

FC9. Covid – 19 Interim Decision Making Structure

Council considered a report by the Director of Corporate and Housing Services setting out proposals for decision making for the period to 30 September 2020. The report also proposed a change to the way in which planning applications for national developments and major developments that are significantly contrary to the development plan are determined.

At its meeting on 6 May 2020 Council had revised its decision making structure to allow the Council to respond to the emerging situation regarding the Covid-19 pandemic and its impact. An Emergency Executive was introduced, temporary procedures for Planning Committee were introduced and the programme of non-regulatory committee meetings was suspended for the period to 25 June when the summer recess would begin.

It was proposed that the Emergency Executive be retained as the Council's decision making body for a further period to 30 September and that the remit was expanded to 'take all decisions for the Council (other than in regulatory matters) where the decisions were necessary to allow the Council to respond to the emergency situation, to plan for recovery, are significant or otherwise time critical'. It was proposed to shorten the recess period and that the first meeting of the Emergency Executive would be on 6 August with meetings fortnightly thereafter. It was also proposed that the programme of meetings for August and September be reintroduced and that all meetings would continue to be held remotely, by video. Other proposals in regard to the running of meetings were also made.

Additionally, it was recommended that Council delegate the authority to determine planning applications for national developments and major developments that are significantly contrary to the development plan to the Planning Committee. Previously such matters had required to be determined by Council. However, the Planning (Scotland) Act 2019 has removed the requirement for Council to be the decision making body.

Councillor Meiklejohn, seconded by Councillor Garner moved that Council:-

- (1) approves the interim decision making arrangements set out in paragraph 4 of the report for the period 6 August until 30 September 2020;
- (2) agrees to move to a hybrid/blended model of committee meetings in the event that the transition phase 4 of the Scottish Government's route map out of the Coronavirus takes place during the period;
- (3) agrees to delegate the power to determine planning applications for national developments and major applications that are significantly contrary to the development plan to the Planning Committee and instructs the Chief Governance Officer to make the necessary amendments to Standing Orders, and
- (4) agrees to shorten the recess from 30 June 2020 - 25 August 2020 to 30 June 2020 - 6 August 2020 and to give Chief Officers delegated

powers - in consultation with the Leader of the Council and Leaders of the main opposition groups, or the relevant portfolio holder or, as appropriate, the relevant committee convener or depute convener - to determine urgent items of business during the summer recess and to report the decisions taken to the first meeting of the Emergency Executive thereafter, provided that any such decision:-

- (i) is required to secure the proper delivery of Council Services and to comply with the Council's statutory duties;
- (ii) does not involve expenditure of Council monies outwith the approved Revenue and Capital Programme;
- (iii) does not involve an increase in the permanent establishment of the particular Service; and
- (iv) involves no dispute as to legality, propriety or the proper interpretation of Council policy as affecting the decision

As an amendment Councillor Bissett, seconded by Councillor Nimmo moved the terms of the motion subject to the substitution of clause (4) with the following:-

- (4) agrees to shorten the recess from 30 June 2020 – 25 August 2020 to 30 June 2020 – 6 August and to give Chief Officers delegated powers in consultation with the Leader of the Council and the Leaders of the main opposition groups, with the proviso that a meeting of the Emergency Executive should take place if any significant decision is required.

Following discussion, Councillor Meiklejohn, with the consent of the Provost, and Councillor Garner, as her seconder, agreed to substitute clause (4) of her motion with that set out in the amendment.

Decision

Council:-

- (1) approved the interim decision making arrangements set out in paragraph 4 of the report for the period 6 August until 30 September 2020;**
- (2) agreed to move to a hybrid/blended model of committee meetings in the event that the transition phase 4 of the Scottish Government's route map out of the Coronavirus takes place during the period;**
- (3) agreed to delegate the power to determine planning applications for national developments and major applications that are significantly contrary to the development plan to the Planning Committee and instructs the Chief Governance Officer to make the necessary amendments to Standing Orders; and**
- (4) agreed to shorten the recess from 30 June 2020 – 25 August 2020 to 30 June 2020 – 6 August and to give Chief Officers delegated**

powers in consultation with the Leader of the Council and the Leaders of the main opposition groups, with the proviso that a meeting of the Emergency Executive should take place if any significant decision is required.