



## RIBBLE VALLEY BOROUGH COUNCIL

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Dear Councillor

You are invited to attend a meeting of the **EMERGENCY COMMITTEE** is at **1.30pm** on **THURSDAY, 28 JUNE 2018** at the **TOWN HALL, 13 CHURCH STREET, CLITHEROE.**

I do hope you can be there.

Yours sincerely

*Marshal Scott*

CHIEF EXECUTIVE

To: Committee members  
Directors  
Head of Legal and Democratic Services

### AGENDA

#### Part 1 – items of business to be discussed in public

1. Apologies for absence.
- ✓ 2. Call-in of Agenda Item 28 Policy and Finance Committee meeting 19 June 2018 – report of Chief Executive – copy enclosed.

#### Part 2 – items of business NOT to be discussed in public

None.

**RIBBLE VALLEY BOROUGH COUNCIL  
REPORT TO EMERGENCY COMMITTEE**

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Agenda Item No.

meeting date: THURSDAY, 28 JUNE 2018  
title: CALL-IN OF AGENDA ITEM 28 POLICY AND FINANCE COMMITTEE  
MEETING 19 JUNE 2018  
submitted by: CHIEF EXECUTIVE  
principal author: DIANE RICE, HEAD OF LEGAL AND DEMOCRATIC SERVICES

**1 PURPOSE**

1.1 The Emergency Committee has been convened by the Chief Executive because a call-in has been made. The call-in procedure has the effect of suspending the implementation of the Council's decision, until the matter has been considered by Council or the Emergency Committee has met to consider whether to override the call-in.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives - }
  - Corporate Priorities - }
  - Other Considerations - }
- The call-in procedure is part of the Council's governance arrangements and ensures decisions are scrutinised.

**2 BACKGROUND**

2.1 On 19 June 2018 the Council's Policy and Finance Committee met to consider the redevelopment of Clitheroe Market. The minute of the Committee and the action sheet published by the Council on 20 June 2018 are attached as Appendix 1.

2.2 On 25 June 2018 the Director of Resources received a request for the decision of the Policy and Finance Committee to be called-in. A copy of the request is attached at Appendix 2. The reasons given were:

*"The decision is contrary to policy on the market in that  
It agrees to proceed with the scheme, despite Policy and Finance Committee resolving on 12 September 2017 at Minute 264 that:*

*5. The Market Redevelopment working Group be consulted once a design is drawn up to ensure it has met the Council's requirements before it is presented to Policy and finance Committee. And that in the minutes of the Market Working Group on 27 March 2018 the working group agreed that:*

*There be a report to Policy and Finance Committee that, whilst the revised scheme met some of the criteria, the proposed scheme did not fully meet the Council's requirements and Members felt generally underwhelmed by the proposal".*

2.3 The request complied with the Council's call-in procedure which is set out in Standing Order 29, and in the Committee arrangements approved at the Annual Council meeting. (See copy attached at Appendix 3).

### 3 ISSUES

3.1 The effect of the call-in is that implementation of the decision is suspended until either the Council has met, or the suspension is overridden by the Emergency Committee. The power of the Emergency Committee to override the call-in procedure can only be exercised by a unanimous decision of the Emergency Committee and where in their view it is necessary to protect the interests of the Council that the original decision be implemented without delay.

3.2 A copy of the Emergency Committee's terms of reference and protocol is attached at Appendix 4.

3.3 If the Emergency Committee do not decide to override the call-in procedure the matter will be referred to the next meeting of Council on 10 July 2018.

### 4 RECOMMENDED THAT COMMITTEE

4.1 Decide whether to override the call-in of the decision relating to Agenda item 28, Policy and Finance Committee meeting on 19 June 2018 thereby removing the suspension on implementation of the decision.



DIANE RICE  
HEAD OF LEGAL AND DEMOCRATIC SERVICES



MARSHAL SCOTT  
CHIEF EXECUTIVE

For further information please ask for Diane Rice, extension 4418.

REF: DER/EL/EMERGENCY/280619

## RE-DEVELOPMENT OF CLITHEROE MARKET SITE – UPDATE

The Chief Executive submitted a report giving Members an update on the market area redevelopment project and asking them to agree actions to progress a development scheme.

In order to progress the scheme, Members were now asked to consider the submitted proposal in the context of the previously agreed requirements such that it can be moved to the next stage. The next stage would include the scheme being financially appraised and the Heads of Terms and Development Agreement negotiated before being brought back to Committee to consider whether they wished to formally enter into a development agreement with Barnfield Construction.

Members discussed the scheme and felt it was time to move forward with the design concept outlined although not all Members were in agreement with this.

RESOLVED: That Committee

1. approve the scheme as now proposed in principle for it to move to the next stage;
2. agree that Heads of Terms, a Development Agreement and Financial Appraisal be prepared based upon the scheme as now presented and reported back to this Committee for consideration; and
3. delegate to the Chief Executive, in consultation with the Chairman and Vice-Chairman of this Committee, a strategy for publicising the scheme as it develops.



Ribble Valley  
Borough Council

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# ACTION SHEET

## POLICY & FINANCE COMMITTEE – TUESDAY, 19 JUNE 2018

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**Will you please note the following decisions made by the above Committee and, where necessary, take action accordingly.**

### AGENDA ITEM 5

#### APPOINTMENT OF WORKING GROUPS 2018/2019

RESOLVED: That Committee approve the continuance of the following working groups:

- Communications Working Group – Councillors K Hind, S Hind, G Mirfin, G Geldard and A Knox.
- Voluntary Organisation Grant Working Group – Councillors A Brown, S Hirst, T Hill and M Robinson.
- Budget Working Group – Councillors K Hind, R Swarbrick, S Hirst, S Atkinson, A Brown, J Rogerson and A Knox
- Social Mobility Task and Finish Working Group – Councillors S Bibby, M Fenton, A Knox, G Mirfin and J Rogerson.

ACTION BY: CHIEF EXECUTIVE

### AGENDA ITEM 6

#### ICT STRATEGY

RESOLVED: That Committee approve the new ICT Strategy as appended to the report.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 7

PROMOTIONAL WEBSITE

RESOLVED: That Committee approve the new promotional website and ask that an official launch be carried out.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 8A

REFERENCE FROM COMMUNITY SERVICES COMMITTEE – FIRE PROTECTION WORKS AT LONGRIDGE DEPOT

RESOLVED: That Committee approve the request for the supplementary estimate of £8,180 with the full amount to be financed from the repairs and maintenance earmarked reserve for the fire protection works at Longridge Depot.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 8B

REFERENCE FROM PERSONNEL COMMITTEE – APPOINT OF FULL TIME PRE-APPLICATION OFFICER

RESOLVED: That Committee approve the request for the supplementary estimate of £13,020 for a full year with the full amount to be financed from increases in pre-application planning fees. The financial impact for the current year to be brought into the budget calculated based on the start date of the new post holder.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 9

CAPITAL SCHEME 2018/2019 – HOOK LIFT VEHICLE REPLACEMENT SCHEME

RESOLVED: That Committee approve the capital scheme request of £50,000 for the hook lift vehicle replacement scheme and for this to be financed from the business rates growth earmarked reserve.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 9A

FIRE PROTECTION WORKS REQUIRED AFTER FIRE RISK ASSESSMENTS

RESOLVED: That Committee approve

1. the carrying out of the fire protection works as listed in the report; and
2. the request for the supplementary estimate of £7,140 with the full amount to be financed from the repairs and maintenance earmarked reserve.

ACTION BY: DIRECTOR OF COMMUNITY SERVICES

AGENDA ITEM 10

REVIEW OF 2015-2019 CORPORATE STRATEGY

RESOLVED: That Committee approve the updated Corporate Strategy.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 11

GDPR IMPLEMENTATION PROGRESS REPORT AND DATA PROTECTION POLICY

RESOLVED: That Committee approve the new Data Protection Policy as attached to the report.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 12

CAPITAL OUTTURN 2017/18

RESOLVED: That Committee approve the slippage of the budget in to the 2018/19 financial year of £86,140 for the 3 schemes outlined.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 24

DEPARTMENTAL RESTRUCTURING

RESOLVED: That Committee agree to the changes to the Council's Departmental Structure as outlined in the report.

ACTION BY: CHIEF EXECUTIVE

AGENDA ITEM 25

LOCAL TAXATION WRITE-OFFS

RESOLVED: That Committee approve the writing-off of £1,222.90 of Housing Benefit debt where it had not been possible to collect the amount due.

ACTION BY: DIRECTOR OF RESOURCES

AGENDA ITEM 26

ESTATE MATTERS – CLITHEROE JOB CENTRE

RESOLVED: That Committee agree to extend the Licence to the DWP Job Centre to 10 years.

ACTION BY: CHIEF EXECUTIVE

AGENDA ITEM 27

ESTATE MATTERS – POTENTIAL LICENCE FOR THE USE OF THE FORMER PHYSIOTHERAPY CENTRE

RESOLVED: That Committee confirm the offer to the Foundation for Ribble Valley Families to use the former physiotherapy centre on the terms set out in the report.

ACTION BY: CHIEF EXECUTIVE

AGENDA ITEM 28

RE-DEVELOPMENT OF CLITHEROE MARKET SITE – UPDATE

RESOLVED: That Committee

1. approve the scheme as now proposed in principle for it to move to the next stage;
2. agree that Heads of Terms, a Development Agreement and Financial Appraisal be prepared based upon the scheme as now presented and reported back to this Committee for consideration; and
3. delegate to the Chief Executive, in consultation with the Chairman and Vice-Chairman of this Committee, a strategy for publicising the scheme as it develops.

ACTION BY: CHIEF EXECUTIVE



#### NOTE TO COUNCILLORS – CALL-IN PROCEDURE

1. Any of the above decisions unless they relate to individual planning, licensing or grant applications, can be called-in within 5 working days of this sheet being published.
2. To operate the call-in procedure written notification needs to be given to the Director of Resources specifying the decision to be called-in. The notification must be signed by at least 5 members. The members concerned must give reasons in writing specifying why the decision has been called-in.
3. If a decision is called-in, the implementation of that decision is suspended until the Council has met unless overridden by the Emergency Committee.
4. The call-in procedure should normally only apply to decisions which are considered to be contrary to policy or not in accordance with the budget. The Council's Emergency Committee will have power to override the call-in procedure and to rule that the original decision be implemented. This power can only be exercised by a unanimous decision of the four, where in their view it is necessary to protect the interests of the Council that the original decision be implemented without delay. In order for them to decide whether or not to exercise this power, the Chief Executive will notify them immediately of any decisions which have been called-in.

**Call in of Agenda Item 28 of Policy and Finance**

We the undersigned request the Call In of Agenda Item 28 of Policy and Finance Committee because the decision is counter to policy on the market in that

It agrees to proceed with the scheme, despite Policy and Finance committee resolving on 12<sup>th</sup> September 2017 at Minute 264 that:

5.) The Market Re-Development Working Group be consulted once the design is drawn up to ensure it has met the Council's requirements before it is presented to Policy and Finance Committee.

And that in the Minutes of the Market Working Group 27<sup>th</sup> March 2018 the Working Group agreed that:

- There be a report to Policy and Finance that, whilst the revised scheme met some of the criteria, the proposed scheme did not fully meet the Council's requirements and members felt generally underwhelmed by the proposal.

- 1.) Cllr. Allan Knox..... *Allan Knox*
- 2.) Cllr. Maureen Fenton..... *Maureen Fenton*
- 3.) Cllr. Mark French..... *Mark French*
- 4.) Cllr. Sue Knox..... *Sue Knox*
- 5.) Cllr. Mary Robinson..... *Mary Robinson*

DIRECTOR OF  
RESOURCES

25 JUN 2018

FAO

# **Ribble Valley Borough Council**

## **CALL-IN PROCEDURE FOR DECISIONS**

### **MADE BY COMMITTEES**

- 1 All decisions made by committees should be sent to members within two working days of the committee having met.
- 2 A decision can be called-in within 5 working days of the decision being published.
- 3 If a decision is called-in, the implementation of that decision is suspended until the Council has met unless overridden by the Emergency committee.
- 4 Five members are needed to operate the call-in procedure.
- 5 The members operating the call-in procedure must give reasons in writing specifying why the decision has been called-in.
- 6 The call-in procedure does not apply to decisions on individual planning, licensing or grant applications, or to any matter arising out of the original decision on such an application including the conduct of any appeal. It should normally only apply to decisions which are considered to be contrary to policy or not in accordance with the budget. The Emergency committee will have power to override the call-in procedure and to rule that the original decision be implemented. This power can only be exercised by a unanimous decision of the four where in their view, it is necessary to protect the interests of the Council that the original decision be implemented without delay. In order for them to decide whether or not to exercise this power, the Chief Executive shall notify them immediately of any decisions that have been called-in.

**MARSHAL SCOTT**  
**CHIEF EXECUTIVE**

**MAY 2018**

## **TERMS OF REFERENCE OF AND PROTOCOL FOR AN EMERGENCY COMMITTEE**

### **Protocol**

#### *Convening a meeting*

1. An Emergency Committee should only be called where its terms of reference apply and the matter is so urgent that the decision cannot wait for a scheduled meeting of the Council or one of its committees.
2. The Chief Executive or a deputy appointed by him/her for these purposes will convene the Emergency Committee when s/he feels that it is appropriate.
3. The committee clerk of the appropriate committee will arrange the meeting and produce an agenda. This and any reports prepared for the meeting will be circulated to all members of the committee.
4. The agenda will be posted on the Council's website together with any Part I reports.

#### *Composition of Emergency Committee*

5. The emergency committee will comprise of the Leader, the Deputy Leader and the Shadow Leader or their authorised representatives and one other councillor, or such other arrangements as are approved by the Annual Meeting of the Council. Where possible the fourth councillor should be the Chair of the appropriate committee.
6. The Emergency Meeting should be attended by the Corporate Management Team. Other appropriate officers should attend wherever possible.

#### *Decisions taken by the Emergency Committee*

7. The meeting will be minuted by a committee clerk and the minutes will be circulated to all members and placed on the Council's website.
8. The decision made by the Emergency Committee will be reported to the next meeting of the appropriate committee or to full council, as applicable.

### **Terms of Reference of Emergency Committee**

To exercise any of the Council's functions which are necessary:

- in the case of a major incident to fulfil the Council's role as determined in its Emergency Plan; or
- in other cases of urgency between meetings of the Council.

To deal with those decisions that are subject to the Council's Call In Procedure.