immediate effect;
- (3) to note that a further report would be submitted to the next meeting of Full Council on 11 February 2021 seeking approval for the remaining changes including an amendment to the consultation requirements for the Chief Executive prior to convening a meeting of the Consolidated Business Committee which would include the Provost, Leader and Main Opposition Spokesperson only; and
- (4) to note the proposal to revise the Guidance on the use of Skype for Business at Council Meetings under Part 4 of the Scheme of Governance which would be reported back to a future meeting for approval.

## 11. REVIEW OF COVID-19 GOVERNANCE

There had been circulated a report dated 29 December, 2020 by the Director of Business Services seeking a review of the governance arrangements implemented in 2020 in response to the Covid-19 pandemic which included (1) the adoption of a new Part 5 to the Scheme of Governance (Supplementary Addendum in response to Covid-19 Pandemic) to facilitate remote participation at meetings and provide a single source of consolidated decision making in the event of significant disruption preventing the Council from carrying out business in the usual way, (2) the establishment of a Covid-19 Recovery Reference Group to oversee the transition from the response phase of the pandemic, and (3) wholly virtual meetings of Council and Committees including the use of electronic agendas and arrangements for reporting on Officers' use of Special Urgency Powers.

The Council **agreed:**

- (1) to note the current governance arrangements implemented in response to the Covid-19 pandemic as set out in the report;
- (2) that the Covid-19 Recovery Reference Group be disestablished with immediate effect;
- (3) that virtual meetings continue as the default position for meetings of the Council and its Committees until a further review on 29 April 2021;
- (4) that Part 5 of the Scheme of Governance (Supplementary Addendum in response to Covid-19 Pandemic) be revoked; and
- (5) to receive biannual reports on Officers' use of Special Urgency Powers in future; and

- (6) to continue to receive a Statement of Outstanding Business at each ordinary meeting of the Council, as required.

## **12. RESPONSE TO CONSULTATION ON COUNCILLORS CODE OF CONDUCT**

With reference to the Minute of Meeting of the Council of 19 November, 2020 (Item 11) when it had been agreed to gather views on the revised Code of Conduct through a series of drop-in sessions with Members, there had been circulated a report dated 29 December, 2020 by the Director of Business Services (1) advising that three drop-in sessions had been held in December 2020, (2) providing a summary of feedback received as a result, and (3) seeking consideration and approval of a draft response to the consultation attached as Appendix 1 to the report.

The Council **agreed** the response to the consultation on the review of the Councillors' Code of Conduct as detailed in Appendix 1 of the report.

## **13. STATEMENT OF OUTSTANDING BUSINESS**

There had been circulated a report dated 3 December, 2020 by the Director of Business Services on items of business previously scheduled to be reported back to Council and proposing action to be taken as a result of restrictions on travel and other activities implemented in respect of the COVID-19 pandemic.

The Council **approved** the arrangements for dealing with outstanding business as detailed in the Appendix to the report.