

Minute

General Meeting of the Council

Tuesday, 6 October 2020, 10:30.

Microsoft Teams.



Present

Councillors J Harvey Johnston, Alexander G Cowie, Norman R Craigie, Robin W Crichton, David Dawson, Andrew Drever, Barbara Foulkes, Steven B Heddle, Rachael A King, W Leslie Manson, John T Richards, Stephen Sankey, John A R Scott, Gwenda M Shearer, Graham L Sinclair, James W Stockan, Magnus O Thomson, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Gavin Mitchell, Head of Legal Services.

In Attendance

- John W Mundell, Interim Chief Executive.
- Gavin Barr, Executive Director of Development and Infrastructure.
- Gillian Morrison, Interim Chief Officer/Executive Director, Orkney Health and Care.
- James Wylie, Executive Director of Education, Leisure and Housing.
- Gareth Waterson, Head of Finance.
- Karen Greaves, Head of Executive Support.
- Hazel Flett, Senior Committees Officer.

Observing

- David Hartley, Communications Team Leader.

Apology

- Councillor Stephen G Clackson.

Declarations of Interest

- Councillor Andrew Drever – Item 12.1.
- Councillor John T Richards – Item 12.1.
- Councillor Stephen Sankey – Item 12.1.
- Councillor John A R Scott – Item 12.1.
- Councillor Gwenda M Shearer – Item 12.1.

Chair

- Councillor J Harvey Johnston, Convener.

1. Special General Meeting of the Council

Minute of Meeting held on 30 June 2020

On the motion of Councillor James W Stockan, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Special General Meeting of the Council held on 30 June 2020 as a true record.

2. Planning Committee

Minute of Meeting held on 1 July 2020

On the motion of Councillor Robin W Crichton, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 1 July 2020 as a true record.

3. Special General Meeting of the Council

Minute of Meeting held on 13 August 2020

On the motion of Councillor J Harvey Johnston, seconded by Councillor James W Stockan, the Council resolved to approve the Minute of the Special General Meeting of the Council held on 13 August 2020 as a true record.

4. Planning Committee

Minute of Meeting held on 19 August 2020

On the motion of Councillor Robin W Crichton, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 19 August 2020 as a true record.

5. Licensing Committee

Minute of Meeting held on 20 August 2020

On the motion of Councillor Duncan A Tullock, seconded by Councillor Barbara Foulkes, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 20 August 2020 as a true record.

6. Monitoring and Audit Committee

Minute of Meeting held on 27 August 2020

On the motion of Councillor John T Richards, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Monitoring and Audit Committee held on 27 August 2020 as a true record.

7. Planning Committee

Minute of Meeting held on 2 September 2020

On the motion of Councillor Robin W Crichton, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Planning Committee held on 2 September 2020 as a true record.

8. Development and Infrastructure Committee

Minute of Meeting held on 8 September 2020

On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, the Council resolved to approve the Minute of the Meeting of the Development and Infrastructure Committee held on 8 September 2020 as a true record, with the exception of Items 10 and 11, which were moved by Councillor Graham L Sinclair and seconded by Councillor James W Stockan.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Development and Infrastructure Committee held on 8 September 2020.

9. Education, Leisure and Housing Committee

Minute of Meeting held on 9 September 2020

On the motion of Councillor Gwenda M Shearer, seconded by Councillor Alexander G Cowie, the Council resolved to approve the Minute of the Meeting of the Education, Leisure and Housing Committee held on 9 September 2020 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Education, Leisure and Housing Committee held on 9 September 2020.

10. Orkney Health and Care Committee

Minute of Meeting held on 10 September 2020

On the motion of Councillor Rachael A King, seconded by Councillor Stephen Sankey, the Council resolved to approve the Minute of the Meeting of the Orkney Health and Care Committee held on 10 September 2020 as a true record.

11. Licensing Committee

Minute of Meeting held on 11 September 2020

On the motion of Councillor Duncan A Tullock, seconded by Councillor Barbara Foulkes, the Council resolved to approve the Minute of the Meeting of the Licensing Committee held on 11 September 2020 as a true record.

12. Policy and Resources Committee

Minute of Meeting held on 22 September 2020

On the motion of Councillor James W Stockan, seconded by Councillor W Leslie Manson, the Council resolved to approve the Minute of the Meeting of the Policy and Resources Committee held on 22 September 2020 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Policy and Resources Committee held on 22 September 2020, subject to the following item of amendment:

12.1. Pickaquoy Centre Trust – Budget Shortfall

Councillors Andrew Drever, John T Richards, Stephen Sankey, John A R Scott and Gwenda M Shearer declared non-financial interests in this item, being Council-appointed trustees of the Pickaquoy Centre Trust, but concluded that their interests did not preclude their involvement in the discussion.

After hearing representations from Councillor John A R Scott, the Council resolved:

12.1.1. That matters relating to the budget shortfall experienced by the Pickaquoy Centre Trust be referred back to the Policy and Resources Committee for further consideration.

13. Monitoring and Audit Committee

Minute of Meeting held on 24 September 2020

On the motion of Councillor John T Richards, seconded by Councillor David Dawson, the Council resolved to approve the Minute of the Meeting of the Monitoring and Audit Committee held on 24 September 2020 as a true record, with the exception of Item 5.3, which was moved by Councillor David Dawson and seconded by Councillor John A R Scott.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Meeting of the Monitoring and Audit Committee held on 24 September 2020.

14. Local Review Body

Minute of Meeting held on 25 September 2020

On the motion of Councillor Robin W Crichton, seconded by Councillor John A R Scott, the Council resolved to approve the Minute of the Meeting of the Local Review Body held on 25 September 2020 as a true record.

15. Policy and Resources Committee

Minute of Special Meeting held on 1 October 2020

On the motion of Councillor James W Stockan, seconded by Councillor W Leslie Manson, the Council resolved to approve the Minute of the Special Meeting of the Policy and Resources Committee held on 1 October 2020 as a true record.

The Council thereafter resolved to approve the recommendations contained in the Minute of the Special Meeting of the Policy and Resources Committee held on 1 October 2020.

Councillor Magnus O Thomson joined the meeting at this point.

16. Governance Arrangements

After consideration of a report by the Chief Executive, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Executive Support, the Council:

Noted:

16.1. That, at the Special General Meeting held on 23 March 2020, the Council agreed temporary amendments to the Standing Orders, attached as Appendix 1 to the report by the Chief Executive, in order to facilitate efficient and timely decision making in response to the Coronavirus Pandemic.

16.2. That the cycle of formal service Committee and Sub-committee meetings resumed following the summer recess, with the continuation of remote/virtual attendance.

16.3. That, as the Scottish Government had not entered into Phase 4 of easing of restrictions, the proposal that the cycle of council meetings continue to be held virtually using Microsoft Teams.

16.4. That conducting Council meetings virtually would remain under review, in line with the Scottish Government's phased easing of lockdown restrictions, and considered no later than the General Meeting of the Council to be held on 2 March 2021.

16.5. That, in order to facilitate the smooth running of virtual meetings using Microsoft Teams, a protocol had been developed, attached as Appendix 2 to the report by the Chief Executive.

The Council resolved:

16.6. That the temporary amendments to the Standing Orders, referred to at paragraph 16.1 above, should continue to remain in place, to be reviewed no later than the General Meeting of the Council to be held on 2 March 2021.

16.7. That the protocol for remote attendance, attached as Appendix 1 to this Minute, be approved and appended to the Council's Standing Orders.

16.8. That powers be delegated to the Chief Executive to amend and thereafter publish the Council's Standing Orders to reflect the addition of the protocol, referred to at paragraph 16.7 above.

16.9. That, in order to allow flexibility, the temporary suspension of the policy of undertaking site inspections for all planning applications subject to a local review, prior to meeting to consider the review, should remain in place, to be reviewed no later than the General Meeting of the Council to be held on 2 March 2021.

Councillor Magnus O Thomson left the meeting during consideration of this item.

17. Orkney and Shetland Valuation Joint Board

Appointment of Members

After consideration of a report by the Chief Executive, copies of which had been circulated, the Council:

Noted:

17.1. Existing Council membership of the Orkney and Shetland Valuation Joint Board as follows:

- Substantive Members:
 - Councillor Stephen G Clackson.
 - Councillor David Dawson.
 - Councillor Andrew Drever.
 - Councillor J Harvey Johnston.
 - Councillor John A R Scott.
- Substitutes:
 - Councillor Barbara Foulkes.
 - Councillor Steven B Heddle.

17.2. That, following the resignations of Councillors Stephen G Clackson and John A R Scott, two vacancies existed for substantive members on the Orkney and Shetland Valuation Joint Board.

17.3. That the appointments made to fill the vacancies on the Orkney and Shetland Valuation Joint Board would last for the remainder of the term of this Council, namely until May 2022.

The Council resolved:

17.4. That the following members be appointed to the vacancies on the Orkney and Shetland Valuation Joint Board:

- Councillor Robin W Crichton.
- Councillor Barbara Foulkes.

17.5. That Councillor Heather N Woodbridge be appointed as a substitute member for the Orkney and Shetland Valuation Joint Board.

18. Conclusion of Meeting

At 11:16 the Convener declared the meeting concluded.

Signed: Harvey Johnston.

Protocol for Remote Attendance

The following procedures/protocols apply to all Council meetings where access to the meeting is through the Microsoft Teams platform. These procedures should be read alongside the Council's Standing Orders.

1. Prior to the Meeting

All relevant members will be issued with an invitation to the meeting.

The agenda and reports will be published electronically in the normal way.

Prior to entering the meeting members should check that their device is fully charged or is connected to a supply of electricity.

Members should log onto the Teams platform in good time prior to the start of the meeting to ensure there are no issues. You join the meeting by opening the meeting invite on your calendar and clicking on the "Join Microsoft Teams meeting" link.

If members are not able to access the Teams meeting by the start time of the meeting, and/or there be an issue with the video connection, they will be given the option to participate by telephone. The audio conferencing details are included in the meeting invite.

Please ensure that mobile phones, and any nearby landline phones, are switched off or on silent mode to avoid unnecessary interruptions.

Find a suitable location for the meeting, where you will be comfortable and will not be disturbed. Smart speakers, such as Amazon Echo (Alexa), Google Home or smart music devices, may be recording phone/video conversations and this could be an inadvertent breach of GDPR. It is strongly advised that any such device that connects to the Internet should be turned off or moved out of the room in which you are working. This is particularly important for meetings that include exempt or confidential items.

Please consider your location and what is visible in the background. A plain wall can create a good background and you should remove anything that you may not wish to be on view such as family photos or recognisable products/brands. Please also check any glass or mug used for drinking is neutral, with no particular branding, slogans or images which could be viewed as offensive. A corporate background image can be provided if requested.

2. Microsoft Teams Functions

Options Bar

If you have joined the meeting via Teams, you will see an Options Bar – where this bar appears on your screen and the order of the icons will depend on the version of Teams you have installed:

- A toolbar will appear if you hover your mouse over the screen. Or.

- The Options bar will appear across the top of your screen.

The Options Bar has 8 functions:

- Camera – used to switch your camera off and on.
- Microphone – used to mute/unmute your audio.
- Share – provides sharing screen options which will only be utilised by officers providing presentations.
- Ellipsis (more actions) button – provides a further 8 options. The only one which may be used is “Background Effects”.
- Raise hand – selecting this will raise your hand against your video and the participant list.
 - The order of raised hands is also shown in the participant list, with the first person moving to the top, immediately below the organiser of the meeting.
- Conversation – this allows you to “chat” with all other participants in the meeting. This is **not** a private chat, but a meeting chat, and can be seen by all participants who have been invited to the meeting – regardless of whether they are present at the meeting or not.
 - Use to alert the Chair that you wish to speak – please do not use this function for any other purpose.
- Participants – shows all participants in the meeting (in alphabetical order by first name).
- Hang up/Terminate – participants can terminate the call via the red handset which allows them to leave the meeting and re-join if they select the “join” button from the invite.

Camera

Members should have their video on and should only switch this off, if it is having a detrimental impact on their internet connection.

Depending on the latest update from Microsoft, the number of participants remaining on your screen at any one time varies, with your image in a small box in the corner. When you have finished speaking, please remember that you will remain on screen until a number of other people have spoken. Please therefore assume at all times that what you are saying and/or doing is visible in the same way as it would in a committee room, even if you cannot see and hear other participants. This is particularly relevant in the following circumstances:

- If you choose to get up and leave – other participants will see an empty chair.
- In order to avoid others seeing anything on camera that might be embarrassing.
- If you leave your microphone unmuted – any noise in the room is picked up, and you will be on camera without realising.

Microphone

All participants, other than the Chair, should begin the meeting with their microphones on mute – this is to prevent echo.

Participants should only have their microphone unmuted when invited to speak by the Chair. Please ensure that you mute your microphone when you have finished.

Should any member fail to mute their microphone, Committee Officers will mute it automatically.

Conversation or Chat Function

Because not everyone will be immediately visible to the Chair, if you wish to speak, type “speak”, “question” or “comment” in the chat box and submit.

You may also type ‘Speak on this topic’ if there are a number of indications and you want to ensure you are brought in on the current topic being discussed.

Your wish to speak will be noted and you should wait to be invited to speak by the Chair.

You could also use this chat to type a short message if you are having technical difficulties and are unable to contribute / participate. Alternatively, if the chat function is not working for any reason, “raise your hand” can be used to indicate you wish to speak.

Try not use the chat for typing questions or other comments, unless you are having difficulties with the audio / video, as the Chair needs to keep track of who wishes to speak.

The Chair will monitor the chat and will endeavour to bring people in to speak in the order on the chat.

3. At the Meeting

Prior to the start of the formal meeting, once all members, officers and the person recording the meeting are present, the Chair should remind participants of the following protocols:

- Only the Clerk should admit external participants “waiting in the lobby” to the meeting.
- This is a formal Council meeting therefore all comments should be addressed through the Chair. Teams should be treated as a virtual “chamber” meeting, and all normal protocols remain the same.
- If you would like to speak, please use the Chat function – simply type “speak” or “question”. Please note that the Chat function is NOT a private chat and all participants, including press representatives, can see the Chat.
- The “show hand” function does not show/work for everyone, depending on how you access the meeting, hence use of the Chat function is the default method.
- If you are not speaking, please ensure your microphone is turned off – if not, background noise can be picked up and/or feedback occur.
- Please ensure your background does not inadvertently advertise any particular product; a blank wall is preferable. Use of the Background features in Teams can affect your connection and cause breakup, particularly when “share screen” is used for presentations.
- The press representatives have been advised that their camera should be off and their microphones muted.

The Clerk should then admit the press representatives to the meeting.

If required, the Clerk should do a roll call to confirm those present.

The Chair can then commence the formal meeting and the formal recording of the meeting will start.

Declaration of Interest

Where a member has declared an interest which requires them to leave the meeting, they will require to exit the meeting by pressing the red “hang up” button.

The Clerk and/or the Committee Services representative will then reinvite the meeting the rejoin the meeting when that business is concluded – this will appear as a pop-up on your screen.

Please note that presence/lack of will be monitored by officers through the “Show Participants” feature. A member must not re-join the meeting until they received an invitation from the Clerk.

Quasi-judicial business

Members are reminded that, if quasi-judicial business is being considered, such as planning applications, licensing applications, Notices of Review or appeals, they should remain for the entire item. If they have to leave the meeting during consideration of any relevant item, they are unable to participate or vote on their return.

Moving into Private Business

Just prior to the close of the public part of the meeting, the Chair will move that the remainder of the meeting will be held “in Committee” and seek a seconder. Once seconded, and agreed, the recording of the meeting, if applicable, will cease and members will be asked to “hang up”.

A separate invite will be issued for the “private” session of the meeting.