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Monday, 8 July 2019

Chairman: Councillor R Crowe
Vice-Chairman: Councillor Mrs P Rainbow

To all Members of the Council:

MEETING: Full Council

DATE: Tuesday, 16 July 2019 at 6.00 pm

**VENUE: Civic Suite, Castle House, Great North Road,
Newark, Nottinghamshire, NG24 1BY**

**You are hereby requested to attend the above Meeting to be held at the time/place
and on the date mentioned above for the purpose of transacting the
business on the Agenda as overleaf.**

If you have any queries please contact Nigel Hill Tel: 01636 655243 Email: Nigel.hill@newark-sherwooddc.gov.uk

AGENDA

		<u>Page Nos.</u>
1.	Apologies for absence	
2.	Minutes from the Annual Meeting held on 21 May 2019	7 - 28
3.	Declarations of Interest by Members and Officers and as to the Party Whip	
4.	Declarations of any Intentions to Record the Meeting	
5.	Communications which the Chairman or the Chief Executive may wish to lay before the Council	
6.	Communications which the Leader of the Council and Committee Chairmen may wish to lay before the Council	
7.	Questions from Members of the Public	
8.	In accordance with Rule No. 10 to receive Petitions from Members of the Council (if any)	
9.	Update to Contract Procedure Rules	29 - 64
10.	Notices of Motion	
	(i) Climate Change	

In accordance with Rule No 13.1, Councillor P. Peacock will move and Councillor Mrs D. Cumberlidge, will second a motion to the following effect:

The United Nations Intergovernmental Panel on Climate Change have warned that we have 12 years to make the necessary changes to limit a rise in global temperatures to 1.5°C. Failure to act will see a marked increase in sea levels and flooding, extreme and abrupt changes to weather patterns, crop failures, extinctions of plant, insect and animal species and global economic disruption and crisis.¹ The increased frequency and intensity of weather events that we have experienced locally highlight why this is such an important issue for Newark and Sherwood District Council to respond to.

At the Global Climate Talks in Poland last December the UK along with over 200 nations agreed action on climate change with a much greater role strongly implied for Local and Regional Authorities like Newark and Sherwood District Council in assisting Governments to achieve their carbon emission savings.

Newark and Sherwood District Council therefore:

- Declares a Climate Emergency;

¹ Intergovernmental Panel on Climate Change, Special Report – Global Warming of 1.5°C, October 2018

- Notes that we need to develop measures and set targets to contribute to the challenge of keeping global temperature rises below 1.5°C; and
- Will take the following measures:

(a) to establish a Newark and Sherwood District Climate Change working group to respond to this challenge, that meets in public with wide representation including from all party groups;

(b) set a target for Newark and Sherwood District to be carbon neutral and develop an action plan by the end of 2020 that will achieve this;

(c) to provide a Climate Change impact assessment on every decision the council makes, within every service review undertaken and every planning application considered;

(d) to work with other local authorities and public, private and voluntary sector partners on carbon reduction projects;

(e) to lobby the Government for the necessary resources and powers so that Newark and Sherwood District Council can make its contribution to the UK's Carbon Reduction targets; and

(f) to provide and publish an annual review of measures taken by Newark and Sherwood District Council and their impact on the District's carbon footprint.

(ii) Disclosure and Barring Service Checks

In accordance with Rule No 13.1, Councillor L. Brazier will move, and Councillor P. Peacock will second a motion to the following effect:

All Councillors to undertake Disclosure and Barring Service Checks within 4 months of taking up office.

Newark and Sherwood District Council doesn't currently have a policy of mandatory Disclosure and Barring Service (DBS) checks for members. Whilst the role of Councillor doesn't necessarily fall under the requirements that are laid out in the Rehabilitation of Offenders Act 1974, we believe the changing role of Councillor places more demands and exposes Councillors to many more vulnerable situations.

We believe that this is one more step in making the work of councils and councillors more transparent and accountable and that Newark and Sherwood should follow the path taken by that of Nottinghamshire County Council and Ashfield District Council in adopting such a policy.

With this in mind this motion calls on Newark and Sherwood District Council to adopt the following Policy with immediate effect:

Policy on Disclosure and Barring Service (DBS) Checks for Councillors and Co-opted Members

Background

1. The effective date of commencement for this policy is 16 July 2019.
2. This Policy complies with the exception to the Rehabilitation of Offenders Act 1974 and with the Disclosure and Barring Service Code of Practice.
3. This Policy replaces all previous policies, decisions and/or precedents relating to criminal records checks for Newark and Sherwood District Councillors.

General Principles

4. In light of the fact that the Council has a duty to protect the most vulnerable in society this Policy requires all Councillors to undergo enhanced level DBS checks.

The Process

5. Within four months of taking office following election, all newly elected Councillors will be required to undergo an enhanced DBS check.
6. Checks will be processed by Democratic Services in conjunction with Human Resources following a request by the Council's Monitoring Officer.
7. The relevant Councillor will be provided with a DBS certificate issued by the DBS. The Council will be notified of the disclosure and whether the DBS check is clear. This information will be returned to the Monitoring Officer. Where a check is not clear, for instance, it contains details of an offence, the Councillor will be required to provide a copy of the DBS certificate to the Monitoring Officer within 28 days of the date of issue of the DBS certificate, unless it is the intention of the Councillor to dispute the content of the DBS certificate within 3 months of the date of issue, in which case the certificate must be provided to the Monitoring Officer within 28 days following the outcome of the dispute.
8. In accordance with Section 124 of the Police Act 1997 disclosure information will only be passed to those people who are authorised to receive it in the course of their duties. The Monitoring Officer will maintain a record of the date a check was requested, the date a response was received and a 'list' of all those to whom the disclosure or disclosure information has been revealed together with other relevant information. It is a criminal offence to pass this information to anyone who is not entitled to receive it.
9. Disclosure information will only be used for the specific purpose for which it is requested and for which the applicant's full consent has been given.
10. Records of the Disclosure Number will be kept electronically, along with

the date of issue. Where Disclosure Information is made available this will be kept securely in lockable, non-portable containers and destroyed within six months in line with the DBS Code of Practice and the Data Protection Act.

11. Once the retention period has elapsed, any disclosure information will be destroyed by secure means. No photocopy or other image of the disclosure or any copy or representation of the contents of a disclosure will be kept. However, as stated above, the Monitoring Officer will maintain a register of the date of the request for, and issue of, a disclosure, the name of the subject, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure and the detail of any decision taken as a result of the disclosure.

Portability

12. DBS certificates are not portable other than for those individuals registered with the online DBS update service.

The Use of Disclosure Information

13. The existence of a criminal record or other information revealed as a result of a standard DBS check will not debar a Councillor from holding office.
14. In the event that the disclosure information received raises issues of concern, the Chief Executive advised by the Monitoring Officer in consultation with the relevant Group Leader, will discuss with the individual Councillor the restrictions considered necessary, to safeguard children, young people and adults, on the positions held by that Councillor.

Review of the Policy

15. This policy will be reviewed every two years and updated as and when required as a result of changes in the law.

Cost of Checks

The cost of standard DBS checks on all members would be £1,014 and enhanced DBS would be £1,716 or £26/£44 per member.

11. Questions from Members of the Council

12. Minutes for Noting

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|-----|-----------------------------------------------|---------|
| (a) | Policy & Finance Committee - 27 June 2019 | 65 - 76 |
| (b) | Economic Development Committee - 19 June 2019 | 77 - 83 |

(c)	Homes & Communities Committee - 10 June 2019	84 - 91
(d)	Leisure & Environment Committee - 25 June 2019	92 - 102
(e)	General Purposes Committee - 13 June 2019	103 - 105
(f)	Licensing Committee - 13 June 2019	106 - 109
(g)	Planning Committee - 4 June 2019	110 - 122
(h)	Planning Committee - 2 July 2019	123 - 131
(i)	Shareholder Committee - 11 June 2019	132 - 136

13. Exclusion of the Press and Public

To consider resolving that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

None.

NOTES:

- (1) The Conservative Group will meet at 5.00pm in Rooms F1 - F3 prior to the Council Meeting.
- (2) The Labour Group will meet at 5.00pm in Room G1 prior to the Council Meeting.
- (3) The Independent Group will meet at 5.00pm prior to the Council Meeting.
- (4) The Liberal Democrat Group will meet at 5.00pm in the Castle Room, prior to the Council Meeting.
- (5) Tea and coffee will be available in the Civic Suite.